

**Mount Olive Planning Board
Summary Minutes
April 13, 2023**

Meeting opened at 7:00 pm with Pledge of Allegiance followed by roll call:

ATTENDANCE:

Planning Board Members:

Present:

Mr. Scapicchio, Mr. Schaechter, Ms. Mott, Ms. Natafalusy, Mr. Mania, Mr. Nelsen, Mr. Galop, Mr. Batsch, Mr. Weiss

Excused:

Mr. Forlenza, Ms. Shanaphy

Board Professionals:

Chuck McGroarty, P.P., AICP

James Bryce, Esq.

Mike Vreeland, P.E., C.M.E.

Jeffrey Keller, Ph. D.

Walter Lublanecki, PE

Mary Strain, PB Secretary

COMMITTEE REPORTS

Open Space Committee - working on open space inventory.

Board of Education – Mr. Schaechter to extend an invitation from the Board to the Board of Education to present the capital plan for improvements for the next school year.

Street Naming Committee – working with the Historical Society for names of roads for the development off Love Lane.

MINUTES

Minutes of May 13, 2021 – approved.

Minutes of March 9, 2023 – approved.

RESOLUTION

PB 22-09 SD Ventures 2021, LLC, 56-58 Old Ledgewood Road, Block 4200, Lots 16.01 & 16.02
Denial – approved.

APPLICATIONS FOR PUBLIC HEARING

PB 22-29 3000 Continental Drive Associates, LLC

3000 Continental Drive, Block 200, Lot 1

Preliminary & Final Major Site Plan

Please see attached Transcript of Proceeding.

With no further business the Board adjourned at 10:05 pm.

TOWNSHIP OF MOUNT OLIVE
STATE OF NEW JERSEY
TOWNSHIP OF MOUNT OLIVE
PLANNING BOARD
THURSDAY, APRIL 13, 2023
COMMENCING AT 7:30 P.M.

IN THE MATTER OF : TRANSCRIPT OF
APPLICATION PB 22-29 : PROCEEDING
CONTINENTAL DRIVE ASSOCIATES, LLC :
3000 CONTINENTAL DRIVE :
BLOCK 200, LOT 1 :
:

B E F O R E:

TOWNSHIP OF MOUNT OLIVE PLANING BOARD

THERE BEING PRESENT:

HOWARD WEISS, CHAIRMAN

CATHERINE NATAFALUSY, VICE CHAIRWOMAN

ROBERT GREENBAUM, MAYOR (ABSENT)

KEN FORLENZA, MEMBER (ABSENT)

JOHN MANIA, MEMBER

WILLIAM GALOP, MEMBER

BRIAN SCHAECHTER, MEMBER

KIM MOTT, MEMBER

DAN NELSEN, MEMBER

DAVID SCAPICCHIO, MEMBER (LATE ARRIVAL)

JOHN BATSCH, ALTERNATE MEMBER 1

JAIME SHANAPHY, ALTERNATE MEMBER 2 (ABSENT)

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1 A P P E A R A N C E S :

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Counsel to the Planning Board

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Counsel to the Applicant

11 A L S O P R E S E N T :

CHUCK McGROARTY, PP
Board Planner

MARY STRAIN
Board Secretary

MICHAEL G. VREELAND, PE
Planning Board Engineer

WALTER M. LUBLANECKI, PE,
Planning Board Traffic Consultant

JEFFREY K. KELLER, PH.D.,
Planning Board Environmental Consultant

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

I N D E X

2	W I T N E S S E S	SWORN	PAGE
3	KRISTEN ROSLUND, PE	7	8
4	Voir Dire Examination by Mr. Leibman		7
4	Direct Examination by Mr. Leibman		
4	Board/Professional Questions		
5	Vice Chairwoman Natafalusy		12
5	Chairman Weiss		15
6	Mr. Schaechter		33, 49,
6	Mr. Vreeland		37
7	Mr. Scapicchio		39
7	Mr. McGroarty		40, 44,
8	Mr. Mania		54, 74
9	Mr. Lublanecki		42, 74
9	Dr. Keller		53, 71
10	Mr. Galop		63
10	Public Questions		72
11	Kathleen Murphy		77
11	31 Camelot Drive		
12	Budd Lake		
13	Joseph Macasek, President		78
13	19 Budd Street		
13	Morristown		
14	ROB MACINNES, AIA		81
15	Voir Dire Examination by Mr. Leibman		81
15	Direct Examination by Mr. Leibman		84
16	Board/Professional Questions		
16	Vice Chair Natafalusy		87
17	KARL A. PEHNKE, P.E., PTOE		91
18	Voir Dire Examination by Mr. Leibman		92
18	Board/Professional Questions		
19	Mr. Lublanecki		99
19	Mr. Galop		108
20	Chairman Weiss		109

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

I N D E X (Continuing)

2	W I T N E S S E S	SWORN	PAGE
3	ARTY BIFULCO	115	
3	Direct Examination by Mr. Leibman		115
4	Board/Professional Questions		
5	Mr. McGroarty		117
5	Mr. Galop		117
6	Mr. Bryce		122
6	Mr. Batsch		122
7	Mr. Nelsen		123
7	Mr. Schaechter		125
7	Mr. Mania		126
8	PAUL RICCI, P.P.	132	
9	Voir Dire Examination by Mr. Leibman		132
9	Direct Examination by Mr. Leibman		133
10	PUBLIC COMMENT		
11	KATHLEEN MURPHY		146
11	31 Camelot Drive		
12	Budd Lake		
13	JOSEPH MACASEK		152
14	19 Budd Street		
14	Morristown		

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

<p>1 INDEX (Continuing)</p> <p>2 EXHIBITS</p> <p>3 NO. DESCRIPTION IDENT/EVID</p> <p>4 A-1 Aerial Exhibit of Existing Site 14</p> <p>5 A-2 Proposed Plan Entitled</p> <p>6 "3000 Continental Drive</p> <p>Warehouse Development 14</p> <p>7 A-3 Tree Removal Plan 18</p> <p>8 A-4 Reforestation Plan 19</p> <p>9 A-5 Steep Slope Plan 23</p> <p>10 A-6 Land Banked Parking Plan 53</p> <p>11 A-7 Overall Building Floor Plan</p> <p>12 Prepared by Ford & Associates,</p> <p>Sheet A-100 84</p> <p>13 A-8 Exterior Perspective Plan</p> <p>14 Prepared by Ford & Associates 84</p> <p>15 A-9 North Building Elevation Plan</p> <p>16 Prepared by Ford & Associates,</p> <p>Sheet A-2.01 87</p> <p>17 A-10 East and West Building Elevations</p> <p>Plan Prepared by Ford & Associates,</p> <p>Sheet A-2.03 89</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.</p> <p>201-641-1812</p>	<p>7</p> <p>1 CHAIRMAN WEISS: Okay.</p> <p>2 I only say that because usually an</p> <p>3 attorney gives us a summary. And it's totally fine.</p> <p>4 Okay. Welcome.</p> <p>5 MR. BRYCE: If you could please just</p> <p>6 raise your right hand.</p> <p>7 Do you swear or affirm that the</p> <p>8 testimony you're about to give this board is the</p> <p>9 truth, the whole truth, and nothing but the truth?</p> <p>10 MS. ROSLUND: I do.</p> <p>11 K R I S T E N R O S L U N D, P E</p> <p>12 300 Kimball Drive, Floor 4, Parsippany, New</p> <p>13 Jersey, having been duly sworn, testifies as</p> <p>14 follows:</p> <p>15 MR. BRYCE: Please state your name and</p> <p>16 spell your last.</p> <p>17 MS. ROSLUND: My name is Kristen</p> <p>18 Roslund, R-O-S-L-U-N-D.</p> <p>19 MR. BRYCE: Thank you.</p> <p>20 VOIR DIRE EXAMINATION</p> <p>21 BY MR. LEIBMAN:</p> <p>22 Q. Ms. Roslund, can you give the board the</p> <p>23 benefits of your educational background?</p> <p>24 A. Sure.</p> <p>25 So I am a licensed Professional</p> <p>LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.</p> <p>201-641-1812</p>
<p>6</p> <p>1 CHAIRMAN WEISS: All right. That</p> <p>2 brings us to our lone development application, which</p> <p>3 is PB 22-29, 3000 Continental Drive Associates, LLC,</p> <p>4 here for Preliminary and Final Major Site Plan at</p> <p>5 their property located at 3000 Continental Drive,</p> <p>6 Block 200, Lot 1.</p> <p>7 Welcome.</p> <p>8 MR. LEIBMAN: Thank you, Mr. Chairman.</p> <p>9 For the record, my name is Marc</p> <p>10 Leibman. I'm with the firm of Chiesa, Shaninian &</p> <p>11 Giantomasi, appearing on behalf of the applicant.</p> <p>12 We have a number of witnesses for you</p> <p>13 here tonight.</p> <p>14 I won't bore you with an opening</p> <p>15 statement. I think you're all pretty familiar with</p> <p>16 the application, having received a number review</p> <p>17 letters from your professionals.</p> <p>18 I'd like to like call my first witness,</p> <p>19 Kristen Roslund, Professional Engineer, to be sworn</p> <p>20 and testify.</p> <p>21 CHAIRMAN WEISS: Perfect.</p> <p>22 I guess, is there anyone on the</p> <p>23 planning board that's unaware -- I don't think so --</p> <p>24 what we're talking about?</p> <p>25 (No Response.)</p> <p>LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.</p> <p>201-641-1812</p>	<p>8</p> <p>1 Engineer in the State of New Jersey.</p> <p>2 I graduated from the College of New</p> <p>3 Jersey with a Bachelor's degree in Civil Engineering,</p> <p>4 and have been working on industrial projects such as</p> <p>5 this for over ten years.</p> <p>6 Q. You were qualified by this board just</p> <p>7 last month as an expert in the field of engineering?</p> <p>8 A. That is correct.</p> <p>9 Q. And you've been qualified by similar</p> <p>10 boards throughout the state?</p> <p>11 A. Yes.</p> <p>12 MR. LEIBMAN: Mr. Chairman, I'd ask</p> <p>13 that the witness be accepted as an expert in the</p> <p>14 field of civil engineering.</p> <p>15 CHAIRMAN WEISS: Kristen, your license</p> <p>16 is still valid; nothing changed from last time?</p> <p>17 MS. ROSLUND: Correct.</p> <p>18 CHAIRMAN WEISS: Does anybody have</p> <p>19 questions for Kristen?</p> <p>20 (No Response.)</p> <p>21 CHAIRMAN WEISS: Welcome, Kristen.</p> <p>22 MS. ROSLUND: Thank you very much.</p> <p>23 Thank you for having us tonight.</p> <p>24 So, as Mr. Leibman said, we are</p> <p>25 presenting on the former BASF facilities. The site</p> <p>LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.</p> <p>201-641-1812</p>

1 is known as 3000 Continental Drive.
 2 And it's known as Block 200, Lot 1.
 3 And it's approximately 97 acres.
 4 It's the former BASF headquarters,
 5 which consists of a 5-story office building, two
 6 parking decks, and surface parking as well, which is
 7 shown on Exhibit A-1, which I'll mark in a minute, on
 8 the left up here.
 9 The project is bound by -- it's bound
 10 by Route 80 on the south, woods to the west,
 11 Continental Drive to the north, and then Continental
 12 Drive and International Drive to the east.
 13 And there is currently an access road
 14 on the site that connects International Drive to
 15 Continental Drive, that will generally be maintained
 16 as part of this development.
 17 The site is located in the FTZ or FTZ-4
 18 Zone, Foreign Trade Zone District, and has a few
 19 regulated areas onsite, which we'll touch on in a
 20 little bit.
 21 But there's wetlands. There's riparian
 22 zones, and Wills Brook onsite. These are generally
 23 located on the eastern portion of the site outside of
 24 the footprint of the BASF facility.
 25 And there are a few wetlands that have

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 formed in the existing basin onsite that will be
 2 impacted as part of this development.
 3 The proposed site plan, which is
 4 depicted on Exhibit A-2 on your right, consists of a
 5 585,000-square-foot speculative warehouse building,
 6 which is a permitted use in the zone.
 7 It has 110 loading docks, 160 parking
 8 spaces, 143 banked parking spaces, and 142 trailer
 9 parking spaces.
 10 We are seeking tonight a variance for
 11 the number of parking spaces.
 12 The ordinance requires 235 parking
 13 spaces, and we are only proposing 160. This number
 14 is generally in line with industrial standards.
 15 Industrial standards generally range from 1 per 1,000
 16 parking spaces to 1 per 5,000, which in this case
 17 would be anywhere from, like, 117 to 585.
 18 MR. MCGROARTY: Technically, just for
 19 the record, it's an exception, not quite a variance.
 20 MS. ROSLUND: That's why Chuck is here,
 21 to correct me when I miss stuff like that.
 22 MR. MCGROARTY: Just so you know.
 23 MS. ROSLUND: Thank you very much,
 24 Chuck.
 25 I appreciate that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. MCGROARTY: Don't worry about it.
 2 MS. ROSLUND: Okay. Now that we got
 3 that out of the way.
 4 So we are seeking an exception for the
 5 number of parking spaces on the site.
 6 The building has generally been
 7 designed to accommodate multiple tenants. There
 8 offices located in four corners of the building.
 9 And they're generally located next to
 10 the car park spaces onsite. The car parking spaces
 11 are located to the east side of the building and are
 12 generally separated from truck traffic.
 13 They have their own entrance separate
 14 from the main truck entrances.
 15 We are also seeking approval to
 16 construct a banked parking space on the west side of
 17 the building.
 18 Right now that is proposed as 143
 19 spaces, if a tenant should need it.
 20 If a tenant should not need it, we are
 21 seeking board approval to stripe this as trailer
 22 parking spaces instead, which was included on the
 23 site plan application drawing.
 24 There's also loading docks on both
 25 sides of the building, on the north side and the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 south side.
 2 And these are generally separated from
 3 the car parking lots and will be secured by multiple
 4 guard houses.
 5 We are seeking approval for three guard
 6 houses tonight, two on the southern road and then one
 7 on the northern road going into the site.
 8 These are shown in the locations on the
 9 plan, and we're seeking approval for these locations.
 10 But again, a tenant may choose to build
 11 one, two, or none of them, depending on, you know,
 12 what the tenant needs.
 13 So we kind of shown three in the
 14 locations that we believe a tenant would need them,
 15 but a tenant may decide they might not need all of
 16 them.
 17 VICE CHAIR NATAFALUSY: Could you point
 18 out where they are?
 19 MS. ROSLUND: Sure.
 20 VICE CHAIR NATAFALUSY: It's hard to
 21 see on the site plan.
 22 CHAIRMAN WEISS: What we should
 23 probably do, is you're referring to A-2, let's mark
 24 that as A-2.
 25 Today's date being April 13th.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MS. ROSLUND: Yes.
 2 CHAIRMAN WEISS: And why don't you tell
 3 us exactly what A-2 is?
 4 Then we'll circle back around to A-1.
 5 MS. ROSLUND: So the three guard houses
 6 are located right here, right here and right here
 7 (indicating), kind of the entrances to the truck
 8 courts.
 9 VICE CHAIR NATAFALUSY: Thank you.
 10 CHAIRMAN WEISS: While you're standing
 11 there, can you just tell me what is A-2?
 12 What is the -- how do you describe it?
 13 MS. ROSLUND: I'm so sorry.
 14 It's a plan rendering showing the
 15 proposed development.
 16 CHAIRMAN WEISS: It's a proposed plan.
 17 MS. ROSLUND: Yes.
 18 And it's entitled, "3000 Continental
 19 Drive Warehouse Development."
 20 CHAIRMAN WEISS: Thank you.
 21 While you're there, tell me what A-1
 22 is. You'll refer to that, too.
 23 MS. ROSLUND: It's an aerial exhibit.
 24 MR. McGROARTY: That's the existing
 25 BASF, correct.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 And then access to the site is going to
 2 be provided via the more or less existing access road
 3 that connects International Drive to Continental
 4 Drive.
 5 We are modifying both entrances a
 6 little bit to accommodate tractor trailer movements.
 7 And then as part of that, we're also
 8 going to be decommissioning this light that exists at
 9 the driveway entrance and International Drive.
 10 CHAIRMAN WEISS: Is that the blinking
 11 light?
 12 MS. ROSLUND: It is blinking right now,
 13 yes.
 14 So we're proposing to remove that as
 15 part of this application.
 16 CHAIRMAN WEISS: Walter, are you aware
 17 of that?
 18 MR. LUBLANECKI: Yes.
 19 CHAIRMAN WEISS: So let's make sure we
 20 address that.
 21 MR. LUBLANECKI: During the traffic
 22 testimony, absolutely.
 23 CHAIRMAN WEISS: Okay.
 24 For the record, Dave Scapicchio is
 25 here.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MS. ROSLUND: Correct, yes.
 2 Showing the existing -- what's onsite
 3 currently.
 4 (Whereupon, Aerial Exhibit of Existing
 5 Site is received and marked as Exhibit A-1
 6 for identification.)
 7 (Whereupon, Proposed Plan Entitled
 8 "3000 Continental Drive Warehouse Development
 9 is received and marked as Exhibit A-2, for
 10 identification.)
 11 MS. ROSLUND: So in addition to the
 12 guard houses, we further anticipate that a tenant
 13 would require security fencing around the loading
 14 docks.
 15 We are requesting an 8-foot-high
 16 chain-link fence and are seeking relief for that
 17 tonight. Eight-foot is pretty typical with
 18 industrial standards for security.
 19 And we generally show those around the
 20 perimeter of the truck courts.
 21 There will also be two trash compactors
 22 in the northern loading dock. The location of these
 23 may depend on the tenants, but there will be
 24 contracts with outside private waste haulers to
 25 remove that, based on the tenants' needs.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 (Whereupon, Mr. Scapicchio is now
 2 present at the meeting.)
 3 CHAIRMAN WEISS: Welcome, Dave.
 4 MR. SCAPICCHIO: Thank you.
 5 MS. ROSLUND: Okay.
 6 So then there are a few other aspects
 7 of the development that I would like to cover. The
 8 next is lighting.
 9 The proposed development consists of
 10 pole-mounted and building-mounted LED fixtures, which
 11 have a mounting height of 30 and 31 feet.
 12 We are seeking relief for this. And
 13 Chuck might be able to weigh in.
 14 We originally thought that the
 15 permitted light height was 18 feet, but we got some
 16 clarification that it's actually permitted to be
 17 30 feet.
 18 So the currently submitted design
 19 documents have the wall-mounted fixtures at 31 feet.
 20 And we would need relief for that. So
 21 we are seeking that tonight as part of this
 22 application.
 23 And then we're also seeking relief for
 24 the light levels. The ordinance allows a maximum
 25 average of 0.5 footcandles. And the proposed

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 development is at 1.4 footcandles. This is generally
2 in line with industrial standards which recommend a
3 0.5 footcandle minimum for any parking area, as
4 that's really what's desired for safety in these
5 parking areas and operational efficiency.

6 And then, lastly, as part of the
7 lighting, most industrial users operate 24/7, so we
8 are seeking that these lights be on from basically,
9 you know, 24/7.

10 MR. LEIBMAN: Not during the day.

11 MS. ROSLUND: Yeah, not during the day
12 obviously. From dusk until dawn.

13 CHAIRMAN WEISS: Catherine, go ahead.

14 VICE CHAIR NATAFALUSY: You don't --
15 because you're talking about lighting, I have a
16 question.

17 I don't see any lighting proposed on
18 that road from International Drive that connects to
19 Continental.

20 MS. ROSLUND: That's a great question.
21 There's existing lights that will remain.

22 VICE CHAIR NATAFALUSY: There are
23 existing lights.

24 MS. ROSLUND: Yes.

25 VICE CHAIR NATAFALUSY: I don't

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201-641-1812

1 remember. I just want to -- because if you're 24/7,
2 you need some lights on that.

3 MS. ROSLUND: Yes, there are existing
4 lights that will remain.

5 VICE CHAIR NATAFALUSY: I just didn't
6 see it on the site plan.

7 MS. ROSLUND: It's probably not
8 expressly called out because they were there.

9 And then just another thing to note in
10 regards to the light levels, we did evaluate this,
11 and at the property line the light level is zero.

12 We have lots of woods around us.
13 Again, at the property line it's zero. So we would
14 make the argument that the increased light intensity
15 would not really affect anyone surrounding the
16 property.

17 Okay. And then I'm going to come into
18 the proposed landscaping and bring up what I'll call
19 Exhibits A-3 and A-4.

20 A-3 is called "Tree Removal Plan."

21 And A-4 is a "Reforestation Plan."

22 (Whereupon, Tree Removal Plan is
23 received and marked as Exhibit A-3 for
24 identification.)

25

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201-641-1812

1 (Whereupon, Reforestation Plan is
2 received and marked as Exhibit A-4 for
3 identification.)

4 MS. ROSLUND: So the proposed
5 landscaping -- the proposed development, I should
6 say, loses 6.6 acres of forested area onsite. 4.5 is
7 this is contiguous forested area and is shown in
8 green on this exhibit, kind of on the pockets on the
9 outside.

10 While the proposed development
11 generally tried to stay within the footprint of the
12 former BASF facility, in order to make this a Class A
13 industrial warehouse, we did need to encroach a
14 little bit into these wooded areas.

15 But as part of this development, we are
16 looking to kind of give back.

17 There is 229 trees proposed throughout
18 the site, the warehouse development.

19 However, the township ordinance
20 requires a little over 1,300 trees and 660 shrubs to
21 be planted as part of the reforestation plan.

22 What we have worked with Mr. Keller and
23 the Township to kind of come up with at this point is
24 a reforestation plan for the areas on the site that
25 we can do that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 And there's really two areas that are
2 ideal.

3 So the first one is kind of this
4 northern pocket right here.

5 And it is currently a gap between the
6 forest on this side and the forest on this side.

7 And it's actually where the former
8 construction road was for the BASF expansion when
9 they built the second parking garage and the building
10 expansion.

11 And they used this as, kind of, a
12 construction road. So it was cleared. It's devoid
13 of a lot a vegetation. And that's a prime area where
14 we feel like we could give back so...

15 And it would really connect the two
16 forested areas that are currently disconnected.

17 And then this area on the south portion
18 was actually a construction laydown area for the BASF
19 expansion, and is just lawn right now.

20 So these two areas make up 2.39 acres.
21 And then we also have an area in pink on the exhibit
22 that's .37 acres that was also part of the grading to
23 make this roadway but has a lot of nonnative trees in
24 it.

25 So we're looking to enhance that area

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 by kind of removing those trees and putting back
2 native trees.

3 So those are the two areas onsite that
4 we feel are appropriate to reforest. And as part of
5 that reforestation, for every acre there will be over
6 300 trees and shrubs planted for the reforestation.

7 And we've agreed to conduct soil tests
8 with -- you know, and work Mr. Keller to kind of make
9 sure that we have the soil composition right, the
10 trees, and make that a collaborative process with
11 Mr. Keller's office.

12 We are seeking two items of relief
13 tonight in regards to the landscaping. The first one
14 is the requirement to have landscaping around all
15 parking and loading areas.

16 On the northern portion of the site
17 where the loading docks are, there is a retaining
18 wall beyond the loading docks, so we do not have
19 trees in that area specifically, given its close
20 proximity to the retaining wall and the structural
21 stability that that might cause.

22 And the second one, I guess, is not
23 really a formal relief request. It's more of just
24 asking the board for a little understanding. The
25 town requires that the replacement trees and trees

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 onsite have a caliper of at least 2-and-a-half acres
2 and --

3 MR. MCGROARTY: Two-and-a-half inches.

4 MS. ROSLUND: Thank you. Inches.

5 So in New Jersey, landscaping like that
6 is a little bit difficult to get.

7 So the applicant has agreed to kind of
8 do their best to find trees within that area that
9 meet that caliper and bring them to the site.

10 So, again, that will be for lease
11 applicant that wants to make property that might have
12 a little trouble meeting that. So we're asking for a
13 little understanding from the board in that regard.

14 CHAIRMAN WEISS: Hold on a second.

15 Jim, how do we account for a little
16 understanding?

17 Do we need better than that?

18 MR. BRYCE: Yeah, it's actually, to be
19 included as a condition within the resolution.

20 That's how it's been addressed in the
21 prior resolutions as well, which you haven't seen. I
22 haven't drafted yet.

23 But it will be a condition saying
24 there's relief as to the caliper.

25 CHAIRMAN WEISS: Okay. So then if

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 you're comfortable coming up with that language -- it
2 sounds like you are -- then we're okay with that. A
3 little relief, we know that doesn't work.

4 MS. ROSLUND: We appreciate that.

5 MR. BRYCE: It's specified by caliper,
6 no less than.

7 CHAIRMAN WEISS: Perfect.

8 MS. ROSLUND: The last thing regarding
9 the landscaping is that in Mr. Keller's letter, they
10 did ask for birdhouses and bat houses to be located
11 onsite.

12 And the applicant is willing to work
13 with Mr. Keller to figure out the best location and
14 quantity for those.

15 Okay. Moving onto the grading and
16 drainage and stormwater design associated with the
17 application. I'm going to bring up what I'm going to
18 call as Exhibit A-5.

19 And it's called the Steep Slope
20 Exhibit.

21 (Whereupon, Steep Slope Plan is
22 received and marked as Exhibit A-5 for
23 identification.)

24 MS. ROSLUND: So the proposed warehouse
25 will have a finished floor of 798. And that was

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 specifically designed to really address the grade
2 change on the site.

3 The grades onsite range from
4 about elevation 825 to 775, so a pretty big range.

5 So we kind of took that and found a
6 middle ground to set this finished floor.

7 As a result of that, there are two
8 variances that we're seeking tonight. The first is
9 for the retaining wall height. The ordinance allows
10 6 feet.

11 In the northwest corner of the site, we
12 have a retaining wall that has a max height of
13 38 feet.

14 And then we also have asking for relief
15 for some of the critical slope disturbance. The
16 ordinance allows no disturbance in critical slopes.
17 We currently have 103,000 square feet of disturbance
18 in these critical slope areas.

19 However, what is shown on Exhibit A-5,
20 we have, kind of, a prior limit of disturbance for
21 the BASF facility.

22 And within that prior disturbance,
23 there is about 82,000 square feet of that critical
24 slope area.

25 So in terms of untouched critical

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 sloped areas, really it's only 20,000 square feet of
 2 new areas that we're asking for relief for.
 3 And the majority of this disturbance
 4 is, kind of, focused on this northwest portion of the
 5 site over here (indicating).
 6 And as we, kind of, walk through this
 7 area (indicating). If you've been onsite, you know
 8 that that's where the construction road for BASF was.
 9 There was a lot of manmade slopes that were, kind of,
 10 steeper in order to bring this road up to the current
 11 pad where the BASF facility is.
 12 So we really designed the site and the
 13 wall location to, kind of, place it at the bottom of
 14 where this construction road was.
 15 And we didn't tier it as the ordinance
 16 requires, because that would have stepped it out into
 17 the forested area even further. So we're asking for
 18 relief tonight on those two aspects.
 19 And then also just to note, on the
 20 retaining wall we will be -- I know it came up last
 21 hearing -- we will be providing fall protection in
 22 terms of a guardrail for vehicles and for
 23 pedestrians, if anyone would be walking back there.
 24 Okay. I'm going to move on to
 25 stormwater, if that's okay.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 The stormwater onsite has been designed
 2 to really mimic existing conditions.
 3 Currently -- I don't know why I keep
 4 sitting down and getting back up.
 5 Currently, there is an existing basin
 6 located on the eastern portion of the site where the
 7 majority of the BASF facility drains to right now.
 8 Then that ultimately drains to Wills
 9 Brook on the eastern portion of the site.
 10 The proposed development is essentially
 11 maintaining that right now.
 12 We have -- I'm going to flip back to
 13 A-2 just so we can see the basins a little bit
 14 clearer.
 15 We have 13 basins proposed onsite that
 16 will ultimately drain to the existing basin, which is
 17 being converted to a bio basin in accordance with the
 18 stormwater rules adopted in 2021.
 19 These basins are being used to address
 20 quantity, quality and recharge standards in
 21 accordance with the local and state regulations.
 22 And then as part of that, we also are
 23 seeking a permit from the DEP to disturb the wetlands
 24 that have been formed due t lack of maintenance in
 25 the existing basin.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 The site will also have utilities, as
 2 we all know. All the utilities are proposed to come
 3 from International Drive. This will include water,
 4 sewer, telecom, gas, electric; all coming from
 5 International Drive.
 6 And the applicant has been working
 7 closely with these utility agencies to make sure
 8 that, you know, adequate utility services are
 9 available.
 10 And we are in the process of, you know,
 11 advancing those as we speak.
 12 CHAIRMAN WEISS: Is that where they're
 13 coming from now.
 14 MS. ROSLUND: They are.
 15 And to elaborate a little bit on that,
 16 you know, we're not necessarily bringing all
 17 utilities off of International Drive.
 18 We're trying to utilize the ones as we
 19 can closer to where the development is.
 20 But some of them will need to be pulled
 21 from International Drive.
 22 And the last thing associated with the
 23 project that I just wanted to touch on was signage.
 24 There are two monument signs currently on the site.
 25 They're at the entrances by Continental and

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 International.
 2 The applicant is seeking to basically
 3 modify those to just bring them up to, like, I guess,
 4 current standards and to make them more modern.
 5 And then there's also four directional
 6 signs proposed along the access road connecting the
 7 International Drive to Continental Drive to, kind of,
 8 direct car and truck traffic onsite to the driveways
 9 that they're supposed to go.
 10 These signs are in conformance with the
 11 ordinance and the -- it's the, I believe, the ITC
 12 Signage Manual for the FTZ Zone.
 13 We are seeking relief tonight for wall
 14 signage. The FTZ Zone does not allow any wall signs.
 15 And we are requesting four tonight.
 16 There are two ownership signs, which
 17 would essentially be the Matrix logo.
 18 And if you recall last time, we, kind
 19 of, looked at these more as design elements. They're
 20 more permanent on the building.
 21 They're not really meant to identify a
 22 tenant. Those would be 100 square feet.
 23 And then we have two tenant signage
 24 that are proposed to be 80 square feet.
 25 And the sign locations are identified

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 on the plan -- you'll hear a little bit more about
2 that during the architectural testimony -- but to
3 really allow a multi-tenant scenario in the building.

4 And the last aspect about signage, as
5 I'm sure you are aware, there are multiple signs on
6 International Drive that, kind of, direct you to the
7 former BASF facility into this compound.

8 The applicant is seeking tonight the
9 ability to, kind of, modify those and remove the BASF
10 facility and direct them to, you know, this address
11 essentially, or a tenant, so, you know, it kind of
12 matches and you don't see BASF anymore.

13 And then the last aspect, which I saved
14 for last because I know it's very important to the
15 township, is a cell tower.

16 We have been working with the police
17 department. There is currently a cell tower located
18 on the BASF building that the police use.

19 And the applicant has been working
20 diligently with the township and the department and
21 the utility authorities and is proposing a new cell
22 tower that would service the police radio equipment.

23 It's going located at south of the
24 existing basin, and will be 150-foot tall.

25 It's an 150-foot monopole, and will be

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 in, like, a 40-by-40 fenced compound with some
2 shrubbery around it, and some gravel.

3 This cell tower meets all the setbacks
4 required and is in conformance with what is dictated
5 in the township ordinance.

6 CHAIRMAN WEISS: Kristin, do you have a
7 schedule for that tower to be built?

8 Will that be built before the building
9 is knocked down?

10 MR. LEIBMAN: I think Mr. Bifulco can
11 answer that question best.

12 I'm happy to bring him up right now, if
13 you like.

14 MR. McGROARTY: What was the question?

15 CHAIRMAN WEISS: The question was, are
16 they going to install the new tower before they knock
17 down the building.

18 MR. McGROARTY: That's a good question.
19 We had that conversation with the person who was
20 going to be doing the demolition.

21 One would hope, because there's a
22 tenant. There's a tower on the building.

23 CHAIRMAN WEISS: We've seen it. The
24 tenants are there. If they knock the building down,
25 there will be a blackout.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. McGROARTY: Right.

2 MR. LEIBMAN: I'll bring a witness up
3 shortly to confirm what I was telling you, which is
4 that the applicant is going to make sure that the
5 town's connectivity is functional at all times.

6 So they may start demolition work on
7 the building, but they're going to make sure that the
8 emergency use that the town has is going to be
9 maintained until the new tower is up until the police
10 department emergency service is up.

11 CHAIRMAN WEISS: I think because we
12 have Mr. Galop here, we can certainly have some input
13 between yourself and the police department to make
14 sure it's satisfactory.

15 A little pressure on you, Bill.

16 MR. GALOP: I'm used to it.

17 It's okay.

18 CHAIRMAN WEISS: Thanks.

19 MS. ROSLUND: I know the last time we,
20 kind of, went through the comment letters.

21 I'm hoping to make this easy. I'm
22 losing my voice. I'm getting over being sick.

23 So I'll hopefully make it as easy for
24 most of the professionals that I can.

25 CHAIRMAN WEISS: Which one are you

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 starting with.

2 MS. ROSLUND: I'm going to start with
3 the planning letter and just state that we're going
4 to comply with everything.

5 I'll make it easy. So I don't know,
6 Chuck, if you have any specific questions regarding
7 that.

8 But we didn't see anything in your
9 letter that we couldn't comply with.

10 MR. McGROARTY: Well, it's not that --
11 I think you addressed it.

12 It's not so much complying, you know.
13 You have a planner tonight. So you addressed the
14 wall. You know, I didn't send a subsequent memo
15 clarifying that the height is permitted, the 30-foot
16 height for height.

17 The lighting is permitted. I list
18 that. I thank Mr. Bryce for actually bringing it to
19 my attention after the last hearing.

20 There were -- there were comments about
21 -- I think everything has been covered. I mean,
22 subsequent to the conversations that you had with us,
23 including Dr. Keller, who we are...

24 So I don't think there's --

25 You know, we had some concern last time

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 about lighting 24/7, certainly all night.
 2 Let's put it that way. That we realize
 3 you don't like it. We try to avoid sky glow to the
 4 extent we can. That's something we're concern about.
 5 But if it will operate all night,
 6 obviously lighting has to be on. So I think that's
 7 it, Mr. Chairman, in my report.
 8 CHAIRMAN WEISS: That was simple.
 9 Thank you.
 10 MS. ROSLUND: I'm going to try to keep
 11 it going.
 12 MR. McGROARTY: I do want to say just
 13 for the record, just so we have it on the record, the
 14 burning question amongst us, how is it possible to
 15 put a monopole on here when there's going to be
 16 already warehouse and two separate principal uses
 17 that is permitted?
 18 I didn't get into it in the report.
 19 Under Section 550-91, just again for
 20 the record, multiple permitted principal uses are
 21 allowed in industrial zones subject to site plan
 22 approval.
 23 CHAIRMAN WEISS: Go ahead.
 24 MR. SCHAECHTER: Is there any reason
 25 why we couldn't bring the light heights down to
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 dropping it a foot would increase your footcandles,
 2 you said.
 3 MS. ROSLUND: Yeah.
 4 It might increase it very, very
 5 slightly. We're not talking a large increase by any
 6 means.
 7 MR. SCHAECHTER: This site compared to
 8 the other is pretty secluded.
 9 MS. ROSLUND: It's a little different
 10 standard. Agreed.
 11 CHAIRMAN WEISS: With that being said,
 12 if we could drop it to 30 and maintain the standard,
 13 that would be --
 14 MS. ROSLUND: So I will put on the
 15 record that we are definitely willing to look at
 16 that, and if we can make that work, we will drop it
 17 so that we are in conformance.
 18 CHAIRMAN WEISS: Very well.
 19 Note that. Perfect.
 20 MS. ROSLUND: Yes.
 21 CHAIRMAN WEISS: We're talking about
 22 just lighting.
 23 MS. ROSLUND: The pole-mounted lights
 24 are at 30, so those are in conformance.
 25 CHAIRMAN WEISS: Okay. Anybody else?
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 30 feet, making them comply.
 2 MS. ROSLUND: If I had to guess, I
 3 figured we would be you who asked.
 4 MR. SCHAECHTER: Well, we flipped a
 5 coin. It was between Catherine and me. I'm lost.
 6 MS. ROSLUND: So as I explained before,
 7 we thought the height was 18 feet.
 8 So when we designed the site, we knew
 9 we were going to need relief.
 10 We picked 31 feet to, kind of, jive
 11 with the architecture of the building.
 12 I would say that it should be easy to
 13 drop that down one foot.
 14 But I just don't know -- I don't have
 15 an answer definitively -- if that would increase the
 16 illumination level that we testified to by a little
 17 bit.
 18 So I'm not sure how we could address
 19 that as part of the board.
 20 We haven't really run that analysis to
 21 know if we would increase that a little bit.
 22 CHAIRMAN WEISS: What's the lesser of
 23 two evils? I would think dropping it a foot would
 24 be. I'm just making a comment.
 25 I don't know if anybody feels that --
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Go ahead.
 2 MS. ROSLUND: Okay. I'm going to go to
 3 the engineering letter next. We have a couple of
 4 comments that we are not going to -- well, really one
 5 comment that we're not in conformance with, and it's
 6 3.6. It recommends that there be landscape islands
 7 in this banked parking area on the side of the site.
 8 And, as I mentioned earlier, we're kind of treating
 9 this as a flex lot.
 10 We're showing banked parking right now,
 11 but there might also be trailers. We ask for the
 12 ability to put trailers there if the tenant should
 13 need parking. So if it does become a trailer lot,
 14 that island would not allow for truck movement.
 15 So right now we have it striped. The
 16 grading and drainage is designed so that it kind of
 17 sheet flows to the curb. So we are -- that was one
 18 comment that we would ask that we could work with you
 19 on to, kind of, work...
 20 MR. VREELAND: If I could just explain
 21 where we were coming from.
 22 We were under the assumption that when
 23 they said it was banked parking, it was a parking
 24 area that they wouldn't need to develop for any
 25 particular use.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

<p style="text-align: right;">37</p> <p>1 And if you were going to develop it for 2 vehicle use, you might pave it, maybe put islands in 3 and have some landscaping. 4 The explanation is this you're going to 5 use it for trailer parking, you're not going to use 6 it for vehicle parking, and you need the vehicle 7 surface for a use, that makes a difference. 8 CHAIRMAN WEISS: Okay. 9 MS. ROSLUND: We appreciate that. 10 MR. VREELAND: If I could ask, I mean, 11 are you -- for clarification, this trailer park, is 12 that trailers that have product in it, parked 13 trailers that are empty and not being used? 14 How does that generally operate at this 15 facility? 16 MS. ROSLUND: That's a great question. 17 It really -- and I'm going to give you a wishy-washy 18 answer. It really depends on the tenant. Different 19 tenants have different abilities -- capabilities for 20 these trailers. 21 So it might depend on the tenant. 22 So might have to be parked there being 23 filled, ready to come into the warehouse. 24 But I would say a lot of times they're 25 not full trailers. <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p> </p>	<p style="text-align: right;">39</p> <p>1 would all be associated with the tenant and would be 2 used operationally. Not meant to store trailers 3 long-term. 4 CHAIRMAN WEISS: Well, it's important 5 we identify it. Dave, you had a comment. 6 MR. SCAPICCHIO: I do. 7 Do you have any hazardous waste coming 8 in and out of the facility, or just products that are 9 sold. 10 MS. ROSLUND: So that's a tricky 11 question. 12 So the answer is, right now we don't 13 anticipate, like, hazardous waste. 14 But, you know, depending on the tenant 15 -- for example, perfumes are considered, like, 16 hazardous waste. 17 So if a tenant came in with any, kind 18 of, hazardous material with like perfumes, we would 19 have to, you know, work with the township to, kind 20 of, come up with a plan to do that. 21 But right now no hazardous waste 22 material is planned to be stored. 23 CHAIRMAN WEISS: Perhaps there should 24 be a condition that says if that happens, then there 25 will be an automatic communication. <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p> </p>
<p style="text-align: right;">38</p> <p>1 CHAIRMAN WEISS: We're not talking 2 about long-term storage of trailers that have no life 3 to them. Because of course, as you work that 4 scenario out, before you know it, we now have 5 skeletons of trailers that have outlived its 6 usefulness. 7 So we want to make sure that if it's 8 parking for a trailer, it just needs to be stored, 9 waiting to consolidate all those logistics, that's 10 fine. 11 But to take a trailer that's leaking 12 and just throw it back there in the bone yard, we 13 want to make sure that it's not -- I don't know the 14 right language. 15 MR. BRYCE: Temporary. 16 CHAIRMAN WEISS: It's temporary. Not 17 ongoing. 18 MR. VREELAND: We're assuming all these 19 trailers are operated with the use of the warehouse. 20 It's not going to be a trailer storage area for 21 rental spaces. 22 MS. ROSLUND: Yes. 23 Any trailer storage onsite would be 24 part of the tenant's operational needs. It wouldn't 25 be, like, a third-party trailer storage lot. It <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p> </p>	<p style="text-align: right;">40</p> <p>1 Well, that's what she said. 2 MR. SCAPICCHIO: Let's not call it 3 hazardous waste. It's a warehouse. 4 It has materials. That's different. If 5 it's going to have flammables, I would assume that 6 the fire marshal is going to want to rate that 7 specific area to handle flammables or explosives, you 8 know. There's a proper voltage. 9 MS. ROSLUND: That would be part of the 10 building permit submission, absolutely. 11 MR. MCGROARTY: Actually, no. 12 Before it gets to building. Any tenant 13 should get a zoning -- it's in the ordinance, but I 14 think we should make it a condition, belts and 15 suspenders. All tenants must secure zoning permits 16 first. 17 So they would have to expose the type 18 of business, et cetera. That would give the fire 19 marshal, police, et cetera, a chance to review it. 20 CHAIRMAN WEISS: Fair enough. 21 MR. MCGROARTY: That wraps it up as far 22 as the use. 23 But I did want to just add the 24 important point about the trailers, there are places 25 where trailers tend to stay for six months or longer <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p> </p>

<p style="text-align: right;">41</p> <p>1 because there's no room in the warehouse.</p> <p>2 And that was -- I think that's not what</p> <p>3 the board would like to see here. And I think it</p> <p>4 would also be understood there is no -- perhaps</p> <p>5 someone should address tonight that there will be no</p> <p>6 outdoor storage of material, such as pallets, things</p> <p>7 of that nature.</p> <p>8 CHAIRMAN WEISS: I know that it's a</p> <p>9 difficult thing because you don't know your tenant.</p> <p>10 But we have sat here long enough to see</p> <p>11 a tenant, an occupant, okay, the trailer -- and he's</p> <p>12 just going to collect them. And he's going to park</p> <p>13 them. We drive by and see these rusted things that</p> <p>14 are no longer able to be towed away. It becomes a</p> <p>15 junkyard.</p> <p>16 I that that's our concern. Because we</p> <p>17 have to make sure that your tenants, future tenants,</p> <p>18 understand that they can't do that.</p> <p>19 So of course no outdoor storage. I</p> <p>20 don't want to start getting into loopholes. That's</p> <p>21 not really product.</p> <p>22 That's a truck.</p> <p>23 So the concept that you're telling us,</p> <p>24 it seems to be that we're fine with it, which is the</p> <p>25 temporary storage of trucks to help support the</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">43</p> <p>1 MR. LEIBMAN: Mr. Bryce, maybe we</p> <p>2 should have Mr. Bifulco sworn in.</p> <p>3 MR. BRYCE: Why don't we keep with this</p> <p>4 witness. We'll keep that question for the next</p> <p>5 witness so our record is nice and clean.</p> <p>6 MR. SCHAECHTER: One more question</p> <p>7 about the trees.</p> <p>8 Are we going to fence in that area?</p> <p>9 Because you only asked for fencing, two north and</p> <p>10 south.</p> <p>11 If this is going to be used for trailer</p> <p>12 storage, are we going to need to put a fence around</p> <p>13 that?</p> <p>14 MS. ROSLUND: Yes.</p> <p>15 That would be ideal, just again for</p> <p>16 security of the future tenant.</p> <p>17 CHAIRMAN WEISS: I really don't want to</p> <p>18 beat a dead horse, and I know you can't answer it</p> <p>19 because you're not putting -- you're not going to</p> <p>20 occupy it.</p> <p>21 But we've sat here too many times</p> <p>22 seeing this happen.</p> <p>23 So I'm only concerned -- maybe you can</p> <p>24 offer some suggestions -- where we say no outdoor</p> <p>25 storage, it becomes a loophole. I'm not storing it.</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>
<p style="text-align: right;">42</p> <p>1 business. That's not parking and dumping them and</p> <p>2 letting them rot away. We don't want to do that.</p> <p>3 MR. LEIBMAN: Mr. Chairman, we'll</p> <p>4 stipulate that there will be no outdoor storage of</p> <p>5 materials. That should be in the warehouse.</p> <p>6 MR. SCHAECHTER: I think we need to</p> <p>7 look at it. If there are trailers that are going to</p> <p>8 be stored there and we're calling it temporary, how</p> <p>9 long is temporary?</p> <p>10 I mean, do these things become</p> <p>11 Warehouse Number 2 because now we're storing product</p> <p>12 in those trailers for two months, six months, until</p> <p>13 it could be moved inside or off the property.</p> <p>14 CHAIRMAN WEISS: We've also seen</p> <p>15 trailers used as storage.</p> <p>16 John, go ahead.</p> <p>17 MR. MANIA: Will tenants be using --</p> <p>18 doing maintenance onsite of their vehicles.</p> <p>19 MS. ROSLUND: That's a good question as</p> <p>20 well.</p> <p>21 Most -- do you want to answer?</p> <p>22 MR. MANIA: I'm sorry. I didn't hear</p> <p>23 the question.</p> <p>24 MS. ROSLUND: The question is, will the</p> <p>25 tenants be doing maintenance onsite.</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">44</p> <p>1 It's inside the container.</p> <p>2 And that's why I said pallets right</p> <p>3 next to the warehouse.</p> <p>4 MS. ROSLUND: We totally hear your</p> <p>5 concerns.</p> <p>6 I can tell you, I don't think it's the</p> <p>7 applicant's intent to store trailers here long-term.</p> <p>8 CHAIRMAN WEISS: I'm sure not.</p> <p>9 MS. ROSLUND: I just want to be</p> <p>10 careful.</p> <p>11 I don't know the ordinance</p> <p>12 specifically, but I just want to be careful of the</p> <p>13 definition of outdoor storage.</p> <p>14 Sometimes trailer parking in, itself,</p> <p>15 could be outdoor storage. I just want to make sure</p> <p>16 we make the distinction. Trailer parking is allowed,</p> <p>17 but outdoor storage of, like, pallets and things like</p> <p>18 that are not.</p> <p>19 CHAIRMAN WEISS: I think, Chuck, maybe</p> <p>20 you can expand.</p> <p>21 MR. McGROARTY: That's it exactly.</p> <p>22 The trailers have to be parked in</p> <p>23 trailer spaces, not on the lawn, not wherever, within</p> <p>24 designated trailer spaces only.</p> <p>25 Except, obviously, when they're moving</p> <p style="text-align: center;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>

1 in and out of loading docks. If active, that's
2 different.

3 And outdoor storage is just as you
4 described it, piles of pallets, oil drums, et cetera.
5 All that stuff that sometimes winds up on the
6 outside.

7 CHAIRMAN WEISS: Well, we've seen
8 things like snowplows and bricks, material that you
9 need for a future time.

10 That's all.

11 MR. McGROARTY: Yeah. I mean,
12 sometimes most parking lots -- and this may be one,
13 Mr. Chairman, where they would have -- I presume, an
14 ordinance will probably be adopted fairly soon for
15 private storage sheds. Mike's office just provided
16 it to us so...

17 But, you know, they do tend to put that
18 stuff onsite so it's available during the winter.
19 That's acceptable, subject to applying the ordinance
20 standards.

21 But it's all the rest, the typical
22 stuff that I think everyone knows what it looks like
23 and what accumulates in industrial areas.

24 MR. BRYCE: You know, just I think to
25 illuminate this a little bit more. We don't have a

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 very good definition of temporary in our ordinance.
2 So that's something that we discussed. Maybe the
3 board wants to weigh in.

4 And I think when it comes to outdoor
5 storage, tailor it to say "goods and materials" so
6 that it differentiates from trailers.

7 So that I think would be fairly easy.
8 I think it's about the temporary niche, how long
9 trailers are there.

10 MS. ROSLUND: Well, if you don't mind,
11 I'm going to defer that to Mr. Bryce when the time
12 comes.

13 MR. McGROARTY: So don't forget to file
14 this away too, to respond.

15 If you wind up -- if your tenant or
16 tenants wind up needing that banked area, assuming
17 the board approves it, for their passenger vehicles,
18 where do the trailers go?

19 And you might not have an answer
20 tonight but -- and it may be that you're -- you know,
21 this is just a bonus area that they get more
22 trailers.

23 But if they need it for cars, you get
24 less. But it should be clear that if those trailers
25 get displaced by cars, they don't wind up elsewhere

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 on that site. It's not otherwise designated.

2 MS. ROSLUND: So I can answer that one,
3 Chuck. I mean, the intent is that it's providing
4 flexibility for the tenant.

5 If a tenant needs that for cars, it's
6 really that the cars would be a priority. It
7 wouldn't be parking trailers, like, on the lawn or
8 something like that. The trailer would be what they
9 are, straight.

10 MR. McGROARTY: Well, let me ask them.

11 Is it going to come back for
12 administrative review or something?

13 In other words, if you get an approval,
14 build the site, a year from now it's all striped
15 trailers, 40 -- 60-foot-long stalls, et cetera, then
16 a tenant comes in and says I need half of that space,
17 I've got, you know, 60 cars, my people need 60
18 vehicular spaces, do you come back so it doesn't get
19 restriped? How does it work?

20 MS. ROSLUND: If the board is amenable
21 to it, I would like to be able to do that
22 administratively, come back to your office and kind
23 of work through that. I don't know if the board is
24 amenable to that.

25 But that would be certainly something

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 we would...

2 CHAIRMAN WEISS: I would -- not to
3 speak for the board, but I would say that is.

4 Except Chuck makes an excellent point.
5 If you still needed four or five tractor trailers, we
6 don't want to see them parked in the woods in the
7 corner because there's no place else to put them.

8 We have addressed this multiple times
9 in the past. We would just move on.

10 But it's important we don't create
11 loopholes in environments where it becomes -- you
12 understand what we want to avoid?

13 MS. ROSLUND: I get the gist.

14 And Mr. Bifulco can address that from
15 the applicant and ownership side a little bit more.

16 MR. LEIBMAN: I feel comfortable --
17 Mr. Bifulco will slap me if I'm wrong -- but we would
18 stipulate that there would be no trailers parked
19 anywhere outside of where they're supposed to be
20 parked, in parking spaces.

21 It's not going to be on the grass, in
22 the woods. They're not going to be blocking half of
23 the roadway. They're not going to block the
24 driveways. They're going to be where they should be.

25 And I think we can add a condition of

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 approval that with respect to the land bank parking
2 spaces, if there's going to be any change there, that
3 it will be submitted to the board's Professional
4 Planner to be reviewed in his discretion and
5 approved.

6 And if for some reason the tenant or
7 the applicant disagrees, then we would come back to
8 the board and let the board decide the matter.

9 And it promotes -- that protects the
10 town's interest and promotes flexibility.

11 CHAIRMAN WEISS: I don't think the
12 planning board has any problem with that as a
13 condition. Okay.

14 MR. SCHAECHTER: Can we also make it a
15 condition that it's either car parking or trailer
16 parking, not mixed.

17 So you can't take half of it and turn
18 it into a car lot and the other half a trailer lot.

19 MR. LEIBMAN: I'd like to know what
20 Mr. McGroarty thinks about that. I don't know. I'm
21 not a traffic expert. We have one.

22 MR. MCGROARTY: I'm not either.

23 I don't know. I mean, how big is the
24 area? How big, Kristen? How big is the banked
25 acreage square footage.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 MR. LEIBMAN: With the appropriate
2 striping traffic control.

3 MR. MCGROARTY: I was going to say, we
4 can open the plan.

5 But Jeff, Walt and Mike would have to
6 move so I can open them. They're not small.

7 Do you have one traffic aisle, then?

8 How many aisles do you have?

9 MS. ROSLUND: Like one.

10 MR. MCGROARTY: With the mix. If you
11 were to get the mix, would everybody maneuver through
12 one aisle.

13 MS. ROSLUND: So this kind of perimeter
14 road that you see over here on the western side of
15 the site would remain.

16 The car parking is shown, kind of, in
17 the northern pocket. And then we have a striped-off
18 aisle that separates the two.

19 So everyone would kind of be sharing
20 this perimeter roadway.

21 MR. MCGROARTY: No.

22 But, I mean, how deep are the car
23 spaces, one, two, three spaces deep.

24 MS. ROSLUND: It's -- I believe it's --

25 MR. LEIBMAN: Not to interrupt you.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 MS. ROSLUND: I would have to check. I
2 don't know that number.

3 MR. MCGROARTY: Okay. How many spaces
4 do you propose back there on the drawing?

5 MS. ROSLUND: So on the submitted
6 drawings, we do have --

7 MR. GALOP: 143.

8 MS. ROSLUND: -- 143 car spaces.

9 MR. GALOP: On the banked.

10 MS. ROSLUND: And then we do have an
11 option on the submitted drawings where we have 34
12 trailer spaces instead of the fully banked car
13 parking.

14 And then we do also have an option
15 where it's half and half, to your point, where it's
16 17 banked trailer spaces and 48 car parking spaces.

17 MR. MCGROARTY: Seventeen trailer, 48
18 car.

19 MS. ROSLUND: Correct.

20 MR. LEIBMAN: Then Sheet C, S201.

21 MS. ROSLUND: S201.

22 MR. VREELAND: The intent is for all
23 those to be located in the same designated area, just
24 a different geometry?

25 MS. ROSLUND: Correct.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 Can you just show this to the board?

2 MR. MCGROARTY: Do you have the plans,
3 Walt.

4 MS. ROSLUND: It's two bays of car
5 parking to answer -- is that your question.

6 MR. MCGROARTY: So everybody has access
7 aisles.

8 Thank you.

9 MR. VREELAND: The main loop road will
10 also be the main loop road.

11 MS. ROSLUND: Correct.

12 MR. VREELAND: The different geometry
13 is located between the building.

14 MR. SCHAECHTER: But then you're
15 putting a fence up because --

16 MR. MCGROARTY: I don't know inside the
17 parking.

18 MR. SCAPICCHIO: Yeah, if it's going to
19 be trailer parking.

20 MR. MCGROARTY: I don't know.

21 It's up to them. But I mean...

22 MS. ROSLUND: We could. I mean, I'm
23 willing to say that we would make sure that the
24 traffic controls are in place, whether it be, like, a
25 fence that provides it, or some kind of Jersey

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 barriers to separate cars from the traffic.
 2 MR. BRYCE: Do you have a sheet, like a
 3 board sheet for CS-1 -- I'm sorry -- 201.
 4 MS. ROSLUND: I do.
 5 MR. BRYCE: Just so the board and
 6 public can actually see it.
 7 MS. ROSLUND: You have to get me to
 8 unclip it here. It's a big set.
 9 I apologize. One second.
 10 Do we need to mark this as a formal
 11 exhibit?
 12 MR. BRYCE: I know that it's part of
 13 the plans that were submitted.
 14 MS. ROSLUND: I think we're up to A-6,
 15 right?
 16 MR. BRYCE: It's A-6.
 17 MS. ROSLUND: This is called "Land
 18 Banked Parking," CS-201.
 19 (Whereupon, Land Banked Parking Plan is
 20 received and marked as Exhibit A-6 for
 21 identification.)
 22 MR. VREELAND: Technically there's
 23 three options, I guess, right.
 24 CHAIRMAN WEISS: Yeah.
 25 MR. VREELAND: One is all cars. One is
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 tenant wanted that?
 2 MS. ROSLUND: I'll let our traffic
 3 engineer speak to what our trips would be generated
 4 off of. But, you know, I'll let them answer the
 5 question for you so that I'm not misspeaking.
 6 CHAIRMAN WEISS: Okay. So, Brian, I
 7 think that was ultimately your question. And it
 8 looks like they could be. If they were sharing it,
 9 it looks like they could be separated safely.
 10 MR. SCHAECHTER: Fine.
 11 CHAIRMAN WEISS: Okay, go ahead.
 12 MS. ROSLUND: Okay. So then if I --
 13 MR. BRYCE: Just I just want to be
 14 clear with the record. At this point, you're
 15 proposing on Exhibit A-6 the trailer parking only for
 16 the purposes of this approval.
 17 MS. ROSLUND: We're looking for
 18 basically flexibility to construct the 143 banked
 19 parking spaces, the trailer parking exclusively, or
 20 the mixed.
 21 MR. MCGROARTY: When do you make that
 22 call? At the first CO, I mean, when the first tenant
 23 moves in, or what.
 24 MS. ROSLUND: I'm going to let
 25 Mr. Bifulco answer that one.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 all trailers. One is a mix of the two. This shows
 2 two of the three options.
 3 MR. MCGROARTY: I mean, that was the
 4 purpose of my question, to see, you know, if it were
 5 mixed, can the -- can the passenger vehicles operate
 6 safely? It appears as if they can. They're
 7 separated out. They have their own individual
 8 aisles.
 9 Walt says yes.
 10 MR. LUBLANECKI: These, I believe, are
 11 good internal designs. I do have -- I do have a
 12 question, though, about that third alternative.
 13 What if we go with all parked -- with
 14 all parked vehicles? That would indicate then that
 15 you have a lot more employees in the site, and it
 16 would generate more traffic. So maybe the traffic
 17 engineer could address that.
 18 How many -- for example, in your
 19 Alternative 3 where you have all vehicular parking
 20 spaces, how many additional spaces are we adding?
 21 MS. ROSLUND: 143 spaces.
 22 MR. LUBLANECKI: Okay.
 23 But is there any more additional, or
 24 would you be taking anything from the trailer parking
 25 and even adding even more vehicular parking if a
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. LEIBMAN: It's going to be when we
 2 get a tenant. Until we have a tenant, we don't know.
 3 VICE CHAIR NATAFALUSY: So are you
 4 going to construct the 143 spaces, and then if a
 5 tenant comes in that wants that, you can remove
 6 something and start all over again?
 7 MR. LEIBMAN: If it's the right tenant,
 8 that's what we'll do. And we'll agree to submit to
 9 your traffic engineer to make sure they review and
 10 approve and confirm the same.
 11 MR. MCGROARTY: I mean, it may be that
 12 it just gets paved and not striped.
 13 VICE CHAIR NATAFALUSY: Right.
 14 MS. ROSLUND: So at that point, that is
 15 kind of the intent of the design. For all three
 16 options -- I'm sorry, I'm losing my voice. The outer
 17 curb line for all of it remains the same. So if, you
 18 know, the applicant or owner decides to, kind of,
 19 construct that, they might not stripe it until they
 20 got a tenant to know what's going on.
 21 But it wouldn't necessarily require a
 22 whole bunch of re-curb and redesign. It would
 23 just be a matter of striping it for option one, two
 24 or three.
 25 CHAIRMAN WEISS: I think that's a much
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 better way, just pave it and wait for your direction
2 based on the tenants. Because, like you said, it's
3 going to be the same curb lines.

4 MS. ROSLUND: That's how it was
5 designed.

6 CHAIRMAN WEISS: If you're granted an
7 approval, get some construction approvals, that would
8 be the smartest thing, I think. I think we can live
9 with that, just leave it.

10 MR. SCHAECHTER: So if it's paved and
11 unstriped, we don't use it.

12 MR. McGROARTY: Not until it's striped,
13 I would say.

14 Then the tenant comes in, he would need
15 his own permit, number one, what they're proposing to
16 do. But if the board -- if you approve it this way,
17 it's 17 trailer spaces. If the tenant comes in and
18 says I want 18, I think they come back for revised
19 site plan approval.

20 But that's again up to you.

21 Otherwise, unless you want to allow
22 for, like, all maximum flexibility that any
23 configuration of that would work.

24 MR. SCAPICCHIO: That creates chaos.

25 MR. McGROARTY: I agree. I think what

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 choice of one of those three options. If they come
2 in with option four, they come back to board.

3 MR. BRYCE: So it would be striping
4 option to be determined at time of CO for the banked
5 parking area, but we would be giving them a design
6 exception for the parking.

7 MR. McGROARTY: I would say so. The
8 only thing I would change, Jim, on that is at the
9 time of zoning approval. That way we get it done up
10 front.

11 Not that they have to throw out that
12 design.

13 MS. ROSLUND: We agree with that. That
14 makes sense.

15 MR. LEIBMAN: We'll know who the tenant
16 is.

17 CHAIRMAN WEISS: Okay, we can move on.

18 MS. ROSLUND: Okay. Just to finish the
19 engineering letter. There was 3.24 to 3.27, that we
20 would just like to work with your office.

21 We think we can address that to your
22 satisfaction, but maybe not everything to the exact T
23 of what you want.

24 But we'd like to work with you to make
25 sure that you're comfortable with what we're doing.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 they're saying is the third option shows that they
2 can do what -- the mix.

3 CHAIRMAN WEISS: 48 cars, 17 trailers.

4 MR. McGROARTY: 48 cars.

5 MS. ROSLUND: I can put on the record.

6 The applicant, before a CO is issued, make sure that
7 the area is striped for either option one, two or
8 three, as shown on the drawing.

9 CHAIRMAN WEISS: Is it realistic to
10 assume that maybe you don't need either and that is
11 just a paved lot.

12 MS. ROSLUND: In my experience, tenants
13 kind of have their own needs. So I imagine, just
14 based on my experience working on other industrial
15 projects, I would say it's very rare that a tenant
16 wouldn't utilize this space for either car parking or
17 a trailer.

18 CHAIRMAN WEISS: Okay. I say okay. Do
19 we have a resolution to this? I think what you said,
20 Chuck, makes sense, that any tenant would have to
21 file a zoning permit and explain their potential
22 plans to use this banked lot.

23 MS. ROSLUND: And I think that's
24 required by the township anyway.

25 MR. McGROARTY: They're going to have a

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 MR. VREELAND: We're fine.

2 CHAIRMAN WEISS: Okay. So I would say
3 an administrative review of those four items to work
4 out with Mr. Vreeland's office is acceptable.

5 MS. ROSLUND: Thank you very much.
6 Okay. The next one is Habitat by Design.

7 MR. McGROARTY: Could I interrupt you
8 just before you get to Dr. Keller's report? There
9 was one thing in my mine I forgot, if you would just
10 address on the record so it doesn't get lost in the
11 shuffle.

12 We were under the impression that there
13 was a DOT landscaping easement 75 feet in from
14 Route 80.

15 And you had told us in one of our
16 number of meetings that you or your team researched
17 that and never did find that. There was no recorded
18 easement of that type.

19 Is that correct?

20 MS. ROSLUND: Yeah.

21 So as part of the title search that
22 came back for the property, that deed was not part of
23 that, so, Chuck, that is correct.

24 MR. McGROARTY: So all this time we all
25 thought there was a DOT landscape easement. The

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 reason we ask is because you're encroaching into that
2 for some of the grading.

3 But there is no easement on record,
4 apparently?

5 MS. ROSLUND: Nothing in the title that
6 came back.

7 MR. McGROARTY: Thank you.

8 MR. VREELAND: Before we move on, I
9 just have one other comment.

10 We didn't write a second report for the
11 proposed cell tower, but what we would request is
12 that that tower be located on your site plan.

13 I think it was prepared by a different
14 company. And it looked like it referenced some
15 information. They talked about approximate
16 distances.

17 We would like it located on the same
18 set of plans as the building, confirmation that it's
19 outside any environmentally-restricted areas and the
20 setbacks are correct.

21 MS. ROSLUND: Well, that seems like a
22 very fair request. We worked very closely with the
23 cell tower consultant when we prepared those plans to
24 make sure that they were out of any regulated areas,
25 riparian zones, wetlands, anything like that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 about that in the ordinance. He's okay with that,
2 given the location and the commercial industrial use
3 of the property.

4 MR. McGROARTY: Just for the record,
5 you probably want to refer to him as Dr. Keller.

6 MS. ROSLUND: So I don't mean to insult
7 anyone.

8 MR. McGROARTY: Because we have the
9 stenographer.

10 MS. ROSLUND: Dr. Keller.

11 I'm sorry.

12 DR. KELLER: Okay. So your request is
13 to not do any grass mix on the bottom of the sand.

14 MS. ROSLUND: To keep them sand, yes.

15 DR. KELLER: Okay.

16 There's really not an aesthetic issue
17 here because of the location of the project, I don't
18 think. So I don't think the truck drivers will care
19 if it's a sand bottom or not.

20 CHAIRMAN WEISS: Okay.

21 MS. ROSLUND: And the second one was
22 4.2. And this was something that is being reviewed as
23 part of the NJ DEP LOI process.

24 So we would ask that the Township defer
25 to them in this comment since they are regulating

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 So we will, as part of the compliance
2 set, absolutely incorporate that into the plan so
3 everything is on one sheet.

4 MR. McGROARTY: To that point also, I
5 did have that follow-up memo on the tower, itself.

6 The ordinance requirement does require
7 100-foot from the top of the bank of Wills Brook.

8 MS. ROSLUND: So we have a 150-foot
9 riparian zone on this site, and it is located outside
10 of that, so it would comply with that.

11 MR. McGROARTY: Okay.

12 CHAIRMAN WEISS: I made that a comment
13 for a condition to be put into their master site
14 plan. Okay.

15 MR. VREELAND: Thank you.

16 CHAIRMAN WEISS: So let's move onto the
17 Habitat by Design, Dr. Keller's report.

18 MS. ROSLUND: There's only two on here
19 that we would like to discuss.

20 The first one is 3.1. And it's that
21 the infiltration basins currently shown have sand
22 bottoms. And this is in accordance with the BMP
23 Manual.

24 We're requesting that they're allowed
25 to remain sand bottoms. Mr. Keller generally talked

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 that as part of the LOI process.

2 DR. KELLER: Okay.

3 CHAIRMAN WEISS: Is there a backstory
4 there, Dr. Keller, that we should hear about?

5 DR. KELLER: I'm re-reading my own
6 writing here as we speak. Okay.

7 So you're deferring any site survey
8 work to the State as opposed to you doing it?

9 MS. ROSLUND: Yes.

10 As part of the LOI process, if they
11 require it.

12 MR. McGROARTY: Do you have a current
13 LOI?

14 MS. ROSLUND: We do have a current LOI
15 on the property.

16 MR. McGROARTY: So are you seeking a
17 new one?

18 MS. ROSLUND: I should clarify that.
19 It's not LOI.

20 I actually meant to say we're seeking a
21 wetlands approval for filling the one wetlands
22 onsite. And that's what they would be reviewing as
23 part of it.

24 Thank you for catching that, Chuck.

25 CHAIRMAN WEISS: What you have is a
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 wetlands delineation.
 2 MS. ROSLUND: So there's a current
 3 wetlands LOI on the site that delineates the
 4 wetlands.
 5 And there's the wetlands basin that
 6 we're disturbing to make it current with the
 7 stormwater regulations in New Jersey.
 8 So we're seeking approval from the
 9 State to do that. As part of that, they look at a
 10 lot of the aspects.
 11 Comment 4.2, we would be looking to
 12 defer to the State as part of that Freshwater
 13 Wetlands General permitting process.
 14 DR. KELLER: Yeah.
 15 The State mapping for
 16 threatened-and-endangered species, particularly those
 17 associated with wetlands, is available online and
 18 shows that basically this whole site is located in
 19 areas where there are state listed species, the
 20 Barred Owl, wood turtle, which hibernates in ponds
 21 and other water bodies.
 22 So that will be under review as part of
 23 the State's review of this.
 24 Is that it for your comments?
 25 MS. ROSLUND: Yes.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 was being removed, particularly on the north side and
 2 some on the west side.
 3 Thank you.
 4 MS. ROSLUND: Thank you very much.
 5 CHAIRMAN WEISS: So after your comments
 6 on -- let me just go to back Dr. Keller's report at
 7 4.2.
 8 Any other comments that you need to
 9 make?
 10 MS. ROSLUND: No.
 11 We've been working with Dr. Keller very
 12 closely and have agreed to work with him as part of
 13 the reforestation. Everything else, we believe we
 14 can be address to his satisfaction.
 15 CHAIRMAN WEISS: It is very positive
 16 and productive work that you do together.
 17 MS. ROSLUND: I will say, I learned a
 18 lot from Dr. Keller when we walked the site.
 19 I learned a lot about different trees
 20 that I thought I knew about, but I did not.
 21 So I learned quite a lot. I always
 22 like to learn something new each day. It keeps me
 23 young, is what I say.
 24 DR. KELLER: You and me both.
 25 MS. ROSLUND: Well, I hope -- I don't

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 DR. KELLER: Okay.
 2 I have a question on Item 1.3 on page 2
 3 at the bottom. Your Plan Sheet 45 indicated --
 4 Sheet 45 refers to the tree replacement and
 5 reforestation. And there's calculations in there.
 6 And on that sheet, I believe, it
 7 references 8.69 acres of forest to be removed.
 8 Tonight you mentioned 6.6.
 9 Could you explain the difference?
 10 MS. ROSLUND: Yes.
 11 So there's an additional -- like,
 12 little pockets of trees onsite that were within the
 13 former BASF facility that were previously counted.
 14 And if you want I can -- would you like to see that?
 15 DR. KELLER: No. I understand.
 16 They did a lot of landscaping after
 17 they had cut everything down to build the BASF site.
 18 They did some very nice landscaping. Those trees
 19 have matured. I believe I had forgotten that you had
 20 counted that.
 21 MS. ROSLUND: Yeah.
 22 So we really just quantify the forested
 23 areas, not just the landscaping at BASF.
 24 DR. KELLER: So the reforestation that
 25 we're talking about is in response to the forest that

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 know how old you are, but I hope when I'm your age I
 2 can walk just as much and high as you do.
 3 CHAIRMAN WEISS: No one can keep up
 4 with Dr. Keller.
 5 MR. SCHAECHTER: He's Superman.
 6 MS. ROSLUND: I know.
 7 When I'm your age, I hope I can do all
 8 that.
 9 CHAIRMAN WEISS: All right. So then
 10 did you want to move on to...
 11 MS. ROSLUND: We have the Environmental
 12 Commission letter next.
 13 CHAIRMAN WEISS: Okay, that's fine.
 14 We'll take your lead.
 15 That's fine.
 16 MS. ROSLUND: There's three items in
 17 here that we wanted to discuss with the board. The
 18 first one is the retaining walls.
 19 As we mentioned before, the retaining
 20 walls were really designed within the former
 21 construction roadway for BASF and designed so that we
 22 didn't impact more forest by expanding and tiering it
 23 out to the woods.
 24 So again that, kind of, goes with the
 25 variance request that we had.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 The second one is -- I'm still trying
2 to see my notes -- the solar powered lighting.
3 That's not something that the applicant typically
4 sees on industrial sites.

5 But, you know, they are -- I want to
6 hear more about this. They are looking to comply
7 with the State regulation in terms of making the roof
8 solar-ready.

9 And that's something that, you know,
10 our architect will speak to in a little bit -- in
11 more detail.

12 And then the last one -- and this also
13 overlaps with the Historic Commission letter. And if
14 we have a lot of details, we can certainly bring the
15 applicant up, just based on what we have been
16 corresponding.

17 There is a lot of interest in
18 installing a public walkway or easement on this
19 property. And the applicant has worked with our
20 legal team and basically has come to the conclusion
21 that it's not something that they can do at this
22 time, due to a couple of reasons.

23 But it's not something they can do at
24 this time. So those are the --

25 MR. SCAPICCHIO: Can you share the
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 But the applicant is working very
2 closely with the township to make sure they're
3 satisfied.

4 MR. LUBLANECKI: I did have some site
5 plan questions on there that are comments.

6 They dealt with the striping center
7 lines, things of that nature.

8 Are you going to comply with all those
9 comments?

10 MS. ROSLUND: Yeah.

11 It was just about, like, the center
12 lines and double yellows and things like that.

13 MR. LUBLANECKI: Double yellows. I
14 think you addressed the directional sign, a couple
15 signs that were a little bit off.

16 I think you did mention something about
17 the guardhouse details. Because, again, the comment
18 I have here is to show the trailer truck paths and
19 how they would be able to meet the areas.

20 MS. ROSLUND: Yes.

21 We can do that as part of compliance.

22 MR. LUBLANECKI: Okay.

23 CHAIRMAN WEISS: With regards to site
24 plan comments -- I don't want to put you on the spot.

25 Regarding site plan comments, you're
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 reason?

2 MR. LEIBMAN: There's really no legal
3 reasons. There's deep concerns about liability that
4 can be created by having people on the property.

5 MS. ROSLUND: Having people on an
6 industrial site that isn't really designed for people
7 to be walking in the pathway, would have to cross,
8 like, a truck driveway.

9 So there's a lot of concern about
10 safety as well with that, and liability as well.
11 Those were the two main ones.

12 CHAIRMAN WEISS: Okay.

13 MS. ROSLUND: That was the Historic
14 Commission.

15 So, basically, that was the letter as
16 well. That covered all the comments that I believe
17 were on my list.

18 CHAIRMAN WEISS: I suppose we have one
19 last report, which is traffic. I guess we'll save
20 that for your traffic consultant as well.

21 MS. ROSLUND: Yes.

22 We also had a police report as well.

23 That was focused largely on the cell tower, which,
24 you know, I believe applicant -- you know, I don't
25 necessarily know if we hit every point in there.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 agreeing with our traffic expert, with
2 Mr. Lublanecki.

3 MS. ROSLUND: Yeah.

4 We thought we could address those to
5 his satisfaction.

6 MR. McGROARTY: I think --

7 Mr. Chairman, I thought we asked -- one
8 of us asked, please put a detail for the guardhouse
9 on your -- either on your plan, or the architect put
10 it on his or her plan if they realize it may not go
11 in.

12 But you're asking for three, they all
13 look the same.

14 But please provide the detail.

15 MS. ROSLUND: We can certainly provide
16 something.

17 MR. GALOP: Speaking of the site plan
18 and the traffic circulation within, I believe all the
19 signage is to direct cars and trucks where to go
20 onsite, correct?

21 MS. ROSLUND: The directional signage.

22 MR. GALOP: Yeah.

23 Is there any directional signage as far
24 as directing 18-wheeler traffic to all exit on
25 Continental?

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 I'm assuming that most of your tenants'
 2 traffic is going to want to leave and head towards
 3 Route 80, right?
 4 Personally, I would prefer them not
 5 making a left out onto International Drive. Some
 6 people drive a little fast through there.
 7 The sight triangle is much better if
 8 you leave from Continental, make the right out of
 9 Continental and you come out to a signalized
 10 intersection at International and Continental, then
 11 make the left, and able to go onto a 206 extension
 12 ramp and access 80 from that.
 13 MS. ROSLUND: So I'm going to let our
 14 traffic expert as to how, you know, we anticipate
 15 having that.
 16 Directional signs onsite currently show
 17 cars and trucks. And then they also show wayfinding
 18 to International and Continental.
 19 So right now it's kind of the option to
 20 exit both ways. It's not restricted, I guess, is the
 21 best way to say that.
 22 MR. GALOP: Would you be amenable to
 23 changing that for the truck traffic.
 24 MR. LEIBMAN: Let's hear what the
 25 traffic guy has to say.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 have been onsite with them.
 2 MR. MCGROARTY: Yeah.
 3 The idea is we would like a separate
 4 demolition plan at the time. They told us --
 5 perhaps they'll tell us tonight -- if they know
 6 whether it was going to be torn down or imploded.
 7 And if it's imploded, then there's a
 8 whole lot of other things that are going kick in:
 9 Dust control, safety obviously, et cetera.
 10 They want to have material onsite for
 11 an extended period of time, crushers, et cetera.
 12 So we wanted to see where those are
 13 going to be located, again obviously to avoid
 14 wetlands, Wills Brook, et cetera, and dust control
 15 measures.
 16 So we have asked.
 17 And, in fact, I think it was
 18 recommended as one of the conditions, I know, in my
 19 report, if this is approved, that a separate
 20 demolition plan be provided.
 21 And all of that will be handled at that
 22 time. Because if some of these structures are going
 23 to be onsite, if it's for six months, even a year,
 24 we'd like to know where they are and where they're at
 25 this point.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. GALOP: Okay.
 2 MS. ROSLUND: I think that was it in
 3 terms of the comments.
 4 CHAIRMAN WEISS: Anybody on the
 5 planning board have any questions?
 6 I know Kristen went over -- reviewed a
 7 lot of different aspects of it.
 8 Anything that you might want to ask?
 9 MR. MANIA: I don't know if this is the
 10 right time to ask this question.
 11 But the buildings are going to demoed.
 12 Is that material going to leave the site, or it's
 13 going to be crushed onsite?
 14 What's going to happen with that
 15 material?
 16 MR. MCGROARTY: I can tell you,
 17 Mr. Mania -- I'll let the witness answer too -- but
 18 we had a meeting with the company that's going to be
 19 doing the demolition, and we asked for a separate
 20 demolition plan.
 21 When I say "we," meaning myself -- the
 22 fire marshal was there. The business administrator.
 23 Bill, I don't remember if you were
 24 there?

25 MR. GALOP: I might not. I might not
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 At that point, I think, Bill, you were
 2 there. You said at that point, if I'm not mistaken,
 3 all the trucks should leave on the Continental Drive
 4 side. I knew I remembered hearing that.
 5 So that's our understanding from about
 6 a month ago, perhaps even longer. But if the
 7 applicant tonight has more updated information,
 8 they'll tell us.
 9 MS. ROSLUND: Chuck said more than I
 10 was going to say.
 11 I was just going to say, yes, you know,
 12 the applicant will try to reuse as much material as
 13 practical, whether it's asphalt from the parking lot,
 14 to the best extent practical, just green, to try to
 15 reuse material that's onsite.
 16 So that's the goal.
 17 CHAIRMAN WEISS: The demo plan would
 18 layout what part of this will be recycled, windows.
 19 MR. MCGROARTY: The windows, the steel,
 20 everything will be removed.
 21 The brick and a lot of that material is
 22 going to be crushed and used as base. That's what we
 23 were told.
 24 CHAIRMAN WEISS: Yeah.
 25 We would, kind of, want to know on how

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 many windows, doors.
 2 So if those can be recycled and reused,
 3 it's better for everybody.
 4 I suppose we'll see that in the demo
 5 plan. There's no reason to answer.
 6 All right. So if nobody from the
 7 planning board else has any questions, at this time
 8 let me open it to the public.
 9 Kristen spoke about a lot of issues and
 10 a lot of things.
 11 So if you have a question for Kristen,
 12 I would open up the floor. Come to the microphone.
 13 And, Kathy, why don't you -- you know
 14 the routine.
 15 MS. MURPHY: Kathy Murphy, Mount Olive
 16 Historical Society.
 17 We met with Mr. Bifulco onsite for the
 18 -- to discuss the possibility of an easement. And
 19 we've received a letter saying that they don't think
 20 they can do it at this time.
 21 We're still hopeful that we can work
 22 out something. You know, we have some alternatives
 23 that we can discuss.
 24 The issue of liability, I just recently
 25 today sent a -- there's a state statute.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 be located?
 2 MS. ROSLUND: On the current site plan,
 3 it's generally shown, kind of, surrounding the truck
 4 court.
 5 So it, kind of, comes down around the
 6 basin to the guardhouse and then circles up until the
 7 other side of the truck court and then comes around,
 8 and then it picks back up on the north side just for
 9 the truck court.
 10 So it comes up, around, and then it
 11 ultimately, kind of, follows until the guardhouse
 12 then comes to the building.
 13 MR. MACASEK: Can you show where the
 14 proposed guardhouses locations would be?
 15 MS. ROSLUND: Yeah, I realize that I
 16 don't really point to it when I'm pointing.
 17 So we have one up top on the northern
 18 access road. And then we have one down here and
 19 another one on the southern access (indicating).
 20 MR. MACASEK: Thank you.
 21 CHAIRMAN WEISS: Kristen, you're
 22 referring to which plan.
 23 MS. ROSLUND: I'm sorry.
 24 Exhibit A-2.
 25 CHAIRMAN WEISS: Based on A-2.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 CHAIRMAN WEISS: I just want to slow it
 2 down a little bit. Question.
 3 You know we'll let you come back up for
 4 comments.
 5 MS. MURPHY: Okay.
 6 CHAIRMAN WEISS: But we're asking
 7 questions of Kristen.
 8 I'm sure you have a lot to say from
 9 both hats. And we'll certainly -- you know, you know
 10 the routine as good as anyone.
 11 So if you have a question, perfect.
 12 Otherwise, I'll bring you back up for --
 13 MS. MURPHY: All right. That's fair.
 14 We'll do that.
 15 CHAIRMAN WEISS: Thanks.
 16 Does anybody else have any questions
 17 for Kristen?
 18 Sir, please.
 19 MR. MACASEK: Joe Macasek, President of
 20 the Canal Society of New Jersey, resident of
 21 Morristown.
 22 And I'll just to the question.
 23 You mentioned a perimeter fence, an
 24 8-foot perimeter fence around the truck area.
 25 Can you describe where that fence will

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Does anybody else from the public have
 2 any questions for Kristen?
 3 (No response.)
 4 CHAIRMAN WEISS: All right. You're
 5 going to get off the hook easy.
 6 MS. ROSLUND: Thank you very much for
 7 listening to me tonight.
 8 My voice is slowly dying. I really
 9 appreciate it very much.
 10 CHAIRMAN WEISS: Well, thank you for
 11 your -- precise and to the point.
 12 MR. LEIBMAN: Mr. Chairman, this may be
 13 an appropriate time to take a break, if the board
 14 wants to take a break?
 15 CHAIRMAN WEISS: I have no problem
 16 taking a break now.
 17 I was going to leave it up to you.
 18 It's 8:27. Let's come back at 8:40.
 19 (Whereupon, a brief recess is held.)
 20 CHAIRMAN WEISS: So let's bring the
 21 hearing back to order.
 22 Marc, do you have your next witness?
 23 MR. LEIBMAN: Yes.
 24 My next witness is Rob Macinnes,
 25 architect. I ask that he be sworn.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. BRYCE: Mr. Macinnes, would you
2 raise your right hand?
3 Do you swear or affirm that the
4 testimony you're about to give will be the truth, the
5 whole truth, and nothing but the truth?
6 MR. MACINNES: I do.
7 ROBERT MACINNES, RA
8 1500 West First Avenue, Columbus, Ohio, having
9 been duly sworn, testifies as follows:
10 MR. BRYCE: Please state your name,
11 spell your last name for the record.
12 MR. MACINNES: My name is Rob Macinnes,
13 M-A-C-I-N-N-E-S.
14 MR. BRYCE: Thank you, sir.
15 VOIR DIRE EXAMINATION
16 BY MR. LEIBMAN:
17 Q. Mr. Macinnes, what is your profession?
18 A. **I'm a registered architect.**
19 Q. And you work with Mr. Ford?
20 A. **Yes, sir.**
21 Q. And you and he worked very closely on
22 these plans?
23 A. **Yes, sir.**
24 Q. You're fully familiar with these plans?
25 A. **I am.**

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 We're not asking that you accept him as
2 an expert in the field of architecture tonight, but
3 rather you accept him as a fact witness. He would
4 testify as to the facts of the plan signed and sealed
5 by a registered New Jersey architect.
6 He'll just review them and describe
7 them to you.
8 CHAIRMAN WEISS: Mr. Bryce, is that
9 appropriate?
10 MR. BRYCE: Yeah.
11 I think that's acceptable, Chairman.
12 He is providing testimony. He's not really
13 practicing in architecture at this point, just
14 describing the plans.
15 So he's otherwise qualified. There is
16 no general geographical limitation as to testimony.
17 CHAIRMAN WEISS: Welcome, Mr. Macinnes.
18 We're looking forward to hearing what you have to
19 tell us.
20 MR. MACINNES: Thank you very much.
21 And just to let everyone know, I'm a registered
22 architect in the State of Ohio.
23 Again, I've been practicing over a
24 decade. I graduated with a Masters of Architecture.
25 I've worked on a number of projects in New Jersey as

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Q. You have visited the site?
2 A. **I have.**
3 Q. You're staying at a hotel across the
4 street?
5 A. **Right across the street.**
6 Q. So would you please describe the plans
7 for the board and answer any questions they may have?
8 A. **Okay.**
9 CHAIRMAN WEISS: Does anybody have any
10 questions for Mr. Macinnes?
11 (No response.)
12 CHAIRMAN WEISS: Mr. Macinnes, your
13 license is still current in the State of New Jersey?
14 MR. LEIBMAN: To clarify, Mr. Weiss,
15 this was a conversation I had with Mr. Bryce before
16 the board, the project architect who signed and
17 sealed the plan is Mr. Ford. He is licensed in New
18 Jersey.
19 He appeared previously and was accepted
20 as an expert. He is traveling now. Then he's going
21 into surgery and he's unavailable.
22 Mr. Bryce and I spoke about this issue.
23 New Jersey Rule 702 permits testimony from people
24 such as Mr. Macinnes who have training and experience
25 in the area to provide testimony.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 well.
2 And I'm very familiar with the site.
3 I've worked very closely on this building. It's just
4 I'm currently not registered in New Jersey.
5 CHAIRMAN WEISS: Okay.
6 DIRECT EXAMINATION
7 BY MR. LEIBMAN:
8 Q. Mr. Macinnes, I see you put a couple
9 exhibits on the easel. Before we get started, do you
10 want to start with those and we'll mark them starting
11 A-7.
12 A. **So Exhibit A-7 is our Overall Building**
13 **Floor Plan, what we're calling A-100.**
14 And then we can call Exhibit A-8, that
15 is our Exterior Perspective.
16 That is a view from the southeast
17 corner looking towards the northeast -- pardon me --
18 looking towards the northwest.
19 (Whereupon, Overall Building Floor Plan
20 Prepared by Ford & Associates, Sheet A-100 is
21 received and marked as Exhibit A-7 for
22 identification.)
23 (Whereupon, Exterior Perspective Plan
24 Prepared by Ford & Associates is received and
25 marked as Exhibit A-8 for identification.)

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. MACINNES: To give you a quick
2 overview, the building is designed as a Class A
3 speculative warehouse facility that is responsive to
4 the current industrial market and provides
5 flexibility in tenant lease opportunities.

6 The building area is 585,000 square
7 feet. It measures 520-feet-deep-by-1,125-feet-long.

8 The typical parapet height is
9 46-foot-6-inches tall.

10 This design allows for the building to
11 be subdivided into multiple tenant spaces. The
12 building is cross-docked with loading docks on the
13 north and south side.

14 There are four distinct tenant entries
15 and office areas provided at each corner of the
16 building, which is in close proximity to auto
17 parking.

18 The entry features will have a greater
19 degree of pattern in the concrete wall panels which
20 features perpendicular wing walls. This provides
21 additional scale and detail at the entries.
22 Significant glass curtain wall and window openings
23 will provide natural light into the office areas.

24 A pre-finished metal canopy will be
25 located at each entry to provide weather protection.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 The exterior finishes will be painted concrete wall
2 panels with multiple reveals and accent colors. This
3 provides both texture and pattern to add visual
4 interest to the façades.

5 The design includes continuous parapets
6 with external scuppers and downspouts to avoid a
7 continuous exposed gutter.

8 Clear story windows are provided on
9 each side of the building to allow for natural light
10 into the warehouse.

11 As we discussed briefly earlier, the
12 roof structure will be designed to accommodate a
13 solar-ready roof for a minimum of 40 percent of roof
14 area. That's per New Jersey Bill 3352, which was
15 enacted in June of 2022.

16 For signage, we are proposing an
17 80-square-foot tenant sign area for each potential
18 tenant. This is very similar to Building 2000.

19 And, in addition, there is a
20 10-foot-by-10-foot matrix wall graphic. It will be
21 included in applications noted on the elevations,
22 which I can point out here in a minute.

23 This is a non-illuminated logo. And
24 it's also consistent with which was approved in
25 Building 2000 (indicating).

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 So I can also show we're on Exhibit 8.

2 BY MR. LEIBMAN:

3 Q. So the first thing I'm going to ask you
4 to do, Rob, is take a pen and go over the exhibits,
5 literally mark on them A-7 with today's date
6 underneath A-7. And do the same with A-8.

7 Is there another exhibit that you have?

8 A. We have two other ones.

9 We have multiple. I can introduce just
10 the exterior elevations. This one here is a North
11 Building Elevation that we can call A-9, if you have
12 any questions about this.

13 CHAIRMAN WEISS: Just tell us what A-9
14 is.

15 MR. MACINNES: A-9 is the building
16 elevation, the North Building Elevation, Sheet
17 A-2.01.

18 (Whereupon, North Building Elevation
19 Plan Prepared by Ford & Associates, Sheet
20 A-2.01 is received and marked as Exhibit A-9
21 for identification.)

22 VICE CHAIR NATAFALUSY: Is this the
23 same type building that you proposed on 2000?

24 MR. MACINNES: Yes, ma'am.

25 It's very similar. The size of the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 footprint is larger, but the exterior renderings and
2 elevations are all very similar, the same color
3 palette, building heights, wall graphics, things of
4 that nature.

5 MR. SCHAECHTER: We just saved about 20
6 minutes.

7 MR. MACINNES: So I'm happy to answer
8 any questions or anything that I may have missed.

9 VICE CHAIR NATAFALUSY: It's just that
10 the Chairman was not at the last meeting.

11 MR. SCHAECHTER: It's a very pretty
12 building.

13 We'll attest.

14 CHAIRMAN WEISS: I can see that.

15 MR. SCHAECHTER: It's a warehouse with
16 four walls.

17 VICE CHAIR NATAFALUSY: But the same
18 type of architectural where each side has that same
19 logo and the entrance for the different tenants?

20 MR. LEIBMAN: Yes, that's correct.

21 VICE CHAIR NATAFALUSY: Okay.

22 MR. MACINNES: So I can do another
23 exhibit, which I can call A-10.

24 MR. LEIBMAN: Just please write "A-10"
25 on that so that goes into the record.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 (Whereupon, East and West Building
2 Elevations Plan Prepared by Ford &
3 Associates, Sheet A-2.03 is received and
4 marked as Exhibit A-10 for identification.)
5 MR. MACINNES: This is Sheet A-2.03.
6 And it's the East and West Building Elevations.
7 So we have the proposed tenant signage
8 here. And there's no wall graphics on the west
9 building elevation.
10 But on the east building elevation,
11 this is where we're going to have the Matrix wall
12 graphics. So you can see that right here
13 (indicating).
14 MR. McGROARTY: Can we see the exhibit
15 to your right?
16 Isn't that the same right here
17 (indicating)?
18 MR. MACINNES: That's correct, yeah.
19 So these are the only two locations on
20 the entire building where we have the wall graphic.
21 And then the tenant signage is located here. And
22 then we mirror that on the west building elevation as
23 well.
24 CHAIRMAN WEISS: Just for the record,
25 you were just pointing at Exhibit A-8, that you were

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 (No response.)
2 CHAIRMAN WEISS: If not, let me open it
3 to the public.
4 If anybody has any questions for
5 Mr. Macinnes based on the testimony he just
6 delivered, now is a great time to come up and ask the
7 question?
8 (No response.)
9 CHAIRMAN WEISS: And I see nothing from
10 the public, so I will close it to the public.
11 Thanks very much.
12 MR. MACINNES: Thank you very much.
13 MR. LEIBMAN: The applicant will call
14 Karl Pehnke.
15 MR. McGROARTY: Mr. Macinnes, please
16 leave your exhibits for us.
17 You can put them down in front, or
18 wherever is convenient.
19 MR. BRYCE: Sir, if you could just
20 raise your right hand?
21 Do you swear or affirm that the
22 testimony you're about to give is the truth, the
23 whole truth, and nothing but the truth?
24 MR. PEHNKE: Yes, I do.
25

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 pointing at.
2 MR. MACINNES: Yes, sir, that is A-8.
3 This is A-10.
4 CHAIRMAN WEISS: That's A-10, correct,
5 East -- East and West Elevations is A-10.
6 Did you have anything else?
7 MR. MACINNES: No, sir.
8 That is everything.
9 CHAIRMAN WEISS: All right. Anything
10 from the Planning Board?
11 (No response.)
12 CHAIRMAN WEISS: Anything?
13 MR. MANIA: Is this the gentleman I ask
14 whether there's maintenance onsite?
15 MR. BRYCE: No.
16 That's going to be -- there's another
17 witness.
18 Not this witness, though.
19 MR. MANIA: Okay.
20 CHAIRMAN WEISS: You're going to be
21 staying on top of it, John.
22 MR. MANIA: Thank you.
23 CHAIRMAN WEISS: Does anybody else on
24 the Planning Board have any questions for
25 Mr. Macinnes?

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 K A R L P E H N K E, PE,
2 One University Square Drive, Suite 110,
3 Princeton, New Jersey, having been duly sworn,
4 testifies as follows:
5 MR. BRYCE: Please state your name.
6 MR. PEHNKE: Certainly.
7 For the record, my name is Karl, with a
8 K, Pehnke, P as in Peter, E-H-N-K-E.
9 VOIR DIRE EXAMINATION
10 BY MR. LEIBMAN:
11 Q. Do you want to stand up? Sit down?
12 A. No. Stand up.
13 Q. Mr. Pehnke, what do you do for a
14 living?
15 A. So, for the record, I'm Vice President
16 with Langan Engineering and Environmental Services.
17 I am a registered Professional Engineer
18 in the State of New Jersey as well as several other
19 states.
20 My area of expertise is traffic
21 engineering, which I've been practicing for over 35,
22 38 years, something like that.
23 Q. Your license is in good standing?
24 A. My license is in good standing.
25 Q. I presume that you have testified

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 probably hundreds times before similar boards to this
2 throughout the State of New Jersey?

3 **A. Yes. And one time a long time ago**
4 **here. It's been a while.**

5 CHAIRMAN WEISS: Welcome back, Karl.

6 MR. PEHNKE: Thank you.

7 CHAIRMAN WEISS: Anybody?

8 Let's accept Karl as our traffic expert
9 this evening.

10 Welcome.

11 MR. PEHNKE: So with this application,
12 we did prepare a Traffic Impact Study dated November
13 of 2022. That was submitted and reviewed by
14 Mr. Lublanecki.

15 We also had the opportunity to review
16 the comments that were provided on the report and
17 prepare some additional information in response to
18 share with your board traffic engineer to check a few
19 things that he wanted us to check.

20 Basically, as you are aware, this site
21 was designed as a corporate headquarters at one point
22 with very high levels of employment, probably close
23 to 2,000 employees at one time in the past. It has
24 been vacant for a while.

25 But when that campus was designed, the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 adjoining road system that services it was designed
2 to accommodate those heavy traffic loads,
3 particularly during the peak hours.

4 The proposal is before you this evening
5 is to obviously redevelop the site, take down the
6 buildings and develop a warehouse of about 585,000
7 square feet.

8 From a traffic perspective, the
9 warehouses are relatively moderate generators. Most
10 of the tenants that occupy these types of facilities
11 basically have very low peak hour traffic volumes,
12 particularly when compared to the office space that
13 previously existed on this site.

14 The benefit of this site is our access
15 established. We have access from International Drive
16 that once was signalized.

17 It is a well-designed driveway. As
18 Kristin had indicated, we are going to do some minor
19 modifications at that driveway to update it in terms
20 of striping that's no longer appropriate at that
21 location that was related to the traffic signal
22 operation, as well as update some of the turning
23 radiuses to the current design vehicles for the
24 warehouse.

25 Continental Drive, similarly we will do

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 some minor modifications at that location just to
2 update the turning radiuses to accommodate the design
3 vehicles consistent with a warehouse development.

4 Overall, based upon our original
5 analysis and the traffic study and the subsequent
6 analysis that we prepared that also incorporated data
7 provided by your -- by your engineer and other
8 developments that you recently approved -- approved,
9 particularly along Continental Drive, making this
10 application that you approved a month or so ago, the
11 residential development that's been approved as well
12 as a couple of other warehouses that have been
13 approved, we factored that in.

14 And we rechecked our analysis. And
15 what we're finding is that our driveways are going to
16 operate at very good levels of service under stop
17 control Cs or better. So we're comfortable with the
18 operation of our driveways.

19 The majority of our traffic, the direct
20 route in is primarily from International Drive. That
21 will be the quickest way in and out of the site. It
22 is a well-designed driveway.

23 It is relatively reasonable grade
24 coming up into the site. It's the straightest
25 movement into and out of the site.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 Again, that intersection will operate
2 well.

3 And then the intersection of
4 International Drive and Continental Drive will also
5 operate well.

6 We have identified that that signal
7 probably hasn't been properly maintained. It does
8 need a little work. Associated with the other
9 applications, we will be doing some updating of that
10 to make sure that the signal is properly operating.

11 So we do note that in the review letter
12 by Walt. And we concur with that.

13 I think we agreed to that also as part
14 of the other application that was recently approved.

15 Kristin has really gone through the
16 site circulation. It's a fairly straightforward site
17 circulation consistent with this type of use.

18 It's a double-sided building. All of
19 the geometry has been established onsite to
20 accommodate the types of vehicles that will regularly
21 enter and exit this type of a site.

22 I will note that the one thing that
23 Kristen didn't raise, and our plans do need to be
24 updated, we are looking for an additional exception.
25 That's for the size of the parking spaces. Your

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 ordinance requires 9-by-20-foot parking spaces. And
 2 the site has been designed with 9-by-18 parking
 3 spaces with a 25-foot aisle. The 9-by-18 parking
 4 space is the national standard.

5 It's appropriate for both low turnover
 6 and high turnover.

7 And, quite frankly, it's appropriate
 8 from balancing the needs of safe parking maneuvers
 9 into and out of a parking lot with unnecessary
 10 additional pavement and drainage needs.

11 So it will operate efficiently and
 12 appropriately with that exception that we're
 13 requesting.

14 The parking, Kristin has gone through.
 15 We're proposing to bank 143 spaces but have the
 16 ability to construct a total of 306 parking spaces,
 17 depending upon tenant need. Those tenant needs can
 18 vary.

19 What we find is if you have two
 20 tenants, both tenants, when they cut their lease, may
 21 want to know that they have a certain amount of
 22 parking spaces whether or not they use it. We find
 23 that happens a lot in the industry. And that's
 24 something that is dealt with from a marketing
 25 standpoint.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 We also find that you could have
 2 tenants that have multiple shifts where you need
 3 spaces to be able to turn over. You need to have a
 4 space available if somebody comes in.

5 A lot of times if you do warehouses,
 6 you'll see the parking spaces most of the day are
 7 underutilized.

8 It's either at a shift turnover they
 9 get utilized. But for the most part, the parking
 10 spaces that we actually propose to construct are
 11 probably going to be more than adequate for the site,
 12 unless we get multiple tenants and/or a user that is
 13 operating two shifts or a heavy day shift.

14 Again, the level of parking here is
 15 sufficient for most of the types of tenants that you
 16 see that have taken these type of buildings.

17 Overall, I think the site circulation
 18 will operate safely and will accommodate the needs of
 19 the tenants that will come to the site.

20 And I think that really summarizes the
 21 analysis. We'll have to work with your engineer on
 22 the removal of the signal, itself, and the striping
 23 at the intersection that needs to be updated.

24 For instance, there's still stop bars
 25 on International Drive. They don't belong there

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 anymore. Those need to be removed properly,
 2 eradicated. Things like that, we just need to do.

3 CHAIRMAN WEISS: Do you want to
 4 summarize the...

5 MR. LUBLANECKI: Yeah.

6 The first thing is -- I probably know
 7 the answer. Just to make sure. The maximum number of
 8 parking spaces that right now need to be onsite is
 9 vehicles, 306.

10 MR. PEHNKE: Correct.

11 MR. LUBLANECKI: If there was any
 12 change in that --

13 MR. PEHNKE: We would have to come back
 14 to the board, yes.

15 MR. LUBLANECKI: And you did do the --
 16 you did answer all of my questions, or addressed all
 17 of my comments.

18 We looked at if in fact we did go to
 19 306 spaces and assume that would be equivalent to 300
 20 employees, you did the trip generation for that also.
 21 And we show that that -- that definitely works?

22 MR. PEHNKE: That's correct.

23 MR. LUBLANECKI: Correct.

24 MR. PEHNKE: So that would be a worst
 25 case if you have a single user with a single daytime

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 shift and they totally used every parking space
 2 onsite, which would be rather unique worst case
 3 analysis.

4 Again, that level of traffic, as you
 5 even note in your review, is substantially lower than
 6 what was previously coming in and out of the site,
 7 even though it was years ago.

8 MR. LUBLANECKI: Probably around
 9 10 percent.

10 MR. PEHNKE: About 10 percent of what
 11 the access drive was designed for.

12 MR. LUBLANECKI: That is correct.

13 The other question -- a couple
 14 questions -- is in terms of again the type of use and
 15 tenant -- you can't answer this -- but could it be a
 16 fulfillment center?

17 Could that actually be a use?

18 MR. PEHNKE: I would say no. And the
 19 reason why is we're not providing anywhere near the
 20 parking required for fulfillment centers. There's
 21 not many fulfillment centers being built anymore.

22 We do a lot of work for Amazon. That
 23 program has been cut back. The Walmarts of this
 24 world are not building those types of facilities.

25 But just for an example, an Amazon

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201-641-1812

1 fulfillment center is looking for 1,000 to 2,000

2 parking spaces, and we don't have that onsite.

3 MR. LUBLANECKI: We are familiar with
4 the last applicant. We were working with that for
5 quite a while.

6 The other final thing I did want to
7 mention. The board may have some questions on the.
8 You are removing the flashing signal?

9 MR. PEHNKE: Yes.

10 MR. LUBLANECKI: There may be questions
11 about that. That signal obviously was needed when
12 there was, you know, a lot of traffic.

13 There were 2,000 employees. Clearly
14 now with this traffic, after I reviewed it, it
15 wouldn't even meet the warrants for a traffic signal
16 so...

17 MR. PEHNKE: Correct.

18 And we grappled with that.

19 My client actually wanted it on.

20 . But looking at the warrants, it's
21 flashing for a reason right now.

22 Just to summarize for the board, as
23 engineers we must follow standards as documented in
24 the Manual of Traffic Control Devices.

25 It lays out specific volume data,

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201-641-1812

1 trucks.

2 It also works if we flip that around
3 and throw 80 percent of the trucks towards the
4 signalized intersection off of Continental Drive. So
5 maybe you want to address why you have 80 percent.

6 MR. PEHNKE: Correct.

7 And to put that into perspective, it's
8 10 to 15 trucks during a peak period. There's a
9 couple of -- there's a couple reasons it's the most
10 direct route from the site back to 206 and to
11 Route 80 rather than backtracking up Continental
12 Drive. It is a better grade on that road coming down
13 the road versus steeper grades that come down to
14 Continental Drive.

15 The geometry on that connection down to
16 International Drive is better than the geometry
17 coming up to Continental Drive.

18 But from a natural driver standpoint,
19 once navigation is plugged in onsite, it really is
20 directing them down to International Drive and
21 directly out to 206 and 80.

22 So to us, clearly that's the right
23 design to come in and out of the site.

24 It will work well, the geometry being
25 adjusted. And it works good from the site

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 accident data, and so forth that must be met in order
2 to warrant a traffic signal.

3 This signal was probably warranted
4 based upon the peak hour exiting load of the
5 corporate office that used to be here.

6 But you would have to have sustained
7 exiting loads of probably well over a 150 vehicles
8 per hour coming out of that driveway to continue to
9 warrant a signal, while we're looking at flows of 50
10 to 60 vehicles per hour, a fraction.

11 The intersection is projected to
12 operate at, as I said, a C level of service or better
13 with the traffic that we anticipate coming in and out
14 of this site.

15 MR. LUBLANECKI: Now, you did the
16 analysis of that unsignalized intersection. This was
17 brought up before.

18 Assuming that 80 percent of the trucks
19 would be -- would be making a left turn out of the
20 unsignalized intersection, I know that's going to
21 raise some eyebrows.

22 Maybe you want to address why you did
23 that.

24 And again, I looked at this. It's
25 unsignalized. It does work with the 80 percent of

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201-641-1812

1 circulation standpoint, the grades on the access
2 drive and so forth.

3 MR. GALOP: I understand that it makes
4 sense for you on your site.

5 But I'm concerned about on the road.
6 What is the ATD on International Drive versus
7 Continental Drive currently?

8 MR. PEHNKE: Well, International Drive
9 is the higher traveled road. There's no doubt about
10 it.

11 I don't know the ADTs would make it.
12 But as I said --

13 MR. GALOP: It's significantly
14 probably.

15 MR. PEHNKE: It's a different road.
16 It's a quiet road versus a higher road.

17 But, again, that goes to the analysis
18 we've done. The analysis shows that the lefts out
19 will work at Cs or better.

20 MR. GALOP: Would it be safer to exit
21 out of Continental as opposed to exiting out of
22 International.

23 MR. PEHNKE: I wouldn't say it's safer
24 either way.

25 Internally, the geometry is a little

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 more difficult to get up to Continental. The turns
 2 are more difficult than the site.
 3 So I think the International Drive
 4 intersection has better geometry for trucks.
 5 MR. GALOP: You guys are improving both
 6 driveways, though, correct.
 7 MR. PEHNKE: Correct.
 8 But, you know, we're improving within
 9 the existing -- the existing realms. There are
 10 restrictions in terms of the boulevard entrance that
 11 was here and the turns here.
 12 So there's a lot more 180-degree
 13 maneuvers, truck maneuvers occurring trying to get to
 14 Continental Drive than the clean movement down and
 15 turns at International.
 16 MR. GALOP: How many trucks and how do
 17 you think they will be exiting, approximately.
 18 MR. PEHNKE: As I said, we would expect
 19 someplace between 10 to 15 trucks an hour.
 20 MR. GALOP: It would be a better sight
 21 triangle leaving at Continental than you do
 22 International, and much lower volume of traffic
 23 traveled on Continental versus International.
 24 Much, much less traffic on Continental
 25 versus International.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 coming the speed limit.
 2 MR. PEHNKE: If we're talking about
 3 adding some guide signs internally just suggesting
 4 the route to 206 and 80, but not specific
 5 restrictions, I think it's something we can work with
 6 the board engineer on.
 7 MR. GALOP: I would like a truck
 8 traffic exit left directing them to Continental.
 9 I think it's -- I think it's safer for
 10 your drivers, for the traffic out there, you know.
 11 That's my personal thought, just knowing the volume
 12 of traffic. And I'd hate to see -- you know, right
 13 now we're getting rid of the flashing light.
 14 Chuck, you weren't there when we met
 15 onsite. They talked about turning the traffic light
 16 on for the site demolition.
 17 I was against that because, you know,
 18 now everyone is used to that flashing light not
 19 stopping.
 20 MR. LUBLANECKI: That would be a
 21 disaster. When you do have people fly right through
 22 it. They're used to it now for ten years. That
 23 would be a disaster, yeah.
 24 MR. GALOP: I mean, Walt, you can give
 25 me your opinion on it. I think it's a safer route to

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. PEHNKE: There's no doubt about it.
 2 Both routes work safely. Both are safe.
 3 I think International is more direct.
 4 I think it would be very difficult to force trucks to
 5 Continental.
 6 MR. GALOP: I'm not saying to
 7 physically force, but I would like to see some signs.
 8 I would like to direct the trucks to leave out of
 9 Continental.
 10 Are some not going to follow the signs
 11 and go out to International? Yes. I think it's
 12 safer. You know, the acceleration rate of an
 13 18-wheeler coming out of an unsignalized intersection
 14 making a left across those lanes of traffic, I think
 15 is more of a safety issue than your trucks navigating
 16 on your site to get out Continental.
 17 I think for safety's sake -- and people
 18 fly on International Drive, right? It's a
 19 40-mile-per hour zone. At 45 miles an hour,
 20 traveling 1.4 -- you're traveling 65, 66 beats per
 21 second with a 750-foot sight triangle, it's ten
 22 seconds.
 23 I guarantee you that an 18-wheeler is
 24 going to take 16 to 18 seconds to get up to 20 miles
 25 per hour making a left out of their loading if he's

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 go out Continental.
 2 MR. LUBLANECKI: It's definitely
 3 preferred.
 4 If you put signage up and leave it up
 5 to truck drivers, you may get close to a 50/50 split
 6 on that right off the bat. I think right now you've
 7 got -- you've got 80 percent going out to
 8 International. Precisely for your truck
 9 site-generated trips, you've got -- during the peak
 10 hours, you've got 13 -- 18 in the a.m. and 13 in the
 11 p.m.
 12 So it's a good number. A good number.
 13 If you end up putting signage in, I think you would
 14 get that 50/50.
 15 MR. GALOP: I know everyone is not
 16 going to pull --
 17 MR. LUBLANECKI: Prohibiting it
 18 entirely.
 19 MR. PEHNKE: Yeah, that's my concern.
 20 But, yeah, at both exits from the truck
 21 ports, we could put signs, "Truck Route Left."
 22 MR. GALOP: Some aren't going to follow
 23 it.
 24 But if we can get that number down, it
 25 makes the roadway safer for your trucks, for the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 tenants, for the motoring public.
 2 MR. PEHNKE: That's fine.
 3 I mean, at the end of the day, a lot of
 4 it depends on the tenant. A lot of truckers are
 5 going to come her that know the routes. If they're
 6 more comfortable going that route, they'll do it
 7 so...
 8 Okay, so we can do that internally,
 9 yes.
 10 MR. LUBLANECKI: The sign should say,
 11 like, a Route 80 --
 12 MR. PEHNKE: Yeah.
 13 I think it would be trucks left to 206,
 14 Route 80. We'll do it as a directional sign
 15 following ATD.
 16 MR. LUBLANECKI: They would have access
 17 making a left out, access to both directions to go
 18 anywhere.
 19 So I would do that. I would say
 20 definitely use Route 80 on those directional sign.
 21 Do you agree there, Bill?
 22 MR. GALOP: Yes.
 23 CHAIRMAN WEISS: I have a question.
 24 I'm curious.
 25 Has any calculation been done on
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. PEHNKE: That would be car traffic.
 2 Yeah, I couldn't -- I couldn't foresee any reason why
 3 a truck would come.
 4 CHAIRMAN WEISS: No.
 5 I agree with you. I'm thinking cars is
 6 not the issue. But if you thought about that, you
 7 said it would be about 8 percent.
 8 MR. PEHNKE: Yeah.
 9 So when we -- when we figure out these
 10 days our distribution of vehicles, we actually rely
 11 on navigation.
 12 If you ever use GoogleEarth, you can
 13 actually go to hours of the day. We actually go to
 14 peak hours and we look at centroids of approach and
 15 calculate the best route in.
 16 Sometimes we'll find those shortcuts.
 17 CHAIRMAN WEISS: A shortcut might cut
 18 off a light or two. Local folks just might feel
 19 better getting off the highway.
 20 MR. GALOP: Speaking of people taking
 21 shortcuts, right now that site is a cut-through for
 22 people trying to avoid the light at International.
 23 Are we going to put up no through signs
 24 at the entrances or anything like that? It would be
 25 beneficial so you don't have people cutting through
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 traffic in or out using Continental, but coming
 2 through Stanhope, Netcong?
 3 Because let's say car traffic, or even
 4 truck traffic, going north and south on 206, there is
 5 actually a shortcut --
 6 MR. PEHNKE: Yeah, there is.
 7 CHAIRMAN WEISS: -- coming on -- I
 8 forget the name.
 9 MR. GALOP: That's kind of a long-cut.
 10 Waterloo. Waterloo to Continental.
 11 MR. PEHNKE: Yeah.
 12 There is some navigation that brings
 13 you that way.
 14 So we actually calculated about
 15 8 percent car traffic would come from that direction.
 16 CHAIRMAN WEISS: I would imagine more
 17 cars.
 18 MR. PEHNKE: Because there would be --
 19 we would expect that there would be some employees
 20 that were oriented to that north, so that's been
 21 factored into the study.
 22 MR. GALOP: Towards what's lake camp up
 23 --
 24 MR. LUBLANECKI: That would be car
 25 traffic.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 your site.
 2 MR. PEHNKE: It's private property. We
 3 have no problem doing that.
 4 MR. LEIBMAN: We'll agree to do that.
 5 MR. GALOP: It would be better for you
 6 guys. I'm just suggesting people cut through there
 7 all day. Just to avoid that.
 8 MR. LEIBMAN: I observed that when I
 9 visited the site.
 10 And I got dirty looks from a motorist
 11 who was like how dare you be standing in my roadway
 12 blocking me.
 13 MR. PEHNKE: I think that will also
 14 change when its active and there's onsite management
 15 too.
 16 Yeah, we would appreciate the ability
 17 to reinforce that we want to maintain a proper road
 18 here.
 19 MR. GALOP: And we'd like the ability
 20 to enforce it, right.
 21 CHAIRMAN WEISS: Is that enforceable?
 22 MR. GALOP: Absolutely.
 23 MR. PEHNKE: It would be.
 24 We could have a Title 39 on the site,
 25 yes.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. GALOP: Yeah.
2 It would even be -- there's a Title 39
3 statute. You can't use private property to avoid a
4 traffic light, which is what they're referring to.
5 CHAIRMAN WEISS: Do those conditions
6 basically say there's a sign.
7 MR. GALOP: There doesn't have to be a
8 sign. But a sign is to discourage them. And it's
9 nice for us to be able. If somebody doesn't make
10 that argument.
11 CHAIRMAN WEISS: As the authority, you
12 can ticket a motorist who cuts through the property.
13 MR. GALOP: Yeah.
14 MR. LEIBMAN: The classic example is if
15 you have, like, a gas station on the corner, a
16 traffic light, the person pulls in to the parking lot
17 just to avoid the traffic light.
18 Then they say -- I have defended these
19 cases. Then they say, oh, I was just pulling in to
20 get gas and I saw the pumps were full so I continued
21 on.
22 No. You took a shortcut to avoid the
23 light.
24 MR. LUBLANECKI: They have enough gas.
25 MR. LEIBMAN: Yeah.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Sorry, Paul.
2 MR. BRYCE: If you could please raise
3 your right hand.
4 Do you swear or affirm that the
5 testimony you're about to give will be the truth, the
6 whole truth, and nothing but the truth?
7 MR. BIFULCO: I do.
8 A R T Y B I F U L C O,
9 having been duly sworn, testifies as follows:
10 MR. BRYCE: Spell your name.
11 MR. BIFULCO: Arty Bifulco.
12 B-I-F-U-L-C-O.
13 DIRECT EXAMINATION
14 BY MR. LEIBMAN:
15 Q. Can I call you Arty?
16 A. Sure.
17 Q. Arty, did you hear all the conditions
18 and stipulations that we offered as we went along?
19 A. Yes, I have.
20 Q. And you are a representative of this
21 applicant?
22 A. Yes.
23 I've been with Matrix now eight years.
24 I'm Vice President there.
25 Q. And you concur with the stipulations
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 It's harder to enforce in this
2 situation, but there is a statute.
3 CHAIRMAN WEISS: Brian, you've got to
4 stop doing that because Bill says it's an
5 enforcement.
6 MR. SCHAECHTER: John showed me the
7 shortcut so...
8 CHAIRMAN WEISS: All right.
9 Does anybody else have any questions
10 for Karl? Walt, you're good.
11 MR. LUBLANECKI: Yes.
12 CHAIRMAN WEISS: Does anybody from the
13 public have anything for the traffic engineer on the
14 testimony that he delivered?
15 (No response.)
16 CHAIRMAN WEISS: And I see none, so I'll
17 close it to the public.
18 MR. PEHNKE: Thank you, Mr. Chairman.
19 CHAIRMAN WEISS: Thank you.
20 MR. LEIBMAN: The applicant will call
21 Paul Ricci, our Professional Planner.
22 Actually, maybe the board actually will
23 want to hear from Mr. Bifulco. I think there were
24 some questions for him. Let's bring up Mr. Bifulco
25 first.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 that we offered?
2 A. Yep.
3 Q. I think the board had some questions
4 for you.
5 A. One was on onsite maintenance, right?
6 Yeah, no onsite maintenance.
7 VICE CHAIR NATAFALUSY: No onsite
8 maintenance.
9 MR. GALOP: A simple one.
10 MR. MANIA: I'm the guy.
11 I'm the bad guy.
12 BY MR. LEIBMAN:
13 Q. And maybe we just -- you and I can have
14 a short discussion in front of the board what we
15 discussed about the liability concern for providing
16 access as was requested.
17 A. Right. Yeah.
18 And I think Kristin summed it up pretty
19 well there, that, you know, the mix of pedestrians in
20 an industrial warehouse site isn't a great fit. And
21 it was a concern of ours from the beginning.
22 You know, I walked the site with
23 Ms. Murphy and the canal people.
24 And, you know, it was a great walk.
25 Just I couldn't -- I couldn't -- the liability. And
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 talking to Counsel here and then other attorneys, we
 2 just couldn't find a way to make it work.
 3 MR. LEIBMAN: I don't have any other
 4 questions for this witness.
 5 MR. McGROARTY: I have a couple.
 6 One thing you didn't ask about, I'm
 7 going to ask you now. Fuel. There's no plan --
 8 there's nothing shown on the plans to have fuel
 9 dispensers on the site?
 10 That's not proposed.
 11 MR. BIFULCO: Yeah, it's not proposed.
 12 MR. McGROARTY: Then I know Corporal
 13 Galop will have some questions about the tower.
 14 MR. GALOP: I had a subsequent memo.
 15 You are going to provide space on the tower for the
 16 police and emergency services for the township.
 17 MR. BIFULCO: Absolutely.
 18 MR. GALOP: At whatever elevation on
 19 the tower they need to make it work.
 20 It's a 100-foot, 50-foot tower so...
 21 MR. BIFULCO: Yeah.
 22 We'll lease a spot on there, you know,
 23 where you're at now or better.
 24 MR. GALOP: That was going to be one of
 25 my questions.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 you know.
 2 MR. McGROARTY: So there will be no
 3 interruption of service?
 4 It will stay on the building or moved
 5 to either a temporary tower or permanent tower so
 6 there will be no interruption significantly.
 7 MR. BIFULCO: Exactly.
 8 That's well said, significant
 9 interruption. There might be, you know, a moving
 10 delay or something.
 11 The intent is to keep it operational.
 12 Some -- and I don't have an answer how we do that
 13 exactly, whether it's a temporary tower, or that
 14 portion of the building stays up until -- until the
 15 permanent tower is done.
 16 What's good is we're speaking with
 17 Sergeant Eric Anthony. Your requirements for the --
 18 it's not a big -- it's not a lot. You know, it
 19 doesn't require a lot. I think it's, like, basically
 20 an outlet. It doesn't -- it doesn't require a lot.
 21 MR. GALOP: Yeah, I have his letter.
 22 MR. McGROARTY: Bill, let me ask one
 23 other question.
 24 MR. GALOP: Yep.
 25 MR. McGROARTY: Then I'm done.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. McGROARTY: Right, right.
 2 No. I know we see a lot of the
 3 applications. There's distance as they mount their
 4 antennas on there, but whatever.
 5 And it will have -- there is a 40-by-40
 6 equipment compound proposed. They would have space
 7 within the compound as well.
 8 MR. BIFULCO: Correct, yes.
 9 MR. McGROARTY: Now, earlier there was
 10 a question.
 11 This will be a permanent tower.
 12 MR. BIFULCO: Correct.
 13 MR. McGROARTY: That you will then
 14 incorporate -- that will be incorporated into the
 15 site plan. We have it right now as a separate plan.
 16 Was there some suggestion that there
 17 would be a temporary structure first, or you haven't
 18 worked that out yet.
 19 MR. BIFULCO: It's not completely
 20 worked out yet.
 21 We believe Verizon may want to do a
 22 temporary structure. I'm not sure entirely of that.
 23 We're kind of coordinating that all that now.
 24 But I can tell the board that we'll
 25 make sure that the AMS or your antenna is maintained,

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Do you know if yet -- do you know where
 2 the permanent tower is proposed? That's next to
 3 Basin 14.
 4 Where would the temporary tower go?
 5 MR. BIFULCO: The temporary ideally
 6 would be right next to it, outside of any
 7 environmental restricted areas.
 8 And the reason is that's just the
 9 easiest place for power and communication lines.
 10 MR. McGROARTY: Thank you.
 11 MR. GALOP: Yeah.
 12 I guess, I have Sergeant Anthony's
 13 letter. Just reviewing it, I know there's mention --
 14 one of my questions was, you know, if it's going to
 15 be the same height. You said similar height or
 16 higher than the equipment.
 17 Then I guess how that works. I guess
 18 I'm just kind of curious as far as -- obviously you
 19 need power and a generator back-up in case it loses
 20 power. How does that work with the temporary,
 21 transferring?
 22 I guess Verizon is in the mix, right,
 23 because they have antennas on it.
 24 So I'm just, kind of, wondering how
 25 that works. Like, when you say no interruption of

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 service, like, there will be generator power during
2 that transition and everything?
3 MR. BIFULCO: Yeah.
4 Like I said, your service, you know, as
5 I understand it from Sergeant Anthony, is literally a
6 regular household outlet, right.
7 So, I mean, that could run off any
8 small generator for a period of time if we had to, is
9 my thought. And I haven't, you know, talked to my
10 team much about it. Like I said, because there's not
11 a huge draw there, you know, whereas Verizon stuff is
12 much more significant. You know, it's going to take
13 more planning. Yours, I kind of view it will be a
14 little simpler to keep running during the demo
15 operation. If we had to connect one in that corner
16 of the being or something.
17 MR. GALOP: Okay. I'm sure you'll stay
18 in contact with Sergeant Anthony to work everything.
19 I know that we had prior projects that T-Mobile was
20 involved in, power from them. So I'm sure we'll work
21 all that out.
22 For me, I guess the important thing is
23 to make sure no significance loss of service, right,
24 and this equipment is the same height or higher to
25 provide better or the same service.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. BRYCE: I assume Verizon is not
2 going to want to be offline for very long.
3 MR. GALOP: Yeah, I'm sure.
4 MR. BIFULCO: Right.
5 That's why they're welcoming the
6 temporary tower. And they'll probably have -- rather
7 than move their equipment, they'll probably install
8 new equipment and take the old equipment offline.
9 CHAIRMAN WEISS: John, you had a
10 question.
11 MR. BATSCH: Yeah.
12 Will there be any other carrier on that
13 tower? And if there are, do they have to come in
14 front of the board?
15 MR. McGROARTY: The ordinance doesn't
16 require it. If the tower is approved, then, you
17 know, assuming that this is the construction
18 official, whatever the weight limit is, or whatever,
19 that there will be an allowed -- just what we do is
20 each time a provider goes on the tower, they get a
21 zoning permit.
22 MR. VREELAND: There's actually a code,
23 local, federal regulation, that streamlines the
24 locating the existing tower. It takes the board out
25 of it for qualifying.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. McGROARTY: Yeah.
2 They don't -- in the Land Use Law as
3 well reflects that. So if they don't exceed the
4 height and compound area, the site plan is not
5 required. That's what we mean by way of zoning.
6 MR. NELSEN: Regarding what we talked
7 about now, the positioning of the police antenna or
8 equipment on that tower, could we word that as they
9 could be offered a priority position on the tower.
10 MR. BIFULCO: You know, I don't know --
11 unfortunately, I don't know the whole wireless that
12 well.
13 My understanding, having talked to -- I
14 think it was Verizon -- and how it normally works is,
15 your antenna -- you know, the town's antenna usually
16 goes to top of the pole, like literally on the top.
17 You know, where theirs goes, attaches to the side
18 really, yours goes to the top, you know. I don't
19 know that I can promise you that because I don't know
20 how it works.
21 But that's what my thought is, that it
22 would go to the top of the pole. So you would be in
23 a much better position than you are now for sure.
24 MR. NELSEN: But you can't promise us
25 that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. BIFULCO: No.
2 I don't know how it -- how it works,
3 you know. And I don't know the interference between
4 yours and theirs. So I don't know how it works that
5 way.
6 MR. McGROARTY: Well, I think the
7 testimony is that they'll meet the -- they'll satisfy
8 the service the township requires, whether that's at
9 the top of it or if it's put in a position where it
10 doesn't function, then I think they haven't met their
11 --
12 MR. NELSEN: I'd just like to see it in
13 a priority position as opposed to something that was
14 adequate.
15 MR. McGROARTY: As long as it works.
16 It should be in a position where it works.
17 CHAIRMAN WEISS: I would have to say,
18 as long as there is a direct line of communication,
19 whether it's Bill, it's you or Eric and Matrix, then
20 we're fine. Because if you guys feel that it's
21 inadequate, you go right to the source.
22 MR. GALOP: Eric can be in contact with
23 them. If there's an issue, contact me.
24 CHAIRMAN WEISS: Eric Anthony has
25 contact with you.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

<p style="text-align: right;">125</p> <p>1 MR. BIFULCO: Correct.</p> <p>2 CHAIRMAN WEISS: And so now if there's</p> <p>3 issues like, Dan, you're concerned about, I'm sure</p> <p>4 Eric Anthony is not going to waste a minute to get on</p> <p>5 the phone and call Matrix.</p> <p>6 So I think we're good.</p> <p>7 As long as we have this open line of</p> <p>8 communication. You communicated with Eric. He's</p> <p>9 communicated with you. I saw the memo. Even on an</p> <p>10 impersonal level. On a nonformal level, you guys can</p> <p>11 speak about it.</p> <p>12 MR. BIFULCO: Absolutely.</p> <p>13 CHAIRMAN WEISS: Sergeant, right.</p> <p>14 Sergeant Anthony?</p> <p>15 MR. GALOP: Yeah.</p> <p>16 MR. SCHAECHTER: Howie, I don't want to</p> <p>17 cut you off. I would think with Sergeant Anthony,</p> <p>18 and Bill, make sure that the radio equipment is</p> <p>19 functioning at the same level or a better level than</p> <p>20 we currently have. I think that meets the standard</p> <p>21 of what we want.</p> <p>22 CHAIRMAN WEISS: Yeah, that's my point.</p> <p>23 Dan, I know your concern. We have this</p> <p>24 communication. I'm comfortable with that.</p> <p>25 MR. NELSEN: Okay, thank you.</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">127</p> <p>1 ways to bring the building down.</p> <p>2 MR. McGROARTY: Arty, if I may, you</p> <p>3 heard what I said earlier, and you know that we've</p> <p>4 talked throughout this whole process.</p> <p>5 You have no objections to proving a</p> <p>6 demolition plan separate.</p> <p>7 MR. BIFULCO: Correct.</p> <p>8 MR. McGROARTY: In the back.</p> <p>9 But you'll provide us so when we have</p> <p>10 the pre-construction meetings, et cetera, we can go</p> <p>11 over all the terms.</p> <p>12 MR. BIFULCO: Correct. We will do</p> <p>13 that.</p> <p>14 CHAIRMAN WEISS: John, as a matter of</p> <p>15 fact, we have a note here, condition of approval is</p> <p>16 that the demo plan will be presented. So although an</p> <p>17 answer is not available now, it will be. It will be</p> <p>18 a condition of the approval.</p> <p>19 MR. McGROARTY: Not to the board.</p> <p>20 CHAIRMAN WEISS: Right, not to the</p> <p>21 board. It will be presented, as Chuck, said at a</p> <p>22 pre-construction meeting or at some time before they</p> <p>23 start the demo. Fair enough.</p> <p>24 Anybody else?</p> <p>25 (No response.)</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>
<p style="text-align: right;">126</p> <p>1 CHAIRMAN WEISS: Anybody else?</p> <p>2 MR. MANIA: I've got questions.</p> <p>3 CHAIRMAN WEISS: Go ahead.</p> <p>4 MR. MANIA: Maintenance onsite. Will</p> <p>5 you be doing maintenance onsite.</p> <p>6 MR. GALOP: He answered.</p> <p>7 He said no.</p> <p>8 MR. MANIA: He answered that.</p> <p>9 MR. GALOP: Yes.</p> <p>10 MR. MANIA: I'm sorry.</p> <p>11 MS. MOTT: That was the first thing.</p> <p>12 MR. GALOP: That was the first easy</p> <p>13 question. He knocked it right out.</p> <p>14 MR. MANIA: A few other questions.</p> <p>15 Will there be fueling onsite?</p> <p>16 MR. GALOP: He answered that.</p> <p>17 MR. BIFULCO: No.</p> <p>18 Chuck asked that. And the answer is</p> <p>19 no, no fueling onsite.</p> <p>20 MR. MANIA: How do you propose to demo</p> <p>21 the building? Implode? Medicine ball? How?</p> <p>22 MR. BIFULCO: I don't have the answer</p> <p>23 to that. It doesn't look like imploding is a</p> <p>24 candidate right now.</p> <p>25 But we're still looking at all the best</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>	<p style="text-align: right;">128</p> <p>1 CHAIRMAN WEISS: Brian?</p> <p>2 MR. SCHAECHTER: Yeah.</p> <p>3 This might seem a little petty, but</p> <p>4 when you guys design that antenna, will you make sure</p> <p>5 it looks like an antenna, not a pine tree? There's a</p> <p>6 fake one on Route 10. It's disgusting. Every time</p> <p>7 you walk by. It's not fooling anybody.</p> <p>8 MR. SCAPICCHIO: It fooled me. I</p> <p>9 thought it looked real.</p> <p>10 MR. SCHAECHTER: You're the only</p> <p>11 person.</p> <p>12 CHAIRMAN WEISS: Listen, we, Arty,</p> <p>13 understand that's not totally your decision. So with</p> <p>14 all due respect...</p> <p>15 MR. McGROARTY: There are no towers in</p> <p>16 the township that have the pine tree/toilet.</p> <p>17 CHAIRMAN WEISS: Listen, I was just</p> <p>18 explaining to Arty that's not in our control.</p> <p>19 MR. SCAPICCHIO: Yeah, but if they want</p> <p>20 to make it look like one.</p> <p>21 MR. McGROARTY: It's not for -- believe</p> <p>22 me, they're not going to go through the expense to</p> <p>23 put it on there if we're not forcing them.</p> <p>24 MR. GALOP: The cheapest functioning</p> <p>25 tower.</p> <p style="text-align: right;">LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812</p>

1 CHAIRMAN WEISS: Anybody else?
 2 MR. BRYCE: Bring up the temporary
 3 storage.
 4 MR. VREELAND: I know we talked about
 5 it with the engineer.
 6 MR. BRYCE: I think Hoboken or Jersey
 7 City, where you come out of Hoboken you see a Bradley
 8 trailer sitting right up there.
 9 MS. MOTT: Forever.
 10 CHAIRMAN WEISS: As you come over the
 11 viaduct.
 12 MR. BRYCE: So the question is, as the
 13 landlord or a developer, can you put in some type of
 14 assurance for us that there's not going to be a truck
 15 that's disabled or on the road or onsite for a
 16 reasonable amount of time? Just to avoid permanent
 17 storage of tractor trailers.
 18 MR. BIFULCO: We can put something that
 19 there's no permanent storage allowed. You know,
 20 there are jockey trucks, right, that are onsite.
 21 They're designed to be on onsite. Occasionally they
 22 go off-road.
 23 But they move trailers around.
 24 MR. McGROARTY: Yeah. But that's
 25 different.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 a Class A warehouse facility. It's not -- it's not
 2 meant to be a junkyard.
 3 MR. McGROARTY: Are you going to
 4 maintain -- does Matrix maintain or keep ownership
 5 over it.
 6 MR. BIFULCO: We keep -- ultimately no.
 7 Down the yard we usually don't. We partner up with a
 8 financial partner. And then we usually offer what we
 9 call asset management services, so we usually have a
 10 hand in it at the end.
 11 MR. McGROARTY: Because it's down the
 12 road that we care about. Once you're gone, the next
 13 guy in, you know, may not be as attentive. So that's
 14 why.
 15 MR. BIFULCO: Right.
 16 And usually our asset management people
 17 are still there. We're still the point of contact.
 18 Just, financially, we don't own the building anymore.
 19 CHAIRMAN WEISS: Anybody else?
 20 (No response.)
 21 CHAIRMAN WEISS: So let me open it to
 22 the public.
 23 If anybody has any questions for Arty
 24 based on the testimony he delivered, now would be a
 25 good time.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 CHAIRMAN WEISS: What I think we're
 2 hearing -- and I like the language -- road-worthy,
 3 right? If it's not road-worthy, it's not there.
 4 We don't want it there. So, again, I
 5 mentioned earlier if a tractor trailer becomes
 6 disabled because it's rotted -- it's rotted -- and
 7 now keep it parked here and it's free advertisement.
 8 So we don't want any non-road-worthy
 9 trailers there at all. Of course storage is
 10 temporary. We just need to clean that up a little
 11 bit.
 12 MR. BRYCE: Yeah.
 13 MR. BIFULCO: Right.
 14 Nothing on pallets outside, yeah.
 15 CHAIRMAN WEISS: Okay.
 16 MR. McGROARTY: The testimony to date
 17 with this building and the other building, the
 18 architects, it's the kind of building, you're not
 19 going to want all that clutter outside anyway, I
 20 would think.
 21 MR. BIFULCO: Correct.
 22 Our -- you know, our operations aren't
 23 typically like that. I can't think of any that are
 24 like that.

And, you know, like we testified, it's
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 (No response.)
 2 CHAIRMAN WEISS: And I see none, so I'll
 3 close it to the public.
 4 Marc?
 5 MR. LEIBMAN: I will call up Mr. Ricci,
 6 our planning consultant and our final witness.
 7 MR. BRYCE: Sir, if you could just
 8 raise your right hand?
 9 Do you swear or affirm that the
 10 testimony you're about to give will be the truth, the
 11 whole truth, and nothing but the truth?
 12 MR. RICCI: I do.
 13 P A U L R I C C I, PP, AICP.
 14 177 Monmouth Avenue, Atlantic Highlands, New
 15 Jersey, having been duly sworn, testifies as
 16 follows:
 17 MR. BRYCE: Please state your name and
 18 spell your last name for the record.
 19 MR. RICCI: Paul Ricci, R-I-C-C-I.
 20 MR. BRYCE: Thank you, sir.
 21 VOIR DIRE EXAMINATION
 22 BY MR. LEIBMAN:
 23 Q. Mr. Ricci, what do you do for a living?
 24 A. I'm a licensed Professional Planner.
 25 Q. Have you been a Professional Planner

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 for many years?
 2 **A. Yes.**
 3 **I've been licensed since the year 2000.**
 4 **Q.** Have you appeared and been accepted by
 5 any boards previously in Mount Olive?
 6 **A. I have, on two separate occasions.**
 7 **Q.** Including last month, correct?
 8 **A. Correct.**
 9 **Q.** Is your license still in good standing?
 10 **A. It is.**
 11 MR. LEIBMAN: I'd ask the board to
 12 accept Mr. Ricci as an expert.
 13 CHAIRMAN WEISS: Absolutely.
 14 Does anybody have any questions for
 15 Mr. Ricci?
 16 (No response.)
 17 CHAIRMAN WEISS: Chuck, any questions?
 18 MR. McGROARTY: No.
 19 DIRECT EXAMINATION
 20 BY MR. LEIBMAN:
 21 **Q.** Mr. Ricci, you had an opportunity to
 22 hear all of the testimony that was presented tonight?
 23 **A. I have.**
 24 **Q.** Do you have an opinion with respect to
 25 the variances that are required, the waivers that are
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 was sort of a quirk there.
 2 There is no façade signage in the
 3 ordinance for the FTZ-4 Zone, nor in the manual.
 4 So you have the three variances there.
 5 You have retaining wall, fence height and façade
 6 signage.
 7 MR. RICCI: Agreed.
 8 CHAIRMAN WEISS: Okay. So then we
 9 summarized it. Very good.
 10 Let's address them.
 11 MR. RICCI: Very good. In terms of the
 12 variance relief, we're seeking it both under the C-1
 13 hardship and C-2 provisions. C-2 under the C-2.
 14 We balance the benefits versus the detriments. We
 15 show that the variances would advance purposes of the
 16 Municipal Land Use Law, can be granted without
 17 substantial detriment to the public good and zone
 18 plan.
 19 Essentially, the benefits outweigh the
 20 detriments and result in a public purpose being
 21 advanced. They meet the C-2 criteria.
 22 Under the hardship criteria, we're
 23 seeking it both under the -- for the wall height
 24 associated with the existing topography conditions
 25 associated with the land as well as an exceptional
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 required, the relief that's required, whether the
 2 applicant has met its burden?
 3 **A. I do.**
 4 **Before -- I think I asked this question**
 5 **last time. Do you want me to go through all the**
 6 **relief that we're requesting this evening one by one**
 7 **to identify it for the record, or it's all**
 8 **established.**
 9 CHAIRMAN WEISS: Chuck, you have the
 10 report, correct.
 11 MR. McGROARTY: Yes.
 12 I think we've identified the variance
 13 for the retaining wall. There's a variance for the
 14 fence at 8 feet. There is an exception for parking
 15 spaces. Mr. Pehnke pointed out an exception for the
 16 dimension of the parking space, 9-by-18 versus
 17 9-by-20. Then the lighting.
 18 But I think the testimony was that they
 19 would make every effort to comply with the 30-foot
 20 light standard. I don't know what that means. I
 21 think that's it.
 22 MR. LEIBMAN: If we could just get the
 23 lighting squared --
 24 MR. McGROARTY: And the signage. We
 25 talked with the 2000 International building, there
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 situation associated with the land that I'll touch
 2 upon in a little greater detail.
 3 Regarding the wall height, the
 4 applicant -- and we heard some testimony from the
 5 site engineer that the site essentially grades about
 6 50 feet over the length of the building.
 7 And this is a large building. These
 8 buildings have to have a flat -- I talked about this
 9 last time as well -- have to have a flat floor.
 10 So it requires the site over -- to be
 11 graded over 50 feet. That's what creates the need
 12 for the retaining wall associated with the
 13 topography.
 14 Of interest, the retaining wall is
 15 located a minimum of 125 or 130 feet from the nearest
 16 property line.
 17 At the locations where the retaining
 18 walls are proposed, buildings are permitted over
 19 100 feet in height.
 20 So I am talking about this a little bit
 21 last time. The distinction is when your ordinance
 22 looks at wall and fence heights of 6 feet, those can
 23 be located directly on a property line. Here where
 24 the wall is anticipated or proposed to be
 25 approximately just shy of 38 feet, it's an area of
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 the site that anticipates much greater and higher
2 development.
3 We see in the aerial as well, this site
4 is completely surrounded by woodlands.
5 To the extent that the wall is taller
6 than permitted, it's not going to be visible,
7 obnoxious, negatively impact adjoining properties.
8 And for those reasons, it can be
9 granted, you know, without a substantial detriment to
10 the public good and the zone plan.
11 I think it's important to mention that,
12 you know, when we look at the FTZ-4 Zone, it is an
13 economic development area of the town within the
14 Highlands planning area. This is not a growth or
15 preservation area. I'm not going to go through all
16 your Master Plan elements and zoning.
17 But going back as far as 2003 when it
18 talks about the zone permitting uses in a general
19 industrial district, it identifies -- it says:
20 "For its warehouses,
21 shipping/receiving, and the manufacturing and
22 finishing of products.
23 " Therefore, the intent of the district
24 is to permit more intensive land uses, which
25 generally generate more traffic and may have
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 greater impacts to surrounding areas."
2 So when this zone was established, it
3 recognized that it's a higher intensity zone.
4 And what I'm going to talk about
5 despite that, this applicant is building well under
6 the ordinance requirements and what's permissible
7 under your zoning.
8 Not to mention the fact that this is a
9 site that's laid idle for approximately 19 years,
10 almost twice as long than it was actually open.
11 So clearly, you know, we saw that your
12 2015 Master Plan even added a range -- even
13 residential in a full range of uses, commercial, so
14 commercial, residential and industrial uses out
15 there.
16 So it seemed like the town was doing
17 everything it could from a planning perspective, at
18 least my outside review, to encourage redevelopment
19 of this tract and get it back to be a functional
20 property.
21 Again, your zone requirements give an
22 idea of the underdeveloped nature of this tract. One
23 acre is required, where 97 acres is existing.
24 Clearly we're a permitted use.
25 The building coverage, 70 percent is
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 permitted on this site, where 33.5 percent is
2 proposed.
3 That indicates that, you know, close to
4 67 percent of this tract will remain as open space in
5 an industrial -- intensive industrial district in
6 your community.
7 The Floor Area Ratio, 0.4 is proposed
8 -- excuse me -- 0.4 is permitted, where 0.14 is
9 proposed. That's approximately 284 percent less than
10 what's anticipated.
11 Building heights of up 185 feet are
12 permissible, whereas approximately 47 feet, depending
13 on the grades at the tallest point.
14 All the setbacks are adhered to. I
15 talked about the open space. And parking is
16 compliant when you evaluate it from the sense that
17 it's banked parking, that parking can be provided as
18 needed to be compliant.
19 So from a planning perspective, this is
20 an excellent application. It's an application that
21 clearly results in sound land use planning for the
22 reasons I mentioned.
23 Regarding the design waivers, you know,
24 there was extensive testimony provided by all the
25 witnesses. And under the Garofalo decision, it says
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 that the granting of those waivers has to be under
2 the -- must be reasonable under the facts presented,
3 with the understanding that there has to be some
4 level of impracticability.
5 And to the extent you want me to go
6 through that again, I can.
7 But that testimony has largely been
8 provided for the board. And it meets the requirement
9 of the exception relief.
10 Regarding the site signage, your
11 ordinance does -- as testified by your planner, does
12 not have specific standards in the FTZ zones, but
13 elsewhere in your ordinance you do have specific sign
14 standards for commercial, residential and industrial
15 properties.
16 What the applicant is requesting is
17 that you allow them to have signage consistent where
18 your zone allows for other industrial warehouses to
19 have comparable signage. And that's identified in
20 Section 550-95B-3.
21 And, essentially, that is 200 square
22 feet or 10 percent of the gross size of the building,
23 whichever is greater. These are large buildings
24 here.
25 So on the smaller side of the building,
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 10 percent of that façade would be over 2,000 square
2 feet of signage.

3 Here the applicant is requesting signs
4 that are proportional, well under those standards.
5 Because it's proportional, it will look good. I'm
6 the city planner in the City of Linden.

7 These are big buildings. So, you know,
8 while signage sometimes appears big on maybe a strip
9 mall or a commercial site, on a bigger building like
10 this, it can almost look too small, because you want
11 to it be to scale with the building and the like.

12 So from a planning standpoint, I think
13 it's appropriate to apply a standard of industrial
14 signage use consistent throughout the community. I
15 think that represents a better zoning alternative at
16 this location, and that supports the public good.

17 The waiver testimony was largely
18 provided in significant detail. Parking -- and just
19 from a planning standpoint, I just want to mention,
20 there's a lot -- a lot of benefits associated with
21 this project.

22 And just stepping back a step before. Also,
23 when we look at the variance relief, I think it's
24 important to recognize that when we do advance this
25 relief -- when we do advance this relief, under the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 associated with that increased security on a site of
2 this scale where that fencing will not feel
3 over-powering, those benefits outweigh the
4 detriments.

5 And for all these reasons, multiple
6 purposes of the Municipal Land Use Law are advanced.
7 Purpose A, supporting of your Master Plan promotes
8 the general welfare. Purpose C, the site provides
9 adequate air and open space. Purpose G, provides
10 space for industrial needs to meet the needs of New
11 Jersey citizens. Purpose A, its location near a
12 regional network and highway system encourages the
13 free flow of traffic. And also the solar panels that
14 would be available on the roof supports Purpose N, to
15 promote the utilization of renewable energy resources
16 at the facility.

17 Regarding the negative criteria, the
18 variances can be granted without substantial
19 detriment to the public good and the zone plan. The
20 key word being "substantial." I don't want to be
21 repetitive, but I think I've clearly shown that this
22 is a facility that meets all your core objectives of
23 your planning and zoning. And to the extent that the
24 relief is being requested, it's for more
25 design-related issues that aren't negatively

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 Pullen decision, we don't have to -- we don't have to
2 advance the general welfare for each individual
3 variance, but we have to advance the general welfare
4 and how this application promotes the general welfare
5 for an application as a whole.

6 And that's clear for this application
7 for just so many reasons, advancing your 2015 Master
8 Plan, advancing the Township's economic planning
9 objectives. I talked about how long the site has
10 been vacant, the creation of jobs, between 150 to 275
11 jobs, between 150 to 200 construction jobs.

12 Clearly, this is going to be a
13 significant generator of tax revenues without the
14 creation of significant additional costs on the
15 community. I think most people recognize the
16 majority of those costs associated -- that go as part
17 of your bill are associated with the school district.
18 No children would be generated here. Clearly a
19 strong fiscal surplus would be generated.

20 Regarding the fence height, the
21 applicant is seeking an 8-foot fence height, which is
22 consistent with industrial standards. Again, this is
23 a large oversized site that can accommodate 2 feet of
24 additional height. It provides increased security
25 for the facility. It's my opinion that the benefits

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 impacting the surrounding property owners or
2 substantially impacting the intent and purpose of
3 your zone plan.

4 I talked about how up to 284 more
5 percent of building area could be constructed, you
6 know, over 100 feet of additional building height,
7 and the like.

8 I can go on. But I think it's clear
9 that there's no substantial detriment. I didn't hear
10 any substantial detriment or issues raised that can't
11 be reconciled, as my hearing of the testimony this
12 evening. So I think this is an excellent application
13 and one that meets the burden of the bulk variance
14 and the exceptions that are being requested.

15 CHAIRMAN WEISS: Thanks, Paul.

16 Chuck, I just want to go to you. Do
17 you have any comments or follow-up?

18 MR. McGROARTY: No, I don't.

19 I don't disagree with any of the
20 testimony.

21 CHAIRMAN WEISS: Anybody from the
22 planning board?

23 (No response.)

24 CHAIRMAN WEISS: Well presented, Paul.

25 Thank you.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

1 MR. RICCI: Thank you.
 2 CHAIRMAN WEISS: I appreciate that.
 3 Before let me just open it to the
 4 public. If anybody from the public has any questions
 5 for Paul based on his planning testimony, you can
 6 come to the podium.
 7 (No response.)
 8 CHAIRMAN WEISS: But I see no one, so
 9 let me close to the public.
 10 MR. LEIBMAN: Mr. Chairman, I just
 11 wanted to recap. I think it may have gotten lost in
 12 the sauce.
 13 We're going do reduce the amount of
 14 pole-mounted lighting fixtures to 30 feet.
 15 But there may be an increase in the
 16 candle-foots on lighting as result of that, which is
 17 an additional design exception which we need approval
 18 for.
 19 Also, that there will be no landscaping
 20 around the northern loading areas, as was discussed
 21 during the testimony.
 22 CHAIRMAN WEISS: Those are your
 23 conditions.
 24 MR. LEIBMAN: Well, those are
 25 additional design exceptions that we require.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. BRYCE: If you could please raise
 2 your right hand.
 3 Do you swear or affirm that the
 4 testimony you're about to give this board is the
 5 truth, the whole truth, and nothing but the truth?
 6 MS. MURPHY: I do.
 7 KATHY MURPHY,
 8 31 Camelot Drive, Budd Lake, New Jersey, having
 9 been duly sworn, testifies as follows:
 10 MR. BRYCE: Thank you.
 11 Please state your name and spell your
 12 last for us.
 13 MS. MURPHY: Kathy Murphy.
 14 Mount Olive Township Historical
 15 Society.
 16 We had comments back from Mr. Bifulco
 17 that they were not -- they didn't feel they are able
 18 to grant an easement.
 19 We'd like to say that we hope we can
 20 still come to some sort of agreement and that we
 21 might have some alternatives that we can discuss with
 22 the applicant.
 23 Tonight we heard that there's only
 24 going to be like 10 to 15 trucks an hour going along
 25 that side driveway off of International Drive.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 CHAIRMAN WEISS: Okay.
 2 MR. McGROARTY: Yeah, I missed those.
 3 CHAIRMAN WEISS: I don't think there's
 4 any disagreement with that. Those will be noted as
 5 some of the conditions.
 6 Marc, do you have anything else?
 7 MR. LEIBMAN: No.
 8 Just, as in the 2000 application, we
 9 will provide a transcript to Counsel and to board to
 10 assist in the preparation of the resolution. I'm
 11 happy to make a closing statement if you want me to.
 12 But if you're all going to vote yes, just nod your
 13 heads and I'll be quiet.
 14 CHAIRMAN WEISS: Marc, I think your
 15 experts were wonderful tonight. I think a wrap-up
 16 between the engineer's office.
 17 I think we're good to go. I'm usually
 18 the first one to reach out to somebody if I have any
 19 questions.
 20 As promised, I want to open it to the
 21 public for the public to make comments, suggestions,
 22 questions, anything they have to say about this
 23 application, they can come up and use the time now.
 24 So, Kathy, please, if you will.

MS. MURPHY: Kathy Murphy.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 You're looking at 45-minute intervals between
 2 vehicles.
 3 So if anybody were to cross that
 4 street, there's ample time to do that.
 5 We think that as far as an easement and
 6 liability issues that there's ways that we can
 7 discuss that with our township attorney and find that
 8 there might be some reasonable solutions to that and
 9 a better understanding of what the liability issues
 10 are.
 11 So we're hoping that we can have some
 12 further discussions on this. This is a very
 13 important historic site with the Morris Canal
 14 crossing this property.
 15 There's a statewide effort to link the
 16 canal from Liberty State Park to the Delaware. Mount
 17 Olive happens to have some of the best sites in the
 18 entire state, including portions of this property.
 19 So that's why we've been looking to get
 20 this easement. And this is just an opportunity that
 21 we haven't had.
 22 We would have looked to do this when
 23 BASF was building, except we didn't have the
 24 historical society at the time.

So it's another reason this was never
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 proposed, you know, in the past.
 2 But now with this application, it's
 3 presented an opportunity to bring this topic up. And
 4 there's also a good amount of federal funding to help
 5 increase trails and connections.
 6 So there's a whole lot of pieces of the
 7 puzzle that can come together at this time if we're
 8 able to work something out.
 9 And our hope was that this would also
 10 give Matrix an opportunity to sort of put an
 11 investment into the community.
 12 And it's going to be a low-intensity
 13 use. There may be days where there's nobody out there
 14 at all. It's not going to be a high traffic area.
 15 You know, anybody who goes out there might be walking
 16 a dog or just looking at a historic site and getting
 17 some fresh air.
 18 But it's going to be very low impact.
 19 So we think that there's definitely an opportunity to
 20 come to some sort of agreement.
 21 That's our hope.
 22 CHAIRMAN WEISS: You know, Kathy, I
 23 think you know that this board can't force the
 24 applicant to do that.

25 But it sounds like you have a really
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 nice relationship with Matrix through Arty.
 2 And I would certainly not discourage
 3 you from continuing.
 4 Obviously the issue of liability would
 5 have to be a municipal issue. And maybe if we can
 6 move it forward and you're satisfied Matrix is
 7 listening.
 8 Arty was very, very clear about their
 9 concerns.
 10 So if you have the ability to knock
 11 down those concerns, you have our support
 12 100 percent.
 13 MS. MURPHY: We understand his
 14 concerns. You know, his main concerns were security
 15 and liability.
 16 CHAIRMAN WEISS: So if you guys can
 17 knock that down outside of the planning board, it
 18 sounds like Matrix is extremely willing to listen.
 19 You've been talking and meeting. So
 20 you have our support.
 21 You know we support the trails. Kim
 22 does a great job with open space. You know, we're
 23 not going to put up roadblocks. You won't get
 24 roadblocks here.

25 MS. MURPHY: We understand that the
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 town doesn't have -- the Planning Board doesn't have
 2 the power to require this.
 3 We understand.
 4 CHAIRMAN WEISS: You understand that
 5 we'll support your with your efforts, whatever you
 6 need.
 7 We encourage you to do it. Arty seems
 8 to be willing to listen.
 9 I'm not putting words in your mouth,
 10 Art. I just thought you've been very helpful to this
 11 board.
 12 MS. MURPHY: No.
 13 We're very appreciative that he was
 14 able to meet with us and walk the property.
 15 CHAIRMAN WEISS: Obviously the Morris
 16 Canal where it sits now is a wonderful walking path.
 17 There is a lot of history on that path. So if
 18 there's a way, let's continue it.
 19 MS. MURPHY: Very good, okay.
 20 CHAIRMAN WEISS: Anybody else the
 21 public?
 22 MR. BRYCE: Please raise your right
 23 hand.
 24 Do you swear or affirm the testimony
 25 you're about to give this board is the truth, the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 whole truth, and nothing but the truth?
 2 MR. MACASEK: I do.
 3 J O S E P H M A C A S E K,
 4 19 Budd Street, Morristown, New Jersey, having
 5 been duly sworn, testifies as follows:
 6 MR. BRYCE: Please state your name and
 7 spell the last.
 8 MR. MACASEK: Joe Macasek,
 9 M-A-C-A-S-E-K.
 10 President of the Canal Society of New
 11 Jersey, resident of Morristown.
 12 Kathy stole a bunch of my thunder
 13 there.
 14 But our interest here is the Morris
 15 Canal Greenway, 102-mile-long history, recreation
 16 corridor to graze, for everybody to enjoy.
 17 And this area is particularly of
 18 interest because it's a 6-mile contiguous, our best
 19 stretch of greenway from Stanhope all the way to
 20 Hackettstown.
 21 A whole bunch of that stuff is already
 22 in place.
 23 We would like it to be as
 24 comprehensible -- as comprehensive as possible. This
 25 particular section, we're really only interested in

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 the lower part, the eastern section of the
 2 applicant's property there.
 3 And that's the most historic section.
 4 The Wills farmstead is in there. A stretch of the
 5 canal is in there.
 6 Actually, the pit stop for the Wills
 7 power station is actually on the property.
 8 So we walked the property. We actually
 9 discovered the pathways that BASF has established on
 10 the property years ago.
 11 They were overgrown as heck, but they
 12 were still there. They laid down Fiberglass matting
 13 to form their trails. The trees and the brush might
 14 have grown up, but the damn Fiberglass is still
 15 there.
 16 And so we came with two scenarios. I
 17 think that one was a little bit far out. But the
 18 other one would allow people to walk onto the site
 19 along the canal to the site of the Wills Brook
 20 adequate, out along the Wills Brook pit stop to
 21 Continental Drive without much disturbance. A long
 22 ways away from that perimeter fence and guardhouses.
 23 And so it's very, very -- at least we would hope that
 24 the applicant would entertain at least supervised
 25 access to the property.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 Years ago I gave many tours on the
 2 property when BASF was still there, with their
 3 permission and their cooperation, for the Canal
 4 Society and for the Morris County Park Commission.
 5 We walked for the Park Commission for
 6 25 years; never had an incident. All those walks are
 7 covered by Canal Society's liability insurance. That
 8 we have loads. Park Commission as well. Those walks
 9 are all insured -- insured up.
 10 So I would hope that the applicant
 11 would be willing to talk to us, either trail issues
 12 or public access issues, to make this piece of Morris
 13 Canal Greenway as comprehensive as possible.
 14 If you would like to know more about
 15 our specific plans for the specific areas, I've got
 16 pretty much all of that demonstrated up for our trail
 17 concerns.
 18 So I thank you for your attention.
 19 CHAIRMAN WEISS: All right.
 20 Thank you. You know, just of great
 21 interest. Kathy might have even alluded to it, that
 22 there's some grant money, I think you said.
 23 And for those who don't know Kathy,
 24 she's the master of finding grant money for many
 25 years in this township.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 And so I've also heard testimony that,
 2 kind of, just a small part of the property is going
 3 to be developed.
 4 And so maybe -- Arty, I'm kind of
 5 looking at you -- we could find a way to take Kathy's
 6 ability to find some money, maybe find somewhere on
 7 your property where there is no truck traffic and
 8 none of these things.
 9 I just heard this gentleman talk about
 10 they have their own liability.
 11 So I do trust that we're going to
 12 continue to have the conversation. You know, with
 13 Kathy's ability to raise money and thinking outside
 14 the box, I'd really like to see that this continues.
 15 As it is right now, I have to agree
 16 with you 100 percent. It's a liability to have a
 17 walking path or such through the middle of the
 18 property.
 19 There's a lot of extra property there,
 20 that maybe we can find something.
 21 MR. MACASEK: If I can enhance upon
 22 that? Federal money, \$11 million of NJTIP money
 23 invested in the Morris Canal Greenway.
 24 Other places then in Morris County,
 25 because we don't have county level support, in Warren

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 County, in Passaic County, in Hudson County. It's in
 2 their planning documents.
 3 CHAIRMAN WEISS: Well, I'm sure that
 4 Councilman Mania will also help. There's also so
 5 much I can do.
 6 Am I right, John?
 7 MR. MANIA: You're absolutely right.
 8 CHAIRMAN WEISS: Look at that, I know
 9 you well.
 10 MR. MACASEK: There's Morris County
 11 Trail plan money and construction money available to
 12 work on such projects.
 13 CHAIRMAN WEISS: Sounds good.
 14 MR. MACASEK: So lots of good things
 15 that can be worked out.
 16 Thank you.
 17 CHAIRMAN WEISS: All right. Anybody
 18 else in the public? I'm going to close it to the
 19 public.
 20 And I think what we'll do -- anyone
 21 feel free to join in. Let's start making some notes
 22 and comments on the conditions that we discussed.
 23 So as we assume we'll make a motion to
 24 approve or not, an approval would include the
 25 conditions. I think most of them have been agreed

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 upon.

2 But, Marc, you'll let me know if you
3 disagree. Yeah. Why don't you start with yours. I
4 have a ton. If anybody else...

5 MR. BRYCE: The conditions that I have,
6 aside from the standard conditions that are normally
7 incorporated into every ordinance -- every resolution
8 -- excuse me -- is that the light will -- the light
9 will be lowered to 30 feet, understanding that there
10 will be possibly an impact on the footcandle average
11 lumen.

12 There will no outdoor material storage
13 of products and goods with pallets.

14 The tractor trailers -- or just
15 trailers that are stored in the parking area shall be
16 operable.

17 At the time of obtaining zoning permit,
18 the applicant will need to establish which parking
19 schematic will be employed.

20 The applicant is to incorporate the
21 cell tower aspect into the current site plan, ensure
22 that it's outside of the environmental area.

23 The applicant shall submit a demolition
24 plan through the Zoning Department. The exit of
25 trucks during demolition shall be via Continental.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 And the applicant will make best
2 efforts to recycle onsite.

3 The applicant will place onsite signage
4 encouraging truck maneuver to Continental. Will also
5 include no through traffic signage.

6 Chairman, I think that may be the
7 special conditions that I marked off.

8 CHAIRMAN WEISS: Okay.

9 I have a couple others. Regarding the
10 trailer, I just want you to mention we were adding
11 words like "road-worthy." And you did say operable.
12 No trailers to be parked outside of designated
13 parking area.

14 I like that language because it keeps
15 them off the grass.

16 And I don't want to duplicate. I'm
17 just trying to stay -- if I am, I apologize. We did
18 hear testimony that there will be birdhouses and bat
19 houses on the property.

20 All tenants -- this might be part of
21 the standard -- must secure zoning permits.

22 And they must declare their option for
23 the banked parking at the time of permitting.

24 Any change to the banked parking
25 situation will go to an administrative review.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. McGROARTY: Well, no. If I may,
2 Mr. Chairman?

3 CHAIRMAN WEISS: Go ahead.

4 MR. McGROARTY: At the time of the --
5 for the banked parking, they would have one of three
6 options. They -- they, being whomever -- does not
7 comply with any of those three options, they come
8 back before the board.

9 CHAIRMAN WEISS: Okay. Do you have
10 that?

11 MR. BRYCE: I do.

12 CHAIRMAN WEISS: I think, Jim, you
13 mentioned that the cell tower plan will be added to
14 the master site plan. I'm going to come back to a
15 different professional report.

16 We talked about internal signage. And
17 we talked about no storage.

18 So we looked at Dr. Keller's report.
19 There was a comment. I think there was a condition
20 here -- I made a note in that report -- that the sand
21 bottom on Dr. Keller's report 3 -- page 4 that the
22 sand bottom is okay. That should be noted.

23 MR. McGROARTY: Well, that's the
24 design.

25 DR. KELLER: The current design
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 infiltrations don't have sand.

2 MR. McGROARTY: So you don't have to
3 make that a condition.

4 CHAIRMAN WEISS: I thought contra.

5 DR. KELLER: Right.

6 I recommended that we could put grass
7 in the bottom to have some vegetation. The applicant
8 would like to go with sand.

9 CHAIRMAN WEISS: Okay.

10 And then I also noted in Dr. Keller's
11 report, 4.2, that all work will be deferred to the
12 State under that section.

13 State mapping will suffice. Whatever
14 that language is. So whether that needs to be a
15 condition or not, I know that we discussed it and
16 agreed to it.

17 DR. KELLER: Those could be listed as
18 exceptions to, otherwise concurring with the
19 recommendations in the rest of the document.

20 CHAIRMAN WEISS: Okay. Just as long as
21 we have noted Dr. Keller's.

22 MR. McGROARTY: Well, I think maybe on
23 that, I think subject to what the determination from
24 the DEP is, there may need to be some changes if they
25 come back and find a threatened or endangered species

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 or something of that nature.
 2 Does that make sense?
 3 CHAIRMAN WEISS: Okay. I just want to
 4 account for what we did discuss.
 5 MR. McGROARTY: I have a few.
 6 CHAIRMAN WEISS: Go ahead, Chuck.
 7 MR. McGROARTY: We could -- we should
 8 -- I know it's in there -- that the police and
 9 emergency services antennas will be -- they will work
 10 with the Mount Olive Police Department to make sure
 11 that the placement of them, the antennas on the
 12 tower, provide service equal to or better than what's
 13 presently available at the site.
 14 They will have -- they will likewise
 15 have space within the equipment compound to
 16 accommodate whatever they need.
 17 So with that part, I think for the
 18 tower too, I think it would be worth putting in if
 19 the board approves this. This way you're approving a
 20 possibility for a temporary tower.
 21 So that the permanent tower will be
 22 located adjacent to Basin 14. I indicated that in
 23 the memo where that location is. There was
 24 testimony.
 25 By the way, plans will be revised to
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. LUBLANECKI: Did we put any
 2 language in about the Fair Share on the improvement
 3 like we do did with the other.
 4 CHAIRMAN WEISS: Was that part of the
 5 boilerplate.
 6 MR. BRYCE: That is going to with all
 7 the fees as indicated in testimony. That was a
 8 condition we put on.
 9 MR. LUBLANECKI: Okay.
 10 CHAIRMAN WEISS: Good. Anybody else?
 11 (No response.)
 12 CHAIRMAN WEISS: Okay, so we have --
 13 MR. LEIBMAN: Guardhouse detail.
 14 Guardhouse detail.
 15 CHAIRMAN WEISS: And guardhouse detail
 16 will be provided. You got that.
 17 MR. BRYCE: Yep.
 18 CHAIRMAN WEISS: Okay. Anybody else?
 19 (No response.)
 20 CHAIRMAN WEISS: All right, I see
 21 nothing else.
 22 So with the conditions that Jim has
 23 drafted, and we've all kind of contributed to that, I
 24 think the applicant agrees to those, Marc?
 25 MR. LEIBMAN: That's correct.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 incorporate, as we said, all this stuff.
 2 But there is also going to be an option
 3 for Matrix to put up a temporary tower. That way
 4 there won't be any question when the time comes for
 5 whatever permits they're going to need.
 6 CHAIRMAN WEISS: Okay.
 7 Does anybody else here on the planning
 8 board have any conditions?
 9 MS. MOTT: Wasn't there something about
 10 the tree calipers?
 11 MR. BRYCE: That's a very good point.
 12 There should be an exception for the tree caliper to
 13 be no less than 1-and-a-half.
 14 MR. NELSEN: Was it an exception or a
 15 consideration.
 16 MR. BRYCE: They would do their best
 17 efforts to find, Chuck, 3-inch caliper.
 18 MR. BRYCE: Yeah.
 19 I have -- I do have language as to that
 20 prior resolution, if you guys have not seen it yet.
 21 CHAIRMAN WEISS: That's fine. As long
 22 as we have it. We don't have to waste time. I know
 23 we discussed it.
 24 MR. GALOP: Back to the radio tower.
 25 Just no significant interruption of service also.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 CHAIRMAN WEISS: Okay. That being
 2 said, I would entertain a motion on this application.
 3 MR. MANIA: I'll make a motion,
 4 Mr. Chairman.
 5 CHAIRMAN WEISS: Go ahead.
 6 MR. MANIA: I move for approval of
 7 PB-22-29, 3000 Continental Drive Associates,
 8 Preliminary and Final Major Site Plan,
 9 3000 Continental Drive, Block 200, Lot 1, with the
 10 conditions set forth by our attorney, our planner,
 11 our Chairman, and anybody else that made conditions.
 12 CHAIRMAN WEISS: As noted.
 13 Thank you, John.
 14 So quite a long motion has been made.
 15 Will someone second that?
 16 Dan?
 17 MR. NELSEN: Second.
 18 CHAIRMAN WEISS: Dan Nelsen seconded.
 19 Comments?
 20 Questions?
 21 MS. MOTT: I just want to say
 22 something.
 23 I just hope, Arty, that you appreciate
 24 the Canal and the Historic Commission and you
 25 continue to meet with the group.
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 MR. BIFULCO: Yes.
 2 CHAIRMAN WEISS: Anybody else?
 3 (No response.)
 4 CHAIRMAN WEISS: Mary, roll call.
 5 MS. STRAIN: David Scapicchio?
 6 MR. SCAPICCHIO: Yes.
 7 MS. STRAIN: Brian Schaechter?
 8 MR. SCHAECHTER: Yes.
 9 MS. STRAIN: Kim Mott?
 10 MS. MOTT: Yes.
 11 MS. STRAIN: Catherine Natafalusy?
 12 VICE CHAIRWOMAN NATAFALUSY: Yes.
 13 MS. STRAIN: John Mania?
 14 MR. MANIA: Yes.
 15 MS. STRAIN: Dan Nelsen?
 16 MR. NELSEN: Yes.
 17 MS. STRAIN: William Galop?
 18 MR. GALOP: Yes.
 19 MS. STRAIN: John Batsch?
 20 MR. BATSCHE: Yes.
 21 MS. STRAIN: Howie Weiss?
 22 CHAIRMAN WEISS: Yes.
 23 And I can tell you -- and maybe Arty --
 24 I'm going to direct this at you because you're
 25 Matrix.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 CERTIFICATE
 2
 3 I, RONDA L. REINSTEIN, a Certified Court
 4 Reporter of the State of New Jersey, authorized to
 5 administer oaths pursuant to R.S.41:2-2, do hereby
 6 certify that the foregoing is a true and accurate
 7 transcript of the testimony as taken stenographically
 8 by and before me at the time, place and on the date
 9 herein before set forth, to the best of my ability.
 10 I DO FURTHER CERTIFY that I am neither a
 11 relative nor employee nor attorney nor counsel of any
 12 of the parties to this action, and that I am neither
 13 a relative nor employee of such attorney or counsel,
 14 and that I am not financially interested in the
 15 action.
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 24 -----
 25 RONDA L. REINSTEIN, CCR No. 30X100217800

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

1 The presentation tonight was excellent,
 2 to address such a large application, something that's
 3 been a problem, if you will, for this township for so
 4 long.
 5 And you put together a wonderful team.
 6 And to everybody that's testified, precise, to the
 7 point. It's very much appreciated because something
 8 like that this could drag on for a long time.
 9 So your professionalism is very much
 10 appreciated. Hats off to you, Arty, for putting
 11 together a great team.
 12 I appreciate it.
 13 Congratulations.
 14 This ends this application.
 15 MR. LEIBMAN: Thank you.
 16 (Whereupon, this matter is concluded.
 17 Time noted: 10:05 p.m.)
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
201-641-1812

\$	161:22 142 [1] - 10:8 143 [8] - 10:8, 11:18, 50:7, 50:8, 54:21, 55:18, 56:4, 97:15 146 [1] - 4:11 15 [4] - 3:5, 103:8, 105:19, 147:24 150 [3] - 102:7, 142:10, 142:11 150-feet [1] - 29:24 150-foot [2] - 29:25, 62:8 1500 [1] - 81:8 152 [1] - 4:13 16 [1] - 106:24 160 [2] - 10:7, 10:13 17 [3] - 50:16, 57:17, 58:3 177 [1] - 132:14 18 [6] - 5:7, 16:15, 34:7, 57:18, 106:24, 108:10 18-wheeler [3] - 72:24, 106:13, 106:23 180-degree [1] - 105:12 185 [1] - 139:11 19 [5] - 3:13, 4:14, 5:8, 138:9, 152:4	107:4, 109:13, 110:4 22-29 [2] - 1:5, 6:3 229 [1] - 19:17 23 [1] - 5:9 235 [1] - 10:12 24/7 [4] - 17:7, 17:9, 18:1, 33:1 25 [1] - 154:6 25-foot [1] - 97:3 275 [1] - 142:10 284 [2] - 139:9, 144:4	40-mile-per [1] - 106:19 42 [1] - 3:8 44 [1] - 3:7 45 [3] - 66:3, 66:4, 106:19 45-minute [1] - 148:1 46-foot-6-inches [1] - 85:9 47 [1] - 139:12 48 [4] - 50:16, 50:17, 58:3, 58:4 49 [1] - 3:6	75 [1] - 60:13 750-foot [1] - 106:21 77 [1] - 3:11 775 [1] - 24:4 78 [1] - 3:12 798 [1] - 23:25 7:30 [1] - 1:3
0			8	
0.14 [1] - 139:8 0.4 [2] - 139:7, 139:8 0.5 [2] - 16:25, 17:3 07068 [1] - 2:6			8 [5] - 3:3, 87:1, 110:15, 111:7, 134:14 8-foot [2] - 78:24, 142:21 8-foot-high [1] - 14:15 8.69 [1] - 66:7 80 [16] - 9:10, 28:24, 60:14, 73:3, 73:12, 102:18, 102:25, 103:3, 103:5, 103:11, 103:21, 107:4, 108:7, 109:11, 109:14, 109:20 80-square-foot [1] - 86:17 81 [2] - 3:14, 3:15 82,000 [1] - 24:23 825 [1] - 24:4 84 [3] - 3:15, 5:12, 5:13 87 [2] - 3:16, 5:15 89 [1] - 5:17 8:27 [1] - 80:18 8:40 [1] - 80:18	
1		3	5	
1 [7] - 1:6, 1:21, 6:6, 9:2, 10:15, 10:16, 164:9 1,000 [2] - 10:15, 101:1 1,300 [1] - 19:20 1-and-a-half [1] - 162:13 1.3 [1] - 66:2 1.4 [2] - 17:1, 106:20 10 [8] - 100:9, 100:10, 103:8, 105:19, 128:6, 140:22, 141:1, 147:24 10-foot-by-10-foot [1] - 86:20 100 [5] - 28:22, 136:19, 144:6, 150:12, 155:16 100-foot [2] - 62:7, 117:20 102-mile-long [1] - 152:15 103,000 [1] - 24:17 105 [1] - 2:5 108 [1] - 3:19 109 [1] - 3:20 10:05 [1] - 166:17 110 [2] - 10:7, 92:2 115 [2] - 4:3, 4:3 117 [3] - 4:4, 4:5, 10:17 12 [1] - 3:5 122 [2] - 4:5, 4:6 123 [1] - 4:6 125 [2] - 4:7, 136:15 126 [1] - 4:7 13 [4] - 1:3, 26:15, 108:10 130 [1] - 136:15 132 [2] - 4:8, 4:9 133 [1] - 4:9 13th [1] - 12:25 14 [4] - 5:4, 5:6, 120:3,	2	3 [2] - 54:19, 159:21 3-inch [1] - 162:17 3.1 [1] - 62:20 3.24 [1] - 59:19 3.27 [1] - 59:19 3.6 [1] - 36:6 30 [7] - 16:11, 16:17, 34:1, 35:12, 35:24, 145:14, 157:9 30-foot [2] - 32:15, 134:19 300 [3] - 7:12, 21:6, 99:19 3000 [9] - 1:6, 5:5, 6:3, 6:5, 9:1, 13:18, 14:8, 164:7, 164:9 306 [3] - 97:16, 99:9, 99:19 30X100217800 [1] - 167:24 31 [6] - 3:11, 4:12, 16:11, 16:19, 34:10, 147:8 33 [1] - 3:6 33.5 [1] - 139:1 3352 [1] - 86:14 34 [1] - 50:11 35 [1] - 92:21 37 [2] - 3:6, 20:22 38 [3] - 24:13, 92:22, 136:25 39 [3] - 3:7, 112:24, 113:2	5,000 [1] - 10:16 5-story [1] - 9:5 50 [3] - 102:9, 136:6, 136:11 50-foot [1] - 117:20 50/50 [2] - 108:5, 108:14 520-feet-deep-by-1, 125-feet-long [1] - 85:7 53 [2] - 3:9, 5:10 54 [1] - 3:8 550-91 [1] - 33:19 550-95B-3 [1] - 140:20 585 [1] - 10:17 585,000 [2] - 85:6, 94:6 585,000-square-foot [1] - 10:5	
		4	6	
		4 [2] - 7:12, 159:21 4.2 [4] - 63:22, 65:11, 67:7, 160:11 4.5 [1] - 19:6 40 [3] - 3:7, 47:15, 86:13 40-by-40 [2] - 30:1, 118:5	6 [2] - 24:10, 136:22 6-mile [1] - 152:18 6.6 [2] - 19:6, 66:8 60 [3] - 47:17, 102:10 60-foot-long [1] - 47:15 63 [1] - 3:9 65 [1] - 106:20 66 [1] - 106:20 660 [1] - 19:20 67 [1] - 139:4	9
			7	
			7 [2] - 3:3, 3:3 70 [1] - 138:25 702 [1] - 82:23 71 [1] - 3:9 72 [1] - 3:10 74 [2] - 3:8, 3:8	9
			A	
			A-1 [5] - 5:4, 9:7, 13:4, 13:21, 14:5 A-10 [7] - 5:16, 88:23, 88:24, 89:4, 90:3, 90:4, 90:5 A-100 [3] - 5:12, 84:13, 84:20 A-2 [10] - 5:5, 10:4,	

<p>12:23, 12:24, 13:3, 13:11, 14:9, 26:13, 79:24, 79:25</p> <p>A-2.01 [3] - 5:15, 87:17, 87:20</p> <p>A-2.03 [3] - 5:17, 89:3, 89:5</p> <p>A-3 [4] - 5:7, 18:19, 18:20, 18:23</p> <p>A-4 [4] - 5:8, 18:19, 18:21, 19:2</p> <p>A-5 [4] - 5:9, 23:18, 23:22, 24:19</p> <p>A-6 [5] - 5:10, 53:14, 53:16, 53:20, 55:15</p> <p>A-7 [6] - 5:11, 84:11, 84:12, 84:21, 87:5, 87:6</p> <p>A-8 [6] - 5:13, 84:14, 84:25, 87:6, 89:25, 90:2</p> <p>A-9 [5] - 5:14, 87:11, 87:13, 87:15, 87:20</p> <p>a.m [1] - 108:10</p> <p>abilities [1] - 37:19</p> <p>ability [9] - 29:9, 36:12, 97:16, 112:16, 112:19, 150:10, 155:6, 155:13, 167:9</p> <p>able [10] - 16:13, 41:14, 47:21, 71:19, 73:11, 98:3, 113:9, 147:17, 149:8, 151:14</p> <p>ABSENT [3] - 1:13, 1:14, 1:22</p> <p>absolutely [4] - 15:22, 40:10, 62:2, 156:7</p> <p>Absolutely [4] - 112:22, 117:17, 125:12, 133:13</p> <p>acceleration [1] - 106:12</p> <p>accent [1] - 86:2</p> <p>accept [4] - 83:1, 83:3, 93:8, 133:12</p> <p>acceptable [3] - 45:19, 60:4, 83:11</p> <p>accepted [3] - 8:13, 82:19, 133:4</p> <p>access [17] - 9:13, 15:1, 15:2, 28:6, 52:6, 73:12, 79:18, 79:19, 94:14, 94:15, 100:11, 104:1, 109:16, 109:17, 116:16, 153:25, 154:12</p> <p>accident [1] - 102:1</p>	<p>accommodate [9] - 11:7, 15:6, 86:12, 94:2, 95:2, 96:20, 98:18, 142:23, 161:16</p> <p>accordance [3] - 26:17, 26:21, 62:22</p> <p>account [2] - 22:15, 161:4</p> <p>accumulates [1] - 45:23</p> <p>accurate [1] - 167:6</p> <p>acre [2] - 21:5, 138:23</p> <p>acreage [1] - 49:25</p> <p>acres [7] - 9:3, 19:6, 20:20, 20:22, 22:1, 66:7, 138:23</p> <p>action [2] - 167:12, 167:15</p> <p>active [2] - 45:1, 112:14</p> <p>add [3] - 40:23, 48:25, 86:3</p> <p>added [2] - 138:12, 159:13</p> <p>adding [4] - 54:20, 54:25, 107:3, 158:10</p> <p>addition [2] - 14:11, 86:19</p> <p>additional [12] - 54:20, 54:23, 66:11, 85:21, 93:17, 96:24, 97:10, 142:14, 142:24, 144:6, 145:17, 145:25</p> <p>address [16] - 15:20, 24:1, 26:19, 29:10, 34:18, 41:5, 48:14, 54:17, 59:21, 60:10, 67:14, 72:4, 102:22, 103:5, 135:10, 166:2</p> <p>addressed [6] - 22:20, 32:11, 32:13, 48:8, 71:14, 99:16</p> <p>adequate [5] - 27:8, 98:11, 124:14, 143:9, 153:20</p> <p>adhered [1] - 139:14</p> <p>adjacent [1] - 161:22</p> <p>adjoining [2] - 94:1, 137:7</p> <p>adjusted [1] - 103:25</p> <p>administer [1] - 167:5</p> <p>administrative [3] - 47:12, 60:3, 158:25</p> <p>administratively [1] - 47:22</p> <p>administrator [1] - 74:22</p> <p>adopted [2] - 26:18,</p>	<p>45:14</p> <p>ADTs [1] - 104:11</p> <p>advance [5] - 135:15, 141:24, 141:25, 142:2, 142:3</p> <p>advanced [2] - 135:21, 143:6</p> <p>advancing [3] - 27:11, 142:7, 142:8</p> <p>advertisement [1] - 130:7</p> <p>aerial [2] - 13:23, 137:3</p> <p>Aerial [2] - 5:4, 14:4</p> <p>aesthetic [1] - 63:16</p> <p>affect [1] - 18:15</p> <p>affirm [7] - 7:7, 81:3, 91:21, 115:4, 132:9, 147:3, 151:24</p> <p>age [2] - 68:1, 68:7</p> <p>agencies [1] - 27:7</p> <p>ago [6] - 76:6, 93:3, 95:10, 100:7, 153:10, 154:1</p> <p>agree [7] - 56:8, 57:25, 59:13, 109:21, 111:5, 112:4, 155:15</p> <p>Agreed [2] - 35:10, 135:7</p> <p>agreed [6] - 21:7, 22:7, 67:12, 96:13, 156:25, 160:16</p> <p>agreeing [1] - 72:1</p> <p>agreement [2] - 147:20, 149:20</p> <p>agrees [1] - 163:24</p> <p>ahead [9] - 17:13, 33:23, 36:1, 42:16, 55:11, 126:3, 159:3, 161:6, 164:5</p> <p>AIA [1] - 3:14</p> <p>AICP [1] - 132:13</p> <p>air [2] - 143:9, 149:17</p> <p>aisle [4] - 51:7, 51:12, 51:18, 97:3</p> <p>aisles [3] - 51:8, 52:7, 54:8</p> <p>allow [7] - 28:14, 29:3, 36:14, 57:21, 86:9, 140:17, 153:18</p> <p>allowed [5] - 33:21, 44:16, 62:24, 122:19, 129:19</p> <p>allows [5] - 16:24, 24:9, 24:16, 85:10, 140:18</p> <p>alluded [1] - 154:21</p> <p>almost [2] - 138:10, 141:10</p>	<p>ALTERNATE [2] - 1:21, 1:22</p> <p>alternative [2] - 54:12, 141:15</p> <p>Alternative [1] - 54:19</p> <p>alternatives [2] - 77:22, 147:21</p> <p>Amazon [2] - 100:22, 100:25</p> <p>amenable [3] - 47:20, 47:24, 73:22</p> <p>amount [4] - 97:21, 129:16, 145:13, 149:4</p> <p>ample [1] - 148:4</p> <p>AMS [1] - 118:25</p> <p>analysis [9] - 34:20, 95:5, 95:6, 95:14, 98:21, 100:3, 102:16, 104:17, 104:18</p> <p>answer [22] - 30:11, 34:15, 37:18, 39:12, 42:21, 43:18, 46:19, 47:2, 52:5, 55:4, 55:25, 74:17, 77:5, 82:7, 88:7, 99:7, 99:16, 100:15, 119:12, 126:18, 126:22, 127:17</p> <p>answered [3] - 126:6, 126:8, 126:16</p> <p>antenna [6] - 118:25, 123:7, 123:15, 128:4, 128:5</p> <p>antennas [4] - 118:4, 120:23, 161:9, 161:11</p> <p>Anthony [7] - 119:17, 121:5, 121:18, 124:24, 125:4, 125:14, 125:17</p> <p>Anthony's [1] - 120:12</p> <p>anticipate [4] - 14:12, 39:13, 73:14, 102:13</p> <p>anticipated [2] - 136:24, 139:10</p> <p>anticipates [1] - 137:1</p> <p>anyway [2] - 58:24, 130:19</p> <p>apologize [2] - 53:9, 158:17</p> <p>appeared [2] - 82:19, 133:4</p> <p>appearing [1] - 6:11</p> <p>Applicant [1] - 2:6</p> <p>applicant [41] - 6:11, 22:7, 22:11, 23:12, 27:6, 28:2, 29:8, 29:19, 31:4, 48:15,</p>	<p>49:7, 56:18, 58:6, 69:3, 69:15, 69:19, 70:24, 71:1, 76:7, 76:12, 91:13, 101:4, 114:20, 115:21, 134:2, 136:4, 138:5, 140:16, 141:3, 142:21, 147:22, 149:24, 153:24, 154:10, 157:18, 157:20, 157:23, 158:1, 158:3, 160:7, 163:24</p> <p>applicant's [2] - 44:7, 153:2</p> <p>APPLICATION [1] - 1:5</p> <p>application [21] - 6:2, 6:16, 11:23, 15:15, 16:22, 23:17, 93:11, 95:10, 96:14, 139:20, 142:4, 142:5, 142:6, 144:12, 146:8, 146:23, 149:2, 164:2, 166:2, 166:14</p> <p>applications [3] - 86:21, 96:9, 118:3</p> <p>apply [1] - 141:13</p> <p>applying [1] - 45:19</p> <p>appreciate [8] - 10:25, 23:4, 37:9, 80:9, 112:16, 145:2, 164:23, 166:12</p> <p>appreciated [2] - 166:7, 166:10</p> <p>appreciative [1] - 151:13</p> <p>approach [1] - 111:14</p> <p>appropriate [8] - 21:4, 51:1, 80:13, 83:9, 94:20, 97:5, 97:7, 141:13</p> <p>appropriately [1] - 97:12</p> <p>approval [18] - 11:15, 11:21, 12:5, 12:9, 33:22, 47:13, 49:1, 55:16, 57:7, 57:19, 59:9, 64:21, 65:8, 127:15, 127:18, 145:17, 156:24, 164:6</p> <p>approvals [1] - 57:7</p> <p>approve [3] - 56:10, 57:16, 156:24</p> <p>approved [10] - 49:5, 75:19, 86:24, 95:8, 95:10, 95:11, 95:13, 96:14, 122:16</p>
--	--	---	--	---

approves [2] - 46:17, 161:19 approving [1] - 161:19 approximate [1] - 61:15 APRIL [1] - 1:3 April [1] - 12:25 architect [7] - 69:10, 72:9, 80:25, 81:18, 82:16, 83:5, 83:22 architects [1] - 130:18 architectural [2] - 29:2, 88:18 Architecture [1] - 83:24 architecture [3] - 34:11, 83:2, 83:13 are.. [1] - 32:23 area [41] - 17:3, 19:6, 19:7, 20:13, 20:17, 20:18, 20:21, 20:25, 21:19, 22:8, 24:24, 25:7, 25:17, 36:7, 36:24, 38:20, 40:7, 43:8, 46:16, 46:21, 49:24, 50:23, 58:7, 59:5, 78:24, 82:25, 85:6, 86:14, 86:17, 92:20, 123:4, 136:25, 137:13, 137:14, 137:15, 144:5, 149:14, 152:17, 157:15, 157:22, 158:13 Area [1] - 139:7 areas [24] - 9:19, 17:5, 19:14, 19:24, 20:1, 20:16, 20:20, 21:3, 21:15, 24:18, 25:1, 25:2, 45:23, 61:19, 61:24, 65:19, 66:23, 71:19, 85:15, 85:23, 120:7, 138:1, 145:20, 154:15 argument [2] - 18:14, 113:10 ARRIVAL [1] - 1:20 Art [1] - 151:10 ARTY [1] - 4:3 Arty [14] - 115:11, 115:15, 115:17, 127:2, 128:12, 128:18, 131:23, 150:1, 150:8, 151:7, 155:4, 164:23, 165:23, 166:10 aside [1] - 157:6 aspect [3] - 29:4, 29:13, 157:21 aspects [4] - 16:6,	25:18, 65:10, 74:7 asphalt [1] - 76:13 asset [2] - 131:9, 131:16 assist [1] - 146:10 Associated [1] - 96:8 associated [12] - 23:16, 27:22, 39:1, 65:17, 135:24, 135:25, 136:1, 136:12, 141:20, 142:16, 142:17, 143:1 Associates [10] - 5:11, 5:13, 5:15, 5:17, 6:3, 84:20, 84:24, 87:19, 89:3, 164:7 ASSOCIATES [1] - 1:5 assume [5] - 40:5, 58:10, 99:19, 122:1, 156:23 Assuming [1] - 102:18 assuming [4] - 38:18, 46:16, 73:1, 122:17 assumption [1] - 36:22 assurance [1] - 129:14 AT [1] - 1:3 ATD [2] - 104:6, 109:15 Atlantic [1] - 132:14 attaches [1] - 123:17 attention [2] - 32:19, 154:18 attentive [1] - 131:13 attest [1] - 88:13 attorney [5] - 7:3, 148:7, 164:10, 167:11, 167:13 attorneys [1] - 117:1 authorities [1] - 29:21 authority [1] - 113:11 authorized [1] - 167:4 auto [1] - 85:16 automatic [1] - 39:25 available [8] - 27:9, 45:18, 65:17, 98:4, 127:17, 143:14, 156:11, 161:13 Avenue [2] - 81:8, 132:14 average [2] - 16:25, 157:10 avoid [10] - 33:3, 48:12, 75:13, 86:6, 111:22, 112:7, 113:3, 113:17, 113:22, 129:16 aware [3] - 15:16,	29:5, 93:20 B B-I-F-U-L-C-O [1] - 115:12 Bachelor's [1] - 8:3 back-up [1] - 120:19 background [1] - 7:23 backstory [1] - 64:3 backtracking [1] - 103:11 bad [1] - 116:11 balance [1] - 135:14 balancing [1] - 97:8 ball [1] - 126:21 bank [2] - 62:7, 97:15 banked [18] - 10:8, 11:16, 36:7, 36:10, 36:23, 46:16, 49:1, 49:24, 50:9, 50:12, 50:16, 55:18, 58:22, 59:4, 139:17, 158:23, 158:24, 159:5 Banked [3] - 5:10, 53:18, 53:19 Barred [1] - 65:20 barriers [1] - 53:1 bars [1] - 98:24 base [1] - 76:22 Based [1] - 79:25 based [9] - 14:25, 57:2, 58:14, 69:15, 91:5, 95:4, 102:4, 131:24, 145:5 BASF [22] - 8:25, 9:4, 9:24, 13:25, 19:12, 20:8, 20:18, 24:21, 25:8, 25:11, 26:7, 29:7, 29:9, 29:12, 29:18, 66:13, 66:17, 66:23, 68:21, 148:23, 153:9, 154:2 basin [8] - 10:1, 26:5, 26:16, 26:17, 26:25, 29:24, 65:5, 79:6 Basin [2] - 120:3, 161:22 basins [4] - 26:13, 26:15, 26:19, 62:21 bat [3] - 23:10, 108:6, 158:18 Batsch [2] - 4:6, 165:19 BATSCH [3] - 1:21, 122:11, 165:20 bays [1] - 52:4 beat [1] - 43:18	beats [1] - 106:20 become [2] - 36:13, 42:10 becomes [4] - 41:14, 43:25, 48:11, 130:5 beginning [1] - 116:21 behalf [1] - 6:11 BEING [1] - 1:10 belong [1] - 98:25 belts [1] - 40:14 beneficial [1] - 111:25 benefit [1] - 94:14 benefits [6] - 7:23, 135:14, 135:19, 141:20, 142:25, 143:3 best [12] - 22:8, 23:13, 30:11, 73:21, 76:14, 111:15, 126:25, 148:17, 152:18, 158:1, 162:16, 167:9 better [20] - 22:17, 57:1, 73:7, 77:3, 95:17, 102:12, 103:12, 103:16, 104:19, 105:4, 105:20, 111:19, 112:5, 117:23, 121:25, 123:23, 125:19, 141:15, 148:9, 161:12 between [10] - 20:5, 31:13, 34:5, 52:13, 105:19, 124:3, 142:10, 142:11, 146:16, 148:1 beyond [1] - 21:18 Bifulco [10] - 30:10, 43:2, 48:14, 48:17, 55:25, 77:17, 114:23, 114:24, 115:11, 147:16 BIFULCO [27] - 4:3, 115:7, 115:11, 117:11, 117:17, 117:21, 118:8, 118:12, 118:19, 119:7, 120:5, 121:3, 122:4, 123:10, 124:1, 125:1, 125:12, 126:17, 126:22, 127:7, 127:12, 129:18, 130:13, 130:21, 131:6, 131:15, 165:1 big [8] - 24:4, 49:23, 49:24, 53:8, 119:18, 141:7, 141:8 bigger [1] - 141:9 Bill [9] - 31:15, 74:23,	76:1, 86:14, 109:21, 114:4, 119:22, 124:19, 125:18 bill [1] - 142:17 bio [1] - 26:17 birdhouses [2] - 23:10, 158:18 bit [17] - 9:20, 15:6, 19:14, 22:6, 26:13, 27:15, 29:1, 34:17, 34:21, 45:25, 48:15, 69:10, 71:15, 78:2, 130:11, 136:20, 153:17 blackout [1] - 30:25 blinking [2] - 15:10, 15:12 Block [3] - 6:6, 9:2, 164:9 BLOCK [1] - 1:6 block [1] - 48:23 blocking [2] - 48:22, 112:12 BMP [1] - 62:22 board [53] - 6:23, 7:8, 7:22, 8:6, 11:21, 21:24, 22:13, 34:19, 41:3, 46:3, 46:17, 47:20, 47:23, 48:3, 49:8, 49:12, 52:1, 53:3, 53:5, 57:16, 59:2, 68:17, 74:5, 77:7, 80:13, 82:7, 82:16, 93:18, 99:14, 101:7, 101:22, 107:6, 114:22, 116:3, 116:14, 118:24, 122:14, 122:24, 127:19, 127:21, 133:11, 140:8, 144:22, 146:9, 147:4, 149:23, 150:17, 151:11, 151:25, 159:8, 161:19, 162:8 Board [9] - 2:3, 2:12, 2:14, 2:15, 2:17, 2:18, 90:10, 90:24, 151:1 BOARD [2] - 1:2, 1:9 board's [1] - 49:3 Board/Professional [4] - 3:4, 3:16, 3:18, 4:4 boards [3] - 8:10, 93:1, 133:5 bodies [1] - 65:21 boilerplate [1] - 163:5 bone [1] - 38:12 bonus [1] - 46:21
---	--	--	--	--

bore [1] - 6:14 bottom [7] - 25:13, 63:13, 63:19, 66:3, 159:21, 159:22, 160:7 bottoms [2] - 62:22, 62:25 boulevard [1] - 105:10 bound [2] - 9:9 box [1] - 155:14 Bradley [1] - 129:7 break [3] - 80:13, 80:14, 80:16 BRIAN [1] - 1:17 Brian [4] - 55:6, 114:3, 128:1, 165:7 brick [1] - 76:21 bricks [1] - 45:8 brief [1] - 80:19 briefly [1] - 86:11 bring [14] - 18:18, 22:9, 23:17, 25:10, 28:3, 30:12, 31:2, 33:25, 69:14, 78:12, 80:20, 114:24, 127:1, 149:3 Bring [1] - 129:2 bringing [2] - 27:16, 32:18 brings [2] - 6:2, 110:12 Brook [6] - 9:22, 26:9, 62:7, 75:14, 153:19, 153:20 brought [1] - 102:17 brush [1] - 153:13 Bryce [7] - 4:5, 32:18, 43:1, 46:11, 82:15, 82:22, 83:8 BRYCE [43] - 2:2, 7:5, 7:15, 7:19, 22:18, 23:5, 38:15, 43:3, 45:24, 53:2, 53:5, 53:12, 53:16, 55:13, 59:3, 81:1, 81:10, 81:14, 83:10, 90:15, 91:19, 92:5, 115:2, 115:10, 122:1, 129:2, 129:6, 129:12, 130:12, 132:7, 132:17, 132:20, 147:1, 147:10, 151:22, 152:6, 157:5, 159:11, 162:11, 162:16, 162:18, 163:6, 163:17 Budd [6] - 3:12, 3:13, 4:12, 4:14, 147:8, 152:4	build [3] - 12:10, 47:14, 66:17 building [60] - 9:5, 10:5, 11:6, 11:8, 11:11, 11:17, 11:25, 16:10, 20:9, 28:20, 29:3, 29:18, 30:8, 30:17, 30:22, 30:24, 31:7, 34:11, 40:10, 40:12, 52:13, 61:18, 79:12, 84:3, 85:2, 85:6, 85:10, 85:12, 85:16, 86:9, 87:15, 87:23, 88:3, 88:12, 89:9, 89:10, 89:20, 89:22, 96:18, 100:24, 119:4, 119:14, 126:21, 127:1, 130:17, 130:18, 131:18, 134:25, 136:6, 136:7, 138:5, 138:25, 140:22, 140:25, 141:9, 141:11, 144:5, 144:6, 148:23 Building [13] - 5:11, 5:14, 5:16, 84:12, 84:19, 86:18, 86:25, 87:11, 87:16, 87:18, 89:1, 89:6, 139:11 building-mounted [1] - 16:10 buildings [7] - 74:11, 94:6, 98:16, 136:8, 136:18, 140:23, 141:7 built [4] - 20:9, 30:7, 30:8, 100:21 bulk [1] - 144:13 bunch [3] - 56:22, 152:12, 152:21 burden [2] - 134:2, 144:13 burning [1] - 33:14 business [3] - 40:18, 42:1, 74:22 BY [9] - 7:21, 81:16, 84:7, 87:2, 92:10, 115:14, 116:12, 132:22, 133:20	calculated [1] - 110:14 calculation [1] - 109:25 calculations [1] - 66:5 caliper [6] - 22:1, 22:9, 22:24, 23:5, 162:12, 162:17 calipers [1] - 162:10 Camelot [3] - 3:11, 4:12, 147:8 camp [1] - 110:22 campus [1] - 93:25 canal [4] - 116:23, 148:16, 153:5, 153:19 Canal [10] - 78:20, 148:13, 151:16, 152:10, 152:15, 154:3, 154:7, 154:13, 155:23, 164:24 candidate [1] - 126:24 candle [1] - 145:16 candle-foots [1] - 145:16 canopy [1] - 85:24 capabilities [1] - 37:19 car [18] - 11:10, 12:3, 28:8, 49:15, 49:18, 50:8, 50:12, 50:16, 50:18, 51:16, 51:22, 52:4, 58:16, 110:3, 110:15, 110:24, 111:1 care [2] - 63:18, 131:12 careful [2] - 44:10, 44:12 carrier [1] - 122:12 cars [13] - 46:23, 46:25, 47:5, 47:6, 47:17, 53:1, 53:25, 58:3, 58:4, 72:19, 73:17, 110:17, 111:5 CARUCCI [1] - 1:24 case [4] - 10:16, 99:25, 100:2, 120:19 cases [1] - 113:19 catching [1] - 64:24 CATHERINE [1] - 1:12 Catherine [3] - 17:13, 34:5, 165:11 CCR [1] - 167:24 cell [9] - 29:15, 29:17, 29:21, 30:3, 61:11, 61:23, 70:23, 157:21, 159:13 center [4] - 71:6,	71:11, 100:16, 101:1 centers [2] - 100:20, 100:21 centroids [1] - 111:14 certain [1] - 97:21 certainly [7] - 31:12, 33:1, 47:25, 69:14, 72:15, 78:9, 150:2 Certainly [1] - 92:6 Certified [1] - 167:3 certify [1] - 167:6 CERTIFY [1] - 167:10 cetera [8] - 40:18, 40:19, 45:4, 47:15, 75:9, 75:11, 75:14, 127:10 chain [1] - 14:16 chain-link [1] - 14:16 Chair [1] - 3:16 CHAIR [14] - 12:17, 12:20, 13:9, 17:14, 17:22, 17:25, 18:5, 56:3, 56:13, 87:22, 88:9, 88:17, 88:21, 116:7 Chairman [17] - 3:5, 3:20, 6:8, 8:12, 33:7, 42:3, 45:13, 72:7, 80:12, 83:11, 88:10, 114:18, 145:10, 158:6, 159:2, 164:4, 164:11 CHAIRMAN [182] - 1:11, 6:1, 6:21, 7:1, 8:15, 8:18, 8:21, 12:22, 13:2, 13:10, 13:16, 13:20, 15:10, 15:16, 15:19, 15:23, 16:3, 17:13, 22:14, 22:25, 23:7, 27:12, 30:6, 30:15, 30:23, 31:11, 31:18, 31:25, 33:8, 33:23, 34:22, 35:11, 35:18, 35:21, 35:25, 37:8, 38:1, 38:16, 39:4, 39:23, 40:20, 41:8, 42:14, 43:17, 44:8, 44:19, 45:7, 48:2, 49:11, 53:24, 55:6, 55:11, 56:25, 57:6, 58:3, 58:9, 58:18, 59:17, 60:2, 62:12, 62:16, 63:20, 64:3, 64:25, 67:5, 67:15, 68:3, 68:9, 68:13, 70:12, 70:18, 71:23, 74:4, 76:17, 76:24, 78:1, 78:6, 78:15, 79:21, 79:25, 80:4, 80:10,	80:15, 80:20, 82:9, 82:12, 83:8, 83:17, 84:5, 87:13, 88:14, 89:24, 90:4, 90:9, 90:12, 90:20, 90:23, 91:2, 91:9, 93:5, 93:7, 99:3, 109:23, 110:7, 110:16, 111:4, 111:17, 112:21, 113:5, 113:11, 114:3, 114:8, 114:12, 114:16, 114:19, 122:9, 124:17, 124:24, 125:2, 125:13, 125:22, 126:1, 126:3, 127:14, 127:20, 128:1, 128:12, 128:17, 129:1, 129:10, 130:1, 130:15, 131:19, 131:21, 132:2, 133:13, 133:17, 134:9, 135:8, 144:15, 144:21, 144:24, 145:2, 145:8, 145:22, 146:1, 146:3, 146:14, 149:22, 150:16, 151:4, 151:15, 151:20, 154:19, 156:3, 156:8, 156:13, 156:17, 158:8, 159:3, 159:9, 159:12, 160:4, 160:9, 160:20, 161:3, 161:6, 162:6, 162:21, 163:4, 163:10, 163:12, 163:15, 163:18, 163:20, 164:1, 164:5, 164:12, 164:18, 165:2, 165:4, 165:22 Chairwoman [1] - 3:5 CHAIRWOMAN [2] - 1:12, 165:12 chance [1] - 40:19 change [6] - 24:2, 49:2, 59:8, 99:12, 112:14, 158:24 changed [1] - 8:16 changes [1] - 160:24 changing [1] - 73:23 chaos [1] - 57:24 cheapest [1] - 128:24 check [3] - 50:1, 93:18, 93:19
---	---	---	--	--

Chiesa [1] - 6:10 CHIESA [1] - 2:5 children [1] - 142:18 choice [1] - 59:1 choose [1] - 12:10 CHUCK [1] - 2:12 Chuck [19] - 10:20, 10:24, 16:13, 32:6, 44:19, 47:3, 48:4, 58:20, 60:23, 64:24, 76:9, 107:14, 126:18, 127:21, 133:17, 134:9, 144:16, 161:6, 162:17 circle [1] - 13:4 circles [1] - 79:6 circulation [5] - 72:18, 96:16, 96:17, 98:17, 104:1 citizens [1] - 143:11 City [2] - 129:7, 141:6 city [1] - 141:6 Civil [1] - 8:3 civil [1] - 8:14 clarification [2] - 16:16, 37:11 clarify [2] - 64:18, 82:14 clarifying [1] - 32:15 Class [3] - 19:12, 85:2, 131:1 classic [1] - 113:14 clean [3] - 43:5, 105:14, 130:10 Clear [1] - 86:8 clear [5] - 46:24, 55:14, 142:6, 144:8, 150:8 cleared [1] - 20:12 clearer [1] - 26:14 Clearly [4] - 101:13, 138:24, 142:12, 142:18 clearly [4] - 103:22, 138:11, 139:21, 143:21 client [1] - 101:19 close [10] - 21:19, 85:16, 91:10, 93:22, 108:5, 114:17, 132:3, 139:3, 145:9, 156:18 closely [8] - 27:7, 61:22, 67:12, 71:2, 81:21, 84:3 closer [1] - 27:19 closing [1] - 146:11 clutter [1] - 130:19 CO [3] - 55:22, 58:6,	59:4 code [1] - 122:22 coin [1] - 34:5 collaborative [1] - 21:10 collect [1] - 41:12 College [1] - 8:2 color [1] - 88:2 colors [1] - 86:2 Columbus [1] - 81:8 comfortable [6] - 23:1, 48:16, 59:25, 95:17, 109:6, 125:24 coming [15] - 23:1, 27:4, 27:13, 36:21, 39:7, 95:24, 100:6, 102:8, 102:13, 103:12, 103:17, 106:13, 107:1, 110:1, 110:7 COMMENCING [1] - 1:3 COMMENT [1] - 4:10 comment [10] - 31:20, 34:24, 36:5, 36:18, 39:5, 61:9, 62:12, 63:25, 71:17, 159:19 Comment [1] - 65:11 Comments [1] - 164:19 comments [18] - 32:20, 36:4, 65:24, 67:5, 67:8, 70:16, 71:5, 71:9, 71:24, 71:25, 74:3, 78:4, 93:16, 99:17, 144:17, 146:21, 147:16, 156:22 commercial [5] - 63:2, 138:13, 138:14, 140:14, 141:9 Commission [7] - 68:12, 69:13, 70:14, 154:4, 154:5, 154:8, 164:24 communicated [2] - 125:8, 125:9 communication [5] - 39:25, 120:9, 124:18, 125:8, 125:24 community [4] - 139:6, 141:14, 142:15, 149:11 compactors [1] - 14:21 company [2] - 61:14, 74:18 comparable [1] - 140:19	compared [2] - 35:7, 94:12 completely [2] - 118:19, 137:4 compliance [2] - 62:1, 71:21 compliant [2] - 139:16, 139:18 comply [8] - 32:4, 32:9, 34:1, 62:10, 69:6, 71:8, 134:19, 159:7 complying [1] - 32:12 composition [1] - 21:9 compound [6] - 29:7, 30:1, 118:6, 118:7, 123:4, 161:15 comprehensible [1] - 152:24 comprehensive [2] - 152:24, 154:13 concept [1] - 41:23 concern [8] - 32:25, 33:4, 41:16, 70:9, 108:19, 116:15, 116:21, 125:23 concerned [3] - 43:23, 104:5, 125:3 concerns [7] - 44:5, 70:3, 150:9, 150:11, 150:14, 154:17 concluded [1] - 166:16 conclusion [1] - 69:20 concrete [2] - 85:19, 86:1 concur [2] - 96:12, 115:25 concurring [1] - 160:18 condition [14] - 22:19, 22:23, 39:24, 40:14, 48:25, 49:13, 49:15, 62:13, 127:15, 127:18, 159:19, 160:3, 160:15, 163:8 conditions [16] - 26:2, 75:18, 113:5, 115:17, 135:24, 145:23, 146:5, 156:22, 156:25, 157:5, 157:6, 158:7, 162:8, 163:22, 164:10, 164:11 conduct [1] - 21:7 configuration [1] - 57:23 confirm [2] - 31:3, 56:10 confirmation [1] -	61:18 conformance [5] - 28:10, 30:4, 35:17, 35:24, 36:5 Congratulations [1] - 166:13 connect [2] - 20:15, 121:15 connecting [1] - 28:6 connection [1] - 103:15 connections [1] - 149:5 connectivity [1] - 31:5 connects [3] - 9:14, 15:3, 17:18 consideration [1] - 162:15 considered [1] - 39:15 consistent [6] - 86:24, 95:3, 96:17, 140:17, 141:14, 142:22 consists [3] - 9:5, 10:4, 16:9 consolidate [1] - 38:9 construct [6] - 11:16, 55:18, 56:4, 56:19, 97:16, 98:10 constructed [1] - 144:5 construction [12] - 20:8, 20:12, 20:18, 25:8, 25:14, 57:7, 68:21, 122:17, 127:10, 127:22, 142:11, 156:11 consultant [3] - 61:23, 70:20, 132:6 Consultant [2] - 2:17, 2:18 contact [5] - 121:18, 124:22, 124:23, 124:25, 131:17 container [1] - 44:1 contiguous [2] - 19:7, 152:18 CONTINENTAL [2] - 1:5, 1:6 Continental [45] - 5:5, 6:3, 6:5, 9:1, 9:11, 9:15, 13:18, 14:8, 15:3, 17:19, 27:25, 28:7, 72:25, 73:8, 73:9, 73:10, 73:18, 76:3, 94:25, 95:9, 96:4, 103:4, 103:11, 103:14, 103:17, 104:7, 104:21, 105:1, 105:14, 105:21, 105:23,	105:24, 106:5, 106:9, 106:16, 107:8, 108:1, 110:1, 110:10, 153:21, 157:25, 158:4, 164:7, 164:9 continue [4] - 102:8, 151:18, 155:12, 164:25 continued [1] - 113:20 continues [1] - 155:14 continuing [1] - 150:3 Continuing [2] - 4:1, 5:1 continuous [2] - 86:5, 86:7 contra [1] - 160:4 contracts [1] - 14:24 contributed [1] - 163:23 control [5] - 51:2, 75:9, 75:14, 95:17, 128:18 Control [1] - 101:24 controls [1] - 52:24 convenient [1] - 91:18 conversation [3] - 30:19, 82:15, 155:12 conversations [1] - 32:22 converted [1] - 26:17 cooperation [1] - 154:3 coordinating [1] - 118:23 core [1] - 143:22 corner [6] - 24:11, 48:7, 84:17, 85:15, 113:15, 121:15 corners [1] - 11:8 Corporal [1] - 117:12 corporate [2] - 93:21, 102:5 correct [16] - 8:8, 10:21, 13:25, 60:19, 60:23, 61:20, 72:20, 88:20, 89:18, 90:4, 99:22, 100:12, 105:6, 133:7, 134:10, 163:25 Correct [17] - 8:17, 14:1, 50:19, 50:25, 52:11, 99:10, 99:23, 101:17, 103:6, 105:7, 118:8, 118:12, 125:1, 127:7, 127:12, 130:21, 133:8 corresponding [1] - 69:16
---	--	---	---	--

<p>corridor [1] - 152:16 costs [2] - 142:14, 142:16 Councilman [1] - 156:4 counsel [2] - 167:11, 167:13 Counsel [4] - 2:3, 2:6, 117:1, 146:9 counted [2] - 66:13, 66:20 County [6] - 154:4, 155:24, 156:1, 156:10 county [1] - 155:25 couple [10] - 36:3, 69:22, 71:14, 84:8, 95:12, 100:13, 103:9, 117:5, 158:9 course [3] - 38:3, 41:19, 130:9 court [3] - 79:4, 79:7, 79:9 Court [1] - 167:3 courts [2] - 13:8, 14:20 cover [1] - 16:7 coverage [1] - 138:25 covered [3] - 32:21, 70:16, 154:7 create [1] - 48:10 created [1] - 70:4 creates [2] - 57:24, 136:11 creation [2] - 142:10, 142:14 criteria [3] - 135:21, 135:22, 143:17 critical [5] - 24:15, 24:16, 24:18, 24:23, 24:25 cross [3] - 70:7, 85:12, 148:3 cross-docked [1] - 85:12 crossing [1] - 148:14 crushed [2] - 74:13, 76:22 crushers [1] - 75:11 Cs [2] - 95:17, 104:19 CS-1 [1] - 53:3 CS-201 [1] - 53:18 curb [3] - 36:17, 56:17, 57:3 curbing [1] - 56:22 curious [2] - 109:24, 120:18 current [12] - 25:10, 28:4, 64:12, 64:14, 65:2, 65:6, 79:2,</p>	<p>82:13, 85:4, 94:23, 157:21, 159:25 curtain [1] - 85:22 cut [8] - 66:17, 97:20, 100:23, 110:9, 111:17, 111:21, 112:6, 125:17 cut-through [1] - 111:21 cuts [1] - 113:12 cutting [1] - 111:25</p>	<p>D</p> <p>damn [1] - 153:14 DAN [1] - 1:19 Dan [5] - 125:3, 125:23, 164:16, 164:18, 165:15 dare [1] - 112:11 data [3] - 95:6, 101:25, 102:1 date [4] - 12:25, 87:5, 130:16, 167:8 dated [1] - 93:12 Dave [3] - 15:24, 16:3, 39:5 David [1] - 165:5 DAVID [1] - 1:20 dawn [1] - 17:12 days [2] - 111:10, 149:13 daytime [1] - 99:25 dead [1] - 43:18 dealt [2] - 71:6, 97:24 decade [1] - 83:24 decide [2] - 12:15, 49:8 decides [1] - 56:18 decision [3] - 128:13, 139:25, 142:1 decks [1] - 9:6 declare [1] - 158:22 decommissioning [1] - 15:8 deed [1] - 60:22 deep [3] - 51:22, 51:23, 70:3 defended [1] - 113:18 defer [3] - 46:11, 63:24, 65:12 deferred [1] - 160:11 deferring [1] - 64:7 definitely [5] - 35:15, 99:21, 108:2, 109:20, 149:19 definition [2] - 44:13, 46:1 definitively [1] - 34:15</p>	<p>degree [2] - 8:3, 85:19 Delaware [1] - 148:16 delay [1] - 119:10 delineates [1] - 65:3 delineation [1] - 65:1 delivered [3] - 91:6, 114:14, 131:24 demo [6] - 76:17, 77:4, 121:14, 126:20, 127:16, 127:23 demoed [1] - 74:11 demolition [10] - 30:20, 31:6, 74:19, 74:20, 75:4, 75:20, 107:16, 127:6, 157:23, 157:25 demonstrated [1] - 154:16 DEP [3] - 26:23, 63:23, 160:24 Department [2] - 157:24, 161:10 department [4] - 29:17, 29:20, 31:10, 31:13 depicted [1] - 10:4 describe [4] - 13:12, 78:25, 82:6, 83:6 described [1] - 45:4 describing [1] - 83:14 DESCRIPTION [1] - 5:3 Design [2] - 60:6, 62:17 design [18] - 16:18, 23:16, 28:19, 56:15, 59:5, 59:12, 85:10, 86:5, 94:23, 95:2, 103:23, 128:4, 139:23, 143:25, 145:17, 145:25, 159:24, 159:25 design-related [1] - 143:25 designated [4] - 44:24, 47:1, 50:23, 158:12 designed [20] - 11:7, 24:1, 25:12, 26:1, 34:8, 36:16, 57:5, 68:20, 68:21, 70:6, 85:2, 86:12, 93:21, 93:25, 94:1, 94:17, 95:22, 97:2, 100:11, 129:21 designs [1] - 54:11 desired [1] - 17:4 despite [1] - 138:5 detail [9] - 69:11, 72:8,</p>	<p>72:14, 85:21, 136:2, 141:18, 163:13, 163:14, 163:15 details [2] - 69:14, 71:17 determination [1] - 160:23 determined [1] - 59:4 detriment [5] - 135:17, 137:9, 143:19, 144:9, 144:10 detriments [3] - 135:14, 135:20, 143:4 develop [3] - 36:24, 37:1, 94:6 developed [1] - 155:3 developer [1] - 129:13 Development [3] - 5:6, 13:19, 14:8 development [17] - 6:2, 9:16, 10:2, 13:15, 16:7, 16:9, 17:1, 19:5, 19:10, 19:15, 19:18, 26:10, 27:19, 95:3, 95:11, 137:2, 137:13 developments [1] - 95:8 Devices [1] - 101:24 devoid [1] - 20:12 dictated [1] - 30:4 difference [2] - 37:7, 66:9 different [13] - 35:9, 37:19, 40:4, 45:2, 50:24, 52:12, 61:13, 67:19, 74:7, 88:19, 104:15, 129:25, 159:15 Different [1] - 37:18 differentiates [1] - 46:6 difficult [5] - 22:6, 41:9, 105:1, 105:2, 106:4 diligently [1] - 29:20 dimension [1] - 134:16 Dire [4] - 3:3, 3:15, 3:18, 4:9 DIRE [4] - 7:20, 81:15, 92:9, 132:21 direct [10] - 28:8, 29:6, 29:10, 72:19, 95:19, 103:10, 106:3, 106:8, 124:18, 165:24 Direct [4] - 3:4, 3:15, 4:3, 4:9</p>	<p>DIRECT [3] - 84:6, 115:13, 133:19 directing [3] - 72:24, 103:20, 107:8 direction [2] - 57:1, 110:15 directional [6] - 28:5, 71:14, 72:21, 72:23, 109:14, 109:20 Directional [1] - 73:16 directions [1] - 109:17 directly [2] - 103:21, 136:23 dirty [1] - 112:10 disabled [2] - 129:15, 130:6 disagree [2] - 144:19, 157:3 disagreement [1] - 146:4 disagrees [1] - 49:7 disaster [2] - 107:21, 107:23 disconnected [1] - 20:16 discourage [2] - 113:8, 150:2 discovered [1] - 153:9 discretion [1] - 49:4 discuss [7] - 62:19, 68:17, 77:18, 77:23, 147:21, 148:7, 161:4 discussed [7] - 46:2, 86:11, 116:15, 145:20, 156:22, 160:15, 162:23 discussion [1] - 116:14 discussions [1] - 148:12 disgusting [1] - 128:6 dispensers [1] - 117:9 displaced [1] - 46:25 distance [1] - 118:3 distances [1] - 61:16 distinct [1] - 85:14 distinction [2] - 44:16, 136:21 distribution [1] - 111:10 district [4] - 137:19, 137:23, 139:5, 142:17 District [1] - 9:18 disturb [1] - 26:23 disturbance [7] - 24:15, 24:16, 24:17, 24:20, 24:22, 25:3, 153:21 disturbing [1] - 65:6</p>
--	--	---	--	---	---

DO [1] - 167:10 dock [1] - 14:22 docked [1] - 85:12 docks [7] - 10:7, 11:24, 14:14, 21:17, 21:18, 45:1, 85:12 document [1] - 160:19 documented [1] - 101:23 documents [2] - 16:19, 156:2 dog [1] - 149:16 done [5] - 59:9, 104:18, 109:25, 119:15, 119:25 doors [1] - 77:1 DOT [2] - 60:13, 60:25 double [2] - 71:12, 96:18 Double [1] - 71:13 double-sided [1] - 96:18 doubt [2] - 104:9, 106:1 Down [1] - 131:7 down [25] - 26:4, 30:9, 30:17, 30:24, 33:25, 34:13, 66:17, 75:6, 78:2, 79:5, 79:18, 91:17, 92:11, 94:5, 103:12, 103:13, 103:15, 103:20, 105:14, 108:24, 127:1, 131:11, 150:11, 150:17, 153:12 downspouts [1] - 86:6 Dr [15] - 3:9, 32:23, 60:8, 62:17, 63:5, 63:10, 64:4, 67:6, 67:11, 67:18, 68:4, 159:18, 159:21, 160:10, 160:21 DR [12] - 63:12, 63:15, 64:2, 64:5, 65:14, 66:1, 66:15, 66:24, 67:24, 159:25, 160:5, 160:17 drafted [2] - 22:22, 163:23 drag [1] - 166:8 drain [1] - 26:16 drainage [3] - 23:16, 36:16, 97:10 drains [2] - 26:7, 26:8 draw [1] - 121:11 drawing [3] - 11:23, 50:4, 58:8 drawings [2] - 50:6, 50:11	DRIVE [2] - 1:5, 1:6 drive [4] - 41:13, 73:6, 100:11, 104:2 Drive [52] - 3:11, 4:12, 5:5, 6:3, 6:5, 7:12, 9:1, 9:11, 9:12, 9:14, 9:15, 13:19, 14:8, 15:3, 15:4, 15:9, 17:18, 27:3, 27:5, 27:17, 27:21, 28:7, 29:6, 73:5, 76:3, 92:2, 94:15, 94:25, 95:9, 95:20, 96:4, 98:25, 103:4, 103:12, 103:14, 103:16, 103:17, 103:20, 104:6, 104:7, 104:8, 105:3, 105:14, 106:18, 147:8, 147:25, 153:21, 164:7, 164:9 driver [1] - 103:18 drivers [3] - 63:18, 107:10, 108:5 driveway [7] - 15:9, 70:8, 94:17, 94:19, 95:22, 102:8, 147:25 driveways [5] - 28:8, 48:24, 95:15, 95:18, 105:6 drop [3] - 34:13, 35:12, 35:16 dropping [2] - 34:23, 35:1 drums [1] - 45:4 due [3] - 26:24, 69:22, 128:14 duly [7] - 7:13, 81:9, 92:3, 115:9, 132:15, 147:9, 152:5 dumping [1] - 42:1 duplicate [1] - 158:16 During [1] - 15:21 during [11] - 17:10, 17:11, 29:2, 45:18, 94:3, 103:8, 108:9, 121:1, 121:14, 145:21, 157:25 dusk [1] - 17:12 dust [2] - 75:9, 75:14 dying [1] - 80:8	147:18, 148:5, 148:20 easiest [1] - 120:9 east [3] - 9:12, 11:11, 89:10 East [5] - 5:16, 89:1, 89:6, 90:5 eastern [4] - 9:23, 26:6, 26:9, 153:1 easy [7] - 31:21, 31:23, 32:5, 34:12, 46:7, 80:5, 126:12 economic [2] - 137:13, 142:8 educational [1] - 7:23 efficiency [1] - 17:5 efficiently [1] - 97:11 effort [2] - 134:19, 148:15 efforts [3] - 151:5, 158:2, 162:17 eight [2] - 14:17, 115:23 eight-foot [1] - 14:17 Eisenhower [1] - 2:5 either [10] - 49:15, 49:22, 58:7, 58:10, 58:16, 72:9, 98:8, 104:24, 119:5, 154:11 elaborate [1] - 27:15 electric [1] - 27:4 elements [2] - 28:19, 137:16 elevation [6] - 24:4, 87:16, 89:9, 89:10, 89:22, 117:18 Elevation [4] - 5:14, 87:11, 87:16, 87:18 elevations [3] - 86:21, 87:10, 88:2 Elevations [4] - 5:16, 89:2, 89:6, 90:5 else.. [1] - 157:4 elsewhere [2] - 46:25, 140:13 emergency [4] - 31:8, 31:10, 117:16, 161:9 employed [1] - 157:19 employee [2] - 167:11, 167:13 employees [5] - 54:15, 93:23, 99:20, 101:13, 110:19 employment [1] - 93:22 empty [1] - 37:13 enacted [1] - 86:15 encourage [2] - 138:18, 151:7	encourages [1] - 143:12 encouraging [1] - 158:4 encroach [1] - 19:13 encroaching [1] - 61:1 end [3] - 108:13, 109:3, 131:10 endangered [2] - 65:16, 160:25 ends [1] - 166:14 energy [1] - 143:15 enforce [2] - 112:20, 114:1 enforceable [1] - 112:21 enforcement [1] - 114:5 Engineer [4] - 2:15, 6:19, 8:1, 92:17 engineer [10] - 54:17, 55:3, 56:9, 93:18, 95:7, 98:21, 107:6, 114:13, 129:5, 136:5 engineer's [1] - 146:16 Engineering [2] - 8:3, 92:16 engineering [5] - 8:7, 8:14, 36:3, 59:19, 92:21 engineers [1] - 101:23 enhance [2] - 20:25, 155:21 enjoy [1] - 152:16 ensure [1] - 157:21 enter [1] - 96:21 entertain [2] - 153:24, 164:2 entire [2] - 89:20, 148:18 entirely [2] - 108:18, 118:22 Entitled [2] - 5:5, 14:7 entitled [1] - 13:18 entrance [4] - 11:13, 15:9, 88:19, 105:10 entrances [5] - 11:14, 13:7, 15:5, 27:25, 111:24 entries [2] - 85:14, 85:21 entry [2] - 85:18, 85:25 environmental [2] - 120:7, 157:22 Environmental [3] - 2:18, 68:11, 92:16 environmentally [1] - 61:19	environmentally- restricted [1] - 61:19 environments [1] - 48:11 equal [1] - 161:12 equipment [10] - 29:22, 118:6, 120:16, 121:24, 122:7, 122:8, 123:8, 125:18, 161:15 equivalent [1] - 99:19 eradicated [1] - 99:2 Eric [6] - 119:17, 124:19, 124:22, 124:24, 125:4, 125:8 ESQUIRE [2] - 2:2, 2:4 essentially [5] - 26:10, 28:17, 29:11, 136:5, 140:21 Essentially [1] - 135:19 establish [1] - 157:18 established [5] - 94:15, 96:19, 134:8, 138:2, 153:9 et [8] - 40:18, 40:19, 45:4, 47:15, 75:9, 75:11, 75:14, 127:10 evaluate [2] - 18:10, 139:16 evening [4] - 93:9, 94:4, 134:6, 144:12 evils [1] - 34:23 exact [1] - 59:22 Exactly [1] - 119:7 exactly [3] - 13:3, 44:21, 119:13 Examination [8] - 3:3, 3:4, 3:15, 3:15, 3:18, 4:3, 4:9, 4:9 EXAMINATION [7] - 7:20, 81:15, 84:6, 92:9, 115:13, 132:21, 133:19 example [4] - 39:15, 54:18, 100:25, 113:14 exceed [1] - 123:3 excellent [4] - 48:4, 139:20, 144:12, 166:1 except [1] - 148:23 Except [2] - 44:25, 48:4 exception [11] - 10:19, 11:4, 59:6, 96:24, 97:12, 134:14, 134:15, 140:9, 145:17, 162:12, 162:14
--	--	--	--	---

<p>exceptional [1] - 135:25</p> <p>exceptions [3] - 144:14, 145:25, 160:18</p> <p>exclusively [1] - 55:19</p> <p>excuse [2] - 139:8, 157:8</p> <p>exhibit [7] - 13:23, 19:8, 20:21, 53:11, 87:7, 88:23, 89:14</p> <p>Exhibit [23] - 5:4, 9:7, 10:4, 14:4, 14:5, 14:9, 18:23, 19:2, 23:18, 23:20, 23:22, 24:19, 53:20, 55:15, 79:24, 84:12, 84:14, 84:21, 84:25, 87:1, 87:20, 89:4, 89:25</p> <p>exhibits [3] - 84:9, 87:4, 91:16</p> <p>Exhibits [1] - 18:19</p> <p>existed [1] - 94:13</p> <p>existing [17] - 10:1, 13:24, 14:2, 15:2, 17:21, 17:23, 18:3, 26:2, 26:5, 26:16, 26:25, 29:24, 105:9, 122:24, 135:24, 138:23</p> <p>Existing [2] - 5:4, 14:4</p> <p>exists [1] - 15:8</p> <p>exit [6] - 72:24, 73:20, 96:21, 104:20, 107:8, 157:24</p> <p>exiting [4] - 102:4, 102:7, 104:21, 105:17</p> <p>exits [1] - 108:20</p> <p>expand [1] - 44:20</p> <p>expanding [1] - 68:22</p> <p>expansion [3] - 20:8, 20:10, 20:19</p> <p>expect [2] - 105:18, 110:19</p> <p>expense [1] - 128:22</p> <p>experience [3] - 58:12, 58:14, 82:24</p> <p>expert [9] - 8:7, 8:13, 49:21, 72:1, 73:14, 82:20, 83:2, 93:8, 133:12</p> <p>expertise [1] - 92:20</p> <p>experts [1] - 146:15</p> <p>explain [3] - 36:20, 58:21, 66:9</p> <p>explained [1] - 34:6</p> <p>explaining [1] - 128:18</p> <p>explanation [1] - 37:4</p>	<p>explosives [1] - 40:7</p> <p>expose [1] - 40:17</p> <p>exposed [1] - 86:7</p> <p>expressly [1] - 18:8</p> <p>extended [1] - 75:11</p> <p>extension [1] - 73:11</p> <p>extensive [1] - 139:24</p> <p>extent [5] - 33:4, 76:14, 137:5, 140:5, 143:23</p> <p>Exterior [3] - 5:13, 84:15, 84:23</p> <p>exterior [3] - 86:1, 87:10, 88:1</p> <p>external [1] - 86:6</p> <p>extra [1] - 155:19</p> <p>extremely [1] - 150:18</p> <p>eyebrows [1] - 102:21</p> <p style="text-align: center;">F</p> <p>facilities [3] - 8:25, 94:10, 100:24</p> <p>facility [15] - 9:24, 19:12, 24:21, 25:11, 26:7, 29:7, 29:10, 37:15, 39:8, 66:13, 85:3, 131:1, 142:25, 143:16, 143:22</p> <p>fact [5] - 75:17, 83:3, 99:18, 127:15, 138:8</p> <p>factored [2] - 95:13, 110:21</p> <p>facts [2] - 83:4, 140:2</p> <p>Fair [3] - 40:20, 127:23, 163:2</p> <p>fair [2] - 61:22, 78:13</p> <p>fairly [3] - 45:14, 46:7, 96:16</p> <p>fake [1] - 128:6</p> <p>fall [1] - 25:21</p> <p>familiar [4] - 6:15, 81:24, 84:2, 101:3</p> <p>far [6] - 40:21, 72:23, 120:18, 137:17, 148:5, 153:17</p> <p>farmstead [1] - 153:4</p> <p>fast [1] - 73:6</p> <p>façade [3] - 135:2, 135:5, 141:1</p> <p>façades [1] - 86:4</p> <p>features [2] - 85:18, 85:20</p> <p>Federal [1] - 155:22</p> <p>federal [2] - 122:23, 149:4</p> <p>fees [1] - 163:7</p> <p>feet [32] - 16:11, 16:15, 16:17, 16:19, 24:10, 24:13, 24:17, 24:23, 25:1, 28:22, 28:24, 34:1, 34:7, 34:10, 60:13, 85:7, 94:7, 134:14, 136:6, 136:11, 136:15, 136:19, 136:22, 136:25, 139:11, 139:12, 140:22, 141:2, 142:23, 144:6, 145:14, 157:9</p> <p>fence [14] - 14:16, 43:8, 43:12, 52:15, 52:25, 78:23, 78:24, 78:25, 134:14, 135:5, 136:22, 142:20, 142:21, 153:22</p> <p>fenced [1] - 30:1</p> <p>fencing [3] - 14:13, 43:9, 143:2</p> <p>few [6] - 9:18, 9:25, 16:6, 93:18, 126:14, 161:5</p> <p>Fiberglass [2] - 153:12, 153:14</p> <p>field [3] - 8:7, 8:14, 83:2</p> <p>figure [2] - 23:13, 111:9</p> <p>figured [1] - 34:3</p> <p>file [2] - 46:13, 58:21</p> <p>filled [1] - 37:23</p> <p>filling [1] - 64:21</p> <p>final [2] - 101:6, 132:6</p> <p>Final [2] - 6:4, 164:8</p> <p>financial [1] - 131:8</p> <p>financially [2] - 131:18, 167:14</p> <p>Fine [1] - 55:10</p> <p>fine [9] - 7:3, 38:10, 41:24, 60:1, 68:13, 68:15, 109:2, 124:20, 162:21</p> <p>finish [1] - 59:18</p> <p>finished [3] - 23:25, 24:6, 85:24</p> <p>finishes [1] - 86:1</p> <p>finishing [1] - 137:22</p> <p>fire [3] - 40:6, 40:18, 74:22</p> <p>firm [1] - 6:10</p> <p>First [1] - 81:8</p> <p>first [16] - 6:18, 20:3, 21:13, 24:8, 40:16, 55:22, 62:20, 68:18, 87:3, 99:6, 114:25, 118:17, 126:11, 126:12, 146:18</p> <p>fiscal [1] - 142:19</p>	<p>fit [1] - 116:20</p> <p>five [1] - 48:5</p> <p>fixtures [3] - 16:10, 16:19, 145:14</p> <p>flammables [2] - 40:5, 40:7</p> <p>flashing [4] - 101:8, 101:21, 107:13, 107:18</p> <p>flat [2] - 136:8, 136:9</p> <p>flex [1] - 36:9</p> <p>flexibility [5] - 47:4, 49:10, 55:18, 57:22, 85:5</p> <p>flip [2] - 26:12, 103:2</p> <p>flipped [1] - 34:4</p> <p>Floor [5] - 5:11, 7:12, 84:13, 84:19, 139:7</p> <p>floor [4] - 23:25, 24:6, 77:12, 136:9</p> <p>flow [1] - 143:13</p> <p>flows [2] - 36:17, 102:9</p> <p>fly [2] - 106:18, 107:21</p> <p>focused [2] - 25:4, 70:23</p> <p>folks [1] - 111:18</p> <p>follow [5] - 62:5, 101:23, 106:10, 108:22, 144:17</p> <p>follow-up [2] - 62:5, 144:17</p> <p>following [1] - 109:15</p> <p>follows [8] - 7:14, 79:11, 81:9, 92:4, 115:9, 132:16, 147:9, 152:5</p> <p>fooled [1] - 128:8</p> <p>fooling [1] - 128:7</p> <p>foot [4] - 14:17, 34:13, 34:23, 35:1</p> <p>footage [1] - 49:25</p> <p>footcandle [2] - 17:3, 157:10</p> <p>footcandles [3] - 16:25, 17:1, 35:1</p> <p>footprint [3] - 9:24, 19:11, 88:1</p> <p>foots [1] - 145:16</p> <p>force [3] - 106:4, 106:7, 149:23</p> <p>forcing [1] - 128:23</p> <p>Ford [10] - 5:11, 5:13, 5:15, 5:17, 81:19, 82:17, 84:20, 84:24, 87:19, 89:2</p> <p>foregoing [1] - 167:6</p> <p>Foreign [1] - 9:18</p> <p>foresee [1] - 111:2</p> <p>forest [5] - 20:6, 66:7, 66:25, 68:22</p>	<p>forested [5] - 19:6, 19:7, 20:16, 25:17, 66:22</p> <p>Forever [1] - 129:9</p> <p>forget [2] - 46:13, 110:8</p> <p>forgot [1] - 60:9</p> <p>forgotten [1] - 66:19</p> <p>FORLENZA [1] - 1:14</p> <p>form [1] - 153:13</p> <p>formal [2] - 21:23, 53:10</p> <p>formed [2] - 10:1, 26:24</p> <p>former [7] - 8:25, 9:4, 19:12, 20:7, 29:7, 66:13, 68:20</p> <p>forth [4] - 102:1, 104:2, 164:10, 167:9</p> <p>forward [2] - 83:18, 150:6</p> <p>four [8] - 11:8, 28:5, 28:15, 48:5, 59:2, 60:3, 85:14, 88:16</p> <p>fraction [1] - 102:10</p> <p>frankly [1] - 97:7</p> <p>free [3] - 130:7, 143:13, 156:21</p> <p>fresh [1] - 149:17</p> <p>Freshwater [1] - 65:12</p> <p>front [4] - 59:10, 91:17, 116:14, 122:14</p> <p>FTZ [4] - 9:17, 28:12, 28:14, 140:12</p> <p>FTZ-4 [3] - 9:17, 135:3, 137:12</p> <p>Fuel [1] - 117:7</p> <p>fuel [1] - 117:8</p> <p>fueling [2] - 126:15, 126:19</p> <p>fulfillment [4] - 100:16, 100:20, 100:21, 101:1</p> <p>full [3] - 37:25, 113:20, 138:13</p> <p>fully [2] - 50:12, 81:24</p> <p>function [1] - 124:10</p> <p>functional [2] - 31:5, 138:19</p> <p>functioning [2] - 125:19, 128:24</p> <p>funding [1] - 149:4</p> <p>FURTHER [1] - 167:10</p> <p>future [3] - 41:17, 43:16, 45:9</p>
---	--	--	--

<p>G</p> <p>GALOP [48] - 1:16, 31:16, 50:7, 50:9, 72:17, 72:22, 73:22, 74:1, 74:25, 104:3, 104:13, 104:20, 105:5, 105:16, 105:20, 106:6, 107:7, 107:24, 108:15, 108:22, 109:22, 110:9, 110:22, 111:20, 112:5, 112:19, 112:22, 113:1, 113:7, 113:13, 116:9, 117:14, 117:18, 117:24, 119:21, 119:24, 120:11, 121:17, 122:3, 124:22, 125:15, 126:6, 126:9, 126:12, 126:16, 128:24, 162:24, 165:18</p> <p>Galop [6] - 3:10, 3:19, 4:5, 31:12, 117:13, 165:17</p> <p>gap [1] - 20:5</p> <p>garage [1] - 20:9</p> <p>Garofalo [1] - 139:25</p> <p>gas [4] - 27:4, 113:15, 113:20, 113:24</p> <p>general [6] - 83:16, 137:18, 142:2, 142:3, 142:4, 143:8</p> <p>General [1] - 65:13</p> <p>generally [15] - 9:15, 9:22, 10:14, 10:15, 11:6, 11:9, 11:12, 12:2, 14:19, 17:1, 19:11, 37:14, 62:25, 79:3, 137:25</p> <p>generate [2] - 54:16, 137:25</p> <p>generated [4] - 55:3, 108:9, 142:18, 142:19</p> <p>generation [1] - 99:20</p> <p>generator [4] - 120:19, 121:1, 121:8, 142:13</p> <p>generators [1] - 94:9</p> <p>gentleman [2] - 90:13, 155:9</p> <p>geographical [1] - 83:16</p> <p>geometry [8] - 50:24, 52:12, 96:19, 103:15, 103:16,</p>	<p>103:24, 104:25, 105:4</p> <p>GIANTOMASI [1] - 2:5</p> <p>Giantomasi [1] - 6:11</p> <p>gist [1] - 48:13</p> <p>given [2] - 21:19, 63:2</p> <p>glass [1] - 85:22</p> <p>glow [1] - 33:3</p> <p>goal [1] - 76:16</p> <p>goods [2] - 46:5, 157:13</p> <p>GoogleEarth [1] - 111:12</p> <p>grade [3] - 24:1, 95:23, 103:12</p> <p>graded [1] - 136:11</p> <p>grades [5] - 24:3, 103:13, 104:1, 136:5, 139:13</p> <p>grading [4] - 20:22, 23:15, 36:16, 61:2</p> <p>graduated [2] - 8:2, 83:24</p> <p>grant [3] - 147:18, 154:22, 154:24</p> <p>granted [4] - 57:6, 135:16, 137:9, 143:18</p> <p>granting [1] - 140:1</p> <p>graphic [2] - 86:20, 89:20</p> <p>graphics [3] - 88:3, 89:8, 89:12</p> <p>grappled [1] - 101:18</p> <p>grass [4] - 48:21, 63:13, 158:15, 160:6</p> <p>gravel [1] - 30:2</p> <p>graze [1] - 152:16</p> <p>great [8] - 17:20, 37:16, 91:6, 116:20, 116:24, 150:22, 154:20, 166:11</p> <p>greater [5] - 85:18, 136:2, 137:1, 138:1, 140:23</p> <p>green [2] - 19:8, 76:14</p> <p>GREENBAUM [1] - 1:13</p> <p>Greenway [3] - 152:15, 154:13, 155:23</p> <p>greenway [1] - 152:19</p> <p>gross [1] - 140:22</p> <p>ground [1] - 24:6</p> <p>group [1] - 164:25</p> <p>grown [1] - 153:14</p> <p>growth [1] - 137:14</p> <p>guarantee [1] - 106:23</p> <p>guard [4] - 12:4, 12:5, 13:5, 14:12</p>	<p>guardhouse [5] - 71:17, 72:8, 79:6, 79:11, 163:15</p> <p>Guardhouse [2] - 163:13, 163:14</p> <p>guardhouses [2] - 79:14, 153:22</p> <p>guardrail [1] - 25:22</p> <p>guess [12] - 6:22, 21:22, 28:3, 34:2, 53:23, 70:19, 73:20, 120:12, 120:17, 120:22, 121:22</p> <p>guide [1] - 107:3</p> <p>gutter [1] - 86:7</p> <p>guy [4] - 73:25, 116:10, 116:11, 131:13</p> <p>guys [7] - 105:5, 112:6, 124:20, 125:10, 128:4, 150:16, 162:20</p> <p>H</p> <p>Habitat [2] - 60:6, 62:17</p> <p>Hackettstown [1] - 152:20</p> <p>half [7] - 22:3, 47:16, 48:22, 49:17, 49:18, 50:15</p> <p>hand [8] - 7:6, 81:2, 91:20, 115:3, 131:10, 132:8, 147:2, 151:23</p> <p>handle [1] - 40:7</p> <p>handled [1] - 75:21</p> <p>happy [3] - 30:12, 88:7, 146:11</p> <p>hard [1] - 12:20</p> <p>harder [1] - 114:1</p> <p>hardship [2] - 135:13, 135:22</p> <p>hate [1] - 107:12</p> <p>Hats [1] - 166:10</p> <p>hats [1] - 78:9</p> <p>haulers [1] - 14:24</p> <p>hazardous [6] - 39:7, 39:13, 39:16, 39:18, 39:21, 40:3</p> <p>head [1] - 73:2</p> <p>headquarters [2] - 9:4, 93:21</p> <p>heads [1] - 146:13</p> <p>hear [11] - 29:1, 42:22, 44:4, 64:4, 69:6, 73:24, 114:23, 115:17, 133:22,</p>	<p>144:9, 158:18</p> <p>heard [5] - 127:3, 136:4, 147:23, 155:1, 155:9</p> <p>hearing [7] - 25:21, 32:19, 76:4, 80:21, 83:18, 130:2, 144:11</p> <p>heavy [2] - 94:2, 98:13</p> <p>heck [1] - 153:11</p> <p>height [21] - 16:11, 16:15, 24:9, 24:12, 32:15, 32:16, 34:7, 85:8, 120:15, 121:24, 123:4, 135:5, 135:23, 136:3, 136:19, 142:20, 142:21, 142:24, 144:6</p> <p>heights [4] - 33:25, 88:3, 136:22, 139:11</p> <p>held [1] - 80:19</p> <p>help [3] - 41:25, 149:4, 156:4</p> <p>helpful [1] - 151:10</p> <p>hereby [1] - 167:5</p> <p>herein [1] - 167:9</p> <p>hibernates [1] - 65:20</p> <p>high [4] - 68:2, 93:22, 97:6, 149:14</p> <p>higher [6] - 104:9, 104:16, 120:16, 121:24, 137:1, 138:3</p> <p>Highlands [2] - 132:14, 137:14</p> <p>highway [2] - 111:19, 143:12</p> <p>Historic [3] - 69:13, 70:13, 164:24</p> <p>historic [3] - 148:13, 149:16, 153:3</p> <p>Historical [2] - 77:16, 147:14</p> <p>historical [1] - 148:24</p> <p>history [2] - 151:17, 152:15</p> <p>hit [1] - 70:25</p> <p>Hoboken [2] - 129:6, 129:7</p> <p>Hold [1] - 22:14</p> <p>hook [1] - 80:5</p> <p>hope [10] - 30:21, 67:25, 68:1, 68:7, 147:19, 149:9, 149:21, 153:23, 154:10, 164:23</p> <p>hopeful [1] - 77:21</p> <p>hopefully [1] - 31:23</p> <p>hoping [2] - 31:21, 148:11</p> <p>horse [1] - 43:18</p>	<p>hotel [1] - 82:3</p> <p>hour [9] - 94:11, 102:4, 102:8, 102:10, 105:19, 106:19, 106:25, 147:24</p> <p>hours [4] - 94:3, 108:10, 111:13, 111:14</p> <p>household [1] - 121:6</p> <p>houses [6] - 12:4, 12:6, 13:5, 14:12, 23:10, 158:19</p> <p>HOWARD [1] - 1:11</p> <p>Howie [2] - 125:16, 165:21</p> <p>Hudson [1] - 156:1</p> <p>huge [1] - 121:11</p> <p>hundreds [1] - 93:1</p> <p>I</p> <p>idea [2] - 75:3, 138:22</p> <p>ideal [2] - 20:2, 43:15</p> <p>ideally [1] - 120:5</p> <p>IDENT/EVID [1] - 5:3</p> <p>identification [10] - 14:6, 14:10, 18:24, 19:3, 23:23, 53:21, 84:22, 84:25, 87:21, 89:4</p> <p>identified [4] - 28:25, 96:6, 134:12, 140:19</p> <p>identifies [1] - 137:19</p> <p>identify [3] - 28:21, 39:5, 134:7</p> <p>idle [1] - 138:9</p> <p>illuminate [1] - 45:25</p> <p>illuminated [1] - 86:23</p> <p>illumination [1] - 34:16</p> <p>imagine [2] - 58:13, 110:16</p> <p>impact [4] - 68:22, 137:7, 149:18, 157:10</p> <p>Impact [1] - 93:12</p> <p>impacted [1] - 10:2</p> <p>impacting [2] - 144:1, 144:2</p> <p>impacts [1] - 138:1</p> <p>impersonal [1] - 125:10</p> <p>Implode [1] - 126:21</p> <p>imploded [2] - 75:6, 75:7</p> <p>imploding [1] - 126:23</p> <p>important [8] - 29:14, 39:4, 40:24, 48:10,</p>
---	--	--	---	--

121:22, 137:11, 141:24, 148:13 impracticability [1] - 140:4 impression [1] - 60:12 improvement [1] - 163:2 improving [2] - 105:5, 105:8 IN [1] - 1:4 inadequate [1] - 124:21 inches [1] - 22:3 Inches [1] - 22:4 incident [1] - 154:6 include [3] - 27:3, 156:24, 158:5 included [3] - 11:22, 22:19, 86:21 includes [1] - 86:5 Including [1] - 133:7 including [2] - 32:23, 148:18 incorporate [4] - 62:2, 118:14, 157:20, 162:1 incorporated [3] - 95:6, 118:14, 157:7 increase [7] - 34:15, 34:21, 35:1, 35:4, 35:5, 145:15, 149:5 increased [3] - 18:14, 142:24, 143:1 indicate [1] - 54:14 indicated [4] - 66:3, 94:18, 161:22, 163:7 indicates [1] - 139:3 indicating [2] - 13:7, 89:17 indicating [5] - 25:5, 25:7, 79:19, 86:25, 89:13 individual [2] - 54:7, 142:2 industrial [23] - 8:4, 10:14, 14:18, 17:2, 17:7, 19:13, 33:21, 45:23, 58:14, 63:2, 69:4, 70:6, 85:4, 116:20, 137:19, 138:14, 139:5, 140:14, 140:18, 141:13, 142:22, 143:10 Industrial [1] - 10:15 industry [1] - 97:23 infiltration [1] - 62:21 infiltrations [1] - 160:1 information [3] -	61:15, 76:7, 93:17 input [1] - 31:12 inside [3] - 42:13, 44:1, 52:16 install [2] - 30:16, 122:7 installing [1] - 69:18 instance [1] - 98:24 instead [2] - 11:22, 50:12 Insult [1] - 63:6 insurance [1] - 154:7 insured [2] - 154:9 intensity [3] - 18:14, 138:3, 149:12 intensive [2] - 137:24, 139:5 intent [7] - 44:7, 47:3, 50:22, 56:15, 119:11, 137:23, 144:2 interest [7] - 49:10, 69:17, 86:4, 136:14, 152:14, 152:18, 154:21 interested [2] - 152:25, 167:14 interference [1] - 124:3 internal [2] - 54:11, 159:16 Internally [1] - 104:25 internally [2] - 107:3, 109:8 International [36] - 9:12, 9:14, 15:3, 15:9, 17:18, 27:3, 27:5, 27:17, 27:21, 28:1, 28:7, 29:6, 73:5, 73:10, 73:18, 94:15, 95:20, 96:4, 98:25, 103:16, 103:20, 104:6, 104:8, 104:22, 105:3, 105:15, 105:22, 105:23, 105:25, 106:3, 106:11, 106:18, 108:8, 111:22, 134:25, 147:25 interrupt [2] - 51:25, 60:7 interruption [5] - 119:3, 119:6, 119:9, 120:25, 162:25 Intersection [10] - 73:10, 96:1, 96:3, 98:23, 102:11, 102:16, 102:20, 103:4, 105:4, 106:13	intervals [1] - 148:1 introduce [1] - 87:9 invested [1] - 155:23 investment [1] - 149:11 involved [1] - 121:20 island [1] - 36:14 islands [2] - 36:6, 37:2 issue [8] - 63:16, 77:24, 82:22, 106:15, 111:6, 124:23, 150:4, 150:5 issued [1] - 58:6 issues [8] - 77:9, 125:3, 143:25, 144:10, 148:6, 148:9, 154:11, 154:12 ITC [1] - 28:11 Item [1] - 66:2 Items [3] - 21:12, 60:3, 68:16 itself [3] - 44:14, 62:5, 98:22	junkyard [2] - 41:15, 131:2	58:13, 68:24, 73:19, 76:25, 79:3, 79:5, 79:11, 110:9, 118:23, 120:18, 120:24, 121:13, 130:18, 155:2, 155:4, 163:23 knock [4] - 30:16, 30:24, 150:10, 150:17 knocked [2] - 30:9, 126:13 knowing [1] - 107:11 known [2] - 9:1, 9:2 knows [1] - 45:22 KRISTEN [1] - 3:3 Kristen [14] - 6:19, 7:17, 8:15, 8:19, 8:21, 49:24, 74:6, 77:9, 77:11, 78:7, 78:17, 79:21, 80:2, 96:23 Kristin [5] - 30:6, 94:18, 96:15, 97:14, 116:18
<div style="text-align: center;">J</div>				<div style="text-align: center;">K</div>
				Karl [5] - 91:14, 92:7, 93:5, 93:8, 114:10 KARL [1] - 3:17 KATHLEEN [1] - 4:11 Kathleen [1] - 3:11 Kathy [9] - 77:13, 77:15, 146:24, 146:25, 147:13, 149:22, 152:12, 154:21, 154:23 Kathy's [2] - 155:5, 155:13 keep [11] - 26:3, 33:10, 43:3, 43:4, 63:14, 68:3, 119:11, 121:14, 130:7, 131:4, 131:6 keeps [2] - 67:22, 158:14 Keller [12] - 3:9, 19:22, 21:8, 23:13, 32:23, 62:25, 63:5, 63:10, 64:4, 67:11, 67:18, 68:4 KELLER [13] - 2:18, 63:12, 63:15, 64:2, 64:5, 65:14, 66:1, 66:15, 66:24, 67:24, 159:25, 160:5, 160:17 Keller's [9] - 21:11, 23:9, 60:8, 62:17, 67:6, 159:18, 159:21, 160:10, 160:21 KEN [1] - 1:14 key [1] - 143:20 kick [1] - 75:8 KIM [1] - 1:18 Kim [2] - 150:21, 165:9 Kimball [1] - 7:12 kind [51] - 12:13, 13:7, 19:8, 19:16, 19:23, 20:3, 20:11, 21:1, 21:8, 22:7, 24:5, 24:20, 25:4, 25:6, 25:9, 25:13, 28:7, 28:18, 29:6, 29:9, 29:11, 31:20, 34:10, 36:8, 36:16, 36:19, 39:17, 39:19, 47:22, 51:13, 51:16, 51:19, 52:25, 56:15, 56:18,
<div style="text-align: center;">J</div>				<div style="text-align: center;">L</div>
				L.L.C [1] - 1:24 lack [1] - 26:24 laid [2] - 138:9, 153:12 lake [1] - 110:22 Lake [3] - 3:12, 4:12, 147:8 land [5] - 49:1, 135:25, 136:1, 137:24, 139:21 Land [6] - 5:10, 53:17, 53:19, 123:2, 135:16, 143:6 landlord [1] - 129:13 landscape [2] - 36:6, 60:25 landscaping [12] - 18:18, 19:5, 21:13, 21:14, 22:5, 23:9, 37:3, 60:13, 66:16, 66:18, 66:23, 145:19 lanes [1] - 106:14 Langan [1] - 92:16 language [7] - 23:1, 38:14, 130:2, 158:14, 160:14, 162:19, 163:2 large [5] - 35:5, 136:7, 140:23, 142:23, 166:2 largely [3] - 70:23, 140:7, 141:17

<p>larger [1] - 88:1</p> <p>last [25] - 7:16, 8:7, 8:16, 23:8, 25:20, 27:22, 28:18, 29:4, 29:13, 29:14, 31:19, 32:19, 32:25, 69:12, 70:19, 81:11, 88:10, 101:4, 132:18, 133:7, 134:5, 136:9, 136:21, 147:12, 152:7</p> <p>lastly [1] - 17:6</p> <p>LATE [1] - 1:20</p> <p>LAURA [1] - 1:24</p> <p>LauraACarucci@ gmail.com [1] - 1:25</p> <p>Law [3] - 123:2, 135:16, 143:6</p> <p>lawn [3] - 20:19, 44:23, 47:7</p> <p>laydown [1] - 20:18</p> <p>layout [1] - 76:18</p> <p>lays [1] - 101:25</p> <p>lead [1] - 68:14</p> <p>leaking [1] - 38:11</p> <p>learn [1] - 67:22</p> <p>learned [3] - 67:17, 67:19, 67:21</p> <p>lease [4] - 22:10, 85:5, 97:20, 117:22</p> <p>least [4] - 22:1, 138:18, 153:23, 153:24</p> <p>leave [9] - 57:9, 73:2, 73:8, 74:12, 76:3, 80:17, 91:16, 106:8, 108:4</p> <p>leaving [1] - 105:21</p> <p>LED [1] - 16:10</p> <p>Left [1] - 108:21</p> <p>left [9] - 9:8, 73:5, 73:11, 102:19, 106:14, 106:25, 107:8, 109:13, 109:17</p> <p>lefts [1] - 104:18</p> <p>legal [2] - 69:20, 70:2</p> <p>LEIBMAN [48] - 2:4, 6:8, 7:21, 8:12, 17:10, 30:10, 31:2, 42:3, 43:1, 48:16, 49:19, 50:20, 51:1, 51:25, 56:1, 56:7, 59:15, 70:2, 73:24, 80:12, 80:23, 81:16, 82:14, 84:7, 87:2, 88:20, 88:24, 91:13, 92:10, 112:4, 112:8, 113:14, 113:25, 114:20, 115:14,</p>	<p>116:12, 117:3, 132:5, 132:22, 133:11, 133:20, 134:22, 145:10, 145:24, 146:7, 163:13, 163:25, 166:15</p> <p>Leibman [10] - 3:3, 3:4, 3:15, 3:15, 3:18, 4:3, 4:9, 4:9, 6:10, 8:24</p> <p>length [1] - 136:6</p> <p>less [6] - 15:2, 23:6, 46:24, 105:24, 139:9, 162:13</p> <p>lesser [1] - 34:22</p> <p>letter [12] - 23:9, 32:3, 32:9, 36:3, 59:19, 68:12, 69:13, 70:15, 77:19, 96:11, 119:21, 120:13</p> <p>letters [2] - 6:17, 31:20</p> <p>letting [1] - 42:2</p> <p>level [11] - 18:11, 34:16, 98:14, 100:4, 102:12, 125:10, 125:19, 140:4, 155:25</p> <p>levels [4] - 16:24, 18:10, 93:22, 95:16</p> <p>liability [12] - 70:3, 70:10, 77:24, 116:15, 116:25, 148:6, 148:9, 150:4, 150:15, 154:7, 155:10, 155:16</p> <p>Liberty [1] - 148:16</p> <p>license [5] - 8:15, 82:13, 92:23, 92:24, 133:9</p> <p>licensed [4] - 7:25, 82:17, 132:24, 133:3</p> <p>life [1] - 38:2</p> <p>light [22] - 15:8, 15:11, 16:15, 16:24, 18:10, 18:11, 18:14, 33:25, 85:23, 86:9, 107:13, 107:15, 107:18, 111:18, 111:22, 113:4, 113:16, 113:17, 113:23, 134:20, 157:8</p> <p>lighting [13] - 16:8, 17:7, 17:15, 17:17, 32:17, 33:1, 33:6, 35:22, 69:2, 134:17, 134:23, 145:14, 145:16</p> <p>lights [6] - 17:8,</p>	<p>17:21, 17:23, 18:2, 18:4, 35:23</p> <p>likewise [1] - 161:14</p> <p>limit [3] - 24:20, 107:1, 122:18</p> <p>limitation [1] - 83:16</p> <p>Linden [1] - 141:6</p> <p>line [9] - 10:14, 17:2, 18:11, 18:13, 56:17, 124:18, 125:7, 136:16, 136:23</p> <p>lines [4] - 57:3, 71:7, 71:12, 120:9</p> <p>link [2] - 14:16, 148:15</p> <p>list [2] - 32:17, 70:17</p> <p>listed [2] - 65:19, 160:17</p> <p>Listen [2] - 128:12, 128:17</p> <p>listen [2] - 150:18, 151:8</p> <p>listening [2] - 80:7, 150:7</p> <p>literally [3] - 87:5, 121:5, 123:16</p> <p>live [1] - 57:8</p> <p>living [2] - 92:14, 132:23</p> <p>LLC [2] - 1:5, 6:3</p> <p>load [1] - 102:4</p> <p>loading [11] - 10:7, 11:24, 14:13, 14:22, 21:15, 21:17, 21:18, 45:1, 85:12, 106:25, 145:20</p> <p>loads [3] - 94:2, 102:7, 154:8</p> <p>Local [1] - 111:18</p> <p>local [2] - 26:21, 122:23</p> <p>located [24] - 6:5, 9:17, 9:23, 11:8, 11:9, 11:11, 13:6, 23:10, 26:6, 29:17, 29:23, 50:23, 52:13, 61:12, 61:17, 62:9, 65:18, 75:13, 79:1, 85:25, 89:21, 136:15, 136:23, 161:22</p> <p>locating [1] - 122:24</p> <p>location [10] - 14:22, 23:13, 25:13, 63:2, 63:17, 94:21, 95:1, 141:16, 143:11, 161:23</p> <p>locations [7] - 12:8, 12:9, 12:14, 28:25, 79:14, 89:19, 136:17</p> <p>logistics [1] - 38:9</p>	<p>logo [3] - 28:17, 86:23, 88:19</p> <p>LOI [7] - 63:23, 64:1, 64:10, 64:13, 64:14, 64:19, 65:3</p> <p>lone [1] - 6:2</p> <p>long-cut [1] - 110:9</p> <p>long-term [3] - 38:2, 39:3, 44:7</p> <p>Look [1] - 156:8</p> <p>look [11] - 35:15, 42:7, 65:9, 72:13, 111:14, 126:23, 128:20, 137:12, 141:5, 141:10, 141:23</p> <p>looked [7] - 28:19, 61:14, 99:18, 102:24, 128:9, 148:22, 159:18</p> <p>looking [17] - 19:16, 20:25, 55:17, 65:11, 69:6, 83:18, 84:17, 84:18, 96:24, 101:1, 101:20, 102:9, 126:25, 148:1, 148:19, 149:16, 155:5</p> <p>looks [6] - 45:22, 55:8, 55:9, 112:10, 128:5, 136:22</p> <p>loop [2] - 52:9, 52:10</p> <p>loophole [1] - 43:25</p> <p>loopholes [2] - 41:20, 48:11</p> <p>loses [2] - 19:6, 120:19</p> <p>losing [2] - 31:22, 56:16</p> <p>loss [1] - 121:23</p> <p>lost [3] - 34:5, 60:10, 145:11</p> <p>LOT [1] - 1:6</p> <p>low [4] - 94:11, 97:5, 149:12, 149:18</p> <p>low-intensity [1] - 149:12</p> <p>lower [3] - 100:5, 105:22, 153:1</p> <p>lowered [1] - 157:9</p> <p>Lublanecki [4] - 3:9, 3:19, 72:2, 93:14</p> <p>LUBLANECKI [27] - 2:16, 15:18, 15:21, 54:10, 54:22, 71:4, 71:13, 71:22, 99:5, 99:11, 99:15, 99:23, 100:8, 100:12, 101:3, 101:10, 102:15, 107:20, 108:2, 108:17,</p>	<p>109:10, 109:16, 110:24, 113:24, 114:11, 163:1, 163:9</p> <p>lumen [1] - 157:11</p> <hr/> <p style="text-align: center;">M</p> <p>M-A-C-A-S-E-K [1] - 152:9</p> <p>M-A-C-I-N-N-E-S [1] - 81:13</p> <p>ma'am [1] - 87:24</p> <p>Macasek [3] - 3:12, 78:19, 152:8</p> <p>MACASEK [9] - 4:13, 78:19, 79:13, 79:20, 152:2, 152:8, 155:21, 156:10, 156:14</p> <p>Macinnes [12] - 80:24, 81:1, 81:12, 81:17, 82:10, 82:12, 82:24, 83:17, 84:8, 90:25, 91:5, 91:15</p> <p>MACINNES [14] - 3:14, 81:6, 81:12, 83:20, 85:1, 87:15, 87:24, 88:7, 88:22, 89:5, 89:18, 90:2, 90:7, 91:12</p> <p>main [5] - 11:14, 52:9, 52:10, 70:11, 150:14</p> <p>maintain [4] - 35:12, 112:17, 131:4</p> <p>maintained [4] - 9:15, 31:9, 96:7, 118:25</p> <p>maintaining [1] - 26:11</p> <p>Maintenance [1] - 126:4</p> <p>maintenance [8] - 26:24, 42:18, 42:25, 90:14, 116:5, 116:6, 116:8, 126:5</p> <p>Major [2] - 6:4, 164:8</p> <p>majority [4] - 25:3, 26:7, 95:19, 142:16</p> <p>mall [1] - 141:9</p> <p>management [3] - 112:14, 131:9, 131:16</p> <p>maneuver [2] - 51:11, 158:4</p> <p>maneuvers [3] - 97:8, 105:13</p> <p>MANIA [18] - 1:15, 42:17, 42:22, 74:9, 90:13, 90:19, 90:22, 116:10, 126:2,</p>
---	--	---	--	---

<p>126:4, 126:8, 126:10, 126:14, 126:20, 156:7, 164:3, 164:6, 165:14 Mania [5] - 3:8, 4:7, 74:17, 156:4, 165:13 manmade [1] - 25:9 Manual [3] - 28:12, 62:23, 101:24 manual [1] - 135:3 manufacturing [1] - 137:21 mapping [2] - 65:15, 160:13 Marc [7] - 6:9, 80:22, 132:4, 146:6, 146:14, 157:2, 163:24 MARC [1] - 2:4 mark [5] - 9:7, 12:23, 53:10, 84:10, 87:5 marked [11] - 14:5, 14:9, 18:23, 19:2, 23:22, 53:20, 84:21, 84:25, 87:20, 89:4, 158:7 market [1] - 85:4 marketing [1] - 97:24 marshal [3] - 40:6, 40:19, 74:22 Mary [1] - 165:4 MARY [1] - 2:13 master [3] - 62:13, 154:24, 159:14 Master [4] - 137:16, 138:12, 142:7, 143:7 Masters [1] - 83:24 matches [1] - 29:12 material [11] - 39:18, 39:22, 41:6, 45:8, 74:12, 74:15, 75:10, 76:12, 76:15, 76:21, 157:12 materials [3] - 40:4, 42:5, 46:5 matrix [1] - 86:20 Matrix [12] - 28:17, 89:11, 115:23, 124:19, 125:5, 131:4, 149:10, 150:1, 150:6, 150:18, 162:3, 165:25 matter [4] - 49:8, 56:23, 127:14, 166:16 MATTER [1] - 1:4 matting [1] - 153:12 matured [1] - 66:19 max [1] - 24:12</p>	<p>maximum [3] - 16:24, 57:22, 99:7 MAYOR [1] - 1:13 McGroarty [87] - 2:12, 3:7, 4:4, 10:18, 10:22, 11:1, 13:24, 22:3, 30:14, 30:18, 31:1, 32:10, 33:12, 40:11, 40:21, 44:21, 45:11, 46:13, 47:10, 49:20, 49:22, 50:3, 50:17, 51:3, 51:10, 51:21, 52:2, 52:6, 52:16, 52:20, 54:3, 55:21, 56:11, 57:12, 57:25, 58:4, 58:25, 59:7, 60:7, 60:24, 61:7, 62:4, 62:11, 63:4, 63:8, 64:12, 64:16, 72:6, 74:16, 75:2, 76:19, 89:14, 91:15, 117:5, 117:12, 118:1, 118:9, 118:13, 119:2, 119:22, 119:25, 120:10, 122:15, 123:1, 124:6, 124:15, 127:2, 127:8, 127:19, 128:15, 128:21, 129:24, 130:16, 131:3, 131:11, 133:18, 134:11, 134:24, 144:18, 146:2, 159:1, 159:4, 159:23, 160:2, 160:22, 161:5, 161:7 mean [16] - 32:21, 37:10, 42:10, 45:11, 47:3, 49:23, 51:22, 52:22, 54:3, 55:22, 56:11, 63:6, 107:24, 109:3, 121:7, 123:5 mean.. [1] - 52:21 meaning [1] - 74:21 means [2] - 35:6, 134:20 meant [4] - 28:21, 39:2, 64:20, 131:2 measures [2] - 75:15, 85:7 Medicine [1] - 126:21 meet [8] - 22:9, 71:19, 101:15, 124:7, 135:21, 143:10, 151:14, 164:25 meeting [6] - 16:2, 22:12, 74:18, 88:10, 127:22, 150:19</p>	<p>meetings [2] - 60:16, 127:10 meets [5] - 30:3, 125:20, 140:8, 143:22, 144:13 MEMBER [9] - 1:14, 1:15, 1:16, 1:17, 1:18, 1:19, 1:20, 1:21, 1:22 memo [5] - 32:14, 62:5, 117:14, 125:9, 161:23 mention [7] - 71:16, 101:7, 120:13, 137:11, 138:8, 141:19, 158:10 mentioned [7] - 36:8, 66:8, 68:19, 78:23, 130:5, 139:22, 159:13 met [5] - 77:17, 102:1, 107:14, 124:10, 134:2 metal [1] - 85:24 MICHAEL [1] - 2:15 microphone [1] - 77:12 middle [2] - 24:6, 155:17 might [24] - 12:15, 16:13, 21:21, 22:11, 35:4, 36:11, 37:2, 37:21, 37:22, 46:19, 56:19, 74:8, 74:25, 111:17, 111:18, 119:9, 128:3, 147:21, 148:8, 149:15, 153:13, 154:21, 158:20 Mike [1] - 51:5 Mike's [1] - 45:15 miles [2] - 106:19, 106:24 million [1] - 155:22 mimic [1] - 26:2 mind [1] - 46:10 mine [1] - 60:9 minimum [3] - 17:3, 86:13, 136:15 minor [2] - 94:18, 95:1 minute [3] - 9:7, 86:22, 125:4 minutes [1] - 88:6 mirror [1] - 89:22 miss [1] - 10:21 missed [2] - 88:8, 146:2 misspeaking [1] - 55:5 mistaken [1] - 76:2</p>	<p>mix [7] - 51:10, 51:11, 54:1, 58:2, 63:13, 116:19, 120:22 mixed [3] - 49:16, 54:5, 55:20 Mobile [1] - 121:19 moderate [1] - 94:9 modern [1] - 28:4 modifications [2] - 94:19, 95:1 modify [2] - 28:3, 29:9 modifying [1] - 15:5 money [8] - 154:22, 154:24, 155:6, 155:13, 155:22, 156:11 Monmouth [1] - 132:14 monopole [2] - 29:25, 33:15 month [4] - 8:7, 76:6, 95:10, 133:7 months [4] - 40:25, 42:12, 75:23 monument [1] - 27:24 Morris [8] - 148:13, 151:15, 152:14, 154:4, 154:12, 155:23, 155:24, 156:10 Morristown [5] - 3:13, 4:14, 78:21, 152:4, 152:11 most [11] - 17:7, 31:24, 45:12, 73:1, 98:6, 98:9, 98:15, 103:9, 142:15, 153:3, 156:25 Most [2] - 42:21, 94:9 motion [4] - 156:23, 164:2, 164:3, 164:14 motoring [1] - 109:1 motorist [2] - 112:10, 113:12 MOTT [6] - 1:18, 126:11, 129:9, 162:9, 164:21, 165:10 Mott [1] - 165:9 mount [1] - 118:3 Mount [5] - 77:15, 133:5, 147:14, 148:16, 161:10 MOUNT [3] - 1:1, 1:2, 1:9 mounted [5] - 16:10, 16:19, 35:23, 145:14 mounting [1] - 16:11 mouth [1] - 151:9 move [11] - 25:24,</p>	<p>48:9, 51:6, 59:17, 61:8, 62:16, 68:10, 122:7, 129:23, 150:6, 164:6 moved [2] - 42:13, 119:4 movement [3] - 36:14, 95:25, 105:14 movements [1] - 15:6 moves [1] - 55:23 Moving [1] - 23:15 moving [2] - 44:25, 119:9 MR [395] - 6:8, 7:5, 7:15, 7:19, 7:21, 8:12, 10:18, 10:22, 11:1, 13:24, 15:18, 15:21, 16:4, 17:10, 22:3, 22:18, 23:5, 30:10, 30:14, 30:18, 31:1, 31:2, 31:16, 32:10, 33:12, 33:24, 34:4, 35:7, 36:20, 37:10, 38:15, 38:18, 39:6, 40:2, 40:11, 40:21, 42:3, 42:6, 42:17, 42:22, 43:1, 43:3, 43:6, 44:21, 45:11, 45:24, 46:13, 47:10, 48:16, 49:14, 49:19, 49:22, 50:3, 50:7, 50:9, 50:17, 50:20, 50:22, 51:1, 51:3, 51:10, 51:21, 51:25, 52:2, 52:6, 52:9, 52:12, 52:14, 52:16, 52:18, 52:20, 53:2, 53:5, 53:12, 53:16, 53:22, 53:25, 54:3, 54:10, 54:22, 55:10, 55:13, 55:21, 56:1, 56:7, 56:11, 57:10, 57:12, 57:24, 57:25, 58:4, 58:25, 59:3, 59:7, 59:15, 60:1, 60:7, 60:24, 61:7, 61:8, 62:4, 62:11, 62:15, 63:4, 63:8, 64:12, 64:16, 68:5, 69:25, 70:2, 71:4, 71:13, 71:22, 72:6, 72:17, 72:22, 73:22, 73:24, 74:1, 74:9, 74:16, 74:25, 75:2, 76:19, 78:19, 79:13, 79:20, 80:12, 80:23, 81:1, 81:6, 81:10, 81:12, 81:14, 81:16, 82:14, 83:10, 83:20, 84:7, 85:1,</p>
---	--	---	---	---

87:2, 87:15, 87:24, 88:5, 88:7, 88:11, 88:15, 88:20, 88:22, 88:24, 89:5, 89:14, 89:18, 90:2, 90:7, 90:13, 90:15, 90:19, 90:22, 91:12, 91:13, 91:15, 91:19, 91:24, 92:5, 92:6, 92:10, 93:6, 93:11, 99:5, 99:10, 99:11, 99:13, 99:15, 99:22, 99:23, 99:24, 100:8, 100:10, 100:12, 100:18, 101:3, 101:9, 101:10, 101:17, 102:15, 103:6, 104:3, 104:8, 104:13, 104:15, 104:20, 104:23, 105:5, 105:7, 105:16, 105:18, 105:20, 106:1, 106:6, 107:2, 107:7, 107:20, 107:24, 108:2, 108:15, 108:17, 108:19, 108:22, 109:2, 109:10, 109:12, 109:16, 109:22, 110:6, 110:9, 110:11, 110:18, 110:22, 110:24, 111:1, 111:8, 111:20, 112:2, 112:4, 112:5, 112:8, 112:13, 112:19, 112:22, 112:23, 113:1, 113:7, 113:13, 113:14, 113:24, 113:25, 114:6, 114:11, 114:18, 114:20, 115:2, 115:7, 115:10, 115:11, 115:14, 116:9, 116:10, 116:12, 117:3, 117:5, 117:11, 117:12, 117:14, 117:17, 117:18, 117:21, 117:24, 118:1, 118:8, 118:9, 118:12, 118:13, 118:19, 119:2, 119:7, 119:21, 119:22, 119:24, 119:25, 120:5, 120:10, 120:11, 121:3, 121:17, 122:1, 122:3, 122:4,	122:11, 122:15, 122:22, 123:1, 123:6, 123:10, 123:24, 124:1, 124:6, 124:12, 124:15, 124:22, 125:1, 125:12, 125:15, 125:16, 125:25, 126:2, 126:4, 126:6, 126:8, 126:9, 126:10, 126:12, 126:14, 126:16, 126:17, 126:20, 126:22, 127:2, 127:7, 127:8, 127:12, 127:19, 128:2, 128:8, 128:10, 128:15, 128:19, 128:21, 128:24, 129:2, 129:4, 129:6, 129:12, 129:18, 129:24, 130:12, 130:13, 130:16, 130:21, 131:3, 131:6, 131:11, 131:15, 132:5, 132:7, 132:12, 132:17, 132:19, 132:20, 132:22, 133:11, 133:18, 133:20, 134:11, 134:22, 134:24, 135:7, 135:11, 144:18, 145:1, 145:10, 145:24, 146:2, 146:7, 147:1, 147:10, 151:22, 152:2, 152:6, 152:8, 155:21, 156:7, 156:10, 156:14, 157:5, 159:1, 159:4, 159:11, 159:23, 160:2, 160:22, 161:5, 161:7, 162:11, 162:14, 162:16, 162:18, 162:24, 163:1, 163:6, 163:9, 163:13, 163:17, 163:25, 164:3, 164:6, 164:17, 165:1, 165:6, 165:8, 165:14, 165:16, 165:18, 165:20, 166:15 MS [145] - 7:10, 7:17, 8:17, 8:22, 10:20, 10:23, 11:2, 12:19, 13:1, 13:5, 13:13, 13:17, 13:23, 14:1,	14:11, 15:12, 16:5, 17:11, 17:20, 17:24, 18:3, 18:7, 19:4, 22:4, 23:4, 23:8, 23:24, 27:14, 31:19, 32:2, 33:10, 34:2, 34:6, 35:3, 35:9, 35:14, 35:20, 35:23, 36:2, 37:9, 37:16, 38:22, 39:10, 40:9, 42:19, 42:24, 43:14, 44:4, 44:9, 46:10, 47:2, 47:20, 48:13, 50:1, 50:5, 50:8, 50:10, 50:19, 50:21, 50:25, 51:9, 51:13, 51:24, 52:4, 52:11, 52:22, 53:4, 53:7, 53:14, 53:17, 54:21, 55:2, 55:12, 55:17, 55:24, 56:14, 57:4, 58:5, 58:12, 58:23, 59:13, 59:18, 60:5, 60:20, 61:5, 61:21, 62:8, 62:18, 63:6, 63:10, 63:14, 63:21, 64:9, 64:14, 64:18, 65:2, 65:25, 66:10, 66:21, 67:4, 67:10, 67:17, 67:25, 68:6, 68:11, 68:16, 70:5, 70:13, 70:21, 71:10, 71:20, 72:3, 72:15, 72:21, 73:13, 74:2, 76:9, 77:15, 78:5, 78:13, 79:2, 79:15, 79:23, 80:6, 126:11, 129:9, 146:25, 147:6, 147:13, 150:13, 150:25, 151:12, 151:19, 162:9, 164:21, 165:5, 165:7, 165:9, 165:10, 165:11, 165:13, 165:15, 165:17, 165:19, 165:21 multi [1] - 29:3 multi-tenant [1] - 29:3 multiple [11] - 11:7, 12:3, 29:5, 33:20, 48:8, 85:11, 86:2, 87:9, 98:2, 98:12, 143:5 Municipal [2] - 135:16, 143:6 municipal [1] - 150:5 MURPHY [11] - 4:11, 77:15, 78:5, 78:13, 146:25, 147:6,	147:13, 150:13, 150:25, 151:12, 151:19 Murphy [5] - 3:11, 77:15, 116:23, 146:25, 147:13 must [6] - 40:15, 101:23, 102:1, 140:2, 158:21, 158:22 N name [14] - 6:9, 7:15, 7:17, 81:10, 81:11, 81:12, 92:5, 92:7, 110:8, 115:10, 132:17, 132:18, 147:11, 152:6 Natafalusy [3] - 3:5, 3:16, 165:11 NATAFALUSY [16] - 1:12, 12:17, 12:20, 13:9, 17:14, 17:22, 17:25, 18:5, 56:3, 56:13, 87:22, 88:9, 88:17, 88:21, 116:7, 165:12 national [1] - 97:4 native [1] - 21:2 natural [3] - 85:23, 86:9, 103:18 nature [5] - 41:7, 71:7, 88:4, 138:22, 161:1 navigating [1] - 106:15 navigation [3] - 103:19, 110:12, 111:11 near [2] - 100:19, 143:11 nearest [1] - 136:15 necessarily [3] - 27:16, 56:21, 70:25 need [41] - 11:19, 11:20, 12:14, 12:15, 16:20, 18:2, 19:13, 22:17, 27:20, 34:9, 36:13, 36:24, 37:6, 42:6, 43:12, 45:9, 46:23, 47:16, 47:17, 53:10, 57:14, 58:10, 67:8, 96:8, 96:23, 97:17, 98:2, 98:3, 99:1, 99:2, 99:8, 117:19, 120:19, 130:10, 136:11, 145:17, 151:6, 157:18, 160:24, 161:16, 162:5	needed [3] - 48:5, 101:11, 139:18 needing [1] - 46:16 needs [14] - 12:12, 14:25, 38:8, 38:24, 47:5, 58:13, 97:8, 97:10, 97:17, 98:18, 98:23, 143:10, 160:14 negative [1] - 143:17 negatively [2] - 137:7, 143:25 Nelsen [3] - 4:6, 164:18, 165:15 NELSEN [8] - 1:19, 123:6, 123:24, 124:12, 125:25, 162:14, 164:17, 165:16 Netcong [1] - 110:2 network [1] - 143:12 never [3] - 60:17, 148:25, 154:6 new [7] - 25:2, 29:21, 30:16, 31:9, 64:17, 67:22, 122:8 New [23] - 2:6, 7:12, 8:1, 8:2, 22:5, 65:7, 78:20, 82:13, 82:17, 82:23, 83:5, 83:25, 84:4, 86:14, 92:3, 92:18, 93:2, 132:14, 143:10, 147:8, 152:4, 152:10, 167:4 NEW [1] - 1:1 next [12] - 11:9, 16:8, 36:3, 43:4, 44:3, 60:6, 68:12, 80:22, 80:24, 120:2, 120:6, 131:12 nice [4] - 43:5, 66:18, 113:9, 150:1 niche [1] - 46:8 night [2] - 33:1, 33:5 NJ [1] - 63:23 NJTIP [1] - 155:22 NO [1] - 5:3 nobody [2] - 77:6, 149:13 non [2] - 86:23, 130:8 non-illuminated [1] - 86:23 non-road-worthy [1] - 130:8 none [4] - 12:11, 114:16, 132:2, 155:8 nonformal [1] - 125:10 nonnative [1] - 20:23 normally [2] - 123:14,
--	---	---	--	--

<p>157:6 North [4] - 5:14, 87:10, 87:16, 87:18 north [8] - 9:11, 11:25, 43:9, 67:1, 79:8, 85:13, 110:4, 110:20 northeast [1] - 84:17 northern [7] - 12:7, 14:22, 20:4, 21:16, 51:17, 79:17, 145:20 northwest [3] - 24:11, 25:4, 84:18 Note [1] - 35:19 note [7] - 18:9, 25:19, 96:11, 96:22, 100:5, 127:15, 159:20 noted [7] - 86:21, 146:4, 159:22, 160:10, 160:21, 164:12, 166:17 notes [2] - 69:2, 156:21 Nothing [2] - 61:5, 130:14 nothing [11] - 7:9, 8:16, 81:5, 91:9, 91:23, 115:6, 117:8, 132:11, 147:5, 152:1, 163:21 November [1] - 93:12 Number [1] - 42:11 number [13] - 6:12, 6:16, 10:11, 10:13, 11:5, 50:2, 57:15, 60:16, 83:25, 99:7, 108:12, 108:24</p>	<p>OF [6] - 1:1, 1:1, 1:2, 1:4, 1:9 off-road [1] - 129:22 offer [2] - 43:24, 131:8 offered [3] - 115:18, 116:1, 123:9 office [11] - 9:5, 21:11, 45:15, 47:22, 59:20, 60:4, 85:15, 85:23, 94:12, 102:5, 146:16 offices [1] - 11:8 official [1] - 122:18 offline [2] - 122:2, 122:8 Ohio [2] - 81:8, 83:22 oil [1] - 45:4 old [2] - 68:1, 122:8 OLIVE [3] - 1:1, 1:2, 1:9 Olive [5] - 77:15, 133:5, 147:14, 148:17, 161:10 once [2] - 94:16, 103:19 Once [1] - 131:12 one [60] - 12:6, 12:11, 20:3, 21:13, 21:22, 31:25, 34:13, 36:4, 36:17, 45:12, 47:2, 49:21, 51:7, 51:9, 51:12, 51:23, 55:25, 56:23, 57:15, 58:7, 59:1, 60:6, 60:9, 60:15, 61:9, 62:3, 62:20, 63:21, 64:17, 64:21, 68:3, 68:18, 69:1, 69:12, 70:18, 72:7, 75:18, 79:17, 79:18, 79:19, 87:10, 93:3, 93:21, 93:23, 96:22, 116:9, 117:24, 119:22, 120:14, 121:15, 128:6, 128:20, 134:6, 144:13, 145:8, 146:18, 153:17, 153:18, 159:5 One [10] - 30:21, 43:6, 53:9, 53:25, 54:1, 92:2, 116:5, 117:6, 138:22 ones [3] - 27:18, 70:11, 87:8 ongoing [1] - 38:17 online [1] - 65:17 onsite [48] - 9:19, 9:22, 10:1, 11:10, 14:2, 19:6, 21:3, 22:1, 23:11, 24:3,</p>	<p>25:7, 26:1, 26:15, 28:8, 38:23, 42:18, 42:25, 45:18, 64:22, 66:12, 72:20, 73:16, 74:13, 75:1, 75:10, 75:23, 76:15, 77:17, 90:14, 96:19, 99:8, 100:2, 101:2, 103:19, 107:15, 112:14, 116:5, 116:6, 116:7, 126:4, 126:5, 126:15, 126:19, 129:15, 129:20, 129:21, 158:2, 158:3 open [14] - 51:4, 51:6, 77:8, 77:12, 91:2, 125:7, 131:21, 138:10, 139:4, 139:15, 143:9, 145:3, 146:20, 150:22 opening [1] - 6:14 openings [1] - 85:22 operable [2] - 157:16, 158:11 operate [10] - 17:7, 33:5, 37:14, 54:5, 95:16, 96:1, 96:5, 97:11, 98:18, 102:12 operated [1] - 38:19 operating [2] - 96:10, 98:13 operation [3] - 94:22, 95:18, 121:15 operational [3] - 17:5, 38:24, 119:11 operationally [1] - 39:2 operations [1] - 130:22 opinion [3] - 107:25, 133:24, 142:25 opportunities [1] - 85:5 opportunity [6] - 93:15, 133:21, 148:20, 149:3, 149:10, 149:19 opposed [3] - 64:8, 104:21, 124:13 option [10] - 50:11, 50:14, 56:23, 58:1, 58:7, 59:2, 59:4, 73:19, 158:22, 162:2 options [6] - 53:23, 54:2, 56:16, 59:1, 159:6, 159:7 order [4] - 19:12, 25:10, 80:21, 102:1</p>	<p>ordinance [23] - 10:12, 16:24, 19:19, 24:9, 24:16, 25:15, 28:11, 30:5, 40:13, 44:11, 45:14, 45:19, 46:1, 62:6, 63:1, 97:1, 122:15, 135:3, 136:21, 138:6, 140:11, 140:13, 157:7 oriented [1] - 110:20 original [1] - 95:4 originally [1] - 16:14 Otherwise [2] - 57:21, 78:12 otherwise [3] - 47:1, 83:15, 160:18 outdoor [10] - 41:6, 41:19, 42:4, 43:24, 44:13, 44:15, 44:17, 45:3, 46:4, 157:12 outer [1] - 56:16 outlet [2] - 119:20, 121:6 outlived [1] - 38:5 outside [15] - 9:23, 14:24, 19:9, 45:6, 48:19, 61:19, 62:9, 120:6, 130:14, 130:19, 138:18, 150:17, 155:13, 157:22, 158:12 outweigh [2] - 135:19, 143:3 over-powering [1] - 143:3 Overall [5] - 5:11, 84:12, 84:19, 95:4, 98:17 overgrown [1] - 153:11 overlaps [1] - 69:13 oversized [1] - 142:23 overview [1] - 85:2 Owl [1] - 65:20 own [7] - 11:13, 54:7, 57:15, 58:13, 64:5, 131:18, 155:10 owner [1] - 56:18 owners [1] - 144:1 ownership [3] - 28:16, 48:15, 131:4</p>	<p>P.P [1] - 4:8 pad [1] - 25:11 PAGE [2] - 3:2, 4:2 page [2] - 66:2, 159:21 painted [1] - 86:1 palette [1] - 88:3 pallets [6] - 41:6, 44:2, 44:17, 45:4, 130:14, 157:13 panels [3] - 85:19, 86:2, 143:13 parapet [1] - 85:8 parapets [1] - 86:5 pardon [1] - 84:17 Park [4] - 148:16, 154:4, 154:5, 154:8 park [3] - 11:10, 37:11, 41:12 parked [10] - 37:12, 37:22, 44:22, 48:6, 48:18, 48:20, 54:13, 54:14, 130:7, 158:12 parking [79] - 9:6, 10:7, 10:8, 10:9, 10:11, 10:12, 10:16, 11:5, 11:10, 11:16, 11:22, 12:3, 17:3, 17:5, 20:9, 21:15, 36:7, 36:10, 36:13, 36:23, 37:5, 37:6, 38:8, 42:1, 44:14, 44:16, 45:12, 47:7, 48:20, 49:1, 49:15, 49:16, 50:13, 50:16, 51:16, 52:5, 52:17, 52:19, 54:19, 54:24, 54:25, 55:15, 55:19, 58:16, 59:5, 59:6, 76:13, 85:17, 96:25, 97:1, 97:2, 97:3, 97:8, 97:9, 97:14, 97:16, 97:22, 98:6, 98:9, 98:14, 99:8, 100:1, 100:20, 101:2, 113:16, 134:14, 134:16, 139:15, 139:17, 157:15, 157:18, 158:13, 158:23, 158:24, 159:5 Parking [4] - 5:10, 53:18, 53:19, 141:18 Parkway [1] - 2:5 Parsippany [1] - 7:12 part [36] - 9:16, 10:2, 15:7, 15:15, 16:21, 17:6, 19:15, 19:21, 20:22, 21:4, 26:22, 34:19, 38:24, 40:9, 53:12, 60:21, 60:22,</p>
O				
<p>oaths [1] - 167:5 objections [1] - 127:5 objectives [2] - 142:9, 143:22 obnoxious [1] - 137:7 observed [1] - 112:8 obtaining [1] - 157:17 obviously [8] - 17:12, 33:6, 44:25, 75:9, 75:13, 94:5, 101:11, 120:18 Obviously [2] - 150:4, 151:15 Occasionally [1] - 129:21 occasions [1] - 133:6 occupant [1] - 41:11 occupy [2] - 43:20, 94:10 occurring [1] - 105:13</p>				
P				
<p>P.E [1] - 3:17 P.M [1] - 1:3 p.m [2] - 108:11, 166:17</p>				

<p>62:1, 63:23, 64:1, 64:10, 64:23, 65:9, 65:12, 65:22, 67:12, 71:21, 76:18, 96:13, 98:9, 142:16, 153:1, 155:2, 158:20, 161:17, 163:4</p> <p>particular [2] - 36:25, 152:25</p> <p>particularly [6] - 65:16, 67:1, 94:3, 94:12, 95:9, 152:17</p> <p>parties [1] - 167:12</p> <p>partner [2] - 131:7, 131:8</p> <p>party [1] - 38:25</p> <p>Passaic [1] - 156:1</p> <p>passenger [2] - 46:17, 54:5</p> <p>past [3] - 48:9, 93:23, 149:1</p> <p>path [3] - 151:16, 151:17, 155:17</p> <p>paths [1] - 71:18</p> <p>pathway [1] - 70:7</p> <p>pathways [1] - 153:9</p> <p>pattern [2] - 85:19, 86:3</p> <p>Paul [6] - 114:21, 115:1, 132:19, 144:15, 144:24, 145:5</p> <p>PAUL [1] - 4:8</p> <p>pave [2] - 37:2, 57:1</p> <p>paved [3] - 56:12, 57:10, 58:11</p> <p>pavement [1] - 97:10</p> <p>PB [2] - 1:5, 6:3</p> <p>PB-22-29 [1] - 164:7</p> <p>PC [1] - 2:5</p> <p>PE [5] - 2:15, 2:16, 3:3, 7:11, 92:1</p> <p>peak [6] - 94:3, 94:11, 102:4, 103:8, 108:9, 111:14</p> <p>pedestrians [2] - 25:23, 116:19</p> <p>PEHNKE [33] - 3:17, 91:24, 92:6, 93:6, 93:11, 99:10, 99:13, 99:22, 99:24, 100:10, 100:18, 101:9, 101:17, 103:6, 104:8, 104:15, 104:23, 105:7, 105:18, 106:1, 107:2, 108:19, 109:2, 109:12, 110:6, 110:11, 110:18,</p>	<p>111:1, 111:8, 112:2, 112:13, 112:23, 114:18</p> <p>Pehnke [4] - 91:14, 92:8, 92:13, 134:15</p> <p>pen [1] - 87:4</p> <p>people [16] - 47:17, 70:4, 70:5, 70:6, 73:6, 82:23, 106:17, 107:21, 111:20, 111:22, 111:25, 112:6, 116:23, 131:16, 142:15, 153:18</p> <p>per [7] - 10:15, 10:16, 86:14, 102:8, 102:10, 106:20, 106:25</p> <p>percent [19] - 86:13, 100:9, 100:10, 102:18, 102:25, 103:3, 103:5, 108:7, 110:15, 111:7, 138:25, 139:1, 139:4, 139:9, 140:22, 141:1, 144:5, 150:12, 155:16</p> <p>perfect [1] - 78:11</p> <p>Perfect [3] - 6:21, 23:7, 35:19</p> <p>perfumes [2] - 39:15, 39:18</p> <p>perhaps [3] - 41:4, 75:5, 76:6</p> <p>Perhaps [1] - 39:23</p> <p>perimeter [6] - 14:20, 51:13, 51:20, 78:23, 78:24, 153:22</p> <p>period [3] - 75:11, 103:8, 121:8</p> <p>permanent [8] - 28:20, 118:11, 119:5, 119:15, 120:2, 129:16, 129:19, 161:21</p> <p>permissible [2] - 138:6, 139:12</p> <p>permission [1] - 154:3</p> <p>permit [7] - 26:23, 40:10, 57:15, 58:21, 122:21, 137:24, 157:17</p> <p>permits [4] - 40:15, 82:23, 158:21, 162:5</p> <p>permitted [12] - 10:6, 16:15, 16:16, 32:15, 32:17, 33:17, 33:20, 136:18, 137:6, 138:24, 139:1, 139:8</p>	<p>permitting [3] - 65:13, 137:18, 158:23</p> <p>perpendicular [1] - 85:20</p> <p>person [3] - 30:19, 113:16, 128:11</p> <p>personal [1] - 107:11</p> <p>Personally [1] - 73:4</p> <p>perspective [4] - 94:8, 103:7, 138:17, 139:19</p> <p>Perspective [3] - 5:13, 84:15, 84:23</p> <p>Peter [1] - 92:8</p> <p>petty [1] - 128:3</p> <p>PH.D [1] - 2:18</p> <p>phone [1] - 125:5</p> <p>physically [1] - 106:7</p> <p>picked [1] - 34:10</p> <p>picks [1] - 79:8</p> <p>piece [1] - 154:12</p> <p>pieces [1] - 149:6</p> <p>plies [1] - 45:4</p> <p>pine [2] - 128:5, 128:16</p> <p>pink [1] - 20:21</p> <p>pit [2] - 153:6, 153:20</p> <p>place [7] - 25:13, 48:7, 52:24, 120:9, 152:22, 158:3, 167:8</p> <p>placement [1] - 161:11</p> <p>places [2] - 40:24, 155:24</p> <p>Plan [28] - 5:5, 5:7, 5:8, 5:9, 5:10, 5:11, 5:13, 5:14, 5:17, 6:4, 14:7, 18:20, 18:21, 18:22, 19:1, 23:21, 53:19, 66:3, 84:13, 84:19, 84:23, 87:19, 89:2, 137:16, 138:12, 142:8, 143:7, 164:8</p> <p>plan [47] - 10:3, 11:23, 12:9, 12:21, 13:14, 13:16, 18:6, 19:21, 19:24, 29:1, 33:21, 39:20, 51:4, 57:19, 61:12, 62:2, 62:14, 71:5, 71:24, 71:25, 72:9, 72:10, 72:17, 74:20, 75:4, 75:20, 76:17, 77:5, 79:2, 79:22, 82:17, 83:4, 117:7, 118:15, 123:4, 127:6, 127:16, 135:18, 137:10, 143:19, 144:3, 156:11,</p>	<p>157:21, 157:24, 159:13, 159:14</p> <p>PLANING [1] - 1:9</p> <p>planned [1] - 39:22</p> <p>Planner [5] - 2:12, 49:4, 114:21, 132:24, 132:25</p> <p>planner [4] - 32:13, 140:11, 141:6, 164:10</p> <p>planning [20] - 6:23, 32:3, 49:12, 74:5, 77:7, 121:13, 132:6, 137:14, 138:17, 139:19, 139:21, 141:12, 141:19, 142:8, 143:23, 144:22, 145:5, 150:17, 156:2, 162:7</p> <p>PLANNING [1] - 1:2</p> <p>Planning [7] - 2:3, 2:15, 2:17, 2:18, 90:10, 90:24, 151:1</p> <p>plans [13] - 52:2, 53:13, 58:22, 61:18, 61:23, 81:22, 81:24, 82:6, 83:14, 96:23, 117:8, 154:15, 161:25</p> <p>planted [2] - 19:21, 21:6</p> <p>plugged [1] - 103:19</p> <p>pocket [2] - 20:4, 51:17</p> <p>pockets [2] - 19:8, 66:12</p> <p>podium [1] - 145:6</p> <p>point [22] - 12:17, 19:23, 40:24, 48:4, 50:15, 55:14, 56:14, 62:4, 70:25, 75:25, 76:1, 76:2, 79:16, 80:11, 83:13, 86:22, 93:21, 125:22, 131:17, 139:13, 162:11, 166:7</p> <p>pointed [1] - 134:15</p> <p>pointing [3] - 79:16, 89:25, 90:1</p> <p>pole [5] - 16:10, 35:23, 123:16, 123:22, 145:14</p> <p>pole-mounted [3] - 16:10, 35:23, 145:14</p> <p>Police [1] - 161:10</p> <p>police [10] - 29:16, 29:18, 29:22, 31:9, 31:13, 40:19, 70:22, 117:16, 123:7, 161:8</p> <p>ponds [1] - 65:20</p>	<p>portion [7] - 9:23, 20:17, 21:16, 25:4, 26:6, 26:9, 119:14</p> <p>portions [1] - 148:18</p> <p>ports [1] - 108:21</p> <p>position [5] - 123:9, 123:23, 124:9, 124:13, 124:16</p> <p>positioning [1] - 123:7</p> <p>positive [1] - 67:15</p> <p>possibility [2] - 77:18, 161:20</p> <p>possible [3] - 33:14, 152:24, 154:13</p> <p>possibly [1] - 157:10</p> <p>potential [2] - 58:21, 86:17</p> <p>power [7] - 120:9, 120:19, 120:20, 121:1, 121:20, 151:2, 153:7</p> <p>powered [1] - 69:2</p> <p>powering [1] - 143:3</p> <p>PP [2] - 2:12, 132:13</p> <p>practical [2] - 76:13, 76:14</p> <p>practicing [3] - 83:13, 83:23, 92:21</p> <p>pre [3] - 85:24, 127:10, 127:22</p> <p>pre-construction [2] - 127:10, 127:22</p> <p>pre-finished [1] - 85:24</p> <p>precise [2] - 80:11, 166:6</p> <p>Precisely [1] - 108:8</p> <p>prefer [1] - 73:4</p> <p>preferred [1] - 108:3</p> <p>Preliminary [2] - 6:4, 164:8</p> <p>preparation [1] - 146:10</p> <p>prepare [2] - 93:12, 93:17</p> <p>Prepared [8] - 5:11, 5:13, 5:15, 5:17, 84:20, 84:24, 87:19, 89:2</p> <p>prepared [3] - 61:13, 61:23, 95:6</p> <p>present [1] - 16:2</p> <p>PRESENT [1] - 1:10</p> <p>presentation [1] - 166:1</p> <p>presented [6] - 127:16, 127:21, 133:22, 140:2, 144:24, 149:3</p> <p>presenting [1] - 8:25</p>
---	---	---	---	---

<p>presently [1] - 161:13</p> <p>preservation [1] - 137:15</p> <p>President [5] - 3:12, 78:19, 92:15, 115:24, 152:10</p> <p>pressure [1] - 31:15</p> <p>presume [2] - 45:13, 92:25</p> <p>pretty [7] - 6:15, 14:17, 24:4, 35:8, 88:11, 116:18, 154:16</p> <p>previously [5] - 66:13, 82:19, 94:13, 100:6, 133:5</p> <p>primarily [1] - 95:20</p> <p>prime [1] - 20:13</p> <p>Princeton [1] - 92:3</p> <p>principal [2] - 33:16, 33:20</p> <p>priority [3] - 47:6, 123:9, 124:13</p> <p>private [4] - 14:24, 45:15, 112:2, 113:3</p> <p>problem [4] - 49:12, 80:15, 112:3, 166:3</p> <p>PROCEEDING [1] - 1:5</p> <p>process [7] - 21:10, 27:10, 63:23, 64:1, 64:10, 65:13, 127:4</p> <p>product [3] - 37:12, 41:21, 42:11</p> <p>productive [1] - 67:16</p> <p>products [3] - 39:8, 137:22, 157:13</p> <p>profession [1] - 81:17</p> <p>professional [1] - 159:15</p> <p>Professional [7] - 6:19, 7:25, 49:3, 92:17, 114:21, 132:24, 132:25</p> <p>professionalism [1] - 166:9</p> <p>professionals [2] - 6:17, 31:24</p> <p>program [1] - 100:23</p> <p>Prohibiting [1] - 108:17</p> <p>project [5] - 9:9, 27:23, 63:17, 82:16, 141:21</p> <p>projected [1] - 102:11</p> <p>projects [5] - 8:4, 58:15, 83:25, 121:19, 156:12</p> <p>promise [2] - 123:19, 123:24</p>	<p>promised [1] - 146:20</p> <p>promote [1] - 143:15</p> <p>promotes [4] - 49:9, 49:10, 142:4, 143:7</p> <p>proper [2] - 40:8, 112:17</p> <p>properly [3] - 96:7, 96:10, 99:1</p> <p>properties [2] - 137:7, 140:15</p> <p>property [32] - 6:5, 18:11, 18:13, 18:16, 22:11, 42:13, 60:22, 63:3, 64:15, 69:19, 70:4, 112:2, 113:3, 113:12, 136:16, 136:23, 138:20, 144:1, 148:14, 148:18, 151:14, 153:2, 153:7, 153:8, 153:10, 153:25, 154:2, 155:2, 155:7, 155:18, 155:19, 158:19</p> <p>proportional [2] - 141:4, 141:5</p> <p>proposal [1] - 94:4</p> <p>propose [3] - 50:4, 98:10, 126:20</p> <p>Proposed [2] - 5:5, 14:7</p> <p>proposed [32] - 10:3, 11:18, 13:15, 13:16, 16:9, 16:25, 17:17, 18:18, 19:4, 19:5, 19:10, 19:17, 23:24, 26:10, 26:15, 27:2, 28:6, 28:24, 61:11, 79:14, 87:23, 89:7, 117:10, 117:11, 118:6, 120:2, 136:18, 136:24, 139:2, 139:7, 139:9, 149:1</p> <p>proposing [7] - 10:13, 15:14, 29:21, 55:15, 57:15, 86:16, 97:15</p> <p>protection [2] - 25:21, 85:25</p> <p>protects [1] - 49:9</p> <p>provide [10] - 72:14, 72:15, 82:25, 85:23, 85:25, 117:15, 121:25, 127:9, 146:9, 161:12</p> <p>provided [12] - 15:2, 45:15, 75:20, 85:15, 86:8, 93:16, 95:7, 139:17, 139:24, 140:8, 141:18, 163:16</p>	<p>163:16</p> <p>provider [1] - 122:20</p> <p>provides [7] - 52:25, 85:4, 85:20, 86:3, 142:24, 143:8, 143:9</p> <p>providing [5] - 25:21, 47:3, 83:12, 100:19, 116:15</p> <p>proving [1] - 127:5</p> <p>provisions [1] - 135:13</p> <p>proximity [2] - 21:20, 85:16</p> <p>PTOE [1] - 3:17</p> <p>PUBLIC [1] - 4:10</p> <p>public [26] - 53:6, 69:18, 77:8, 80:1, 91:3, 91:10, 109:1, 114:13, 114:17, 131:22, 132:3, 135:17, 135:20, 137:10, 141:16, 143:19, 145:4, 145:9, 146:21, 151:21, 154:12, 156:18, 156:19</p> <p>Public [1] - 3:10</p> <p>pull [1] - 108:16</p> <p>pulled [1] - 27:20</p> <p>Pullen [1] - 142:1</p> <p>pulling [1] - 113:19</p> <p>pulls [1] - 113:16</p> <p>pumps [1] - 113:20</p> <p>Purpose [5] - 143:7, 143:8, 143:9, 143:11, 143:14</p> <p>purpose [3] - 54:4, 135:20, 144:2</p> <p>purposes [3] - 55:16, 135:15, 143:6</p> <p>pursuant [1] - 167:5</p> <p>put [30] - 33:2, 33:15, 35:14, 36:12, 37:2, 43:12, 45:17, 48:7, 58:5, 62:13, 71:24, 72:8, 72:9, 84:8, 91:17, 103:7, 108:4, 108:21, 111:23, 124:9, 128:23, 129:13, 129:18, 149:10, 150:23, 160:6, 162:3, 163:1, 163:8, 166:5</p> <p>putting [7] - 21:1, 43:19, 52:15, 108:13, 151:9, 161:18, 166:10</p> <p>puzzle [1] - 149:7</p>	<p>Q</p> <p>qualified [3] - 8:6, 8:9, 83:15</p> <p>qualifying [1] - 122:25</p> <p>quality [1] - 26:20</p> <p>quantify [1] - 66:22</p> <p>quantity [2] - 23:14, 26:20</p> <p>questions [33] - 8:19, 32:6, 71:5, 74:5, 77:7, 78:7, 78:16, 80:2, 82:7, 82:10, 87:12, 88:8, 90:24, 91:4, 99:16, 100:14, 101:7, 101:10, 114:9, 114:24, 116:3, 117:4, 117:13, 117:25, 120:14, 126:2, 126:14, 131:23, 133:14, 133:17, 145:4, 146:19, 146:22</p> <p>Questions [6] - 3:4, 3:10, 3:16, 3:18, 4:4, 164:20</p> <p>quick [1] - 85:1</p> <p>quickest [1] - 95:21</p> <p>quiet [2] - 104:16, 146:13</p> <p>quirk [1] - 135:1</p> <p>quite [5] - 10:19, 67:21, 97:7, 101:5, 164:14</p>	<p>rare [1] - 58:15</p> <p>rate [2] - 40:6, 106:12</p> <p>rather [4] - 83:3, 100:2, 103:11, 122:6</p> <p>Ratio [1] - 139:7</p> <p>re [2] - 56:22, 64:5</p> <p>re-curb [1] - 56:22</p> <p>re-reading [1] - 64:5</p> <p>reach [1] - 146:18</p> <p>reading [1] - 64:5</p> <p>ready [3] - 37:23, 69:8, 86:13</p> <p>real [1] - 128:9</p> <p>realistic [1] - 58:9</p> <p>realize [3] - 33:2, 72:10, 79:15</p> <p>really [33] - 17:4, 18:15, 20:1, 20:15, 21:23, 24:1, 25:1, 25:12, 26:2, 28:21, 29:3, 34:20, 36:4, 37:17, 37:18, 41:21, 43:17, 47:6, 63:16, 66:22, 68:20, 70:2, 70:6, 79:16, 80:8, 83:12, 96:15, 98:20, 103:19, 123:18, 149:25, 152:25, 155:14</p> <p>realms [1] - 105:9</p> <p>reason [10] - 33:24, 49:6, 61:1, 70:1, 77:5, 100:19, 101:21, 111:2, 120:8, 148:25</p> <p>reasonable [4] - 95:23, 129:16, 140:2, 148:8</p> <p>reasons [7] - 69:22, 70:3, 103:9, 137:8, 139:22, 142:7, 143:5</p> <p>recap [1] - 145:11</p> <p>received [12] - 6:16, 14:5, 14:9, 18:23, 19:2, 23:22, 53:20, 77:19, 84:21, 84:24, 87:20, 89:3</p> <p>recently [3] - 77:24, 95:8, 96:14</p> <p>recess [1] - 80:19</p> <p>recharge [1] - 26:20</p> <p>rechecked [1] - 95:14</p> <p>recognize [2] - 141:24, 142:15</p> <p>recognized [1] - 138:3</p> <p>recommend [1] - 17:2</p> <p>recommendations [1] - 160:19</p> <p>recommended [2] - 75:18, 160:6</p>
--	--	---	---	---

recommends [1] - 36:6 reconciled [1] - 144:11 record [20] - 6:9, 10:19, 15:24, 33:13, 33:20, 35:15, 43:5, 55:14, 58:5, 60:10, 61:3, 63:4, 81:11, 88:25, 89:24, 92:7, 92:15, 132:18, 134:7 recorded [1] - 60:17 recreation [1] - 152:15 recycle [1] - 158:2 recycled [2] - 76:18, 77:2 redesign [1] - 56:22 redevelop [1] - 94:5 redevelopment [1] - 138:18 reduce [1] - 145:13 refer [2] - 13:22, 63:5 referenced [1] - 61:14 references [1] - 66:7 referring [3] - 12:23, 79:22, 113:4 refers [1] - 66:4 reflects [1] - 123:3 reforest [1] - 21:4 Reforestation [3] - 5:8, 18:21, 19:1 reforestation [7] - 19:21, 19:24, 21:5, 21:6, 66:5, 66:24, 67:13 regard [1] - 22:13 Regarding [8] - 71:25, 123:6, 136:3, 139:23, 140:10, 142:20, 143:17, 158:9 regarding [2] - 23:8, 32:6 regards [3] - 18:10, 21:13, 71:23 regional [1] - 143:12 registered [5] - 81:18, 83:5, 83:21, 84:4, 92:17 regular [1] - 121:6 regularly [1] - 96:20 regulated [2] - 9:19, 61:24 regulating [1] - 63:25 regulation [2] - 69:7, 122:23 regulations [2] - 26:21, 65:7 reinforce [1] - 112:17 REINSTEIN [2] -	167:3, 167:24 related [2] - 94:21, 143:25 relationship [1] - 150:1 relative [2] - 167:11, 167:13 relatively [2] - 94:9, 95:23 relief [21] - 14:16, 16:12, 16:20, 16:23, 21:12, 21:23, 22:24, 23:3, 24:14, 25:2, 25:18, 28:13, 34:9, 134:1, 134:6, 135:12, 140:9, 141:23, 141:25, 143:24 rely [1] - 111:10 remain [5] - 17:21, 18:4, 51:15, 62:25, 139:4 remains [1] - 56:17 remember [2] - 18:1, 74:23 remembered [1] - 76:4 Removal [3] - 5:7, 18:20, 18:22 removal [1] - 98:22 remove [4] - 14:25, 15:14, 29:9, 56:5 removed [4] - 66:7, 67:1, 76:20, 99:1 removing [2] - 21:1, 101:8 rendering [1] - 13:14 renderings [1] - 88:1 renewable [1] - 143:15 rental [1] - 38:21 repetitive [1] - 143:21 replacement [2] - 21:25, 66:4 report [16] - 33:7, 33:18, 60:8, 61:10, 62:17, 67:6, 70:19, 70:22, 75:19, 93:16, 134:10, 159:15, 159:18, 159:20, 159:21, 160:11 Reporter [1] - 167:4 representative [1] - 115:20 represents [1] - 141:15 request [5] - 21:23, 61:11, 61:22, 63:12, 68:25 requested [3] - 116:16, 143:24,	144:14 requesting [7] - 14:15, 28:15, 62:24, 97:13, 134:6, 140:16, 141:3 require [9] - 14:13, 56:21, 62:6, 64:11, 119:19, 119:20, 122:16, 145:25, 151:2 required [8] - 30:4, 58:24, 100:20, 123:5, 133:25, 134:1, 138:23 requirement [3] - 21:14, 62:6, 140:8 requirements [3] - 119:17, 138:6, 138:21 requires [7] - 10:12, 19:20, 21:25, 25:16, 97:1, 124:8, 136:10 researched [1] - 60:16 resident [2] - 78:20, 152:11 residential [4] - 95:11, 138:13, 138:14, 140:14 resolution [5] - 22:19, 58:19, 146:10, 157:7, 162:20 resolutions [1] - 22:21 resources [1] - 143:15 respect [2] - 49:1, 133:24 respect.. [1] - 128:14 respond [1] - 46:14 response [17] - 66:25, 80:3, 82:11, 90:11, 91:1, 91:8, 93:17, 114:15, 127:25, 131:20, 132:1, 133:16, 144:23, 145:7, 163:11, 163:19, 165:3 Response [2] - 6:25, 8:20 responsive [1] - 85:3 rest [2] - 45:21, 160:19 restricted [3] - 61:19, 73:20, 120:7 restrictions [2] - 105:10, 107:5 restriped [1] - 47:19 result [3] - 24:7, 135:20, 145:16 results [1] - 139:21 retaining [12] - 21:17, 21:20, 24:9, 24:12, 25:20, 68:18, 68:19, 134:13, 135:5,	136:12, 136:14, 136:17 reuse [2] - 76:12, 76:15 reused [1] - 77:2 reveals [1] - 86:2 revenues [1] - 142:13 review [13] - 6:16, 40:19, 47:12, 56:9, 60:3, 65:22, 65:23, 83:6, 93:15, 96:11, 100:5, 138:18, 158:25 reviewed [5] - 49:4, 63:22, 74:6, 93:13, 101:14 reviewing [2] - 64:22, 120:13 revised [2] - 57:18, 161:25 RICCI [6] - 4:8, 132:12, 132:19, 135:7, 135:11, 145:1 Ricci [7] - 114:21, 132:5, 132:19, 132:23, 133:12, 133:15, 133:21 rid [1] - 107:13 riparian [3] - 9:21, 61:25, 62:9 road [31] - 9:13, 12:6, 12:7, 15:2, 17:18, 20:8, 20:12, 25:8, 25:10, 25:14, 28:6, 51:14, 52:9, 52:10, 79:18, 94:1, 103:12, 103:13, 104:5, 104:9, 104:15, 104:16, 112:17, 129:15, 129:22, 130:2, 130:3, 130:8, 131:12, 158:11 road-worthy [3] - 130:2, 130:3, 158:11 roadblocks [2] - 150:23, 150:24 roadway [8] - 20:23, 48:23, 51:20, 68:21, 108:25, 112:11 Rob [3] - 80:24, 81:12, 87:4 ROB [1] - 3:14 ROBERT [1] - 1:13 roll [1] - 165:4 RONDA [2] - 167:3, 167:24 roof [5] - 69:7, 86:12, 86:13, 143:14 room [1] - 41:1 Roseland [1] - 2:6	Roslund [3] - 6:19, 7:18, 7:22 ROSLUND [122] - 3:3, 7:10, 7:17, 8:17, 8:22, 10:20, 10:23, 11:2, 12:19, 13:1, 13:5, 13:13, 13:17, 13:23, 14:1, 14:11, 15:12, 16:5, 17:11, 17:20, 17:24, 18:3, 18:7, 19:4, 22:4, 23:4, 23:8, 23:24, 27:14, 31:19, 32:2, 33:10, 34:2, 34:6, 35:3, 35:9, 35:14, 35:20, 35:23, 36:2, 37:9, 37:16, 38:22, 39:10, 40:9, 42:19, 42:24, 43:14, 44:4, 44:9, 46:10, 47:2, 47:20, 48:13, 50:1, 50:5, 50:8, 50:10, 50:19, 50:21, 50:25, 51:9, 51:13, 51:24, 52:4, 52:11, 52:22, 53:4, 53:7, 53:14, 53:17, 54:21, 55:2, 55:12, 55:17, 55:24, 56:14, 57:4, 58:5, 58:12, 58:23, 59:13, 59:18, 60:5, 60:20, 61:5, 61:21, 62:8, 62:18, 63:6, 63:10, 63:14, 63:21, 64:9, 64:14, 64:18, 65:2, 65:25, 66:10, 66:21, 67:4, 67:10, 67:17, 67:25, 68:6, 68:11, 68:16, 70:5, 70:13, 70:21, 71:10, 71:20, 72:3, 72:15, 72:21, 73:13, 74:2, 76:9, 79:2, 79:15, 79:23, 80:6 rot [1] - 42:2 rotted [2] - 130:6 Route [9] - 9:10, 60:14, 73:3, 103:11, 108:21, 109:11, 109:14, 109:20, 128:6 route [6] - 95:20, 103:10, 107:4, 107:25, 109:6, 111:15 routes [2] - 106:2, 109:5 routine [2] - 77:14, 78:10 Rule [1] - 82:23
---	--	---	---	---

<p>rules [1] - 26:18 run [2] - 34:20, 121:7 running [1] - 121:14 rusted [1] - 41:13</p>	<p>schematic [1] - 157:19 school [1] - 142:17 scuppers [1] - 86:6 sealed [2] - 82:17, 83:4 search [1] - 60:21 secluded [1] - 35:8 Second [1] - 164:17 second [9] - 20:9, 21:22, 22:14, 53:9, 61:10, 63:21, 69:1, 106:21, 164:15 seconded [1] - 164:18 seconds [2] - 106:22, 106:24 Secretary [1] - 2:14 section [4] - 152:25, 153:1, 153:3, 160:12 Section [2] - 33:19, 140:20 secure [2] - 40:15, 158:21 secured [1] - 12:3 security [6] - 14:13, 14:18, 43:16, 142:24, 143:1, 150:14 see [35] - 12:21, 17:17, 18:6, 26:13, 29:12, 32:8, 41:3, 41:10, 41:13, 48:6, 51:14, 53:6, 54:4, 66:14, 69:2, 75:12, 77:4, 84:8, 88:14, 89:12, 89:14, 91:9, 98:6, 98:16, 106:7, 107:12, 114:16, 118:2, 124:12, 129:7, 132:2, 137:3, 145:8, 155:14, 163:20 seeing [1] - 43:22 seeking [23] - 10:10, 11:4, 11:15, 11:21, 12:5, 12:9, 14:16, 16:12, 16:21, 16:23, 17:8, 21:12, 24:8, 26:23, 28:2, 28:13, 29:8, 64:16, 64:20, 65:8, 135:12, 135:23, 142:21 seem [1] - 128:3 sees [1] - 69:4 send [1] - 32:14 sense [5] - 58:20, 59:14, 104:4, 139:16, 161:2 sent [1] - 77:25 separate [9] - 11:13, 33:16, 53:1, 74:19,</p>	<p>75:3, 75:19, 118:15, 127:6, 133:6 separated [4] - 11:12, 12:2, 54:7, 55:9 separates [1] - 51:18 Sergeant [7] - 119:17, 120:12, 121:5, 121:18, 125:13, 125:14, 125:17 service [12] - 29:22, 31:10, 95:16, 102:12, 119:3, 121:1, 121:4, 121:23, 121:25, 124:8, 161:12, 162:25 Services [1] - 92:16 services [5] - 27:8, 94:1, 117:16, 131:9, 161:9 set [6] - 24:6, 53:8, 61:18, 62:2, 164:10, 167:9 setbacks [3] - 30:3, 61:20, 139:14 seventeen [1] - 50:17 several [1] - 92:18 sewer [1] - 27:4 SHAHINIAN [1] - 2:5 shall [3] - 157:15, 157:23, 157:25 SHANAPHY [1] - 1:22 Shaninian [1] - 6:10 share [2] - 69:25, 93:18 Share [1] - 163:2 sharing [2] - 51:19, 55:8 sheds [1] - 45:15 sheet [5] - 36:17, 53:2, 53:3, 62:3, 66:6 Sheet [11] - 5:12, 5:15, 5:17, 50:20, 66:3, 66:4, 84:20, 87:16, 87:19, 89:3, 89:5 shift [3] - 98:8, 98:13, 100:1 shifts [2] - 98:2, 98:13 shipping/receiving [1] - 137:21 short [1] - 116:14 shortcut [4] - 110:5, 111:17, 113:22, 114:7 shortcuts [2] - 111:16, 111:21 shortly [1] - 31:3 show [9] - 14:19, 52:1, 71:18, 73:16, 73:17, 79:13, 87:1, 99:21,</p>	<p>135:15 showed [1] - 114:6 showing [2] - 13:14, 36:10 Showing [1] - 14:2 shown [11] - 9:7, 12:8, 12:13, 19:7, 24:19, 51:16, 58:8, 62:21, 79:3, 117:8, 143:21 shows [4] - 54:1, 58:1, 65:18, 104:18 shrubbery [1] - 30:2 shrubs [2] - 19:20, 21:6 shuffle [1] - 60:11 shy [1] - 136:25 sick [1] - 31:22 side [20] - 11:11, 11:16, 11:25, 12:1, 20:6, 36:7, 48:15, 51:14, 67:1, 67:2, 76:4, 79:7, 79:8, 85:13, 86:9, 88:18, 123:17, 140:25, 147:25 sided [1] - 96:18 sides [1] - 11:25 sight [3] - 73:7, 105:20, 106:21 sign [10] - 28:25, 71:14, 86:17, 109:10, 109:14, 109:20, 113:6, 113:8, 140:13 signage [24] - 27:23, 28:14, 28:23, 29:4, 72:19, 72:21, 72:23, 86:16, 89:7, 89:21, 108:4, 108:13, 134:24, 135:2, 135:6, 140:10, 140:17, 140:19, 141:2, 141:8, 141:14, 158:3, 158:5, 159:16 Signage [1] - 28:12 signal [10] - 94:21, 96:6, 96:10, 98:22, 101:8, 101:11, 101:15, 102:2, 102:3, 102:9 signalized [3] - 73:9, 94:16, 103:4 signed [2] - 82:16, 83:4 significance [1] - 121:23 Significant [1] - 85:22 significant [6] - 119:8, 121:12, 141:18,</p>	<p>142:13, 142:14, 162:25 significantly [2] - 104:13, 119:6 signs [14] - 27:24, 28:6, 28:10, 28:14, 28:16, 29:5, 71:15, 73:16, 106:7, 106:10, 107:3, 108:21, 111:23, 141:3 similar [6] - 8:9, 86:18, 87:25, 88:2, 93:1, 120:15 similarly [1] - 94:25 simple [2] - 33:8, 116:9 simpler [1] - 121:14 single [2] - 99:25 Sit [1] - 92:11 site [102] - 8:25, 9:14, 9:17, 9:23, 10:3, 11:5, 11:23, 12:7, 12:21, 15:1, 18:6, 19:18, 19:24, 21:16, 22:9, 24:2, 24:11, 25:5, 25:12, 26:6, 26:9, 27:1, 27:24, 33:21, 34:8, 35:7, 36:7, 47:1, 47:14, 51:15, 54:15, 57:19, 61:12, 62:9, 62:13, 64:7, 65:3, 65:18, 66:17, 67:18, 70:6, 71:4, 71:23, 71:25, 72:17, 74:12, 79:2, 82:1, 84:2, 93:20, 94:5, 94:13, 94:14, 95:21, 95:24, 95:25, 96:16, 96:21, 97:2, 98:11, 98:17, 98:19, 100:6, 102:14, 103:10, 103:23, 103:25, 104:4, 105:2, 106:16, 107:16, 108:9, 111:21, 112:1, 112:9, 112:24, 116:20, 116:22, 117:9, 118:15, 123:4, 136:5, 136:10, 137:1, 137:3, 138:9, 139:1, 140:10, 141:9, 142:9, 142:23, 143:1, 143:8, 148:13, 149:16, 153:18, 153:19, 157:21, 159:14, 161:13</p>
--	---	---	--	---

Site [4] - 5:4, 6:4, 14:5, 164:8 site-generated [1] - 108:9 sites [2] - 69:4, 148:17 sits [1] - 151:16 sitting [2] - 26:4, 129:8 situation [3] - 114:2, 136:1, 158:25 six [3] - 40:25, 42:12, 75:23 size [3] - 87:25, 96:25, 140:22 skeletons [1] - 38:5 sky [1] - 33:3 slap [1] - 48:17 slightly [1] - 35:5 slope [3] - 24:15, 24:18, 24:24 Slope [3] - 5:9, 23:19, 23:21 sloped [1] - 25:1 slopes [2] - 24:16, 25:9 slow [1] - 78:1 slowly [1] - 80:8 small [4] - 51:6, 121:8, 141:10, 155:2 smaller [1] - 140:25 smartest [1] - 57:8 snowplows [1] - 45:8 so... [6] - 20:14, 45:16, 101:16, 109:7, 114:7, 117:20 Society [5] - 77:16, 78:20, 147:15, 152:10, 154:4 society [1] - 148:24 Society's [1] - 154:7 soil [2] - 21:7, 21:9 solar [4] - 69:2, 69:8, 86:13, 143:13 solar-ready [2] - 69:8, 86:13 sold [1] - 39:9 solutions [1] - 148:8 someone [2] - 41:5, 164:15 someplace [1] - 105:19 Sometimes [2] - 44:14, 111:16 sometimes [3] - 45:5, 45:12, 141:8 somewhere [1] - 155:6 soon [1] - 45:14 Sorry [1] - 115:1 sorry [7] - 13:13,	42:22, 53:3, 56:16, 63:11, 79:23, 126:10 sort [4] - 135:1, 147:20, 149:10, 149:20 sound [1] - 139:21 Sounds [1] - 156:13 sounds [3] - 23:2, 149:25, 150:18 source [1] - 124:21 south [7] - 9:10, 12:1, 20:17, 29:23, 43:10, 85:13, 110:4 southeast [1] - 84:16 southern [2] - 12:6, 79:19 space [16] - 11:16, 47:16, 58:16, 94:12, 97:4, 98:4, 100:1, 117:15, 118:6, 134:16, 139:4, 139:15, 143:9, 143:10, 150:22, 161:15 spaces [44] - 10:8, 10:9, 10:11, 10:13, 10:16, 11:5, 11:10, 11:19, 11:22, 38:21, 44:23, 44:24, 47:18, 48:20, 49:2, 50:3, 50:8, 50:12, 50:16, 51:23, 54:20, 54:21, 55:19, 56:4, 57:17, 85:11, 96:25, 97:1, 97:3, 97:15, 97:16, 97:22, 98:3, 98:6, 98:10, 99:8, 99:19, 101:2, 134:15 speaking [1] - 119:16 Speaking [2] - 72:17, 111:20 special [1] - 158:7 species [3] - 65:16, 65:19, 160:25 specific [8] - 32:6, 40:7, 101:25, 107:4, 140:12, 140:13, 154:15 specifically [3] - 21:19, 24:1, 44:12 specified [1] - 23:5 speculative [2] - 10:5, 85:3 speed [1] - 107:1 Spell [1] - 115:10 spell [5] - 7:16, 81:11, 132:18, 147:11, 152:7 split [1] - 108:5 spot [2] - 71:24,	117:22 Square [1] - 92:2 square [10] - 24:17, 24:23, 25:1, 28:22, 28:24, 49:25, 85:6, 94:7, 140:21, 141:1 squared [1] - 134:23 stability [1] - 21:21 stalls [1] - 47:15 stand [1] - 92:11 Stand [1] - 92:12 standard [8] - 35:10, 35:12, 97:4, 125:20, 134:20, 141:13, 157:6, 158:21 standards [12] - 10:14, 10:15, 14:18, 17:2, 26:20, 28:4, 45:20, 101:23, 140:12, 140:14, 141:4, 142:22 standing [5] - 13:10, 92:23, 92:24, 112:11, 133:9 standpoint [5] - 97:25, 103:18, 104:1, 141:12, 141:19 Stanhope [2] - 110:2, 152:19 start [8] - 31:6, 32:2, 41:20, 56:6, 84:10, 127:23, 156:21, 157:3 started [1] - 84:9 starting [2] - 32:1, 84:10 state [12] - 7:15, 8:10, 26:21, 32:3, 65:19, 77:25, 81:10, 92:5, 132:17, 147:11, 148:18, 152:6 STATE [1] - 1:1 State [14] - 8:1, 64:8, 65:9, 65:12, 65:15, 69:7, 82:13, 83:22, 92:18, 93:2, 148:16, 160:12, 160:13, 167:4 State's [1] - 65:23 statement [2] - 6:15, 146:11 states [1] - 92:19 statewide [1] - 148:15 station [2] - 113:15, 153:7 statute [3] - 77:25, 113:3, 114:2 stay [5] - 19:11, 40:25, 119:4, 121:17, 158:17	staying [2] - 82:3, 90:21 stays [1] - 119:14 steel [1] - 76:19 Steep [3] - 5:9, 23:19, 23:21 steeper [2] - 25:10, 103:13 stenographer [1] - 63:9 stenographically [1] - 167:7 step [1] - 141:22 stepped [1] - 25:16 stepping [1] - 141:22 still [14] - 8:16, 48:5, 69:1, 77:21, 82:13, 98:24, 126:25, 131:17, 133:9, 147:20, 153:12, 153:14, 154:2 stipulate [2] - 42:4, 48:18 stipulations [2] - 115:18, 115:25 stole [1] - 152:12 stop [5] - 95:16, 98:24, 114:4, 153:6, 153:20 stopping [1] - 107:19 storage [23] - 38:2, 38:20, 38:23, 38:25, 41:6, 41:19, 41:25, 42:4, 42:15, 43:12, 43:25, 44:13, 44:15, 44:17, 45:3, 45:15, 46:5, 129:3, 129:17, 129:19, 130:9, 157:12, 159:17 store [2] - 39:2, 44:7 stored [4] - 38:8, 39:22, 42:8, 157:15 storing [2] - 42:11, 43:25 stormwater [5] - 23:16, 25:25, 26:1, 26:18, 65:7 story [1] - 86:8 straight [1] - 47:9 straightest [1] - 95:24 straightforward [1] - 96:16 STRAIN [10] - 2:13, 165:5, 165:7, 165:9, 165:11, 165:13, 165:15, 165:17, 165:19, 165:21 streamlines [1] - 122:23 Street [3] - 3:13, 4:14,	152:4 street [3] - 82:4, 82:5, 148:4 stretch [2] - 152:19, 153:4 strip [1] - 141:8 stripe [2] - 11:21, 56:19 striped [6] - 36:15, 47:14, 51:17, 56:12, 57:12, 58:7 striped-off [1] - 51:17 striping [6] - 51:2, 56:23, 59:3, 71:6, 94:20, 98:22 strong [1] - 142:19 structural [1] - 21:20 structure [3] - 86:12, 118:17, 118:22 structures [1] - 75:22 Study [1] - 93:12 study [2] - 95:5, 110:21 stuff [7] - 10:21, 45:5, 45:18, 45:22, 121:11, 152:21, 162:1 subdivided [1] - 85:11 subject [3] - 33:21, 45:19, 160:23 submission [1] - 40:10 submit [2] - 56:8, 157:23 submitted [6] - 16:18, 49:3, 50:5, 50:11, 53:13, 93:13 subsequent [4] - 32:14, 32:22, 95:5, 117:14 substantial [6] - 135:17, 137:9, 143:18, 143:20, 144:9, 144:10 substantially [2] - 100:5, 144:2 suffice [1] - 160:13 sufficient [1] - 98:15 suggesting [2] - 107:3, 112:6 suggestion [1] - 118:16 suggestions [2] - 43:24, 146:21 Suite [1] - 92:2 summarize [2] - 99:4, 101:22 summarized [1] - 135:9 summarizes [1] -
--	---	---	---	---

<p>98:20 summary [1] - 7:3 summed [1] - 116:18 Superman [1] - 68:5 supervised [1] - 153:24 support [6] - 41:25, 150:11, 150:20, 150:21, 151:5, 155:25 supporting [1] - 143:7 supports [2] - 141:16, 143:14 suppose [2] - 70:18, 77:4 supposed [2] - 28:9, 48:19 surface [2] - 9:6, 37:7 surgery [1] - 82:21 surplus [1] - 142:19 surrounded [1] - 137:4 surrounding [4] - 18:15, 79:3, 138:1, 144:1 survey [1] - 64:7 suspenders [1] - 40:15 sustained [1] - 102:6 swear [7] - 7:7, 81:3, 91:21, 115:4, 132:9, 147:3, 151:24 SWORN [2] - 3:2, 4:2 sworn [10] - 6:19, 7:13, 43:2, 80:25, 81:9, 92:3, 115:9, 132:15, 147:9, 152:5 system [2] - 94:1, 143:12</p> <p>T</p> <p>T-Mobile [1] - 121:19 tailor [1] - 46:5 talks [1] - 137:18 tall [2] - 29:24, 85:9 taller [1] - 137:5 tallest [1] - 139:13 tax [1] - 142:13 team [5] - 60:16, 69:20, 121:10, 166:5, 166:11 Technically [2] - 10:18, 53:22 telecom [1] - 27:4 Temporary [1] - 38:15 temporary [18] - 38:16, 41:25, 42:8, 42:9, 46:1, 46:8,</p>	<p>118:17, 118:22, 119:5, 119:13, 120:4, 120:5, 120:20, 122:6, 129:2, 130:10, 161:20, 162:3 ten [3] - 8:5, 106:21, 107:22 tenant [50] - 11:19, 11:20, 12:10, 12:12, 12:14, 12:15, 14:12, 28:22, 28:23, 29:3, 29:11, 30:22, 36:12, 37:18, 37:21, 39:1, 39:14, 39:17, 40:12, 41:9, 41:11, 43:16, 46:15, 47:4, 47:5, 47:16, 49:6, 55:1, 55:22, 56:2, 56:5, 56:7, 56:20, 57:14, 57:17, 58:15, 58:20, 59:15, 85:5, 85:11, 85:14, 86:17, 86:18, 89:7, 89:21, 97:17, 100:15, 109:4 tenant's [1] - 38:24 tenants [22] - 11:7, 14:23, 30:24, 37:19, 40:15, 41:17, 42:17, 42:25, 46:16, 57:2, 58:12, 88:19, 94:10, 97:20, 98:2, 98:12, 98:15, 98:19, 109:1, 158:20 tenants' [2] - 14:25, 73:1 tend [2] - 40:25, 45:17 term [3] - 38:2, 39:3, 44:7 terms [9] - 24:25, 25:22, 69:7, 74:3, 94:19, 100:14, 105:10, 127:11, 135:11 testified [5] - 34:16, 92:25, 130:25, 140:11, 166:6 testifies [7] - 7:13, 81:9, 92:4, 115:9, 132:15, 147:9, 152:5 testify [2] - 6:20, 83:4 testimony [33] - 7:8, 15:22, 29:2, 81:4, 82:23, 82:25, 83:12, 83:16, 91:5, 91:22, 114:14, 115:5, 124:7, 130:16, 131:24, 132:10, 133:22, 134:18, 136:4, 139:24,</p>	<p>140:7, 141:17, 144:11, 144:20, 145:5, 145:21, 147:4, 151:24, 155:1, 158:18, 161:24, 163:7, 167:7 tests [1] - 21:7 texture [1] - 86:3 THE [1] - 1:4 the.. [1] - 99:4 theirs [2] - 123:17, 124:4 THERE [1] - 1:10 Therefore [1] - 137:23 thinking [2] - 111:5, 155:13 thinks [1] - 49:20 third [3] - 38:25, 54:12, 58:1 third-party [1] - 38:25 threatened [2] - 65:16, 160:25 threatened-and-endangered [1] - 65:16 three [15] - 12:5, 12:13, 13:5, 51:23, 53:23, 54:2, 56:15, 56:24, 58:8, 59:1, 68:16, 72:12, 135:4, 159:5, 159:7 throughout [5] - 8:10, 19:17, 93:2, 127:4, 141:14 throw [3] - 38:12, 59:11, 103:3 thunder [1] - 152:12 THURSDAY [1] - 1:3 ticket [1] - 113:12 tier [1] - 25:15 tiering [1] - 68:22 title [2] - 60:21, 61:5 Title [2] - 112:24, 113:2 to.. [1] - 68:10 today [1] - 77:25 today's [1] - 87:5 Today's [1] - 12:25 together [4] - 67:16, 149:7, 166:5, 166:11 ton [1] - 157:4 tonight [22] - 6:13, 8:23, 10:10, 12:6, 14:17, 16:21, 21:13, 24:8, 25:18, 28:13, 28:15, 29:8, 32:13, 41:5, 46:20, 75:5, 76:7, 80:7, 83:2, 133:22, 146:15, 166:1</p>	<p>Tonight [2] - 66:8, 147:23 took [2] - 24:5, 113:22 top [8] - 62:7, 79:17, 90:21, 123:16, 123:18, 123:22, 124:9 topic [1] - 149:3 topography [2] - 135:24, 136:13 torn [1] - 75:6 total [1] - 97:16 totally [4] - 7:3, 44:4, 100:1, 128:13 touch [3] - 9:19, 27:23, 136:1 tours [1] - 154:1 towards [4] - 73:2, 84:17, 84:18, 103:3 Towards [1] - 110:22 towed [1] - 41:14 tower [40] - 29:15, 29:17, 29:22, 30:3, 30:7, 30:16, 30:22, 31:9, 61:11, 61:12, 61:23, 62:5, 70:23, 117:13, 117:15, 117:19, 117:20, 118:11, 119:5, 119:13, 119:15, 120:2, 120:4, 122:6, 122:13, 122:16, 122:20, 122:24, 123:8, 123:9, 128:25, 157:21, 159:13, 161:12, 161:18, 161:20, 161:21, 162:3, 162:24 towers [1] - 128:15 town [5] - 21:25, 31:8, 137:13, 138:16, 151:1 town's [3] - 31:5, 49:10, 123:15 TOWNSHIP [3] - 1:1, 1:2, 1:9 township [13] - 19:19, 29:15, 29:20, 30:5, 39:19, 58:24, 71:2, 117:16, 124:8, 128:16, 148:7, 154:25, 166:3 Township [3] - 19:23, 63:24, 147:14 Township's [1] - 142:8 tract [3] - 138:19, 138:22, 139:4 tractor [5] - 15:6, 48:5,</p>	<p>129:17, 130:5, 157:14 Trade [1] - 9:18 Traffic [3] - 2:17, 93:12, 101:24 traffic [58] - 11:12, 15:21, 28:8, 49:21, 51:2, 51:7, 52:24, 53:1, 54:16, 55:2, 56:9, 70:19, 70:20, 72:1, 72:18, 72:24, 73:2, 73:14, 73:23, 73:25, 92:20, 93:8, 93:18, 94:2, 94:8, 94:11, 94:21, 95:5, 95:19, 100:4, 101:12, 101:14, 101:15, 102:2, 102:13, 105:22, 105:24, 106:14, 107:8, 107:10, 107:12, 107:15, 110:1, 110:3, 110:4, 110:15, 110:25, 111:1, 113:4, 113:16, 113:17, 114:13, 137:25, 143:13, 149:14, 155:7, 158:5 Trail [1] - 156:11 trail [2] - 154:11, 154:16 Trailer [1] - 44:16 trailer [32] - 10:8, 11:21, 15:6, 36:13, 37:5, 37:11, 38:8, 38:11, 38:20, 38:23, 38:25, 41:11, 43:11, 44:14, 44:23, 44:24, 47:8, 49:15, 49:18, 50:12, 50:16, 50:17, 52:19, 54:24, 55:15, 55:19, 57:17, 58:17, 71:18, 129:8, 130:5, 158:10 trailers [34] - 36:11, 36:12, 37:12, 37:13, 37:20, 37:25, 38:2, 38:5, 38:19, 39:2, 40:24, 40:25, 42:7, 42:12, 42:15, 44:7, 44:22, 46:6, 46:9, 46:18, 46:22, 46:24, 47:7, 47:15, 48:5, 48:18, 54:1, 58:3, 129:17, 129:23, 130:9, 157:14, 157:15, 158:12 trails [3] - 149:5, 150:21, 153:13</p>
--	---	---	---	--

training [1] - 82:24 TRANSCRIPT [1] - 1:4 transcript [2] - 146:9, 167:7 transferring [1] - 120:21 transition [1] - 121:2 trash [1] - 14:21 traveled [2] - 104:9, 105:23 traveling [3] - 82:20, 106:20 treating [1] - 36:8 Tree [3] - 5:7, 18:20, 18:22 tree [4] - 66:4, 128:5, 162:10, 162:12 tree/toilet [1] - 128:16 trees [16] - 19:17, 19:20, 20:23, 21:1, 21:2, 21:6, 21:10, 21:19, 21:25, 22:8, 43:7, 66:12, 66:18, 67:19, 153:13 triangle [3] - 73:7, 105:21, 106:21 tricky [1] - 39:10 tried [1] - 19:11 trip [1] - 99:20 trips [2] - 55:3, 108:9 trouble [1] - 22:12 truck [25] - 11:12, 11:14, 13:7, 14:20, 28:8, 36:14, 41:22, 63:18, 70:8, 71:18, 73:23, 78:24, 79:3, 79:7, 79:9, 105:13, 107:7, 108:5, 108:8, 108:20, 110:4, 111:3, 129:14, 155:7, 158:4 Truck [1] - 108:21 truckers [1] - 109:4 trucks [19] - 41:25, 72:19, 73:17, 76:3, 102:18, 103:1, 103:3, 103:8, 105:4, 105:16, 105:19, 106:4, 106:8, 106:15, 108:25, 109:13, 129:20, 147:24, 157:25 true [1] - 167:6 trust [1] - 155:11 truth [21] - 7:9, 81:4, 81:5, 91:22, 91:23, 115:5, 115:6, 132:10, 132:11, 147:5, 151:25, 152:1 try [4] - 33:3, 33:10,	76:12, 76:14 trying [5] - 27:18, 69:1, 105:13, 111:22, 158:17 turn [3] - 49:17, 98:3, 102:19 turning [3] - 94:22, 95:2, 107:15 turnover [3] - 97:5, 97:6, 98:8 turns [3] - 105:1, 105:11, 105:15 turtle [1] - 65:20 twice [1] - 138:10 two [35] - 9:5, 12:6, 12:11, 14:21, 20:1, 20:15, 20:20, 21:3, 21:12, 22:3, 24:7, 25:18, 27:24, 28:16, 28:23, 33:16, 34:23, 42:12, 43:9, 51:18, 51:23, 52:4, 54:1, 54:2, 56:23, 58:7, 62:18, 70:11, 87:8, 89:19, 97:19, 98:13, 111:18, 133:6, 153:16 two-and-a-half [1] - 22:3 type [9] - 40:17, 60:18, 87:23, 88:18, 96:17, 96:21, 98:16, 100:14, 129:13 types [4] - 94:10, 96:20, 98:15, 100:24 typical [3] - 14:17, 45:21, 85:8 typically [2] - 69:3, 130:23	138:22 underneath [1] - 87:6 understood [1] - 41:4 underutilized [1] - 98:7 unfortunately [1] - 123:11 unique [1] - 100:2 University [1] - 92:2 unless [2] - 57:21, 98:12 unnecessary [1] - 97:9 unsignalized [4] - 102:16, 102:20, 102:25, 106:13 unstriped [1] - 57:11 untouched [1] - 24:25 up [70] - 9:8, 18:18, 19:23, 20:20, 23:1, 23:17, 25:10, 25:20, 26:4, 28:3, 30:12, 31:2, 31:9, 31:10, 39:20, 40:21, 45:5, 46:15, 46:16, 46:25, 52:15, 52:21, 53:14, 57:20, 59:9, 62:5, 68:3, 69:15, 77:12, 78:3, 78:12, 79:6, 79:8, 79:10, 79:17, 80:17, 91:6, 92:11, 92:12, 95:24, 102:17, 103:11, 103:17, 105:1, 106:24, 108:4, 108:13, 110:22, 111:23, 114:24, 116:18, 119:14, 120:19, 129:2, 129:8, 130:10, 131:7, 132:5, 139:11, 144:4, 144:17, 146:15, 146:23, 149:3, 150:23, 153:14, 154:9, 154:16, 162:3 update [3] - 94:19, 94:22, 95:2 updated [3] - 76:7, 96:24, 98:23 updating [1] - 96:9 usefulness [1] - 38:6 user [2] - 98:12, 99:25 users [1] - 17:7 uses [6] - 33:16, 33:20, 137:18, 137:24, 138:13, 138:14 utilities [3] - 27:1, 27:2, 27:17	utility [3] - 27:7, 27:8, 29:21 utilization [1] - 143:15 utilize [2] - 27:18, 58:16 utilized [1] - 98:9 V vacant [2] - 93:24, 142:10 valid [1] - 8:16 variance [9] - 10:10, 10:19, 68:25, 134:12, 134:13, 135:12, 141:23, 142:3, 144:13 variances [5] - 24:8, 133:25, 135:4, 135:15, 143:18 vary [1] - 97:18 vegetation [2] - 20:13, 160:7 vehicle [3] - 37:2, 37:6 vehicles [13] - 25:22, 42:18, 46:17, 54:5, 54:14, 94:23, 95:3, 96:20, 99:9, 102:7, 102:10, 111:10, 148:2 vehicular [3] - 47:18, 54:19, 54:25 Verizon [5] - 118:21, 120:22, 121:11, 122:1, 123:14 versus [7] - 103:13, 104:6, 104:16, 105:23, 105:25, 134:16, 135:14 via [2] - 15:2, 157:25 viaduct [1] - 129:11 Vice [4] - 3:5, 3:16, 92:15, 115:24 VICE [16] - 1:12, 12:17, 12:20, 13:9, 17:14, 17:22, 17:25, 18:5, 56:3, 56:13, 87:22, 88:9, 88:17, 88:21, 116:7, 165:12 view [2] - 84:16, 121:13 visible [1] - 137:6 visited [2] - 82:1, 112:9 visual [1] - 86:3 voice [3] - 31:22, 56:16, 80:8 VOIR [4] - 7:20, 81:15, 92:9, 132:21	Voir [4] - 3:3, 3:15, 3:18, 4:9 voltage [1] - 40:8 volume [3] - 101:25, 105:22, 107:11 volumes [1] - 94:11 vote [1] - 146:12 VREELAND [14] - 2:15, 36:20, 37:10, 38:18, 50:22, 52:9, 52:12, 53:22, 53:25, 60:1, 61:8, 62:15, 122:22, 129:4 Freeland [1] - 3:6 Freeland's [1] - 60:4 W wait [1] - 57:1 waiting [1] - 38:9 waiver [1] - 141:17 waivers [3] - 133:25, 139:23, 140:1 walk [6] - 25:6, 68:2, 116:24, 128:7, 151:14, 153:18 walked [4] - 67:18, 116:22, 153:8, 154:5 walking [5] - 25:23, 70:7, 149:15, 151:16, 155:17 walks [2] - 154:6, 154:8 walkway [1] - 69:18 wall [27] - 16:19, 21:18, 21:20, 24:9, 24:12, 25:13, 25:20, 28:13, 28:14, 32:14, 85:19, 85:22, 86:1, 86:20, 88:3, 89:8, 89:11, 89:20, 134:13, 135:5, 135:23, 136:3, 136:12, 136:14, 136:22, 136:24, 137:5 wall-mounted [1] - 16:19 walls [5] - 68:18, 68:20, 85:20, 88:16, 136:18 Walmarts [1] - 100:23 Walt [6] - 51:5, 52:3, 54:9, 96:12, 107:24, 114:10 Walter [1] - 15:16 WALTER [1] - 2:16 wants [4] - 22:11, 46:3, 56:5, 80:14
--	---	--	--	---

Warehouse [4] - 5:6, 13:19, 14:8, 42:11 warehouse [19] - 10:5, 19:13, 19:18, 23:24, 33:16, 37:23, 38:19, 40:3, 41:1, 42:5, 44:3, 85:3, 86:10, 88:15, 94:6, 94:24, 95:3, 116:20, 131:1 warehouses [5] - 94:9, 95:12, 98:5, 137:20, 140:18 warrant [2] - 102:2, 102:9 warranted [1] - 102:3 warrants [2] - 101:15, 101:20 Warren [1] - 155:25 washy [1] - 37:17 waste [8] - 14:24, 39:7, 39:13, 39:16, 39:21, 40:3, 125:4, 162:22 water [2] - 27:3, 65:21 Waterloo [2] - 110:10 wayfinding [1] - 73:17 ways [4] - 73:20, 127:1, 148:6, 153:22 weather [1] - 85:25 weigh [2] - 16:13, 46:3 weight [1] - 122:18 WEISS [182] - 1:11, 6:1, 6:21, 7:1, 8:15, 8:18, 8:21, 12:22, 13:2, 13:10, 13:16, 13:20, 15:10, 15:16, 15:19, 15:23, 16:3, 17:13, 22:14, 22:25, 23:7, 27:12, 30:6, 30:15, 30:23, 31:11, 31:18, 31:25, 33:8, 33:23, 34:22, 35:11, 35:18, 35:21, 35:25, 37:8, 38:1, 38:16, 39:4, 39:23, 40:20, 41:8, 42:14, 43:17, 44:8, 44:19, 45:7, 48:2, 49:11, 53:24, 55:6, 55:11, 56:25, 57:6, 58:3, 58:9, 58:18, 59:17, 60:2, 62:12, 62:16, 63:20, 64:3, 64:25, 67:5, 67:15, 68:3, 68:9, 68:13, 70:12, 70:18, 71:23, 74:4, 76:17, 76:24, 78:1, 78:6, 78:15, 79:21, 79:25, 80:4, 80:10, 80:15, 80:20, 82:9, 82:12, 83:8, 83:17, 84:5, 87:13, 88:14, 89:24, 90:4, 90:9, 90:12, 90:20, 90:23, 91:2, 91:9, 93:5, 93:7, 99:3, 109:23, 110:7, 110:16, 111:4, 111:17, 112:21, 113:5, 113:11, 114:3, 114:8, 114:12, 114:16, 114:19, 122:9, 124:17, 124:24, 125:2, 125:13, 125:22, 126:1, 126:3, 127:14, 127:20, 128:1, 128:12, 128:17, 129:1, 129:10, 130:1, 130:15, 131:19, 131:21, 132:2, 133:13, 133:17, 134:9, 135:8, 144:15, 144:21, 144:24, 145:2, 145:8, 145:22, 146:1, 146:3, 146:14, 149:22, 150:16, 151:4, 151:15, 151:20, 154:19, 156:3, 156:8, 156:13, 156:17, 158:8, 159:3, 159:9, 159:12, 160:4, 160:9, 160:20, 161:3, 161:6, 162:6, 162:21, 163:4, 163:10, 163:12, 163:15, 163:18, 163:20, 164:1, 164:5, 164:12, 164:18, 165:2, 165:4, 165:22 Weiss [4] - 3:5, 3:20, 82:14, 165:21 Welcome [7] - 6:7, 7:4, 8:21, 16:3, 83:17, 93:5, 93:10 welcoming [1] - 122:5 welfare [4] - 142:2, 142:3, 142:4, 143:8 well-designed [2] - 94:17, 95:22 West [5] - 5:16, 81:8, 89:1, 89:6, 90:5 west [5] - 9:10, 11:16, 67:2, 89:8, 89:22 western [1] - 51:14 wetlands [12] - 9:21, 9:25, 26:23, 61:25, 64:21, 65:1, 65:3, 65:4, 65:5, 65:17, 75:14 Wetlands [1] - 65:13 whereas [2] - 121:11, 139:12 whichever [1] - 140:23 whole [15] - 7:9, 56:22, 65:18, 75:8, 81:5, 91:23, 115:6, 123:11, 127:4, 132:11, 142:5, 147:5, 149:6, 152:1, 152:21 William [1] - 165:17 WILLIAM [1] - 1:16 willing [6] - 23:12, 35:15, 52:23, 150:18, 151:8, 154:11 Wills [8] - 9:22, 26:8, 62:7, 75:14, 153:4, 153:6, 153:19, 153:20 wind [3] - 46:15, 46:16, 46:25 window [1] - 85:22 windows [4] - 76:18, 76:19, 77:1, 86:8 winds [1] - 45:5 wing [1] - 85:20 winter [1] - 45:18 wireless [1] - 123:11 wishy [1] - 37:17 wishy-washy [1] - 37:17 witness [13] - 6:18, 8:13, 31:2, 43:4, 43:5, 74:17, 80:22, 80:24, 83:3, 90:17, 90:18, 117:4, 132:6 witnesses [2] - 6:12, 139:25 wonderful [3] - 146:15, 151:16, 166:5 wondering [1] - 120:24 wood [1] - 65:20 wooded [1] - 19:14 woodlands [1] - 137:4 woods [5] - 9:10, 18:12, 48:6, 48:22, 68:23 word [2] - 123:8, 143:20 words [3] - 47:13, 151:9, 158:11 work.. [1] - 36:19 works [11] - 99:21, 103:2, 103:25, 120:17, 120:25, 123:14, 123:20, 124:2, 124:4, 124:15, 124:16 world [1] - 100:24 worry [1] - 11:1 worst [2] - 99:24, 100:2 worth [1] - 161:18 worthy [4] - 130:2, 130:3, 130:8, 158:11 would.. [1] - 48:1 wrap [1] - 146:15 wrap-up [1] - 146:15 wraps [1] - 40:21 write [2] - 61:10, 88:24 writing [1] - 64:6 	Y yard [2] - 38:12, 131:7 year [3] - 47:14, 75:23, 133:3 years [10] - 8:5, 92:22, 100:7, 107:22, 115:23, 133:1, 138:9, 153:10, 154:6, 154:25 Years [1] - 154:1 yellow [2] - 71:12, 71:13 young [1] - 67:23 yourself [1] - 31:13 	Z zero [2] - 18:11, 18:13 Zone [6] - 9:18, 28:12, 28:14, 135:3, 137:12 zone [12] - 10:6, 62:9, 106:19, 135:17, 137:10, 137:18, 138:2, 138:3, 138:21, 140:18, 143:19, 144:3 zones [4] - 9:22, 33:21, 61:25, 140:12 Zoning [1] - 157:24 zoning [12] - 40:13, 40:15, 58:21, 59:9, 122:21, 123:5, 137:16, 138:7, 141:15, 143:23, 157:17, 158:21
--	--	--