

JOINT PLANNING BOARD  
TOWNSHIP OF RIVER VALE  
COUNTY OF BERGEN

-----X  
THE FAIRWAYS AT EDGEWOOD, LLC:  
BLOCK 1201, LOTS 5 & 6 :  
Major Site Plan and Major :  
Subdivision :  
-----X

Tuesday, April 30, 2019  
Community Center  
628 Rivervale Road  
River Vale, New Jersey 07675  
Commencing 7:30 p.m.

B E F O R E:

- SCOTT LIPPERT, CHAIRMAN
- ROBERT FORTSCH, VICE CHAIRMAN
- ROBERT ADAMO
- MICHAEL BEUKAS
- MARK BROMBERG, COUNCILMAN
- GLEN JASIONOWSKI, MAYOR, absent
- GREGORY LOWE
- JOHN PUCCIO
- SUSAN VACCARO
- PETER WAYNE
- MARC LEIBMAN, ESQ., BOARD ATTORNEY
- CHRISTOPHER STATILE, P.E., BOARD ENGINEER
- CAROLINE REITER, PROFESSIONAL PLANNER
- MARIA HAAG, LAND USE ADMINISTRATOR
- MARY VERDUCCI, BOARD SECRETARY

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

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 Attorneys for the Objector,



1                   CHAIRMAN LIPPERT: Welcome. Is this on?  
2 Can you hear me?

3                   Okay. Welcome to the Tuesday April 30th, 2019  
4 meeting of the River Vale Joint Planning Board.  
5 Mr. Leibman will give us the Open Public Meetings Act.

6                   MR. LEIBMAN: This meeting is being held  
7 in accordance with the Open Public Meetings Act of the  
8 State of New Jersey. Notice of this meeting was  
9 published in accordance with law and posted in a  
10 prominent place in Borough Hall.

11                  CHAIRMAN LIPPERT: Let's have a flag  
12 salute, please.

13                                 (Flag Salute)

14                   Roll call, please.

15                   MS. VERDUCCI: Mr. Lowe.

16                   MR. LOWE: Here.

17                   MS. VERDUCCI: Mr. Beukas.

18                   MR. BEUKAS: Here.

19                   MS. VERDUCCI: Mr. Adamo.

20                   Councilman Bromberg.

21                   COUNCILMAN BROMBERG: Here.

22                   MS. VERDUCCI: Mayor Jasionowski.

23                   Mr. Fortsch.

24                   VICE CHAIRMAN FORTSCH: Here.

25                   MS. VERDUCCI: Mr. Wayne.

1 MR. WAYNE: Here.

2 MS. VERDUCCI: Mr. Puccio.

3 MR. PUCCIO: Here.

4 MS. VERDUCCI: Ms. Vaccaro.

5 MS. VACCARO: Here.

6 MS. VERDUCCI: And Mr. Lippert.

7 CHAIRMAN LIPPERT: Here.

8 Okay. So we're continuing our public hearing  
9 for the Fairways at Edgewood. We're missing a  
10 familiar presence.

11 Where is Mr. Wolfson?

12 MS. COFFEY: That's right. I'm Mr.  
13 Wolfson tonight. I'm sure you could have guessed.

14 I'm Katharine Coffey, Mr. Wilson's partner.  
15 He's unavailable tonight.

16 CHAIRMAN LIPPERT: Very good.

17 Are you ready to proceed?

18 MS. COFFEY: We are.

19 CHAIRMAN LIPPERT: I'm not in any way  
20 telling you how to proceed. I just anticipated that  
21 perhaps we would go through the plan changes on the  
22 new plans that were submitted first.

23 Is that what you're intending to do?

24 MS. COFFEY: We would like to get to the  
25 plan changes. However, when we were last here before

1 the board, Mr. Van Eck was in the process of finishing  
2 his cross-examination with the landscape architect so  
3 we thought it might make sense to conclude that  
4 conversation.

5 CHAIRMAN LIPPERT: Okay. I'll buy that.

6 Are you ready, Mr. Van Eck?

7 MR. VAN ECK: Sure.

8 MS. COFFEY: Just to kind of remind  
9 everybody where we left off, this is a continued  
10 hearing on the preliminary and final major site plan,  
11 preliminary and final major subdivision application.  
12 We will subdivide property at the existing Edgewood  
13 Country Club golf course into three lots.

14 And at our most recent appearance before this  
15 Board, Mr. Alexander, the project's landscape  
16 architect, was in the middle of his testimony. And as  
17 the Chairman had just alluded, since we were last  
18 here, the applicant submitted revised plans.

19 In addition to Mr. Alexander, with us tonight  
20 are the applicant's architect, Mr. Richard Arzberger  
21 as well as the applicant's engineer who is coming back  
22 to talk about those revised plans.

23 CHAIRMAN LIPPERT: Okay.

24 MS. COFFEY: So the table is set now, Mr.  
25 Van Eck. I'll let you pick up where you left off.

1 MR. VAN ECK: Thank you. Jameson Van Eck,  
2 Verde, Steinberg & Pontell on behalf of the River Vale  
3 at Holiday Farms condominium town house section.

4 CROSS-EXAMINATION BY MR. VAN ECK:

5 Q I believe where we had left off the last  
6 time I had gone through some questions. I was going  
7 through some questions about the buffer and we had  
8 largely concluded that testimony.

9 It does appear that you have submitted revised  
10 landscaping plans.

11 Is that correct?

12 A Yes, sir.

13 Q And with regard to the buffer area in  
14 front of the affordable housing building and the  
15 maintenance building, can you explain what you're  
16 proposing to change in that area?

17 A The landscape has essentially stayed the  
18 same. However, we did enhance the landscape with some  
19 additional shrubs, plantings in that area.

20 Q Looking at Sheet L4 from your revised  
21 plans with a revision date of April 11, 2019, it does  
22 look like you added four red maples in front of the  
23 affordable housing building.

24 A Correct. In addition you're saying?

25 Q Yes?

1           A           It's added four new maple trees.

2           Maybe but we also made a concerted effort to add  
3 more shrubs as well.

4           Q           Do you know what type of shrubs?

5           A           Large shrubs, yeah. To provide a complete  
6 cover in that area.

7           Q           There was some talk throughout the course  
8 of the hearings about whether you were going to save  
9 the large trees that lined Piermont Avenue and it  
10 appears in your new plans that you're proposing to  
11 remove four of those large trees in front of the  
12 affordable housing building.

13           Is that correct?

14           A           That is true.

15           Q           Do you have a feeling how that will impact  
16 the buffer?

17           A           The, the trees were removed in response to  
18 the engineer's review letter in adding sight triangles  
19 for the new access. So those, those trees were within  
20 the sight triangle.

21           As far as the buffer is concerned, the  
22 landscaping, the fence, the piers, the existing trees  
23 that still remain there still meet the intent of the  
24 ordinance to provide a full, complete cover.

25           Q           So that was my next question. We have had

1 discussion where I thought my plans wouldn't show  
2 anything and you presented an exhibit that showed both  
3 the existing and the proposed trees?

4 A Yes.

5 Q So other than the four large trees along  
6 the roadway, you are continuing to keep those existing  
7 evergreens --

8 A Yes.

9 Q -- that were part of the design?

10 A Yes.

11 Q Have you prepared a new rendering?

12 Is that going to make any impact on the  
13 rendering prepared as one of your exhibits?

14 A No. The rendering essentially stays the  
15 same. However, those trees that are in the foreground  
16 of the rendering --

17 CHAIRMAN LIPPERT: Could everybody hear?  
18 I'm having a little trouble.

19 MALE SPEAKER: Yeah. Speak into the  
20 microphone.

21 MS. REITER: It's muffled on this side.

22 MS. COFFEY: I'll try --

23 MS. REITER: Actually, it's the witness  
24 not just you I'm having a problem with.

25 MR. VAN ECK: I think we were expecting a



1 little warm-up with the engineer so we're not that  
2 excited and ramped up yet.

3 Q Have you included a berm in the revised  
4 plans?

5 Let's talk about the section in front of the  
6 affordable housing?

7 A Directly in front of the affordable  
8 housing there's not a lot of room so what we are  
9 providing within that area between the fence within  
10 the buffer is the curb, the bikeway, behind the  
11 bikeway is the fence, the existing landscaping,  
12 supplemented with proposed landscaping. So there,  
13 there is, in my opinion, there's the room to  
14 accommodate a berm.

15 However, the civil engineer can also speak to  
16 the berming along Piermont.

17 Q To be clear, there's no new berm that's  
18 been added in front of the affordable housing?

19 A No.

20 Q There seems to be there was one other  
21 change that effected that area of the project and that  
22 was your moving the fence. It appears that the fence  
23 that was the decorative fence that was along the edge  
24 of the bike path has now been moved further into the  
25 property.

1 Is that true?

2 A I don't believe so.

3 Q But would a site engineer have more on  
4 that?

5 A I, I believe it's the fence by the  
6 affordable, is that what you're saying? That stayed  
7 the same location.

8 Q I'll follow-up. My question, it was  
9 moved. I don't necessarily have a concern with it.  
10 I'm just trying to get on the record what changes have  
11 been made.

12 But as you sit here you don't recall. You don't  
13 believe?

14 MS. COFFEY: I believe our engineer will  
15 be able to talk more about the fence.

16 MR. VAN ECK: Thank you.

17 Q I believe, as part of the project, the  
18 trash enclosure has now been moved from the street.

19 Is that true?

20 A I believe so.

21 Q Some of the questions we were going to go  
22 over what landscaping do you have proposed to shield  
23 the trash enclosure from the street. But it's now  
24 inland so --

25 A Correct.

1 Q -- it would be less from the street?

2 A Yes.

3 Q Is there any landscaping proposed between  
4 Piermont outside of the, in the immediate vicinity of  
5 the trash enclosure, is there any landscaping  
6 proposed?

7 A Yes.

8 Q Okay. Can you explain what's proposed?

9 A The combination of evergreen, deciduous  
10 trees, shrubs and evergreens.

11 Q That's going to be in the immediate  
12 vicinity?

13 A No between your question was in front of  
14 it.

15 So from the roadway to the trash enclosure there  
16 is a, there is a landscape buffer that would buffer it  
17 from the roadway.

18 Q Is there any specific planting in the 25  
19 foot property area proposed for the trash enclosure,  
20 Legally feet away from it?

21 A No, it's in the paving.

22 Q Okay. If -- I want to turn your attention  
23 to the lighting plan so start with Sheet L8.

24 Now it appears that there has been some change  
25 to the lighting proposal from your first submission.

1           Is that true?

2           A           Yes.

3           Q           And in the first submission it appeared  
4           that a lot of the lighting was going to spill over  
5           across the street into the Holiday Farms clubhouse.  
6           Has that been changed by this proposal?

7           A           I don't believe the previous plan did.  
8           However, at the recommendation of Mr. Statile, the  
9           lighting has been reduced while still providing safe  
10          and adequate level of light.

11          Q           Is it your opinion that light will not  
12          spill over to the town houses across the street?

13          A           Yes, sir.

14          Q           I certainly understand why the affordable  
15          housing building would have lighting.

16          Can you explain why lighting is being proposed  
17          for the maintenance buildings?

18          A           There's a parking lot in front of it.

19          Q           Typically, you know, I play golf myself,  
20          guys get there 5:30, 6:00 in the morning and they  
21          leave before it gets dark.

22          Is there any specific reason?

23                   CHAIRMAN LIPPERT: Before you, before you  
24          -- you're referring to certain exhibits. Are these  
25          ones already in evidence?

1           What are we doing?

2                   MR. VAN ECK:   So I am referring to the  
3 revised landscaping plans that are dated 4/11.

4                   CHAIRMAN LIPPERT:   Mine are numbered 5 of  
5 61, 6 of 61.

6           If you could refer to which page that would help  
7 everybody out.

8                   MR. VAN ECK:   So I'm actually referring to  
9 the landscape plans which are a separate set separate  
10 from the site plans and it's Sheet L8.

11           I think they were originally included with the  
12 site plans as the final 8 sheets but they are  
13 separate, revised.

14                   CHAIRMAN LIPPERT:   Very good.

15           A           I'm sorry.   What was your question?

16           Q           Just explain the need for the golf course  
17 lighting?

18           A           It's part of the parking lot.   There's two  
19 light fixtures proposed.   I believe there's accessible  
20 parking space in the vicinity so it would be  
21 appropriate to have lighting.

22           And as you can see from the light plan, the  
23 lighting plan, the property line where it's zero foot  
24 candles.

25           Q           Just so I was clear, there are ADA parking

1 spaces associated with the maintenance building?

2 A I'm just looking at the site plan. There  
3 are accessible parking spaces in the vicinity of that  
4 light fixture.

5 Q Is that what you mean by accessible?

6 A Yes.

7 Q Are these lights going to be on a timer?

8 A I don't know, photocell or a timer.

9 Q Is there some witness that would know that  
10 information?

11 Here are -- here is the concern. The town  
12 houses have basically a bucolic golf course. We  
13 understand that that's changing but we want to try to  
14 reduce the light and light pollution that are going  
15 beyond basically now throughout the evening hours. So  
16 we wanted to see if those lights could be put on  
17 timers so that they would only be on when necessary, a  
18 few hours, around 6:00 a.m.

19 MR. SANTOLA: Mr. Chairman, Steve Santola.  
20 I'm still under oath.

21 So one of the lights, as we look at the plans,  
22 seems to be over that access drive so there's a little  
23 bit of concern how it would go there. But we would  
24 certainly agree that those lights can be ramped down  
25 to a security level provided it's safe for that one

1 drive aisle in case somebody does pull in and pull  
2 back out. So we would agree to work with Mr. Statile  
3 as to what would be a safe dimming of those lights  
4 since I think Mr. Van Eck makes the point that we're  
5 not going to be using that parking lot at night very  
6 often.

7 CHAIRMAN LIPPERT: Well, that's seems  
8 reasonable to me.

9 How about you, Mr. Van Eck?

10 MR. VAN ECK: Sounds good. Thank you.

11 Q I want to move your attention to the 30  
12 percent landscaping requirement for the residential  
13 component. I'm just going to read to you from the  
14 ordinance so we're all on the same page.

15 I'm reading township code Section 142-224,  
16 Subsection A(1)(e)3.

17 And it reads the following, "at least 30 percent  
18 of the total site area exclusive of the golf course  
19 must be devoted to landscaping. No landscape strip or  
20 tree pocket smaller than 25 square feet may be counted  
21 toward the total required landscaping."

22 I'm going to end the quote there?

23 That's the part I want to draw your attention  
24 to.

25 MS. COFFEY: Mr. Van Eck, could you give

1 us the citation one more time?

2 MR. VAN ECK: Absolutely.

3 MS. COFFEY: Thank you.

4 MR. VAN ECK: 142-224 A(1)(e)3.

5 MS. COFFEY: Okay. Hang on.

6 Okay. 224.

7 Sorry. I'm having a hard time finding it.

8 MR. VAN ECK: That's okay. May I look  
9 over your shoulder?

10 MS. COFFEY: Sure. 224 A(1) and then I  
11 don't have an (e), I --

12 MR. VAN ECK: You do have a different --  
13 this kind of came up last time with Peter that I was  
14 referring to one section and you didn't seem to have  
15 it.

16 But all I can represent is that I looked  
17 on-line, on the Borough's website.

18 MS. COFFEY: Can you tell us the  
19 beginning?

20 MR. VAN ECK: Sure. Sure.

21 "At least 30 percent of the total site area  
22 exclusive of the golf course must be devoted to  
23 landscaping no landscape strip or tree pocket smaller  
24 than 25 square feet may be counted towards the total  
25 required landscaping.



1 MS. COFFEY: I see it. I have a different  
2 site but I see it. We're at least on the same page.

3 Q So my first question was, would you agree  
4 with me the site is approximately 44 acres?

5 A Yes.

6 Q And 30 percent of 44 acres, I believe your  
7 engineer testified to this, is 13.3 acres of  
8 landscaping.

9 Correct?

10 A I believe so.

11 Q You have an understanding of that number?

12 A I believe the civil engineer testified to  
13 the landscaping requirement.

14 Q There was an open space exhibit that was  
15 submitted in one of the last hearings, January of  
16 2019.

17 Are you familiar with that exhibit?

18 It's basically the site plan with the green  
19 outline of what's counted in the 30 percent.

20 A I'm not familiar.

21 Q Did you provide any information for that  
22 or work with Ms. Galvin in producing that?

23 A No.

24 Q Have you independently confirmed whether  
25 you do meet this 30 percent landscaping requirement?

1           A           I haven't personally.

2                       MR. VAN ECK:  I'll skip a lot of  
3           questions.  I want to go through your exhibit, turning  
4           to Sheet L4.

5                       Have you delineated on this sheet any tree  
6           pockets or landscape strips over 25 square feet?

7           A           No.

8           Q           If there is not a tree or bush or shrub on  
9           this plan and there is an open area, can I assume  
10          that's a grassy area?

11          A           Or mulch.

12          Q           Okay.  How would we know on your plan what  
13          is mulch versus grass?

14          A           It's either, it's landscape, it's either  
15          grass or it's mulch, mulch beyond the trees.

16          Q           So it's not specifically shown on these  
17          plans which it might be?

18          A           It, it would be shown on the details so if  
19          a tree is being planted or a shrub is being planted it  
20          would be mulch underneath it.

21          Q           And those details are included --

22          A           Yes.

23          Q           -- in the sheets.  Can you give me an  
24          example?

25          A           All landscaping details are on L10.

1 Q If we look to Sheet L10 essentially you  
2 show in the top of that plan what a tree, how you're  
3 basic design for a tree?

4 A Correct.

5 Q Provide for a tree, for a large shrub and  
6 I guess a small shrub?

7 A Yes.

8 Q And typically from the base of that tree  
9 how far out does the mulch extend?

10 A It depends on the size of the plant.

11 Q Okay. How about a large tree?

12 A It depends the, what the diameter of the  
13 tree is so... A single tree might have a 6 foot  
14 circle around it of mulch.

15 Q How about a shrub?

16 A Depending on the size of the shrub, it  
17 could be 2 feet, 3 feet or shrubs together to create a  
18 massive bed and the entire area would be with mulch  
19 along those plans.

20 So to answer your question, it would be  
21 considered landscape.

22 Q The area immediately adjacent to trees and  
23 shrubs?

24 A Correct.

25 Q Looking back to Sheet L4, I want to go

1 through this kind of systematically with you.

2 If we look on L4, to the left of Unit 101, have  
3 you found that location?

4 A Yes.

5 Q All right. Can you see that there are  
6 three, what appear to be red maples in the center of  
7 an open clearing? To the north of that there are two  
8 Douglas firs.

9 Correct?

10 A Yes.

11 Q In the area in between those red maples  
12 and Unit 101, do we know if that's going to be a  
13 grassy area, a mulch area?

14 A Grass.

15 Q Is it your opinion that grass is included  
16 within a landscape strip or green pocket?

17 A I don't know a landscape strip or tree  
18 pocket what that definition is but, yes, grass would  
19 be considered part of that calculation.

20 Q So in your opinion because you did review  
21 the ordinance --

22 A Correct.

23 Q -- and you testified to that last time.  
24 In your opinion, grass counts as landscape?

25 A Yes.

1           Q           I want to go through the ordinance with  
2 you.

3           Turning to section, it's 142-224A(1)(e)(2). The  
4 section for seeding, the section we just went over.

5           MS. COFFEY: Minimum of 10 feet of  
6 landscaping?

7           MR. VAN ECK: Yes.

8           Q           It says, I'll read it, a minimum of 10  
9 feet of landscaping or grass area shall be provided in  
10 the front elevation of each town house unit and the  
11 common access drive as measured from the edge of the  
12 pavement or sidewalk if present.

13           So in this portion of the ordinance they are  
14 essentially treating grass and landscaping as separate  
15 items.

16           Did you review this when you put your plan  
17 together?

18           MS. COFFEY: We have to cross reference.  
19 Hold on.

20           MR. LEIBMAN: Mr. Van Eck, can you tell us  
21 what the point is that you're driving at?

22           MR. VAN ECK: Sure. I would be happy to.

23           There is this 30 percent landscaping requirement  
24 but essentially they submitted an exhibit that's a 30  
25 percent open space exhibit. And they're including

1 walking paths, the bike trail and large grassy areas  
2 and, you know, it's the objectors' position that grass  
3 does not count as landscaping under this ordinance.

4 CHAIRMAN LIPPERT: So you're saying every  
5 inch of that has to have a tree on it?

6 MR. VAN ECK: The ordinance says --

7 CHAIRMAN LIPPERT: I'm asking you, is that  
8 what you're saying?

9 MR. VAN ECK: I am reading the ordinance  
10 and that's exactly what I'm saying, that no landscape  
11 strip or tree pocket less than 25 square feet can be  
12 counted.

13 CHAIRMAN LIPPERT: Okay. So -- and you  
14 think your clients would object if there's a grass, if  
15 it's grass in between a couple of trees and that  
16 shouldn't count and that's what we're taking up time  
17 discussing now?

18 MR. VAN ECK: The problem is that it does  
19 not comply with the ordinance and you have a maximum  
20 225 units that's permitted but you don't get 225 units  
21 if you can't comply with the various other provisions.  
22 So the point of the argument is that --

23 CHAIRMAN LIPPERT: Do you have an idea  
24 about how much space you could have between the tree  
25 that might be soil or mulch or grass or, or the new

1 systems have to all be next to each other.

2 I'm looking for a sensible construction of the  
3 ordinance.

4 MR. VAN ECK: I am not going to testify  
5 and give you an engineering or architect's view of how  
6 close they can be. But if I have a tree on one side  
7 of the room and a tree on the other side of the room  
8 and grass separating it, I'd argue that doesn't count.  
9 If there's five trees in close proximity which there  
10 are plenty of on this map, I'm not going to carve  
11 around each tree and say they don't count but we  
12 basically have large lawn areas that are supposed to  
13 be landscaped.

14 CHAIRMAN LIPPERT: All right. We got that  
15 point. Let's move along.

16 Q To avoid belaboring this, you know, there  
17 doesn't seem to be much interest in it, would you  
18 agree with me that the example that I just gave to  
19 you, that there are multiple other examples on Sheets  
20 L4 and L5 where there are grassy areas as opposed to  
21 landscape or, or landscape strips with tree pockets?

22 A Grass is landscaping.

23 Q Would you agree with me that there are  
24 areas in excess of 25 square feet of lawn area only  
25 scattered throughout this property?

1           A           There's -- I see no difference between  
2   landscape as being grass or planted with plants. That  
3   all counts.

4           Q           I gave you a shot. I'm going to go  
5   through it painstakingly on each page. I gave you a  
6   chance to say which is your position they're saying.  
7   That's fine. You're allowed to have that position.

8                    What I want to know is there other areas of 25  
9   square feet or greater like the one I just pointed out  
10   next to Unit 101 where there is grass only without  
11   qualifying whether you believe it counts or not. You  
12   said it did count. You are allowed to have that  
13   opinion.

14          A           It is grass.

15          Q           I just want to know factually if there are  
16   other areas of similar size likeness scattered  
17   throughout Sheets L4 and L5?

18          A           There are.

19          Q           Thank you.

20                    If a tree dies, what procedure do you have in  
21   place to replant the tree or bush or shrub?

22          A           The plans have provision for the tree to  
23   be replaced within a certain amount of time of being  
24   planted. Beyond that point, I believe they would be  
25   part of the owner's responsibility. It's also a



1 question for how the association is set up.

2 Q Do you know how many square feet the bike  
3 path occupies?

4 A I do not.

5 Q Do you know how many square feet the  
6 walking trail, the community trail on the site  
7 occupies?

8 A The square feet you're asking me?

9 Q Yes.

10 A I do not.

11 Q How about the two passive recreation  
12 areas? There's a meditation garden and -- do you know  
13 the square footage?

14 A Not off the top of my head.

15 Q Do you know what square footage total is  
16 occupied by grass or lawn?

17 A Not off the top of my head.

18 Q How about retaining walls? Do you know  
19 how much area is occupied by retaining walls?

20 A I do not.

21 MR. VAN ECK: That's all I have for this  
22 witness.

23 Thank you.

24 CHAIRMAN LIPPERT: Thank you.

25 MS. COFFEY: Mr. Chairman, if it's

1 possible, we'd like to have our architect present. We  
2 think he'll be a relatively quick presentation before  
3 we get into revised plans.

4 CHAIRMAN LIPPERT: Sure. First, before  
5 you dismiss the witness, I want to make sure the Board  
6 doesn't have any other questions.

7 MS. COFFEY: Certainly.

8 MALE SPEAKER: Can I talk about  
9 landscaping?

10 CHAIRMAN LIPPERT: No. We had everybody  
11 from the public last time ask questions of this  
12 witness. Mr. Van Eck was the last questioner of this  
13 witness.

14 So --

15 MALE SPEAKER: The last time, the last  
16 time I was told to go down to the, to the town hall to  
17 look up under Borough portal topographical map what  
18 the height of the berm is going to be and I went down  
19 there and there's nothing on the topographical map  
20 that tells me the height of the berms.

21 MS. COFFEY: Our engineer can, can address  
22 that question.

23 CHAIRMAN LIPPERT: Okay. We'll get an  
24 answer for you on that.

25 MS. COFFEY: Our engineer will be here in

1 a little bit tonight and she'll be able to address it.

2 MALE SPEAKER: All right. Okay. Thank  
3 you.

4 CHAIRMAN LIPPERT: Any, any Board Members  
5 have any questions of this witness?

6 Let's move along. Bring up your next witness.

7 THE WITNESS: Set it up over here?

8 Do you have a mike that will reach over here?

9 CHAIRMAN LIPPERT: Caroline, do you think  
10 your mike might reach? Might that be better?

11 This way you can each have a mike and then --

12 MS. COFFEY: Okay. Mr. Arzberger could  
13 you please reduce your several to the Board.

14 THE WITNESS: Richard Arzberger,  
15 Sonnenfeld & Trocchia Associates, Holmdel, New Jersey.

16 MS. COFFEY: Thank you.

17 MR. LEIBMAN: We have to swear him in.

18 MS. COFFEY: I'm sorry.

19 MR. LEIBMAN: Raise your right hand to be  
20 sworn.

21 Do you swear the testimony you're about to give  
22 is the truth, the whole truth, nothing but the truth  
23 so help you God?

24 THE WITNESS: Jeff Sessions.

25 CHAIRMAN LIPPERT: Richard, spell your

1 last name for me.

2 THE WITNESS: A R Z B E R G E R.

3 MR. LEIBMAN: A R C B E R --

4 THE WITNESS: A R Z as in zebra.

5 MR. LEIBMAN: Z, got it. Thank you.

6 DIRECT EXAMINATION BY MS. COFFEY:

7 Q Mr. Arzberger, can you tell the Board a  
8 little bit about your experience and qualifications,  
9 please?

10 A Sure. I'm a licensed architect in the  
11 State of New Jersey since 1984. I've testified in  
12 River Vale probably about 20 years ago but I've also  
13 testified throughout the State on numerous occasions.

14 My practice involves primarily providing  
15 architectural services to merchant builders for  
16 primarily multi-family.

17 MS. COFFEY: Thank you.

18 We would ask Mr. Arzberger be accepted as an  
19 expert in architecture, please.

20 CHAIRMAN LIPPERT: Yes. He's accepted as  
21 an expert in architecture.

22 MS. COFFEY: Thank you.

23 Q Okay. Mr. Arzberger, can you give us a  
24 review of the buildings that are being proposed here,  
25 please?

1           A           Sure. Most of the, most of what I have to  
2 show are just pinned up versions of what was submitted  
3 with the application. However, there are two  
4 renderings which have to be entered as exhibits.

5           The first one I'll call this colored rendering  
6 of town house building.

7           MR. LEIBMAN: A-7.

8           MS. COFFEY: What number are we up to?

9           CHAIRMAN LIPPERT: That's what we're  
10 looking for.

11          MR. LEIBMAN: Do you have it as A-10?

12          MS. HAAG: A-10.

13          MS. COFFEY: A-10.

14          THE WITNESS: A-10.

15          A           The second exhibit is colored rendering of  
16 the quadplex building. I guess that's A-11.

17          MR. LEIBMAN: What's A-11?

18          THE WITNESS: That is a colored rendering  
19 of the quadplex building. I'll explain what the  
20 quadplex building is in terms of the floor plans as  
21 well as elevation.

22          A           There are three types of residential  
23 prototypes being proposed for the site. They include  
24 a town house prototype, what we call a quadplex  
25 prototype and then the multi-family affordable

1 housing.

2 Can you see this? If not, as I said, what's on  
3 this easel is basically what was submitted as far as  
4 the application package. The only thing which is new  
5 is the colored rendering.

6 CHAIRMAN LIPPERT: What sheet does that  
7 correspond to?

8 First of all, which exhibit are you talking  
9 about?

10 THE WITNESS: This is Sheet A-1.0. It's  
11 labeled town homes.

12 CHAIRMAN LIPPERT: We haven't marked that  
13 separately as an exhibit?

14 THE WITNESS: No. It was submitted with  
15 the application.

16 CHAIRMAN LIPPERT: I think we should mark  
17 that separately as an exhibit.

18 Is that any different from what was submitted?

19 THE WITNESS: No.

20 CHAIRMAN LIPPERT: It's just a blowup,  
21 nothing else?

22 THE WITNESS: It's exactly the same.

23 CHAIRMAN LIPPERT: Okay. Then just  
24 identify what sheet it is.

25 THE WITNESS: In the application A-1.0

1 which is on the left-hand easel represents the first  
2 floor plan of a four unit town house building.

3 CHAIRMAN LIPPERT: Okay.

4 THE WITNESS: On the right hand easel is a  
5 colored rendering of what that building would look  
6 like from the front.

7 CHAIRMAN LIPPERT: And the colored  
8 rendering is an exhibit?

9 THE WITNESS: That is an exhibit, A-10.  
10 Correct.

11 CHAIRMAN LIPPERT: I'm sorry. A-10?

12 THE WITNESS: A-10.

13 A So referring to the floor plan, as you can  
14 see, each one of these units has a two car garage and  
15 there's a choice between whether the master bedroom  
16 suite is on the first floor or on the second floor.  
17 Some of the end units have side entry garages. The  
18 garage are entered from the front as you can see from  
19 the rendering.

20 The materials to be used on the facade are along  
21 the base and, in some cases, on the second floor a  
22 cultured stone product which is a manufactured  
23 concrete stone product. The horizontal siding that  
24 you see on the second floor primarily is a fiber  
25 cement board. The panels around the bay windows and

1 certain other selected areas are a synthetic product  
2 whose brand name is Azek. And then we're also using  
3 some fiber cement cedar shingle siding, for example,  
4 up in the gables.

5 The roof is standard asphalt fiberglass  
6 shingles.

7 CHAIRMAN LIPPERT: Is that more or less  
8 the color scheme?

9 THE WITNESS: Yes. We're proposing an  
10 earth tone neutral color scheme, browns and tans.

11 But, as far as the town house, the square  
12 footage of each of the units varies. But they're  
13 primarily in the 3,200, 3,200 to 3,400 square foot  
14 range excluding the garages.

15 And, as I said, on the first floor in most cases  
16 you have a master bedroom suite, living area on the  
17 first floor. And on the second floor which is, once  
18 again, Sheet A-1.1, you'll see that on the second  
19 floor, secondary bedrooms and loft areas.

20 In the case of the master up choices, there's a  
21 master bedroom on the second floor as well as the two  
22 secondary bedrooms.

23 The height is measured from first floor to the  
24 ridge line of the town homes is approximately 37 feet.

25 That's from the first floor slab to the highest,



1 highest ridge line. That's the first residential  
2 product.

3 The second residential product are what we call  
4 quadplexes because they're composed of four flats.  
5 The first floor flats, two second floor flats on each  
6 building.

7 Once again, each of these units have its own  
8 attached two car garage. What you see on the right  
9 hand easel, Exhibit A-11 which, once again, is a  
10 colored rendering of the front of a typical quadplex  
11 building.

12 CHAIRMAN LIPPERT: So the colored  
13 rendering, is that A-11?

14 THE WITNESS: That's A-11.

15 CHAIRMAN LIPPERT: Okay.

16 A And on the left-hand easel is Sheet A-2.0  
17 of the application. Once again, identical to what you  
18 already received.

19 And this shows the four, two units on the first  
20 floor. Each of those units has its own two car garage  
21 and on the first floor would include a master bedroom  
22 suite, secondary bedroom, den, living area and  
23 kitchen.

24 And there's an additional two more garages that  
25 are accessed off the main entryway which provides

1 access to the two second floor units which are  
2 indicated on Sheet A-2.1.

3 And you'll see that the basic layout is very  
4 similar to the first floor units as well.

5 So this building has four units but rather than  
6 being in town house form, they're in the form of a  
7 flat over a flat.

8 The square footage of these units range in size  
9 from 2,800 square feet to 3,200 square feet.

10 MS. REITER: Excuse me. I'm sorry. Does  
11 that include the garage?

12 THE WITNESS: Always, always excluding the  
13 garage.

14 MS. REITER: Always? Thank you.

15 A In terms of the elevation treatment, as  
16 you can see we copied the same materials used on the  
17 town houses, same color scheme and a lot of the same  
18 detail so that the two building types work well  
19 together.

20 CHAIRMAN LIPPERT: I'm sorry. Did you  
21 give us the height?

22 THE WITNESS: The height on the quadplexes  
23 are also very similar to the town houses. They're  
24 approximately 37 1/2 feet from first floor slab to  
25 ridge line.

1                   CHAIRMAN LIPPERT:  And are these two  
2 different types of products interspersed throughout?  
3                   How do they relate to each other?

4                   THE WITNESS:  As far as -- most of the  
5 quadplexes are clustered in one section of the site.

6                   CHAIRMAN LIPPERT:  What are you looking at  
7 now?

8                   THE WITNESS:  Okay.  This was done by  
9 Spiezle as Exhibit A-3 blowup of the development  
10 portion of A-2?

11                  And, as you can see, the predominant part --

12                  CHAIRMAN LIPPERT:  Hold on.  Was that  
13 previously marked?

14                  MS. COFFEY:  Yes, it was previously marked  
15 A-3.

16                  CHAIRMAN LIPPERT:  Sorry.  Okay.

17                  A           The predominant residential type are the  
18 town homes.  The quadplexes are located in Pod 3 here  
19 and also lining this road along the southern part of  
20 this road from this point to that point.

21                  So the majority of the town houses but there are  
22 a few certain pods of the quadplex.

23                  COUNCILMAN BROMBERG:  That was a total of  
24 32 of those.

25                  Correct?

1 THE WITNESS: Yes.

2 A The third residential prototype, we don't  
3 have a rendering for this one but we do have the  
4 elevations which were submitted shown on Sheet A-3.2.  
5 You see the front elevation of the building, a long  
6 side elevation and on Sheet 3.3 we show the rear  
7 elevation and the other side elevation.

8 CHAIRMAN LIPPERT: Is this the affordable  
9 housing?

10 THE WITNESS: This is the affordable  
11 housing building.

12 So once again, we use the same materials,  
13 extensive use of cultured stone, the same fiber cement  
14 siding, the same panel system located around some of  
15 the windows.

16 CHAIRMAN LIPPERT: And it will be the same  
17 color scheme?

18 THE WITNESS: The same color scheme.

19 And so what we're trying to do is use the same  
20 color pallet throughout the entire project, the same  
21 materials throughout the project and, to a large  
22 extent, the same detailing on each of those  
23 residential products so there's continuity throughout  
24 all the different residential types.

25 MR. STATILE: This building has got vinyl

1 siding on it where the other buildings have hardywood.

2 THE WITNESS: This building -- I'm sorry.  
3 There's panel systems are Hardy fiber cement panels  
4 and the horizontal siding here is vinyl.

5 MR. STATILE: Okay. The other town houses  
6 are all --

7 THE WITNESS: The town houses are fiber  
8 cement, all fiber cement.

9 MR. STATILE: So there's a slight material  
10 difference?

11 A These buildings are three stories in  
12 height and the floor plans which are indicated on  
13 Sheet A-3.0 and A-3.1 illustrate the first, second and  
14 third floor plans.

15 As you can see there's two entrances to the  
16 building and exit stairs. Each one of those exit  
17 stair assemblies provides access to four individual  
18 units so the building is basically divided in half but  
19 with one stair access and four units per floor.

20 Since these drawings were done, there's been  
21 some modification to the grading in this area. So, as  
22 a result, when you look at the elevation the buildings  
23 will be jogged vertically and horizontally. So there  
24 will basically be a break in the building, midway  
25 through the building and have a drop on the right-hand

1 side -- I'm sorry, left-hand side, on the left-hand  
2 side as well as a horizontal offset as well. And that  
3 new footprint is reflected, I believe, in the revised  
4 site plans.

5 The architectural have not been revised.

6 CHAIRMAN LIPPERT: What's the bedroom  
7 distribution?

8 MR. SANTOLA: May I, Mr. Chairman?

9 Bedroom distribution is handled by UHAC, the  
10 Uniformed Housing Affordability Controls. Typically  
11 bedrooms, UHAC, 20 percent one-bedrooms -- actually,  
12 it reads no more than 20 percent one-bedrooms, no  
13 fewer than 20 percent three-bedrooms and 60 percent  
14 two-bedrooms and that's what we always build.

15 MS. REITER: Actually -- I'm sorry, Mr.  
16 Chairman. Respectfully.

17 You got the one and the three correct but I  
18 think the two is a minimum of 30 percent of  
19 two-bedrooms and there's some flexibility for the  
20 developer.

21 Your bedroom counts you're proposing on your  
22 plans do conform to UHAC but there is some flexibility  
23 to the developer. I don't think it's a 60 percent  
24 development.

25 MR. SANTOLA: We can't build more than 20

1 percent ones and I don't think the town wants 20, more  
2 than 20 percent threes.

3 MS. REITER: I think you have a maximum 20  
4 percent one-bedroom, minimum of 20 percent  
5 three-bedrooms and minimum of 30 percent two-bedrooms  
6 and then the remainder is up to the developer, the  
7 town.

8 However, it's done -- I wanted to qualify. I  
9 don't mean there's a 60 percent requirement.

10 CHAIRMAN LIPPERT: But the plan as  
11 submitted complies?

12 MS. REITER: The most recent set of plans  
13 and the bedroom distribution that's defined within the  
14 bulk table appears to conform to UHAC. And I'm  
15 certain that's going to be a requirement should the  
16 Board conform to UHAC so the town can obtain its full  
17 credits for housing.

18 CHAIRMAN LIPPERT: I want the information  
19 out there so the public would understand it's a  
20 distribution of one, two, and three-bedroom units and  
21 there's some flexibility about the percentages.

22 MS. REITER: Yes. Not about the  
23 one-bedroom units, the affordables, but there is some  
24 flexibility between the two and threes with some  
25 requirements and it appears the plans, as submitted,

1 do conform with respect to the housing -- I'm sorry.  
2 Excuse me. The bedroom distribution for affordable  
3 housing units.

4 This only covers, what we're talking about, the  
5 affordable housing units. The market rate is not  
6 cover and not the subject of UHAC.

7 THE WITNESS: So in answer to the original  
8 question, the number of one bedroom units is four --  
9 15, that, that equals about 16.7 percent of the total  
10 number of affordable units. There are 15 two-bedroom  
11 units which represent approximately 62.5 percent of  
12 the total number of affordable units and there are  
13 five three-bedroom units which represents 20.8 percent  
14 of the total units.

15 So the total number of affordable units in the  
16 building is 24.

17 MR. LEIBMAN: I'm sorry to make you do  
18 this but 15 one-bedroom units?

19 THE WITNESS: There are three one-bedroom  
20 units -- I'm sorry, four, three and one is four, four  
21 one-bedroom units, 15, 15 two-bedroom units and five  
22 three-bedroom units. That equals the percentage of  
23 16.7, 62.5 and 20.8 for a total of 24 units.

24 MR. LEIBMAN: So, do the math. The four  
25 bedrooms constitutes what percentage?



1 THE WITNESS: The one-bedrooms are 16.7,  
2 the two-bedrooms are 62.5.

3 MR. LEIBMAN: Slow down. 60 what?

4 THE WITNESS: 62.5 and the three-bedrooms  
5 are 20.8.

6 MR. LEIBMAN: Okay.

7 THE WITNESS: As I was saying, this  
8 building is a three-story building, slab on ground and  
9 the height is measured from first floor, finished  
10 floor to highest ridge line, is 47 foot 6 inches.

11 So, in summarizing, I believe the town houses  
12 and quadplex are subject to a 45 foot maximum height  
13 and is subject to 50 foot maximum building height.

14 And that is, summarizes the three prototype  
15 residential buildings that were proposed.

16 In addition to the residential prototypes, there  
17 are certain out buildings primarily used for  
18 maintenance. But, on Sheet A-5.0 you'll see there's a  
19 small gatehouse which is to be added at the entrance  
20 to the project. Once again, the same detailing and  
21 stone materials. It's only 10 foot 8 by 16 feet so  
22 it's relatively small in size and that's the  
23 guardhouse at the main entrance.

24 Located on the site plan, I'm going to refer  
25 once again to Exhibit A-3. You'll see an L-shaped

1 structure in the southwest corner of the site. That  
2 L-shaped structure is the primary maintenance building  
3 which is illustrated in elevation form on Sheet A-4.1.

4 And what we're doing with this elevation is  
5 we're trying to give it an agricultural building look.  
6 So the building is segmented into two primary  
7 components. One is a gambrel roof wing, what you see  
8 in the front elevation which is primarily sided and,  
9 once again, the cultured stone material.

10 The balance of the building, which is a long  
11 wing that's perpendicular to that first wing is sided  
12 in fiber cement siding. And you see that on the side  
13 elevation shown on that same sheet as well as the rear  
14 and in the back side elevation.

15 The way the building is planned, I'm going to  
16 refer to Sheet A-4.0, you see the L-shaped building.  
17 It's segmented into an administration area where the  
18 offices and employee lounge and changing area,  
19 restrooms and so on.

20 There's an equipment maintenance area which will  
21 have a lift so vehicles are, they basically enter the  
22 building through one of the three garage bays and then  
23 it can be put on a lift to be serviced.

24 And then the main longer wing is equipped with  
25 storage in which -- I'm told that currently a lot of

1 the equipment on-site, the golf course, is stored  
2 outside. But what this building will give them the  
3 opportunity to do is move all their equipment,  
4 vehicles inside.

5 CHAIRMAN LIPPERT: So this building is for  
6 maintenance of the golf course?

7 THE WITNESS: It's all maintenance of the  
8 golf course.

9 CHAIRMAN LIPPERT: The golf course only?

10 THE WITNESS: That's my understanding,  
11 yes.

12 In addition to that first floor that I just  
13 described, there are two loft areas. One area is  
14 above the administration building, primarily used for  
15 storage. The second area that's located at the  
16 extreme corner between the two legs of the L., that  
17 will also be used for storage.

18 The total first floor square footage of this  
19 building is approximately 18,530 square feet plus an  
20 additional 2,100 square feet for those lofts I  
21 described. Those lofts are basically under the gabled  
22 roof. One loft with a gabled roof which is shown  
23 here. And the other one is below the pitched roof of  
24 the main L-shaped wing.

25 So, once again, the theme here was to create

1 buildings which have an agricultural feel to them so  
2 rather than, you know, the more utilitarian metal type  
3 buildings we see for maintenance buildings such as  
4 this.

5 COUNCILMAN BROMBERG: I have a question on  
6 the flip side, please.

7 Go back to what you showed before, the L-shaped  
8 building.

9 Just to clarify, that's Piermont to the left in  
10 this rendering.

11 Correct?

12 There we go. Piermont is on the bottom?

13 THE WITNESS: Right.

14 COUNCILMAN BROMBERG: And the part with  
15 the elevator, for vehicle maintenance?

16 THE WITNESS: The loft, yeah.

17 COUNCILMAN BROMBERG: The lift. I'm  
18 sorry.

19 Is there going to be -- those vehicles will be  
20 entering in and out of that building on the north  
21 side, correct, inside the L?

22 THE WITNESS: Right. What we tried to do,  
23 not only with that part of the building but with this  
24 part of the building as well, all the activities are  
25 on the inside part of the L., so they're screened from

1 the street and also screened from the residential area  
2 on-site as well. It's, all activity takes place in  
3 sort of like this courtyard.

4 COUNCILMAN BROMBERG: I just wanted to  
5 clarify.

6 MS. VACCARO: I do have a question. You  
7 might not be the right person.

8 Why would you bring a mixed use as a golf course  
9 maintenance close to Piermont and not over by the golf  
10 course?

11 THE WITNESS: I wasn't involved with that  
12 decision.

13 MS. VACCARO: Who could answer that  
14 question?

15 MR. SANTOLA: So the location of the  
16 maintenance building was, was through a few channels.

17 First of all, we need to be able to get vehicles  
18 to it easily without necessarily running all through  
19 the golf course. And second of all, we needed to keep  
20 it near the, where we're going to have the irrigation  
21 system because it made sense because that's going to  
22 require a certain amount of maintenance and so on.

23 And, it also is where we could easily access the  
24 golf course. So those three combinations led us to  
25 bring it to that location. Again, try and build it in

1 such a way that it's really a self-contained  
2 compartment so that when it's, when it's operating  
3 it's not bothering the residents, you're not going to  
4 be able to see it from Piermont.

5 So that's really where it made the most sense.

6 MS. VACCARO: Okay. Thank you.

7 COUNCILMAN BROMBERG: I'm sorry to pick up  
8 on that, not to belabor it. These are going to be  
9 golf carts?

10 THE WITNESS: Maintenance equipment, lawn  
11 mowers, tractors, heavier type equipment that they use  
12 to maintain the golf course.

13 COUNCILMAN BROMBERG: Bigger pieces of  
14 vehicles.

15 THE WITNESS: Yes.

16 COUNCILMAN BROMBERG: Landscapers.

17 THE WITNESS: Okay.

18 COUNCILMAN BROMBERG: Where is the traffic  
19 between this building and the golf course through or  
20 around this residential area? That's what I'm  
21 confused on.

22 THE WITNESS: The engineer will handle  
23 that question.

24 MR. WAYNE: Is this building going to be  
25 sprinklered?

1           THE WITNESS:   Probably not.   Probably not.  
2   This is going to be, depending on where you're talking  
3   about, this would be a business use.   The rest of the  
4   building would be either a U. or possibly an S2 use  
5   and we would have to do a calculation on the area of  
6   it but I suspect not the threshold that would require  
7   sprinklers.

8           MR. WAYNE:   Also the town houses and  
9   residential, how will the fire walls be built?

10          What are you going to build them out of, what  
11   material?

12          THE WITNESS:   We would anticipate building  
13   them out of gypsum core wall.

14          MR. WAYNE:   You're not going to go to the  
15   roof?

16          THE WITNESS:   No, we're not required.  
17   We're using an assembly which is permitted to be used  
18   by New Jersey's Uniform Construction Code.   They gave  
19   you a few alternatives.

20          The alternative that we choose to go with is one  
21   which terminates at the roof line.

22          MR. WAYNE:   And each unit will have a fire  
23   wall in between?

24          THE WITNESS:   The town houses will  
25   probably have a fire wall between.   The quadplexes may

1 have one fire wall in the center of the building.

2 MR. WAYNE: Two units will have it?

3 THE WITNESS: We haven't really gotten  
4 that far as far as design of that but I suspect we're  
5 probably going to have one in the middle. The COAH  
6 building will have a fire wall down the middle as well  
7 the two pods are jogged, there will be a fire wall at  
8 that location halfway through the building as well.

9 Once again, constructed in an identical manner.  
10 I believe it's a two hour, two hour assembly.

11 MS. VACCARO: Excuse me. Can we go back  
12 to Mr. Bromberg's question.

13 MALE SPEAKER: Speak up into the mike,  
14 please.

15 MS. VACCARO: Those vehicles coming to the  
16 maintenance facility. You went in a different  
17 direction. But if you could describe to us what that  
18 route is, if it's possible for you.

19 THE WITNESS: The vehicles --

20 MR. SANTOLA: No. Let me just -- I think  
21 there was a -- the vehicles will be on-site. The only  
22 time they will be brought there will be -- they're not  
23 going to come in and out, in and out. They're just  
24 going to go from this area up to the golf course, mow  
25 the appropriate areas or use, you know, clean the sand



1 traps, whatever they may be doing that day and then  
2 they're brought back down to the maintenance area.

3 So there's no in and out. They don't have to  
4 leave and go down Piermont or come up a separate road  
5 to come in.

6 MS. VACCARO: I was wondering through the  
7 complex, is it going to be effecting any safety and  
8 security of the people that are actually living in the  
9 complex.

10 MR. SANTOLA: Unfortunately, we need a  
11 bigger map which is right here. They'll come right  
12 through here.

13 The goal is to keep this all part of the golf  
14 course. And if you recall the earlier testimony,  
15 that's why the lot line is drawn here because both the  
16 irrigation system for the course as well as the  
17 maintenance area are on the golf course lot and there  
18 will be no easement required or anything because they  
19 will stay right on the golf course property.

20 MS. COFFEY: You're referring to A-2.

21 MR. SANTOLA: Referring to A-2, the area  
22 where the maintenance area meets the golf course.

23 MS. VACCARO: Thank you.

24 MR. STATILE: I want to go back to the  
25 Council President's comment. This is a large

1 building. It's --

2 FEMALE SPEAKER: We can't hear you.

3 CHAIRMAN LIPPERT: Talk into the mike.

4 MR. STATILE: This is a self-storage  
5 building. The front elevation which -- put the  
6 elevations again. They did make kind of like a  
7 barnish kind of barn. I think the roof line needs to  
8 be broken up with something. Point to that elevation  
9 there.

10 It's a rather long building. Traditionally a  
11 barn has cupolas on it, something to break up the roof  
12 line. Because that's a dominant feature. The section  
13 to the right as well.

14 THE WITNESS: No. Let me be clear. This  
15 is what you see from the street when you go by.

16 MR. STATILE: I think short -- I don't  
17 know how short it is. It's probably as long as the  
18 COAH building. So it's about as big at the COAH  
19 building.

20 MR. LEIBMAN: You want a cupola on top of  
21 it?

22 MR. STATILE: I want the architect to look  
23 at the roof line, barns in New Jersey. See, he's got  
24 something, he's got something. He needs a little bit  
25 more. Lineup somehow.

1           The next thing is --

2                   MR. LEIBMAN: Hold on a second. Do you  
3 think you could put some cupolas on that barn?

4                   MS. COFFEY: We'll take a look at it and  
5 find a way to address the comment.

6                   MR. LEIBMAN: Do you want a weather vane  
7 on top of it, a horse or a chicken?

8                   MR. STATILE: Anyway --

9                   COUNCILMAN BROMBERG: The point is, if we  
10 got a nice building with the COAH building, the  
11 architecture, this is going to look like a factory.

12                   MR. STATILE: We have one that has a whole  
13 bunch of buildings there. The west elevation, the  
14 next one down, you're going to see that from the  
15 roadway because the landscaping, there's no  
16 landscaping as you drive into River Vale. The first  
17 thing you look up, that's what you're going to see,  
18 that building. There's nothing there. It looks like  
19 a self-storage building. It's not even a nice --  
20 battenboard is kind of traditional but I think either  
21 the landscape architect has got to do something with  
22 this, something to work out.

23                   This is River Vale's approach to the town you  
24 see. You see this 40 foot long --

25                   MR. BEUKAS: Is there an artist rendering

1 of this building?

2 MR. STATILE: I don't think we have --

3 THE WITNESS: No.

4 MR. WAYNE: What is the height of this  
5 building?

6 THE WITNESS: 22 feet measures from the  
7 first floor to the highest point.

8 MR. STATILE: It's long, it's a very long  
9 self-storage looking building. The roof lines,  
10 presentation -- I would just suggest that this is one  
11 of the most important so would the applicant consider  
12 revising some of the design elements, to take the  
13 comments?

14 THE WITNESS: I'm sorry. The 22 feet is  
15 to this long way. The gambrel roof section of the  
16 building is 33 foot 6.

17 CHAIRMAN LIPPERT: Okay.

18 MS. COFFEY: Mr. Chairman, you are asking  
19 if the applicant would consider making revisions to,  
20 you're talking about the long side of the building.

21 Correct?

22 CHAIRMAN LIPPERT: Well, everything Mr.  
23 Statile said including perhaps additional landscaping.

24 MR. SANTOLA: We'll definitely look at  
25 that. Landscaping, I think, would probably be easier.

1                   MR. STATILE: The length of the roof, it's  
2 a long roof line.

3                   MR. SANTOLA: Well, we'll definitely look  
4 at that.

5                   COUNCILMAN BROMBERG: Other developments  
6 we have had in town, other properties we consider how  
7 it's going to look from the roadway or from outside of  
8 this community.

9                   MR. STATILE: It's going to be a  
10 maintenance building.

11                  FEMALE SPEAKER: Can you please use the  
12 microphone?

13                  MR. STATILE: The first thing is the  
14 driveway itself.

15                  MR. BEUKAS: So it's a perception issue,  
16 the length of the top of the building so no matter  
17 what you would see --

18                  MR. STATILE: You would see the lawnmowers  
19 is fine. That's not a big deal.

20                  MR. BEUKAS: Just so I understand that  
21 couldn't be addressed by land, additional landscaping  
22 that would be a green screen?

23                  So that won't resolve the issue of the length of  
24 the building.

25                  MR. STATILE: You have ground equipment

1 that's going to be parked there, worked on, lawn  
2 mowers. It's, it's scattered inside so yeah.

3 The landscape will hide that lower story. But  
4 you still, if the roof is sticking out which is, you  
5 know -- I don't know. There's some things that we can  
6 work with actually so...

7 MS. COFFEY: We will take a look and come  
8 up with something to address the concern.

9 COUNCILMAN BROMBERG: Thank you.

10 THE WITNESS: Okay. So the buildings,  
11 because of the loft area I described, these buildings  
12 are considered 1 1/2 stories. And, again, I gave you  
13 the height of that.

14 And that's pretty much the large maintenance  
15 building.

16 Q Just before you end, what percentage of  
17 the building is at 1 1/2 stories versus one story?

18 Are you able to show it?

19 A As I described, there's a loft area above  
20 the administration area which is going to be used for  
21 storage, accessed from the stair. And there's a  
22 second loft area that's located at the intersection of  
23 the two legs that's also going to be used for purposes  
24 of part storage and so on. And, that's also accessed  
25 by a stair.

1           And the remaining area of the gambrel portion of  
2 the building where there is no loft is a higher space  
3 which would allow use of a lift, vehicles to be lifted  
4 and maintained similar to what you see in a service  
5 station.

6           In addition, there's what we call the  
7 environmental building which is a relatively small,  
8 one-story, 5,700 square foot structure which contains  
9 area for equipment wash down so mowers come in from  
10 mowing the lawn, they're washed down and in these two  
11 bays over here. There's a fertilizer storage area  
12 here as well and also chemical storage and, and tool  
13 storage.

14           And there's also an unenclosed but roofed  
15 outdoor area where they have fuel pumps to refuel the  
16 equipment.

17           Once again, in this case we're talking about an  
18 exterior material of, in this case, it's more a  
19 utilitarian building, for storage purposes and  
20 environmental purposes so the walls are composed of  
21 concrete masonry units and, once again, asphalt  
22 shingle roof.

23           Q           Just you're referring to A-4.2?

24           A           I'm referring to A-4.2 of the submission.

25           And the end gambrel area likewise will have that

1 fiber cement siding described for the other buildings.

2 COUNCILMAN BROMBERG: Where is this  
3 building located relative to the other --

4 THE WITNESS: That building is located, if  
5 you take a look at Exhibit A-2, the pocket that's  
6 formed by the reverse L. of the maintenance building I  
7 described, it sits in that courtyard.

8 And then, in addition to that, there's also some  
9 storage bins which completes that maintenance  
10 courtyard. The storage bins are used for sand, top  
11 soil and so on. Really just -- they're unenclosed  
12 bins that they can dump the sand and top soil in.

13 Q Those are also located at the interior of  
14 the L.

15 Correct?

16 The storage bins are also located at the  
17 interior of the L-shaped building.

18 Correct?

19 A Yes. That's located to the northwest side  
20 of the L.

21 The, the environmental building is located due  
22 west.

23 So basically they're clustered together and  
24 they're designed in such a way so that the activity is  
25 shielded from the residential units as well as from



1 the street.

2 VICE CHAIRMAN FORTSCH: Would this screen  
3 noise for the residents?

4 THE WITNESS: Which residents?

5 VICE CHAIRMAN FORTSCH: Well, golf courses  
6 start early on Saturday and Sunday morning when some  
7 of us like to sleep.

8 THE WITNESS: The activity, as I said,  
9 would take place on the western side of the L-shaped  
10 buildings so to some extent we're relying on that  
11 building to form a buffer but --

12 VICE CHAIRMAN FORTSCH: Do the vehicles  
13 have to go all the way through and make noise?

14 THE WITNESS: Yeah, you'll hear noise.

15 MR. LEIBMAN: Just to reiterate a point  
16 the Board Member brought to my attention before the  
17 meeting started, there is an ordinance in town that  
18 you should be aware of. There is an ordinance in town  
19 that you should be aware of that govern, that governs  
20 the hours of landscaping activities. It's Section  
21 98-5. And there's no landscaping allowed except as  
22 follows, state and legal holidays not after 6:00 p.m.,  
23 Sundays 9:00 to 6:00 Saturdays 8:00 to 6:00 and  
24 weekdays it's 7:00 a.m. to 7:00 p.m..

25 MR. SANTOLA: We are well-aware of that.

1 It's come up before. I think most Country Clubs, you  
2 know, wrestle with that.

3 But I thought the question was an excellent one  
4 so I just wanted you to understand the way we came  
5 about the system.

6 So currently there is a maintenance area on-site  
7 that is antiquated. We think we have an excellent  
8 maintenance staff, some holdover, some recently  
9 brought in and everybody sat together to come up with  
10 really what we consider to be a state of the art  
11 maintenance facility because we're constantly  
12 upgrading the golf course.

13 And, this is all part of the Master Plan as I  
14 testified to many times to make the course and keep  
15 the club a really Class A facility.

16 So we looked at all those things. We looked at  
17 the best location where the best work could be done  
18 that was the most convenient for the staff and the  
19 easy access to the golf course but, of course, we are  
20 spending a significant amount of money developing the  
21 town home community and the last thing we want to do  
22 is create a nuisance for our own residents. So that  
23 was all looked at.

24 But the times when they get started, how that  
25 interplayed with our residents and the way the

1 building is shaped was all designed around making sure  
2 that we weren't bringing a nuisance to what we really  
3 view as a high end town home community.

4 And I just want you to understand that that was  
5 a team effort with our maintenance people, our design  
6 people as well as our marketing from, from the folks  
7 who actually have to sell the town homes to make sure  
8 that we weren't creating a headache for ourselves.

9 And we think the way we design, the way the  
10 vehicles access the course away from the town homes  
11 that will achieve that make sure we're not going to  
12 have that issue.

13 I hope I answered your question.

14 VICE CHAIRMAN FORTSCH: You're answering  
15 my question but I can't picture myself paying \$800,000  
16 for a unit and hearing tractors at 7:00 in the  
17 morning.

18 MR. SANTOLA: I'm sorry if we end up with  
19 some of those complaints. We're going to have to work  
20 around them and start a little later if the town home  
21 people complain.

22 What I can tell you is, obviously is, when you  
23 purchase, you see the map. Everybody knows what's  
24 happening. Hopefully they're going to be members of  
25 the club anyway and want their greens mowed before

1 they get started. So that's all part of a condominium  
2 association in the marketplace.

3 MR. LEIBMAN: Just to be clear, you're  
4 speaking hypothetically. You're not planning on  
5 buying?

6 VICE CHAIRMAN FORTSCH: I do.

7 MS. VACCARO: I guess I have two  
8 questions.

9 Esthetically, though, how many golf courses have  
10 you built or combinations that have a maintenance  
11 facility outside that's effecting the township side  
12 not the new condo development side and normally  
13 maintenance facilities are usually embedded in golf  
14 courses.

15 Correct me if I'm wrong.

16 So wouldn't it create a bit of a -- well, I  
17 don't know esthetically. This doesn't look like it's  
18 a good idea to have a maintenance facility right  
19 outside of the major road as you're coming into your  
20 brand-new beautiful complex. I'm just talking out  
21 loud.

22 MR. SANTOLA: No. I think you're making  
23 great points.

24 I do think typically maintenance areas are on  
25 the edges of golf courses just because it makes

1 everything easier, to not bring the sand and soil  
2 delivery through the access roads and so on and so  
3 forth. But they are typically buffered.

4 So that was our goal here, right, to buffer.  
5 And I think the ordinance which was, frankly, crafted  
6 by the Planning Board way back when of the buffer  
7 along Piermont really tries to address that. I think  
8 the testimony you heard so far goes above and beyond.  
9 It's over-buffered compared to what was in the  
10 ordinance.

11 What we're going to do is we're going to ask our  
12 landscape architect to give us some views coming up  
13 Piermont toward River Vale because I think Mr. Statile  
14 made a good point and we don't want the first  
15 impression of anybody either coming to play golf at  
16 our club, will buy or live in the town home to see  
17 something that isn't reflective of our best foot  
18 forward. So we're going to look at that very  
19 carefully.

20 But I do think the existing buffer that we  
21 planned definitely had that in mind. And we will make  
22 sure that it's done and enhanced. And, we're also  
23 going to ask Rich to take another look at the  
24 architecture to break the buildings up to create a  
25 little bit more of something that's interesting.

1           We appreciate all the comments.

2                   MR. LEIBMAN: Mr. Santola, if it's  
3 possible, can we have an exhibit created?

4           We're thinking if you just look at L4, if  
5 somebody could maybe highlight for us on L4 the route  
6 that the maintenance vehicles would take from the  
7 maintenance building. I could see it with two pairs  
8 of glasses. On the exhibit that I have, it's pretty  
9 hard to see.

10                   MR. STATILE: Sheet 5 of the site plan is  
11 a blowup of the whole area.

12           Look at Sheet 5. It shows you exactly.

13                   MR. SANTOLA: Thank you. We did,  
14 obviously, know this would be a point of interest to  
15 the Board so we did a blowup of the whole area of  
16 that. So you can see pretty clearly. You just come  
17 out and access straight on to the golf course.

18                   COUNCILMAN BROMBERG: Where are the  
19 maintenance facilities now on that map if you could  
20 point to the location?

21                   MR. SANTOLA: They are mostly right here  
22 and a little bit by the parking.

23                   MS. REITER: So is your point then to  
24 remove, should this all go through as anticipated, the  
25 maintenance buildings built will all be the existing

1 maintenance areas or what's going to happen to them?

2 MR. SANTOLA: I think there's a portion of  
3 the plan we'll show how many buildings are being  
4 removed in that area.

5 I don't want to say all but most if not all are  
6 being removed and concentrated here.

7 MS. REITER: Will your engineer provide  
8 some testimony?

9 MR. SANTOLA: I think we did have  
10 testimony on 24.

11 MS. REITER: That should be really clear.  
12 If there's indications that existing maintenance  
13 buildings are old and you're building this new  
14 building then it would seem to make sense that,  
15 removal of the existing maintenance buildings, you  
16 know.

17 MR. SANTOLA: Daphne will get to that when  
18 she testifies.

19 But I think we're removing four of the buildings  
20 and creating the new one.

21 Did I answer the question with regard to the  
22 access?

23 I think, obviously, the key the Board is  
24 interested in, we don't want to bring every tractor or  
25 pickup back onto Piermont. We certainly don't want to

1 bring it along Piermont or through the town community.  
2 That's definitely not the intent.

3 Again, that's why the lot lines were drawn.

4 COUNCILMAN BROMBERG: Basically to the  
5 west of the retention basin or is it going to be the  
6 west of the last fairway?

7 MR. SANTOLA: It will be just below the  
8 last area.

9 COUNCILMAN BROMBERG: Okay. And the  
10 traffic, I guess, that the vehicles will be traveling  
11 is what the concern was.

12 MR. SANTOLA: I'm sorry. The traffic on  
13 the golf course?

14 COUNCILMAN BROMBERG: Yeah. Will they be  
15 going between that detention basin, the blue and the  
16 fairway or whatever is to the left of that?

17 MR. SANTOLA: Yeah. There is a path here  
18 that I think most of them will actually go up that way  
19 but it's obviously going to depend where they go on  
20 the golf course.

21 COUNCILMAN BROMBERG: That is the concern.

22 MR. SANTOLA: You can see there is a path  
23 here where the most traffic will be.

24 THE WITNESS: In addition, the test  
25 building, is approximately 31 feet from slab level to



1 the highest ridge line.

2 COUNCILMAN BROMBERG: The question is that  
3 the -- that's the environmental building.

4 Correct?

5 Is that going to be visible from Piermont?

6 THE WITNESS: No. It's going to be --

7 COUNCILMAN BROMBERG: Is the L-shaped  
8 building going to be covering that?

9 THE WITNESS: It's going to be screened by  
10 two things. It's going to be screened by as Mr.  
11 Santola testified, a heavily landscaped area in the  
12 front at Piermont and also the one-way of the  
13 maintenance building will also be screened from view  
14 so it's in the courtyard behind the L.

15 MR. STATILE: It's going to need some help  
16 because the landscape buffer terminates where the  
17 maintenance building terminates. Back about 200 feet.

18 As you drive into town you'll see the west side  
19 of the environmental building.

20 So there's got to be some work done with the  
21 landscape architect to buffer that.

22 It's a good observation.

23 THE WITNESS: If you're heading west it  
24 will be behind the building and if you're heading  
25 east, there are some treed areas and landscaping here

1 which will screen it.

2 Will there be a small window that if you look  
3 for the building you'll see it? Probably will be.  
4 But it's not something that's just going to be obvious  
5 as you drive.

6 MR. STATILE: You have the common areas,  
7 greens and fairway and D. boxes and right there.

8 Once you pass the bridge, a couple of trees,  
9 then it's wide open so you will be looking at the  
10 environmental building, so between the road and the  
11 environmental building. The landscape architect could  
12 take care of that.

13 MR. BEUKAS: Chris, can that be done with  
14 Green Giant arborvitaes up against the building?

15 He's talking 31 feet. They can easily reach  
16 that height.

17 MR. STATILE: Actually, it's elevated,  
18 it's elevated probably 4 or 5 feet above grade so it  
19 is sticking up as well as being present. So they got  
20 to work on that.

21 Good observation, Councilman.

22 THE WITNESS: In addition to the  
23 residential buildings and maintenance buildings I  
24 described, there is an existing pump house which is to  
25 remain which is adjacent to the affordable building.

1 That's a small one-story structure, I believe a hip  
2 roof and also includes some culture stone sides.

3 So it's an attractive pump house. It doesn't  
4 create any noise or odors. So it's a pretty benign  
5 use for that location.

6 In addition, the existing clubhouse, there's a  
7 fire connection which has been modified which I  
8 believe was indicated on the site plan. I just ask to  
9 mention that.

10 And then, of course, as required by State law  
11 all of these buildings will be required to comply with  
12 New Jersey Uniform Construction Code.

13 And that completes my testimony.

14 CHAIRMAN LIPPERT: Any more questions by  
15 Board Members?

16 MR. WAYNE: Yes. I have one.

17 In Article, I guess, 142.

18 MR. STATILE: Use the microphone.

19 MR. WAYNE: In the Ordinance 142, let's  
20 talk about 1 1/2 story buildings. It's 2 1/2 story or  
21 one-story.

22 THE WITNESS: Right.

23 MR. WAYNE: So what is the, what is the  
24 height?

25 THE WITNESS: The maintenance building --

1 MR. WAYNE: You said the height, what does  
2 the ordinance say about height?

3 THE WITNESS: The maintenance building, as  
4 defined by your ordinance, is 1 1/2 stories because  
5 there's a slab is one floor. The so-called loft area  
6 or mezzanine is a second floor and it's under a  
7 pitched roof so your ordinance defines that as being  
8 half a story. So the maintenance building is 1 1/2  
9 stories. The town houses and quadplexes are  
10 two-stories.

11 MR. WAYNE: I'm not disagreeing. All I'm  
12 saying in 142, it doesn't define what the height of a  
13 1 1/2 story building would be.

14 THE WITNESS: That's correct.

15 MR. WAYNE: So in our other -- do we have  
16 it any place else in the construction ordinances?

17 MR. STATILE: That has had a defined  
18 building height, 1 1/2 story.

19 MR. WAYNE: What's the height? It would  
20 be for one-story.

21 MR. STATILE: No. This would address  
22 that.

23 MR. WAYNE: Not in this.

24 MR. STATILE: You can't take it from some  
25 other zone.

1           MR. WAYNE: It doesn't address it. What  
2 do we know about the heights?

3           MS. REITER: I believe the applicant is  
4 requesting a variance for 1 1/2 story because it's not  
5 a one-story building because it's a 1 1/2 story  
6 proposed building, I believe the applicant is  
7 requesting a variance for that.

8           MS. COFFEY: That's correct.

9           THE WITNESS: And, likewise, I believe  
10 there's a limit on your accessory buildings of 600  
11 square feet floor area. We exceed that as I  
12 described.

13          MS. COFFEY: And we're also requesting a  
14 variance for that.

15          MR. BEUKAS: I have one question. Could  
16 you provide the Board with an artist rendering of the  
17 COAH building?

18          MR. SANTOLA: Absolutely.

19          MR. BEUKAS: Variations between the hardy  
20 plank and other materials so we can get an idea of  
21 what it would look like on Piermont?

22          MS. COFFEY: Yes.

23          MR. BEUKAS: Thank you.

24          MR. LOWE: What is that pump  
25 house pumping?

1 THE WITNESS: What is it pumping?

2 MR. SANTOLA: That's actually pumping the  
3 irrigation system now when the course needs  
4 irrigation, when the water needs to come out of that  
5 well but we anticipate the use of that going away, way  
6 down based upon the irrigation system we're  
7 presenting.

8 MR. LOWE: So pump water from that  
9 retention pond?

10 MR. SANTOLA: No. It would only be used  
11 at this point when, in an extreme case, where we  
12 couldn't get it out of there and needed additional  
13 water.

14 MR. LOWE: Where will it come from?

15 MR. SANTOLA: It comes from Suez. We pump  
16 from there when we need to now. We anticipate it  
17 being a lot less frequently in the future.

18 COUNCILMAN BROMBERG: Does that building,  
19 does that pump exist now and is that why that's the  
20 location you want to keep it?

21 THE WITNESS: Yes.

22 COUNCILMAN BROMBERG: Okay. And I take  
23 it, as you said, the noise would not be a significant  
24 factor right in that residential area.

25 THE WITNESS: I'm told by maintenance that

1 there is not an issue with noise or odors related to  
2 that function.

3 CHAIRMAN LIPPERT: All right. If there  
4 are no other questions from Board Members now, I would  
5 like to take a 10 minute break and then we'll open it  
6 to the public and questions of this witness.

7 (A recess is taken at 9:02 p.m.)

8 CHAIRMAN LIPPERT: It is about 9:15.

9 Roll call, please.

10 MS. VERDUCCI: Mr. Lowe.

11 MR. LOWE: Here.

12 MS. VERDUCCI: Mr. Beukas.

13 MR. BEUKAS: Here.

14 MS. VERDUCCI: Mr. Adamo.

15 Mr. Bromberg.

16 COUNCILMAN BROMBERG: Here.

17 MS. VERDUCCI: Mayor Jasionowski.

18 Mr. Fortsch.

19 VICE CHAIRMAN FORTSCH: Here.

20 MS. VERDUCCI: Mr. Wayne.

21 MR. WAYNE: Here.

22 MS. VERDUCCI: Mr. Puccio.

23 MR. PUCCIO: Here.

24 MS. VERDUCCI: Ms. Vaccaro.

25 MS. VACCARO: Here.

1 MS. VERDUCCI: Chairman Lippert.

2 CHAIRMAN LIPPERT: Here.

3 Okay. So it's time for the public to ask  
4 questions of the architect. So any members of the  
5 public have questions of the architect come on up,  
6 state your name for the record, please, and address.

7 MS. MORGENSTEIN: Florence Morgenstein, 9  
8 Holiday Court.

9 So I have a few questions. And I'm glad you're  
10 concerned about the looks of that barn type looking  
11 storage facility because along Piermont, coming into  
12 our town would be that, the COAH, and if I'm wrong,  
13 correct me, the quads, because that's the only place  
14 the quads are, along Piermont Avenue.

15 Correct?

16 The answer is yes?

17 THE WITNESS: This is a quad of four that  
18 are located behind the COAH.

19 MS. MORGENSTEIN: And the other four?

20 THE WITNESS: There are four located along  
21 Piermont.

22 MS. MORGENSTEIN: So the other four are  
23 located. So basically when you're coming into our  
24 town from Hillsdale, that's what you will see?

25 THE WITNESS: Yes.



1 MS. MORGENSTEIN: Okay. I have a  
2 question -- you have the retention pond and there's  
3 some structures north of it right on there.

4 What are those structures?

5 Right along the north of it, north.

6 THE WITNESS: North?

7 MS. MORGENSTEIN: Those, yes.

8 THE WITNESS: Those are town homes.

9 MS. MORGENSTEIN: So why couldn't the  
10 maintenance building, because the rationale is that it  
11 has to be near the retention pond, be moved back  
12 there? Twofold, you won't see it from Piermont Avenue  
13 and it will be closer to the golf course with less  
14 noise and less traffic of equipment coming in and out?

15 MR. SANTOLA: Well, since I was provided  
16 that there's no direct access from the road so we have  
17 to obliterate a golf hole in order to get a driveway  
18 all the way up through for the deliveries and the  
19 larger equipment that may come in.

20 MS. MORGENSTEIN: Okay. So there's no way  
21 it can be moved back there? There's no way to  
22 reconfigure that area considering also the fact that  
23 that building is lined up almost with the brook and  
24 then Hillsdale House is on the other side of the  
25 brook.

1           MR. SANTOLA: Just let me clarify. The  
2 building is, how far from the road, over a hundred  
3 feet from the road. It's heavily buffered, we believe  
4 on both sides. We're going to look further if we can  
5 do additional buffering so that, as you come on  
6 Piermont towards River Vale to make sure you don't see  
7 it. It is a one story building hidden behind a whole  
8 bunch of landscaping existing and to be planted.

9           So the -- I don't want to be this perception  
10 that there's going to be some metal building out there  
11 of any great size that everyone is going to see.

12           I don't think anyone is going see it. We don't  
13 want anyone to see it. So, no, we don't think there  
14 is any reason to relocate the building.

15           MS. MORGENSTEIN: So people from the west  
16 of that that live in that five-story Hillsdale house  
17 won't be able to see that as well?

18           MR. SANTOLA: I have no idea.

19           MS. MORGENSTEIN: It's right next to it.  
20 There's a brook where you mentioned the bridge.

21           CHAIRMAN LIPPERT: Questions, you have to  
22 ask questions. You're making statements.

23           MS. MORGENSTEIN: Do you know that next to  
24 that there is a brook and then there is a five-story  
25 building that is the Hillsdale home senior living,

1 COAH, whatever right there?

2 MR. SANTOLA: I would suggest to you that  
3 our view of it is a lot worse than its view of ours.

4 MS. MORGENSTEIN: Say that again. Sorry.

5 MR. SANTOLA: Our view of that building is  
6 a lot worse than their view of what they're going to  
7 see on our golf course.

8 MS. MORGENSTEIN: Also about the noise,  
9 okay, the other day I actually found -- do you know  
10 that the other day your maintenance people were  
11 cutting down trees at 7:00 in the morning along  
12 Piermont Avenue making so much noise that I am sure it  
13 woke people up because I walk my dog there?

14 Did you know that?

15 MR. SANTOLA: I don't think this is what  
16 the witness testified to but, no, I wasn't aware.

17 MS. MORGENSTEIN: Well, did you know that  
18 I had to call the police to check what the ordinance  
19 was because the noise was so loud and they did inform  
20 that during the week it is 7:00 a.m.?

21 MR. SANTOLA: We -- part of the testimony  
22 from this witness, we would apologize and we will  
23 certainly make sure, and I know that our maintenance  
24 people know the ordinance and we will remind them to  
25 follow it.

1 MS. MORGENSTEIN: As far as the COAH, are  
2 there any handicapped accessible or ADA approved  
3 apartments in there?

4 THE WITNESS: Yes.

5 MS. MORGENSTEIN: How many?

6 THE WITNESS: All the ground floor units  
7 are required to be accessible.

8 MS. MORGENSTEIN: Okay. And the last  
9 question, if you can put up the picture of the town  
10 house section where you had the four units.

11 So my question is, how much greenery do you  
12 actually see when you look at that picture?

13 THE WITNESS: I don't know.

14 MS. MORGENSTEIN: Does anybody know how  
15 much greenery is there?

16 MR. LEIBMAN: What do you mean, a lot, a  
17 little, 2 percent, 5 percent?

18 MS. MORGENSTEIN: I don't know. From my  
19 perspective looking at that there's more concrete or  
20 whatever that other material is than there is greenery  
21 and grass and trees.

22 So how much is it according to whoever has the  
23 ability to answer the question?

24 MS. COFFEY: What would be the amount of  
25 greenery on that particular set of buildings in terms

1 of overall scheme on the plan?

2 THE WITNESS: The driveways are  
3 approximately 20 feet wide.

4 MS. MORGENSTEIN: My point is -- I can't  
5 make a point. Right?

6 CHAIRMAN LIPPERT: You will have a chance  
7 to make points but let him answer the question.

8 Is there grass there, shrubs there? I think  
9 that's what the question is.

10 THE WITNESS: I'm going to refer to board  
11 or Sheet A-1.0.

12 The widths of the units themselves vary from 32  
13 feet to 30 feet. The driveways are about 20 feet  
14 wide. In this case there's the four unit building  
15 with four driveways. So, um-um, if you subtract 20  
16 from each one of those there's about, it ranges from  
17 18 feet to 12 feet of landscaped area that is directly  
18 in front of the building not counting any landscape  
19 that's off the ends of the building.

20 MR. BEUKAS: Let the landscape architect,  
21 expert testimony.

22 CHAIRMAN LIPPERT: If he can answer it.

23 THE WITNESS: They're all roughly 20 feet.

24 MS. MORGENSTEIN: Okay. Thank you.

25 CHAIRMAN LIPPERT: Anyone else?

1 MS. McKEOWN-ADAMO: K I R A M C K E O W N  
2 A D A M O, 466 White Birch Drive.

3 My first question is, are you a licensed  
4 landscape architect?

5 THE WITNESS: Yes.

6 MS. McKEOWN-ADAMO: Okay. You signed and  
7 sealed the plans that were submitted to the town?

8 THE WITNESS: Yes.

9 MS. McKEOWN-ADAMO: Okay. How many acres  
10 are existing for all the existing lots?

11 THE WITNESS: I didn't testify to that.

12 MS. McKEOWN-ADAMO: And what is the  
13 percentage of impervious coverage that's proposed?

14 THE WITNESS: I didn't testify to that.

15 MS. McKEOWN-ADAMO: I'm sorry.

16 THE WITNESS: I did not testify to that.

17 MS. McKEOWN-ADAMO: But you drew the  
18 plans.

19 Right?

20 THE WITNESS: I did the architectural  
21 plans.

22 MS. McKEOWN-ADAMO: Okay. Would the  
23 architectural plans -- did you put the actual  
24 residences in and did you also draw the, all the  
25 accessory structures?

1 THE WITNESS: No.

2 MS. McKEOWN-ADAMO: Okay. Are there, for  
3 the town houses, are there basements for these? I  
4 notice on the plans that you see down to the first  
5 floor.

6 THE WITNESS: Yes. There may be some  
7 locations where -- well, the quadplex does not have  
8 them and the town houses would have the ability to  
9 offer basements. Yeah.

10 MS. McKEOWN-ADAMO: Are they full height  
11 basements?

12 THE WITNESS: The town houses will have  
13 basement, the quadplexes will not.

14 MS. McKEOWN-ADAMO: Are they full height  
15 basements?

16 THE WITNESS: Yeah.

17 MS. McKEOWN-ADAMO: Could they be finished  
18 later on, after occupancy?

19 THE WITNESS: I'm sure they do or even  
20 pre-occupancy.

21 MS. McKEOWN-ADAMO: Okay. So would that  
22 increase the occupancy load for each town house?

23 THE WITNESS: What do you mean by  
24 occupancy load?

25 MS. McKEOWN-ADAMO: The residential

1 occupancy load, how many people are allowed to live in  
2 the house.

3 THE WITNESS: It doesn't exist.

4 MS. McKEOWN-ADAMO: There's no occupancy  
5 load in the entire city?

6 THE WITNESS: No.

7 MR. STATILE: I think, to clarify, if  
8 somebody was to finish the basements they are not  
9 allowed -- you can't reside in the basement. You  
10 can't have a bed in the basement because you need fire  
11 egress window wells, ladders.

12 MS. McKEOWN-ADAMO: And those are not  
13 allowed?

14 MR. STATILE: They're not being proposed.  
15 If they're not built, you can't have occupancy.

16 THE WITNESS: Let me clarify that. If you  
17 put basements, they are required to have exit. If  
18 they're not, if they're not bedrooms then they're not  
19 required to have the escape route.

20 MR. STATILE: If they are bedrooms they  
21 would be required.

22 THE WITNESS: Correct.

23 MR. STATILE: At this point --

24 THE WITNESS: Correct.

25 MS. McKEOWN-ADAMO: I'm going to ask, are



1 windows being proposed in any of the basements that  
2 are planning on being finished?

3 THE WITNESS: Windows?

4 MS. McKEOWN-ADAMO: Windows.

5 THE WITNESS: If grading permits.

6 MS. McKEOWN-ADAMO: Okay. So could egress  
7 windows be allowed or walkout basements be permitted  
8 in the basements in some of these locations?

9 THE WITNESS: You could have windows. I  
10 don't think --

11 MS. McKEOWN-ADAMO: There are no walkout  
12 basements?

13 THE WITNESS: I don't believe there are  
14 any walkout basement conditions on the site.

15 MS. McKEOWN-ADAMO: Okay. But would the  
16 site allow for window wells to be created or egress  
17 windows to be utilized?

18 THE WITNESS: I don't know.

19 MS. McKEOWN-ADAMO: You wouldn't be able  
20 to tell that from the grade?

21 THE WITNESS: Yes.

22 MS. McKEOWN-ADAMO: Do you have any  
23 proposed basement plans?

24 THE WITNESS: No.

25 MR. LEIBMAN: Let's put a nail on this.

1 There's no walkout basements?

2 THE WITNESS: Not that I'm aware of.

3 MR. LEIBMAN: I want to know if there's  
4 walkout basements or not, that you're aware of it or  
5 not.

6 I want to know if there's going to be no walkout  
7 basements.

8 THE WITNESS: No walkout basements.

9 MR. LEIBMAN: And there will be  
10 no bedrooms in the basement?

11 THE WITNESS: No bedrooms in the  
12 basements.

13 MR. LEIBMAN: Thank you.

14 MS. McKEOWN-ADAMO: So after occupancy,  
15 that won't be permitted?

16 THE WITNESS: What?

17 MS. McKEOWN-ADAMO: After occupancy no  
18 bedrooms will be permitted in the basements?

19 I'm asking a question.

20 MR. SANTOLA: The ordinance requires that  
21 there be no more than three bedrooms. We will be  
22 delivering three-bedroom homes.

23 The basements are typically used for theaters,  
24 bars, family room. Sometimes they're finished by a  
25 buyer, sometimes they're left unfinished.

1           But the answer is there's no intention to have a  
2 bedroom in the basement. We recognize that the  
3 ordinance requires a cap of three bedrooms period,  
4 before, during or after occupancy.

5           MR. LEIBMAN: We understand and we also  
6 understand sometimes people fall asleep on the couch  
7 in the basement and it does not turn into a bedroom.

8           MR. SANTOLA: A closet and a window, yeah.

9           MS. McKEOWN-ADAMO: In the second floor in  
10 the town houses there's a loft that is proposed?

11          THE WITNESS: Correct.

12          MS. McKEOWN-ADAMO: Okay. Now is it very  
13 easy to turn that loft into a third bedroom on the  
14 second floor after occupancy?

15          THE WITNESS: What do you mean by easy?

16          MS. McKEOWN-ADAMO: It's happened in other  
17 town house developments in the town. So I'm just  
18 clarifying.

19          THE WITNESS: Well, in the floor plans  
20 that would indicate for the second floor, those lofts  
21 are usually part of the circulation area to access  
22 other bedrooms.

23          MS. McKEOWN-ADAMO: Could you come, as an  
24 architect, could you come up with a pretty easy way to  
25 draw up a wall?

1 THE WITNESS: I could do anything.

2 MS. McKEOWN-ADAMO: There you go. And a  
3 walk-in closet, correct, too?

4 THE WITNESS: I suggest you have a Code  
5 Enforcement department and you also have an  
6 association in this project. I think they would find  
7 out pretty quickly if anyone was doing some illegal  
8 modifications.

9 MS. McKEOWN-ADAMO: I disagree with that.  
10 Do any of the units encroach into any front yard  
11 or side yard or rear yard setbacks?

12 THE WITNESS: No.

13 MS. McKEOWN-ADAMO: From Piermont Road?

14 THE WITNESS: No.

15 MS. McKEOWN-ADAMO: It appears that it  
16 does on -- let's see which plan that is.

17 It's on my phone so it's small. I have to  
18 scroll for it because I'm on the website here.

19 It's hard because there are different -- to put  
20 them together in front of me.

21 It appears -- is that it? I apologize. I can't  
22 see it. What section is that? It would be easier if  
23 I look on the engineering -- there.

24 So if you look at Sheet 48, does it appear that  
25 Unit 188 approaches on the segue?

1 MS. COFFEY: I think our engineer is  
2 probably the better person to address the question.

3 THE WITNESS: No.

4 MS. COFFEY: There you go.

5 CHAIRMAN LIPPERT: Yeah. You know, we got  
6 to get ahead of this. You have to ask him questions  
7 about what he testified about.

8 He's the architect. These are questions --  
9 setbacks are questions for the site engineer.

10 She will, she will be making a whole other  
11 presentation so you'll have a chance to ask all those  
12 questions.

13 MS. McKEOWN-ADAMO: Okay. But the  
14 architect does understand site setbacks.

15 CHAIRMAN LIPPERT: Maybe he understands  
16 that but he didn't testify about it. You have to  
17 limit your questions to what he testified about.

18 MS. McKEOWN-ADAMO: Okay. Let's see.

19 Okay. There is an occupancy calculation  
20 according to the New Jersey edition 2015 and it is  
21 taking square footage and then dividing it by 200  
22 square footage, 200 square feet.

23 THE WITNESS: No. No. You're misreading  
24 it. What that is, that table is required to calculate  
25 the number of egress. It's the reverse of what you're

1 talking about. It doesn't limit the non occupancy.

2 You have to read the section of the code that  
3 goes with that table. And what that does, it  
4 determines the minimum number of exit capacity based  
5 on the square footage but it does not, in any way,  
6 limit occupancy.

7 In fact, you're allowed to adjust whatever that  
8 is up to 5 square feet per person.

9 MS. McKEOWN-ADAMO: It does -- I  
10 respectfully disagree, it does limit occupancy.

11 THE WITNESS: Unfortunately, you're  
12 misreading that section of the code.

13 MS. McKEOWN-ADAMO: All right. So then  
14 other municipalities --

15 THE WITNESS: I suggest that --

16 MR. LEIBMAN: All right. All right.

17 MS. McKEOWN-ADAMO: Okay. So -- and I  
18 guess one of the concerns is that if, hypothetically,  
19 do you agree that multiple, more people live in a  
20 residence because they are permitted to for reasons  
21 that may or may not be legal to occupy an additional  
22 bedroom, there, there will be a lot of cars outside so  
23 there won't be just two cars in garages. There will  
24 be a sea of cars all around on the site.

25 That's my concern.

1 THE WITNESS: Okay. Well --

2 CHAIRMAN LIPPERT: Well, that was no  
3 question so there's no need to answer.

4 MS. McKEOWN-ADAMO: Are you aware of the  
5 law that Governor Murphy signed about municipalities  
6 able to charge for runoff from rain water last month  
7 or this month, I guess, for coverage?

8 CHAIRMAN LIPPERT: That's not an  
9 appropriate question for an architect.

10 MS. McKEOWN-ADAMO: Okay. Do you agree  
11 that engineers are closely allied professionals to  
12 architects, according to the State Board?

13 THE WITNESS: Do I agree in the practice  
14 of architecture?

15 MS. McKEOWN-ADAMO: Are closely allied  
16 professionals to architects.

17 THE WITNESS: They're licensed by the  
18 State of New Jersey so are barbers.

19 MS. McKEOWN-ADAMO: Okay. Let's see.  
20 What are the ceiling heights in the town homes?

21 THE WITNESS: Town homes, the first floor  
22 ceiling height is 10 feet, the second floor is 9 feet.

23 MS. McKEOWN-ADAMO: Okay. So what is the  
24 ridge height of the town homes? You said 37 1/2?

25 THE WITNESS: 37 is measured from the

1 first floor to the ridge line.

2 MS. McKEOWN-ADAMO: And what is the town  
3 ordinance for height for a ridge line?

4 THE WITNESS: 45 feet building height.

5 MS. McKEOWN-ADAMO: For a town house? Is  
6 it not 32?

7 THE WITNESS: The applicable building  
8 height for this is 45 feet.

9 MS. McKEOWN-ADAMO: Okay. So in the -- am  
10 I reading the land use Ordinance 142 correctly, for an  
11 M-1 zone it's 35 feet.

12 MR. LEIBMAN: What section are you looking  
13 at?

14 MS. McKEOWN-ADAMO: Maximum building  
15 height A(1) Township of River Vale bulk requirement  
16 schedule, the bulk regs.

17 MR. LEIBMAN: Wait a minute. Section 144-

18 MS. McKEOWN-ADAMO: 224.

19 MR. LEIBMAN: And what subsection?

20 MS. McKEOWN-ADAMO: A(1). Oh, well, I'm  
21 reading the actual table. I don't have the whole  
22 ordinance in front of me.

23 MS. REITER: I don't think that this  
24 ordinance was codified into the table. I think, is it  
25 possible that you're looking at an older table?



1                   CHAIRMAN LIPPERT: Yeah. There's a new  
2 ordinance created for this.

3                   MS. McKEOWN-ADAMO: Oh, it's created for  
4 this site specifically?

5                   CHAIRMAN LIPPERT: Not just this site but  
6 this site and several others.

7                   MS. REITER: This was signed 2018. I'm  
8 wondering -- I don't know what you're looking at. I'm  
9 trying to be helpful.

10                  MS. McKEOWN-ADAMO: That's okay. I  
11 thought this was -- I didn't realize this was created.

12                  CHAIRMAN LIPPERT: You are just looking at  
13 the general zoning ordinance. That's not going to  
14 necessarily apply to this.

15                  MS. McKEOWN-ADAMO: Okay. So there's two  
16 A(1) zones now?

17                  CHAIRMAN LIPPERT: There's an overlay  
18 zone.

19                  MS. McKEOWN-ADAMO: Really? For how many  
20 sites in town?

21                  CHAIRMAN LIPPERT: I don't know.

22                  THE WITNESS: In our copy it indicates  
23 that the allowable building height is 45 feet.

24                  MS. McKEOWN-ADAMO: I apologize. I was  
25 reading 35 from what the town had on that particular

1 A(1) zone. I didn't realize that there were two so...

2 Are you aware of when that A(1) ordinance was  
3 passed?

4 THE WITNESS: I --

5 MS. McKEOWN-ADAMO: If you have the full  
6 thing it always says on the ordinance, doesn't it?

7 MS. COFFEY: It's not something the  
8 architect --

9 THE WITNESS: I didn't testify to that.

10 MS. McKEOWN-ADAMO: Okay. Architects do  
11 -- okay. Yes.

12 So the -- I have a question about the  
13 continuity, the cohesive design you were discussing.

14 And the COAH, there's vinyl siding.

15 THE WITNESS: Yes.

16 MS. McKEOWN-ADAMO: Why are you using  
17 vinyl siding on the COAH and not on town houses?

18 THE WITNESS: Because, according to COAH  
19 regulations, we're permitted to make certain economic  
20 changes that makes the project more viable so they're  
21 not required to use the same materials or the same  
22 designs for COAH units as you are for market units.

23 It's a basic concept for providing affordable  
24 housing, to go to take steps which make the project  
25 more feasible.

1 MS. McKEOWN-ADAMO: But does that, does  
2 that -- is that consistent with being -- you said  
3 originally you testified that it's the same materials  
4 and you changed it and you said that -- did you say  
5 that that creates continuity because they were the  
6 same materials but now they're not the same?

7 THE WITNESS: One is fiber cement siding  
8 and one is vinyl siding. So vinyl siding, all  
9 horizontal siding is intended to be a substitute for  
10 clapboard type siding. So from that perspective  
11 there's a similarity between the two materials but  
12 really the main difference from a distance is the  
13 shadow line so they are very similar.

14 MS. McKEOWN-ADAMO: Okay. You testified  
15 that the maintenance building is not -- was put over  
16 where it's cited so it doesn't bother the residents.  
17 That was one of the reasons?

18 THE WITNESS: I said because of the  
19 configuration of the building, the activity associated  
20 with the maintenance building is on the opposite side  
21 of where the adjacent houses are located in the  
22 courtyard to the west of the building whereas the  
23 quadplexes are to the east of that building.

24 MS. McKEOWN-ADAMO: Okay. I believe your  
25 testimony was residents -- I take exception to that

1 because the people that are going to be living in COAH  
2 housing are also residents of the town.

3 MR. SANTOLA: We agree with that.

4 MS. McKEOWN-ADAMO: There was some  
5 discussion about trees, putting up trees to cover that  
6 maintenance facility, large trees.

7 THE WITNESS: I didn't give testimony on  
8 that.

9 MS. McKEOWN-ADAMO: Okay. But I believe  
10 it was talked about by the Board. They were asking if  
11 arborvitae could be put up.

12 CHAIRMAN LIPPERT: No. That was just a  
13 suggestion.

14 MS. McKEOWN-ADAMO: Okay. And the reason  
15 arborvitae is not deer proof so I wouldn't suggest  
16 doing that.

17 So how many accessory structures are there on  
18 the entire site existing without any proposed changes?

19 THE WITNESS: I don't know.

20 MS. McKEOWN-ADAMO: Have you looked at the  
21 whole site as a whole?

22 THE WITNESS: I haven't looked at existing  
23 structures on the entire site, no.

24 MS. McKEOWN-ADAMO: Did you do a site  
25 analysis for this project?

1 THE WITNESS: No.

2 MS. McKEOWN-ADAMO: Do you know how many  
3 accessory structures are permitted in, for each  
4 property in this A(1) zone?

5 I have the table.

6 THE WITNESS: I'm not familiar with that,  
7 no. I will have some planning testimony to go over  
8 that.

9 I testified to the new structures which we're  
10 proposing as well as the one existing structure, the  
11 pump house. That was the extent of my testimony with  
12 respect to maintenance buildings.

13 MS. McKEOWN-ADAMO: Okay. Now the new  
14 maintenance building, I believe you -- did you say  
15 that it could possibly be a B? It could be  
16 categorized as a B occupancy?

17 THE WITNESS: Yes. It's a mixed use  
18 building.

19 MS. McKEOWN-ADAMO: I believe I asked you  
20 if it would not be classified as a factory industrial  
21 group. I think you -- did you say that it would be --  
22 there would be repairs much like a car service  
23 station?

24 THE WITNESS: No. It says mixed use  
25 building probably going to have an S-2 use and a B use

1 and also a portion of it may be -- it's a multi-use  
2 mixed use building.

3 MS. McKEOWN-ADAMO: Would it also contain  
4 moderate hazards?

5 THE WITNESS: No.

6 MS. McKEOWN-ADAMO: Okay. Would there be  
7 any proposed buildings on this particular site that  
8 you worked on that would contain hazardous materials?

9 THE WITNESS: Not as defined by the  
10 building code, no.

11 MS. McKEOWN-ADAMO: And occupancy could be  
12 an H. or F.

13 THE WITNESS: No high hazard use is  
14 anywhere on the site.

15 MS. McKEOWN-ADAMO: Okay. Does the A(1)  
16 overlay permit these types of uses?

17 THE WITNESS: I didn't analyze the A(1) --  
18 that, that would be planning testimony. We'll have  
19 the planner give planning testimony. I didn't address  
20 that.

21 MS. McKEOWN-ADAMO: Does the Board know if  
22 those are allowed?

23 CHAIRMAN LIPPERT: If what's allowed?

24 MS. McKEOWN-ADAMO: Are these type of uses  
25 allowed in an A(1) zone?

1 CHAIRMAN LIPPERT: What type of uses?

2 MS. McKEOWN-ADAMO: A B, an F.

3 THE WITNESS: When I refer to those uses  
4 that's with respect to the building code. That's  
5 entirely different from the zoning ordinance. So even  
6 though a portion of the building from building code  
7 perspective is a B use, it's not necessarily a B use  
8 with respect to the zoning ordinance.

9 MS. McKEOWN-ADAMO: The planner --

10 MS. REITER: What I can tell you is that  
11 accessory uses are permitted, include maintenance  
12 facilities for storage of equipment and supplies.

13 MS. McKEOWN-ADAMO: That isn't my  
14 question.

15 CHAIRMAN LIPPERT: Just so you know, the  
16 Board is looking at this entire project as a permitted  
17 use.

18 MS. McKEOWN-ADAMO: Okay.

19 CHAIRMAN LIPPERT: Under the zoning.

20 MS. McKEOWN-ADAMO: That maintenance  
21 facility is approximately is 18,000 square feet?

22 THE WITNESS: The maintenance facility, I  
23 believe I said it was 18, a little over 18,000, 530  
24 for the one maintenance building plus an additional  
25 2,000 square feet roughly for the mezzanine or loft

1 areas.

2 MS. McKEOWN-ADAMO: And now that my table  
3 is off, what is the actual permitted square footage  
4 for an accessory structure?

5 THE WITNESS: 600 square feet. That's why  
6 we're seeking a variance.

7 MS. McKEOWN-ADAMO: I understand you're  
8 seeking a variance. But do you believe that that's a  
9 pretty hefty variance you're seeking for 600 to 18,000  
10 square feet?

11 THE WITNESS: I think we made a good case.

12 MS. COFFEY: Again, we're going to have --  
13 a planner will be able to testify to the variance.

14 CHAIRMAN LIPPERT: But he can answer the  
15 question. If he knows the answer, he can answer.

16 THE WITNESS: You heard my testimony what  
17 the buildings are going to be used for. You can  
18 evaluate the importance of having those facilities for  
19 the operation of a golf course whether it's necessary  
20 to have those facilities. We made the case that it is  
21 necessary to have it and we'll stand by our testimony.

22 MS. McKEOWN-ADAMO: You testified that  
23 there are ADA accessible units that are in the condo  
24 housing?

25 THE WITNESS: ADA is the Americans with



1 Disability Act. That federal law really goes with  
2 buildings of public accommodation.

3 So the only buildings of public accommodation  
4 here would be the clubhouse, for example. That would  
5 be subject to the ADA. All the buildings, however,  
6 are subject to New Jersey barrier free code. The  
7 barrier free code requires that residential buildings  
8 of more than three units and multi-story without an  
9 elevator, all ground floor units have to be  
10 accessible, accessible from place of arrival, usually  
11 a parking space to the entrance of the building,  
12 accessible through that unit as well as adaptable  
13 features in kitchens and bathrooms, one bathroom.

14 MS. McKEOWN-ADAMO: Adaptable features,  
15 the plans say ADA adapt.

16 THE WITNESS: That's New Jersey's building  
17 code.

18 MS. McKEOWN-ADAMO: So they will be ready  
19 to be adapted to. They aren't going to be set in  
20 place for ADA kitchens and bathrooms presently.

21 Correct?

22 THE WITNESS: They are required by the New  
23 Jersey barrier free code.

24 MS. McKEOWN-ADAMO: The bathtub units in  
25 these particular units as well?

1 THE WITNESS: The units have bathtubs and  
2 showers.

3 MS. McKEOWN-ADAMO: Okay. And are there  
4 enough for those -- you said that they have parking,  
5 they get -- the units have accessibility from parking  
6 to the units and there are enough parking, ADA parking  
7 spots?

8 THE WITNESS: Yes.

9 MS. McKEOWN-ADAMO: For those amount of  
10 units?

11 THE WITNESS: The number of handicapped  
12 accessible parking spaces is also regulated by New  
13 Jersey Uniformed Construction Code. And if it wasn't  
14 testimony given, I'm sure the site engineer can verify  
15 that the required number of spaces are provided.

16 MS. McKEOWN-ADAMO: Okay. I have a  
17 question about the fencing. Sorry.

18 As an architect, do you believe in the cohesive  
19 design throughout the entire site?

20 Do you believe in a cohesive design throughout  
21 the entire site?

22 Do you believe, as an architect, in a cohesive  
23 design throughout the entire site?

24 THE WITNESS: What, what's for the entire  
25 site?

1 MS. McKEOWN-ADAMO: A cohesive design.

2 THE WITNESS: Cohesive -- oh, yes.

3 MS. McKEOWN-ADAMO: Do you believe that  
4 this is an accessory to the golf course, these town  
5 houses?

6 Do you believe that the town houses are an  
7 accessory to the golf course?

8 THE WITNESS: Accessory to the golf  
9 course? What do you mean by accessory?

10 MS. McKEOWN-ADAMO: They are -- do you  
11 believe they're part of the golf course living  
12 arrangement?

13 THE WITNESS: I'm sure they're going to be  
14 marketed as a golf course community if that's what you  
15 mean.

16 MS. McKEOWN-ADAMO: Okay. Do you believe  
17 the golf course community should have a cohesive  
18 design with the town house community?

19 THE WITNESS: What do you mean by cohesive  
20 design?

21 MS. McKEOWN-ADAMO: Well, I believe that  
22 the entire site is articulated by fencing and what had  
23 been previously called prominence, signage and there's  
24 another part of the golf course that has very large  
25 chain link fence and will it continue to have that

1 according to the proposed planning right on Rivervale  
2 Road?

3 THE WITNESS: Okay.

4 MS. McKEOWN-ADAMO: Do you believe that  
5 that is esthetically desirable as an architect?

6 THE WITNESS: Yes.

7 MS. McKEOWN-ADAMO: To have a chain link  
8 fence for a golf course?

9 THE WITNESS: Yes.

10 MS. McKEOWN-ADAMO: Okay. Are you aware  
11 of historical contaminants on golf courses?

12 MR. LEIBMAN: This is really beyond the  
13 scope of his testimony.

14 MS. McKEOWN-ADAMO: Do architects do soil  
15 testing for foundations and to make sure that --

16 CHAIRMAN LIPPERT: The question is did he  
17 do it not do architects do it.

18 Did you do it?

19 THE WITNESS: Do what?

20 CHAIRMAN LIPPERT: Did you do any testing  
21 for hazardous materials?

22 MS. McKEOWN-ADAMO: I wasn't asking that.  
23 I was asking about -- I changed my question to, do  
24 architects generally do site, do architects do site  
25 testing for soil considerations for foundation

1 structure?

2 THE WITNESS: No.

3 MS. McKEOWN-ADAMO: Architects don't  
4 require those soil testing for foundations.

5 THE WITNESS: There are requirements but  
6 architects don't do that.

7 MS. McKEOWN-ADAMO: Do they require them  
8 when they have subsurface conditions that could  
9 possibly be questionable?

10 THE WITNESS: Are you asking did I review  
11 them to utilize them?

12 MS. McKEOWN-ADAMO: All of the above. I'm  
13 asking all those questions.

14 THE WITNESS: Sure.

15 MS. McKEOWN-ADAMO: Are you aware that  
16 there was NJ DEP site remediation done on this site in  
17 1975 and 1998?

18 THE WITNESS: No.

19 MS. McKEOWN-ADAMO: Okay. Would you be  
20 concerned as an architect to that a golf course could  
21 have historical contaminants?

22 THE WITNESS: No.

23 MS. McKEOWN-ADAMO: Okay. As an architect  
24 what is your, what is your main duty as a professional  
25 conduct?

1 THE WITNESS: My main duty as a  
2 professional conduct is to protect the health and life  
3 safety of the public.

4 MS. McKEOWN-ADAMO: Life safety, yep.

5 THE WITNESS: Health safety.

6 MS. McKEOWN-ADAMO: All right. I guess  
7 that's it.

8 Thank you so much.

9 CHAIRMAN LIPPERT: Anyone else have  
10 questions of this witness?

11 So I guess you don't have any questions, Mr. Van  
12 Eck?

13 MR. VAN ECK: I'm surprised nobody else  
14 does.

15 CHAIRMAN LIPPERT: Hope springs eternal.

16 CROSS-EXAMINATION BY MR. VAN ECK:

17 Q I want to talk about Maintenance Building

18 A. All right.

19 I believe you said there's a few uses that are  
20 going to be going on inside of that building. One is  
21 going to be the storage of materials.

22 Is that correct?

23 A I think what I said was the building was  
24 segmented. You have an administration area which is  
25 primarily administrative offices, employee lounge,

1 changing area, restroom and so on.

2 There's an equipment maintenance area where the  
3 lifts are located where equipment could be brought in  
4 put up on the lift and maintained from below and then  
5 the long portion of the building is basically  
6 equipment storage with the lofts being storage for  
7 parts and so on, equipment storage, anything from lawn  
8 mowers to pick up trucks to tractors, whatever is used  
9 by, as far as the maintenance of the golf course.

10 Q With regard to the administrative portion  
11 of the building what -- essentially that's an office  
12 use?

13 A Yes.

14 Q And is that office for maintenance  
15 purposes?

16 A Yes.

17 Q So in the existing maintenance buildings  
18 they have office space?

19 A I don't know.

20 Q You didn't review the existing structures?

21 A No.

22 I was, I was told what the requirements would be  
23 for a new structure and that's what I designed.

24 Q Is there going to be any office use  
25 associated with management of the golf course?

1           A           The office use here is associated with  
2 management of the golf course, managed maintenance of  
3 the golf course, yes. There's not going --

4           I'm not sure what you mean.

5           Q           Well, is the bookkeeper going to be  
6 located in that house?

7           A           I don't, I don't believe so.

8           Q           So it's only office space for maintenance  
9 personnel?

10          A           That's my understanding, yes.

11          Q           They do a lot of paperwork? I'm confused.  
12                    What kind of office use are you going to be  
13 having with a guy doing an oil change?

14                   MR. SANTOLA: Order, purchase orders that  
15 need to get processed, there is a need for a desk and  
16 a phone.

17                   The club manager isn't going to be down there  
18 but, obviously, if you try and keep any of that stuff  
19 out, it's going to get coffee and whatever else on it.  
20 So it's a clean area for the greens keeper to be able  
21 to have his office operation.

22          Q           What is the square footage of the greens  
23 keepers' office?

24          A           It hasn't been designed yet.

25          Q           What's the square footage of the area that



1 you labeled as administration?

2 A The area for administration is 54 by 44.

3 Q About 2,000 square feet?

4 A Yeah, about 2,000 square feet.

5 Q Which would be larger than the size of a  
6 typical office?

7 A No. There's more than an office in there.  
8 As I said, there's changing rooms for staff. There's  
9 like a -- restrooms for staff use, the break room.

10 Generally what you expect for an administrative  
11 facility for this type of operation.

12 Q The 33 foot height is essentially just the  
13 portion over the administration and the maintenance  
14 area?

15 A Yes.

16 Q What type of storage -- you're going to be  
17 storing tools up in that space?

18 A Small parts that they would use for  
19 maintenance of the equipment.

20 Q It's not for storage of paperwork?

21 A No.

22 Q And office supplies?

23 A No. My understanding, that they would  
24 require that for, basically for parts of the equipment  
25 that they use.

1 Q Are you aware of the square footage of the  
2 four buildings that are being removed?

3 A No.

4 Q The engineer testified that there were  
5 four buildings, one had 5,246 square feet, one had  
6 4,084 square feet, one had 3,137 square feet and one  
7 had 491 square feet which totals 12,958 square feet.

8 Can you tell me the total of the three new  
9 buildings, the Maintenance Building A, Maintenance  
10 Building B and the bulk storage? What's the total  
11 square footage of these buildings?

12 A I testified that the first floor of this  
13 maintenance building is 18,530 square feet. The  
14 second floor areas, the two lofts combined, are 2,100  
15 square feet and the separate environmental building  
16 that I described which is the other building is 5,715  
17 square feet.

18 Q Okay. So the Building A has a combined  
19 square footage of 20,630 square feet?

20 A Yes.

21 Q Is that not correct?

22 A Yes.

23 Q And if we add to that 5,715 we get 26,345  
24 square feet just for Building A and B?

25 A Yes.

1 Q So you're essentially doubling the size of  
2 the maintenance buildings you need for this course?

3 A If your original numbers are correct, yes.

4 Q And reducing it by 9 holes?

5 A Yes.

6 Q Is there any reason you can explain why  
7 you need this additional space compared to the space  
8 the course always had for all these years?

9 A My understanding, when I developed this  
10 program, is that the existing facilities are  
11 inadequate. They have to store a lot of their  
12 equipment outdoors which they prefer not to do. They  
13 can't keep as many parts on hand as they would like to  
14 because there's no place to store them. So their  
15 existing facility is inadequate.

16 So when they developed a program that results in  
17 these buildings, they decided what the square footage  
18 was that they needed to operate an effective and  
19 efficient operation.

20 Q The portion that's 33 feet, if you  
21 eliminated the loft storage space to 2,000 even as  
22 compared to the 26,000 square feet you're adding, you  
23 could build a building at a conforming height.

24 Correct?

25 A It conforms already -- you mean height or

1 you mean storage?

2 Q Both the height of the building in that  
3 location is 33 feet, 25 feet are allowed so if you get  
4 rid of the loft, which is only 2,000 square feet, all  
5 of the lofts not even just that portion of the loft,  
6 you could have a conforming height building?

7 A As I said, there's a portion of that, of  
8 this gambrel roof building which is going to be used  
9 for lifts. So if you want a lift to raise a vehicle  
10 say 7 feet in the air and that vehicle is 11 feet  
11 tall, you need to have 18 square feet of clear space.  
12 So that would be the equivalent of more than one  
13 story.

14 So for that area, even though there's not  
15 actually a second story or half story above, you would  
16 still be required to have it. That created the shell  
17 of the building, in other words the envelope of the  
18 building basically because it had to become high in  
19 this area and they had a need for storage it was easy  
20 to add a mezzanine or loft area to serve that function  
21 which really did not impact the exterior envelope or  
22 mass of the building.

23 Q The lift equipment, you just said 18 feet,  
24 would fit in a 25 foot building?

25 A Yeah. But you have to have a roof

1 shelter, too. You don't want to be a very paper thin  
2 roof. You have to have some sort of truss system to  
3 span that.

4 Q Nothing in the ordinance prohibits you  
5 from having that, that type structure?

6 A Yeah. We designed -- from a functionality  
7 standpoint, if it complies with the requirements of  
8 the zoning ordinance, it's a plus.

9 Q You indicated there are no hazardous  
10 materials being stored in Building A?

11 A No. I said there was no high hazardous  
12 use groups. A high hazardous use group is  
13 categorized, under the enter International Building  
14 Code.

15 Q So are there any hazardous materials being  
16 stored in Building A?

17 A Nothing that the building code considers  
18 to be hazardous. That's all I can speak to is the  
19 building code.

20 I'm not an expert on chemistry. So I can't tell  
21 you what chemicals and what quantities of hazardous  
22 but I can tell you that, under the Building Code, none  
23 of the amounts or types of materials would be  
24 considered a high hazard use by the New Jersey  
25 Building Code.

1           MR. LEIBMAN: Mr. Van Eck, I just want to  
2 interrupt you and ask a question.

3           The height of the accessory structure, the  
4 maximum height, did you say 36 feet in your testimony,  
5 36 feet?

6           THE WITNESS: No. I said that -- I didn't  
7 put what the maximum was. I said the building height  
8 for a portion of this building is 22 and the other  
9 portion of the building is 33.

10          MR. LEIBMAN: I want to make sure my notes  
11 are really clear on this because it's very important.

12          THE WITNESS: I don't recall giving a  
13 maximum allowable height.

14          MR. LEIBMAN: So I guess --

15          MS. COFFEY: Excuse me. I believe it was  
16 33 feet 6 inches at the tallest points just to be  
17 clear.

18          MR. LEIBMAN: Let me just make sure my  
19 notes are clear.

20          Q        So 33 feet 6 inches?

21          THE WITNESS: Yes.

22          MR. LEIBMAN: Thank you.

23          MR. VAN ECK: Was that it, Mr. Leibman?

24          MR. LEIBMAN: Go ahead.

25          Q        Are there any pesticides stored in

1 Building A to your knowledge?

2 A How many?

3 Q Are there going to be?

4 A Yes, pesticides.

5 Q Fertilizers?

6 A Yep.

7 Q Ever heard the term nematicide?

8 A No.

9 Q Neither have I. They may be stored in  
10 this building as well that apply to a golf course?

11 A I'm sure there are materials that have to  
12 be handled properly. There are rules and regulations  
13 for the handling and storage and the golf course would  
14 be subject to those laws and requirements.

15 Q This applies, this question, to Building A  
16 but also Building B in that general area. How are we  
17 presenting these pesticides and materials -- this area  
18 drains to the drainage basin for the property.

19 How are we preventing these materials from  
20 getting into that basin and then into the stream?

21 A Building A doesn't have any storage for  
22 pesticides in it. It's mainly maintenance of  
23 equipment, storage of equipment and so on.

24 What I call the environmental building, the  
25 small 5,000 square foot building, there are some

1 pesticide storage in there and there are tanks for  
2 fuel and so on.

3       Once again, we will not only be required to  
4 follow the Uniformed Construction Code but any other  
5 applicable environmental regulations for storage of  
6 pesticides, fuels and so on.

7       Q       At this point, have you incorporated  
8 anything into your design that will ensure that they  
9 remain within the building?

10       A       No, we haven't gotten to that part.

11       Q       You agree that's something you have to  
12 do --

13       A       Yes.

14       Q       -- as part of ultimately building the  
15 project?

16       A       Yes.

17       Q       Do you know whether these are going to be  
18 liquid, gas, granular, solid pesticides, fertilizers?

19       A       I don't know.

20       Q       What kind of fuel, diesel fuel?

21       A       Diesel fuel, gasoline.

22       Q       And that's going to be only stored in  
23 Building B?

24       A       That will be in the outdoor -- there's a  
25 little covered area enclosed in walls, Building B.



1 That's where that function will take place.

2 It's not inside the structure but it's a covered  
3 area like you have in a gas station.

4 Q Do you have any idea when the fuel is  
5 going to be delivered, how often fuel will be  
6 delivered to the site?

7 A No.

8 Q You indicated you would be doing work on  
9 tractors and vehicles and such.

10 Are you going to have any traps to collect oil,  
11 gas, fluids so that they leach into --

12 A Once again, we're governed by the Building  
13 Code that would follow whatever the regulations are.

14 Q You agree, as part of ultimately building  
15 it, you will install whatever is required?

16 A Of course we have to get permits to be  
17 able to construct this and the Code Enforcement  
18 Department will be responsible for that and I would  
19 imagine additional State agencies will also get  
20 involved with regulating storage and use of materials.

21 CHAIRMAN LIPPERT: Mr. Van Eck, I'm not  
22 cutting you short at all.

23 Any idea how much longer you're going to be?

24 MR. VAN ECK: With him, only a few  
25 minutes.

1 CHAIRMAN LIPPERT: Okay. Because we have  
2 a time problem here, 10:15.

3 MR. VAN ECK: 10, 15 minutes at most.

4 CHAIRMAN LIPPERT: All right.

5 Q Did you know the height of the old  
6 maintenance buildings that are being replaced?

7 A No.

8 Q Move to the affordable housing building.  
9 Let me take a step back. I think you said  
10 Maintenance Building B was going to be 31 feet tall?

11 A The height of the --

12 Q Yes?

13 A -- the maintenance building?

14 Q Yeah, Maintenance Building B?

15 A Yeah. It's --

16 Q I don't mind I'm helping but I'm pretty  
17 sure the plans speak for themselves.

18 A I would have to double check that.

19 Q I guess you're not asking for a variance  
20 for Building B?

21 A It's, at the highest point 33 foot 6 to  
22 the top of the gambrel ridge.

23 Q That's Building A.

24 A Oh --

25 Q I believe you said Building B was going to

1 be 31 feet. That doesn't sound right.

2 A Yes. I believe so. 31 feet.

3 Q So you'll ask for a variance for that  
4 building as well?

5 A Yes.

6 Q Do you know, there is not going to be an  
7 upper floor in that building?

8 A No, just a one story structure.

9 Q Is there any reason why you need a 31 foot  
10 ceiling height for storage of fertilizers and  
11 gasoline?

12 A It's just measured to -- it's a suitable  
13 roof pitch to match the roof pitches of the rest of  
14 the project so it's not a flat roof pill box type of  
15 building.

16 So based on the building footprint and the run  
17 for the roof pitch, the roof pitch itself, rise up 31  
18 feet.

19 Q So you're going to match the other  
20 building not so much you need the interior space of 31  
21 feet?

22 A No. No. In fact, the ceiling level will  
23 probably be a standard ceiling level. It wouldn't go  
24 up to the ridge, just roof trusses.

25 Q Moving to the affordable housing building,

1 you indicated it's a three-story building?

2 A Correct.

3 Q Now there is an attic there.

4 Correct?

5 A Yes.

6 Q And that is a half story?

7 A No. It doesn't count as a half story.

8 Q I'm going to read to you the ordinances  
9 definition in River Vale for a half story. See how  
10 that applies.

11 So reading from the general definition section  
12 of the ordinance, this is 142-3, general definition  
13 section. Any story --

14 A You're reading the whole definition?

15 Q Talking about half story.

16 A Because, because they're using the term  
17 floor and story which relates back to the first  
18 section of that definition.

19 You have to read the definition in its entirety.  
20 You can't take bits and pieces out.

21 Q Okay. What's the definition of a floor?

22 A Okay. Well --

23 Q Because it says --

24 A The definition of a story is that part of  
25 the building between the floor and the floor above or,

1 in its absence, the ceiling or roof above.

2 So regardless of whether it's considered a half  
3 story or 1 3/4s story or one story, the story always  
4 starts with the floor. The ordinance does not define  
5 what a floor is.

6 However, common usages was a floor is something  
7 you walk on, a horizontal surface able to support a  
8 load that you can walk on.

9 So, for example, in the building we're talking  
10 about, the affordable building, the first floor is a  
11 concrete slab at grade. The floor next above is the  
12 second floor, floor to ceiling assembly and that's,  
13 services a floor constructed differently with wood  
14 trusses and wood floor sheet.

15 So between the slab and that floor/ceiling  
16 assembly is one story. The second story is from that  
17 second floor floor/ceiling assembly to the third  
18 floor/floor ceiling assembly so that's two stories.  
19 And then the third story goes from that third floor,  
20 floor ceiling assembly to the roof ceiling assembly  
21 which is what you call the attic but what really is an  
22 interspatial space made up of trusses, insulation,  
23 ceiling membrane and a roof membrane but it's not a  
24 so-called attic space, is not a story, mainly because  
25 it doesn't have a floor. It's integral for this

1 definition that any story must have a floor.

2 So your top floor is your third floor. You only  
3 have three floors in the building. Therefore, you  
4 could only have three stories. You can't have a  
5 fourth story if you don't have a fourth floor.

6 MR. LEIBMAN: Can I insert myself into the  
7 conversation?

8 I'm looking at the ordinance, looking at Section  
9 9142-2.4. It says the maximum height of principal  
10 building or structure called 2 1/2 story or 45 feet,  
11 with the exception in the affordable building shall  
12 have a maximum height of three stories or 50 feet.

13 How many stories does that building have, sir?

14 THE WITNESS: Three.

15 MR. LEIBMAN: How tall is it?

16 THE WITNESS: I believe 46 feet and  
17 change.

18 MR. LEIBMAN: So let's move on.

19 MR. VAN ECK: Okay.

20 Q You could put a floor in the attic,  
21 couldn't you, add planks? You could put some plywood  
22 down?

23 A If you want to rip the entire roof out and  
24 reconstruct the building, what you have to put a load  
25 bearing floor assembly which could handle both, and

1 the load of the floor distributed down through the  
2 building so it may require to put in an additional  
3 foundation framework down below that.

4 As you said, you would have to eliminate all the  
5 trusses, the trusses that are in the attic space,  
6 basically placed 24 inches on center to form a  
7 triangle. They have 2 by 4 webs that run diagonally  
8 through that triangle.

9 So -- and each one of those trusses is spaced 24  
10 inches apart. So to be able to get useable floor  
11 area, put a floor in you basically have to rip off  
12 everything from the top plate, rip the entire roof off  
13 and then reconstruct parts of the lower framing as  
14 well in order to direct that imposed load down to the  
15 foundation.

16 So that's what you would have to do. It's not  
17 impossible but it's a major reconstruction of the  
18 building. It's not just simply adding plywood.

19 Q Okay. So this building will not readily  
20 be able to be converted?

21 A No.

22 Q To turn that attic into a useable living  
23 space?

24 A No.

25 Q All right. That's a good answer.

1 MR. VAN ECK: That's all I have.

2 Thank you.

3 MR. LEIBMAN: All right. This is a good  
4 place to break.

5 We have some scheduling issues, Mr. Chairman.

6 CHAIRMAN LIPPERT: Yes.

7 MR. LEIBMAN: So I understand, Mr. Van  
8 Eck, your planner is not available on the 15th and I  
9 don't think the Board's planner is available on the  
10 15th. So I don't think that that's a good day to have  
11 planning testimony or maybe it is.

12 So I was talking with the Board secretary during  
13 the break about alternate dates that may make sense to  
14 accommodate getting this application which has been  
15 pending -- the Board is already scheduled May 15th for  
16 a hearing in this room.

17 Ms. Coffey, what testimony, besides the planning  
18 testimony, do you have?

19 MS. COFFEY: We're expecting Ms. Galvin to  
20 return to talk about the revised plans.

21 MR. LEIBMAN: Okay. So then why don't we  
22 have our meeting on the 15th? We have one residential  
23 application that's on. The home owner is already  
24 noticed for the meeting to be held here so we're going  
25 to have it here.



1 I don't think that's going to be very long.  
2 Maybe a half an hour. Chris is shaking his head.

3 We will keep our fingers crossed. So let's go  
4 ahead and have that meeting and get whatever  
5 engineering testimony done and then the --

6 MR. SANTOLA: Mr. Leibman, would you want  
7 us to start our planning testimony that night?

8 MR. LEIBMAN: No. I think there's going  
9 to be enough with the engineering.

10 I think Mr. Statile is probably going to have a  
11 report for us by then on the revised plans. I think  
12 that will be enough for that night and then we'd like  
13 to get you another meeting before the end of May and  
14 the date we're looking at was May 29th.

15 MS. COFFEY: Let me just check.

16 MR. VAN ECK: That's okay with us. Thank  
17 you.

18 MR. SANTOLA: We're just checking on our  
19 planner's availability.

20 MS. COFFEY: I think we have --

21 MR. SANTOLA: The 29th works for us, Mr.  
22 Chairman.

23 CHAIRMAN LIPPERT: Okay. Everybody is  
24 good for the 29th?

25 MS. COFFEY: We're good for the 29th.

1                   CHAIRMAN LIPPERT:  So we're going to carry  
2   this application until May 15th at this same location.  
3   No further notice will be necessary.

4                   Correct, Mr. Leibman?

5                   MR. LEIBMAN:  That's correct.  The  
6   applicant, I'm sure, agrees to waive the time in order  
7   to act with through and within that date.

8                   MS. COFFEY:  We do.

9                   CHAIRMAN LIPPERT:  Then we'll go to the  
10  29th and we'll see.  We may have that at town hall.

11                  MR. LEIBMAN:  I think the 29th, we'll see  
12  how many people come to the meeting May 15th and after  
13  that we'll go back to Borough Hall.

14                  Okay.  That's all I got.

15                  MR. SANTOLA:  Thank you very much.

16                  MS. COFFEY:  Thank you.

17                  (The hearing adjourns at 10:20 p.m.)

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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney or counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.

\_\_\_\_\_  
DONNA LYNN J. ARNOLD, C.C.R.  
LICENSE NO. XI00991  
MY COMMISSION EXPIRES 08/04/19

<b>A</b>	119:10,20	97:1 122:7	119:2	113:19
<b>A-1.0</b> 30:10	<b>absence</b>	<b>action</b> 123:8	<b>address</b>	<b>ago</b> 28:12
30:25	117:1	123:10	26:21 27:1	<b>agree</b> 14:24
77:11	<b>absent</b> 1:12	<b>activities</b>	51:5 54:8	15:2 17:3
<b>A-1.1</b> 32:18	<b>Absolutely</b>	44:24	61:7 68:21	23:18,23
<b>A-10</b> 2:14	16:2 69:18	57:20	69:1 72:6	86:19
29:11,12	<b>accepted</b>	<b>activity</b>	85:2 94:19	87:10,13
29:13,14	28:18,20	45:2 56:24	<b>addressed</b>	92:3
31:9,11,12	<b>access</b> 7:19	57:8 91:19	53:21	112:11
<b>A-11</b> 2:15	14:22	<b>actual</b> 78:23	<b>adequate</b>	113:14
29:16,17	21:11 34:1	88:21 96:3	12:10	<b>agrees</b> 122:6
33:9,13,14	37:17,19	<b>ADA</b> 13:25	<b>adjacent</b>	<b>agricult...</b>
<b>A-2</b> 35:10	45:23	76:2 96:23	19:22	42:5 44:1
49:20,21	58:19	96:25 97:5	66:25	<b>ahead</b> 85:6
56:5	59:10 61:2	97:15,20	91:21	110:24
<b>A-2.0</b> 33:16	62:17	98:6	<b>adjourns</b>	121:4
<b>A-2.1</b> 34:2	63:22	<b>ADAM</b> 2:3	122:17	<b>air</b> 108:10
<b>A-3</b> 35:9,15	73:16	<b>Adamo</b> 1:10	<b>adjust</b> 86:7	<b>aisle</b> 15:1
41:25	83:21	3:19 71:14	<b>administ...</b>	<b>Alexander</b>
<b>A-3.0</b> 37:13	<b>accessed</b>	<b>adapt</b> 97:15	42:17	2:3 5:15
<b>A-3.1</b> 37:13	33:25	<b>adaptable</b>	43:14	5:19
<b>A-3.2</b> 36:4	54:21,24	97:12,14	54:20	<b>allied</b> 87:11
<b>A-4.0</b> 42:16	<b>accessib...</b>	<b>adapted</b>	102:24	87:15
<b>A-4.1</b> 42:3	98:5	97:19	105:1,2,13	<b>allow</b> 55:3
<b>A-4.2</b> 55:23	<b>accessible</b>	<b>add</b> 7:2	<b>administ...</b>	81:16
55:24	13:19 14:3	106:23	102:25	<b>allowable</b>
<b>A-5.0</b> 41:18	14:5 76:2	108:20	103:10	89:23
<b>A-7</b> 29:7	76:7 96:23	118:21	105:10	110:13
<b>A(1)</b> 16:10	97:10,10	<b>added</b> 6:22	<b>ADMINIST...</b>	<b>allowed</b> 24:7
88:15,20	97:12	7:1 9:18	1:16	24:12
89:16 90:1	98:12	41:19	<b>Affordab...</b>	57:21 80:1
90:2 93:4	<b>accessory</b>	<b>adding</b> 7:18	38:10	80:9,13
94:15,17	69:10	107:22	<b>affordable</b>	81:7 86:7
94:25	78:25	119:18	6:14,23	94:22,23
<b>A(1) (e) 3</b>	92:17 93:3	<b>addition</b>	7:12 9:6,7	94:25
15:16 16:4	95:11 96:4	5:19 6:24	9:18 10:6	108:3
<b>a.m</b> 14:18	99:4,7,8,9	41:16	12:14	<b>alluded</b> 5:17
57:24	110:3	43:12 55:6	29:25 36:8	<b>alternate</b>
75:20	<b>accommodate</b>	56:8 64:24	36:10 40:2	120:13
<b>ability</b>	9:14	66:22 67:6	40:5,10,12	<b>alternative</b>
76:23 79:8	120:14	<b>additional</b>	40:15	47:20
<b>able</b> 10:15	<b>accommod...</b>	6:19 33:24	66:25	<b>alternat...</b>
27:1 45:17	97:2,3	43:20	90:23	47:19
46:4 54:18	<b>accurate</b>	52:23	114:8	<b>Americans</b>
74:17	123:3	53:21	115:25	96:25
81:19 87:6	<b>achieve</b>	70:12 74:5	117:10	<b>amount</b> 24:23
96:13	59:11	86:21	118:11	45:22
104:20	<b>acres</b> 17:4,6	95:24	<b>affordables</b>	58:20
113:17	17:7 78:9	107:7	39:23	76:24 98:9
117:7	<b>act</b> 3:5,7	113:19	<b>agencies</b>	<b>amounts</b>

109:23	<b>applicant</b>	72:5 77:20	55:15,25	28:7,18,23
<b>analysis</b>	1:21 5:18	78:4 83:24	58:6 62:11	<b>asked</b> 93:19
92:25	52:11,19	85:8,14	62:15 63:4	<b>asking</b> 22:7
<b>analyze</b>	69:3,6	87:9 90:8	64:8 65:11	25:8 52:18
94:17	122:6	98:18,22	68:5 69:11	82:19
<b>answer</b> 19:20	<b>applicant's</b>	100:5	70:24	92:10
26:24 40:7	5:20,21	101:20,23	73:22	100:22,23
45:13	<b>application</b>	<b>architect's</b>	77:17	101:10,13
63:21	5:11 29:3	23:5	83:21	114:19
72:16	30:4,15,25	<b>architects</b>	102:24	<b>asleep</b> 83:6
76:23 77:7	33:17	87:12,16	103:1,2	<b>asphalt</b> 32:5
77:22 83:1	120:14,23	90:10	104:20,25	55:21
87:3 96:14	122:2	100:14,17	105:2,14	<b>assemblies</b>
96:15,15	<b>applies</b>	100:24,24	108:14,19	37:17
119:25	111:15	101:3,6	108:20	<b>assembly</b>
<b>answered</b>	116:10	<b>architec...</b>	111:16,17	47:17
59:13	<b>apply</b> 89:14	28:15	112:25	48:10
<b>answering</b>	111:10	78:20,23	113:3	117:12,16
59:14	<b>appreciate</b>	<b>architec...</b>	119:11	117:17,18
<b>anticipate</b>	62:1	38:5	<b>areas</b> 22:1	117:20,20
47:12 70:5	<b>approach</b>	<b>architec...</b>	23:12,20	118:25
70:16	51:23	28:19,21	23:24 24:8	<b>associated</b>
<b>anticipated</b>	<b>approaches</b>	51:11	24:16	14:1 91:19
4:20 62:24	84:25	61:24	25:12 32:1	103:25
<b>antiquated</b>	<b>appropriate</b>	87:14	32:19	104:1
58:7	13:21	<b>area</b> 6:13,16	43:13	<b>Associates</b>
<b>anybody</b>	48:25 87:9	6:19 7:6	48:25	27:15
61:15	<b>approved</b>	9:9,21	60:24 63:1	<b>association</b>
76:14	76:2	11:19	65:25 66:6	25:1 60:2
<b>anyway</b> 51:8	<b>approxim...</b>	15:18	96:1	84:6
59:25	17:4 32:24	16:21 18:9	106:14	<b>assume</b> 18:9
<b>apart</b> 119:10	34:24	18:10	<b>argue</b> 23:8	<b>attached</b>
<b>apartments</b>	40:11	19:18,22	<b>argument</b>	33:8
76:3	43:19	20:11,13	22:22	<b>attention</b>
<b>apologize</b>	64:25 77:3	20:13 21:9	<b>ARNOLD</b>	11:22
75:22	95:21	23:24	123:17	15:11,23
84:21	<b>April</b> 1:6	25:19	<b>arrangement</b>	57:16
89:24	3:3 6:21	32:16	99:12	<b>attic</b> 116:3
<b>appear</b> 6:9	<b>arborvitae</b>	33:22	<b>arrival</b>	117:21,24
20:6 84:24	92:11,15	37:21	97:10	118:20
<b>appearance</b>	<b>arborvitaes</b>	42:17,18	<b>art</b> 58:10	119:5,22
5:14	66:14	42:20	<b>Article</b>	<b>attorney</b>
<b>appeared</b>	<b>architect</b>	43:13,15	67:17	1:15 123:7
12:3	5:2,16,20	45:1 46:20	<b>articulated</b>	123:9
<b>appears</b> 7:10	26:1 28:10	47:5 48:24	99:22	<b>Attorneys</b>
9:22 11:24	50:22	49:2,17,21	<b>artist</b> 51:25	1:21,25
39:14,25	51:21	49:22	69:16	<b>attractive</b>
84:15,21	61:12	54:11,19	<b>Arzberger</b>	67:3
<b>applicable</b>	65:21	54:20,22	2:5 5:20	<b>availabi...</b>
88:7 112:5	66:11 72:4	55:1,9,11	27:12,14	121:19

120:8,9	31:21	118:25	110:15	62:15
<b>Avenue</b> 7:9	<b>based</b> 70:6	<b>beautiful</b>	114:25	<b>blue</b> 64:15
72:14	86:4	60:20	115:2	<b>board</b> 1:1,15
73:12	115:16	<b>bed</b> 19:18	118:16	1:15,17
75:12	<b>basement</b>	80:10	<b>benign</b> 67:4	2:6 3:4
<b>avoid</b> 23:16	79:13 80:9	<b>bedroom</b>	<b>BERGEN</b> 1:2	5:1,15
<b>aware</b> 57:18	80:10	31:15	<b>berm</b> 9:3,14	26:5 27:4
57:19	81:14,23	32:16,21	9:17 26:18	27:13 28:7
75:16 82:2	82:10 83:2	33:21,22	<b>berming</b> 9:16	31:25
82:4 87:4	83:7	38:6,9,21	<b>berms</b> 26:20	39:16
90:2	<b>basements</b>	39:13 40:2	<b>best</b> 58:17	57:16 61:6
100:10	79:3,9,11	40:8 83:2	58:17	62:15
101:15	79:15 80:8	83:7,13	61:17	63:23
106:1	80:17 81:1	86:22	<b>better</b> 27:10	67:15
<b>Azek</b> 32:2	81:7,8,12	<b>bedrooms</b>	85:2	69:16 71:4
	82:1,4,7,8	32:19,22	<b>Beukas</b> 1:11	77:10
	82:12,18	38:11	3:17,18	87:12
	82:23	40:25	51:25	92:10
<b>B</b>	<b>basic</b> 19:3	80:18,20	53:15,20	94:21
<b>B</b> 1:8 2:12	34:3 90:23	82:10,11	66:13	95:16
28:2,3	<b>basically</b>	82:18,21	69:15,19	120:12,15
93:15,16	14:12,15	83:3,22	69:23	<b>Board's</b>
93:25 95:2	17:18	<b>beginning</b>	71:12,13	120:9
95:7,7	23:12 30:3	16:19	77:20	<b>bookkeeper</b>
106:10,24	37:18,24	<b>behalf</b> 6:2	<b>beyond</b> 14:15	104:5
111:16	42:21	<b>belabor</b> 46:8	18:15	<b>Borough</b> 3:10
112:23,25	43:21	<b>belaboring</b>	24:24 61:8	26:17
114:10,14	56:23 64:4	23:16	100:12	122:13
114:20,25	72:23	<b>believe</b> 6:5	<b>big</b> 50:18	<b>Borough's</b>
<b>back</b> 5:21	103:5	10:2,5,13	53:19	16:17
15:2 19:25	105:24	10:14,17	<b>bigger</b> 46:13	<b>bother</b> 91:16
42:14 44:7	108:18	10:20 12:7	49:11	<b>bothering</b>
48:11 49:2	119:6,11	13:19 17:6	<b>bike</b> 9:24	46:3
49:24 61:6	<b>basin</b> 64:5	17:10,12	22:1 25:2	<b>bottom</b> 44:12
63:25	64:15	24:11,24	<b>bikeway</b> 9:10	<b>box</b> 115:14
65:17	111:18,20	38:3 41:11	9:11	<b>boxes</b> 66:7
73:11,21	<b>bathroom</b>	48:10 67:1	<b>bins</b> 56:9,10	<b>brand</b> 32:2
114:9	97:13	67:8 69:3	56:12,16	<b>brand-new</b>
116:17	<b>bathrooms</b>	69:6,9	<b>Birch</b> 2:10	60:20
122:13	97:13,20	74:3 81:13	78:2	<b>break</b> 37:24
<b>balance</b>	<b>bathtub</b>	91:24 92:9	<b>bit</b> 14:23	50:11
42:10	97:24	93:14,19	27:1 28:8	61:24 71:5
<b>barbers</b>	<b>bathtubs</b>	95:23 96:8	50:24	105:9
87:18	98:1	98:18,20	60:16	120:4,13
<b>barn</b> 50:7,11	<b>battenboard</b>	98:22 99:3	61:25	<b>bridge</b> 66:8
51:3 72:10	51:20	99:6,11,16	62:22	74:20
<b>barnish</b> 50:7	<b>bay</b> 31:25	99:21	<b>bits</b> 116:20	<b>bring</b> 27:6
<b>barns</b> 50:23	<b>bays</b> 42:22	100:4	<b>BLOCK</b> 1:4	45:8,25
<b>barrier</b> 97:6	55:11	102:19	<b>blowup</b> 30:20	61:1 63:24
97:7,23	<b>bearing</b>	104:7	35:9 62:11	64:1
<b>bars</b> 82:24				
<b>base</b> 19:8				

59:2	14:1 29:6	77:18,19	28:24 37:1	85:19
<b>broken</b> 50:8	29:16,19	88:4,7,14	37:11,22	<b>call</b> 3:14
<b>Bromberg</b>	29:20 31:2	89:23	41:15,17	29:5,24
1:11 3:20	31:5 33:6	91:15,19	44:1,3,3	33:3 55:6
3:21 35:23	33:11 34:5	91:20,22	51:13	71:9 75:18
44:5,14,17	34:18 36:5	91:23	54:10,11	111:24
45:4 46:7	36:11,25	93:14,18	56:1 57:10	117:21
46:13,16	37:2,16,18	93:25 94:2	61:24	<b>called</b> 99:23
46:18 51:9	37:24,25	94:10 95:4	62:25 63:3	118:10
53:5 54:9	40:16 41:8	95:6,6,24	63:13,15	<b>candles</b>
56:2 62:18	41:8,13	97:11,16	63:19	13:24
64:4,9,14	42:2,5,6	102:17,20	66:23,23	<b>cap</b> 83:3
64:21 65:2	42:10,15	102:23	67:11,20	<b>capacity</b>
65:7 70:18	42:16,22	103:5,11	69:10	86:4
70:22	43:2,5,14	106:9,10	76:25	<b>car</b> 31:14
71:15,16	43:19 44:8	106:13,15	93:12 94:7	33:8,20
<b>Bromberg's</b>	44:20,23	106:16,18	96:17 97:2	93:22
48:12	44:24	106:24	97:3,5,7	<b>care</b> 66:12
<b>brook</b> 73:23	45:16	107:23	103:17	<b>carefully</b>
73:25	46:19,24	108:2,6,8	106:2,5,9	61:19
74:20,24	47:4,12	108:17,18	106:11	<b>Caroline</b>
<b>brought</b>	48:1,6,8	108:22,24	107:2,17	1:16 27:9
48:22 49:2	50:1,5,10	109:10,13	114:6	<b>carry</b> 122:1
57:16 58:9	50:18,19	109:16,17	<b>built</b> 47:9	<b>cars</b> 86:22
103:3	51:10,10	109:19,22	60:10	86:23,24
<b>browns</b> 32:10	51:18,19	109:25	62:25	<b>carts</b> 46:9
<b>bucolic</b>	52:1,5,9	110:7,8,9	80:15	<b>carve</b> 23:10
14:12	52:16,20	111:1,10	<b>bulk</b> 39:14	<b>case</b> 15:1
<b>buffer</b> 6:7	53:10,16	111:15,16	88:15,16	32:20
6:13 7:16	53:24	111:21,24	106:10	55:17,18
7:21 9:10	54:15,17	111:25	<b>bunch</b> 51:13	70:11
11:16,16	55:2,7,19	112:9,14	74:8	77:14
57:11 61:4	56:3,4,6	112:23,25	<b>bush</b> 18:8	96:11,20
61:6,20	56:17,21	113:12,14	24:21	<b>cases</b> 31:21
65:16,21	57:11 59:1	114:8,10	<b>business</b>	32:15
<b>buffered</b>	62:7 63:13	114:13,14	47:3	<b>categorized</b>
61:3 74:3	63:14	114:20,23	<b>buy</b> 5:5	93:16
<b>buffering</b>	64:25 65:3	114:25	61:16	109:13
74:5	65:8,13,17	115:4,7,15	<b>buyer</b> 82:25	<b>cedar</b> 32:3
<b>build</b> 38:14	65:19,24	115:16,20	<b>buying</b> 60:5	<b>ceiling</b>
38:25	66:3,10,11	115:25		87:20,22
45:25	66:14,25	116:1,25	<b>C</b>	115:10,22
47:10	67:25 68:3	117:9,10	<b>C</b> 1:18 28:3	115:23
107:23	68:8,13,18	118:3,10	78:1 123:1	117:1,12
<b>builders</b>	69:5,6,17	118:11,13	123:1	117:18,20
28:15	70:18	118:24	<b>C.C.R</b> 123:17	117:20,23
<b>building</b>	73:10,23	119:2,18	<b>calculate</b>	<b>cement</b> 31:25
2:14,15	74:2,7,10	119:19	85:24	32:3 36:13
6:14,15,23	74:14,25	<b>buildings</b>	<b>calculation</b>	37:3,8,8
7:12 12:15	75:5 77:14	12:17	20:19 47:5	42:12 56:1

91:7	59:14 60:6	109:21	<b>closer</b> 73:13	26:21,25
<b>center</b> 1:6	67:14 71:3	<b>chemistry</b>	<b>closet</b> 83:8	27:12,16
20:6 48:1	71:8,19	109:20	84:3	27:18 28:6
119:6	72:1,2	<b>chicken</b> 51:7	<b>club</b> 5:13	28:17,22
<b>certain</b>	74:21 77:6	<b>choice</b> 31:15	58:15	29:8,13
12:24	77:22,25	<b>choices</b>	59:25	35:14
24:23 32:1	85:5,15	32:20	61:16	49:20 51:4
35:22	87:2,8	<b>choose</b> 47:20	104:17	52:18 54:7
39:15	89:1,5,12	<b>Chris</b> 66:13	<b>clubhouse</b>	69:8,13,22
41:17	89:17,21	121:2	12:5 67:6	76:24 85:1
45:22	92:12	<b>CHRISTOPHER</b>	97:4	85:4 90:7
90:19	94:23 95:1	1:15	<b>Clubs</b> 58:1	96:12
<b>certainly</b>	95:15,19	<b>circle</b> 19:14	<b>clustered</b>	110:15
12:14	96:14	<b>circulation</b>	35:5 56:23	120:17,19
14:24 26:7	100:16,20	83:21	<b>COAH</b> 48:5	121:15,20
63:25	102:9,15	<b>citation</b>	50:18,18	121:25
75:23	113:21	16:1	51:10	122:8,16
<b>CERTIFY</b>	114:1,4	<b>cited</b> 91:16	69:17	<b>cohesive</b>
123:2,6	120:5,6	<b>city</b> 80:5	72:12,18	90:13
<b>chain</b> 99:25	121:22,23	<b>civil</b> 9:15	75:1 76:1	98:18,20
100:7	122:1,9	17:12	90:14,17	98:22 99:1
<b>Chairman</b> 1:9	<b>chance</b> 24:6	<b>clapboard</b>	90:18,22	99:2,17,19
1:10 3:1	77:6 85:11	91:10	92:1	<b>collect</b>
3:11,24	<b>change</b> 6:16	<b>clarify</b> 44:9	<b>code</b> 15:15	113:10
4:7,16,19	9:21 11:24	45:5 74:1	47:18	<b>color</b> 32:8
5:5,17,23	104:13	80:7,16	67:12 84:4	32:10
8:17 12:23	118:17	<b>clarifying</b>	86:2,12	34:17
13:4,14	<b>changed</b> 12:6	83:18	94:10 95:4	36:17,18
14:19 15:7	91:4	<b>Class</b> 58:15	95:6 97:6	36:20
22:4,7,13	100:23	<b>classified</b>	97:7,17,23	<b>colored</b> 2:14
22:23	<b>changes</b> 4:21	93:20	98:13	2:15 29:5
23:14	4:25 10:10	<b>clean</b> 48:25	109:14,17	29:15,18
25:24,25	90:20	104:20	109:19,22	30:5 31:5
26:4,10,23	92:18	<b>clear</b> 9:17	109:25	31:7 33:10
27:4,9,25	<b>changing</b>	13:25	112:4	33:12
28:20 29:9	14:13	50:14 60:3	113:13,17	<b>combination</b>
30:6,12,16	42:18	63:11	<b>codified</b>	11:9
30:20,23	103:1	108:11	88:24	<b>combinat...</b>
31:3,7,11	105:8	110:11,17	<b>coffee</b>	45:24
32:7 33:12	<b>channels</b>	110:19	104:19	60:10
33:15	45:16	<b>clearing</b>	<b>Coffey</b> 1:19	<b>combined</b>
34:20 35:1	<b>charge</b> 87:6	20:7	2:6 4:12	106:14,18
35:6,12,16	<b>check</b> 75:18	<b>clearly</b>	4:14,18,24	<b>come</b> 48:23
36:8,16	114:18	62:16	5:8,24	49:4,5,11
38:6,8,16	121:15	<b>clients</b>	8:22 10:14	54:7 55:9
39:10,18	<b>checking</b>	22:14	15:25 16:3	58:1,9
43:5,9	121:18	<b>close</b> 23:6,9	16:5,10,18	62:16 70:4
50:3 52:17	<b>chemical</b>	45:9	17:1 21:5	70:14 72:5
52:18,22	55:12	<b>closely</b>	21:18	73:19 74:5
57:2,5,12	<b>chemicals</b>	87:11,15	25:25 26:7	83:23,24



122:12 <b>comes</b> 70:15 <b>coming</b> 5:21 48:15 60:19 61:12,15 72:11,23 73:14 <b>Commencing</b> 1:8 <b>comment</b> 49:25 51:5 <b>comments</b> 52:13 62:1 <b>COMMISSION</b> 123:18 <b>common</b> 21:11 66:6 117:6 <b>community</b> 1:6 25:6 53:8 58:21 59:3 64:1 99:14,17 99:18 <b>compared</b> 61:9 107:7 107:22 <b>compartment</b> 46:2 <b>complain</b> 59:21 <b>complaints</b> 59:19 <b>complete</b> 7:5 7:24 <b>completes</b> 56:9 67:13 <b>complex</b> 49:7 49:9 60:20 <b>complies</b> 39:11 109:7 <b>comply</b> 22:19 22:21 67:11 <b>component</b> 15:13 <b>components</b> 42:7 <b>composed</b>	33:4 55:20 <b>concentr...</b> 63:6 <b>concept</b> 90:23 <b>concern</b> 10:9 14:11,23 54:8 64:11 64:21 86:25 <b>concerned</b> 7:21 72:10 101:20 <b>concerns</b> 86:18 <b>concerted</b> 7:2 <b>conclude</b> 5:3 <b>concluded</b> 6:8 <b>concrete</b> 31:23 55:21 76:19 117:11 <b>conditions</b> 81:14 101:8 <b>condo</b> 60:12 96:23 <b>condominium</b> 6:3 60:1 <b>conduct</b> 101:25 102:2 <b>configur...</b> 91:19 <b>confirmed</b> 17:24 <b>conform</b> 38:22 39:14,16 40:1 <b>conforming</b> 107:23 108:6 <b>conforms</b> 107:25 <b>confused</b> 46:21	104:11 <b>connection</b> 67:7 <b>consider</b> 52:11,19 53:6 58:10 <b>consider...</b> 100:25 <b>considered</b> 19:21 20:19 54:12 109:24 117:2 <b>considering</b> 73:22 <b>considers</b> 109:17 <b>consistent</b> 91:2 <b>constantly</b> 58:11 <b>constitutes</b> 40:25 <b>construct</b> 113:17 <b>constructed</b> 48:9 117:13 <b>construc...</b> 23:2 47:18 67:12 68:16 98:13 112:4 <b>contain</b> 94:3 94:8 <b>contains</b> 55:8 <b>contamin...</b> 100:11 101:21 <b>continue</b> 99:25 <b>continued</b> 5:9 <b>continuing</b> 4:8 8:6 <b>continuity</b> 36:23	90:13 91:5 <b>Controls</b> 38:10 <b>convenient</b> 58:18 <b>conversa...</b> 5:4 118:7 <b>converted</b> 119:20 <b>copied</b> 34:16 <b>copy</b> 89:22 <b>core</b> 47:13 <b>corner</b> 42:1 43:16 <b>correct</b> 6:11 6:24 7:13 10:25 17:9 19:4,24 20:9,22 31:10 35:25 38:17 44:11,21 52:21 56:15,18 60:15 65:4 68:14 69:8 72:13,15 80:22,24 83:11 84:3 97:21 102:22 106:21 107:3,24 116:2,4 122:4,5 <b>correctly</b> 88:10 <b>correspond</b> 30:7 <b>couch</b> 83:6 <b>Council</b> 49:25 <b>Councilman</b> 1:11 3:20 3:21 35:23 44:5,14,17 45:4 46:7 46:13,16 46:18 51:9	53:5 54:9 56:2 62:18 64:4,9,14 64:21 65:2 65:7 66:21 70:18,22 71:16 <b>counsel</b> 123:7,9 <b>count</b> 22:3 22:16 23:8 23:11 24:12 116:7 <b>counted</b> 15:20 16:24 17:19 22:12 <b>counting</b> 77:18 <b>Country</b> 5:13 58:1 <b>counts</b> 20:24 24:3,11 38:21 <b>COUNTY</b> 1:2 <b>couple</b> 22:15 66:8 <b>course</b> 5:13 7:7 13:16 14:12 15:18 16:22 43:1 43:6,8,9 45:8,10,19 45:24 46:12,19 48:24 49:14,16 49:17,19 49:22 58:12,14 58:19,19 59:10 62:17 64:13,20 67:10 70:3 73:13 75:7 96:19 99:4
--	--	---	---	--

99:7,9,11	<b>crossed</b>	20:18	<b>desirable</b>	119:14
99:14,17	121:3	116:9,11	100:5	<b>direction</b>
99:24	<b>culture</b> 67:2	116:12,14	<b>desk</b> 104:15	48:17
100:8	<b>cultured</b>	116:18,19	<b>detail</b> 34:18	<b>directly</b> 9:7
101:20	31:22	116:21,24	<b>detailing</b>	77:17
103:9,25	36:13 42:9	118:1	36:22	<b>Disability</b>
104:2,3	<b>cupola</b> 50:20	<b>delineated</b>	41:20	97:1
107:2,8	<b>cupolas</b>	18:5	<b>details</b>	<b>disagree</b>
111:10,13	50:11 51:3	<b>delivered</b>	18:18,21	84:9 86:10
113:16	<b>curb</b> 9:10	113:5,6	18:25	<b>disagreeing</b>
<b>courses</b> 57:5	<b>currently</b>	<b>deliveries</b>	<b>detention</b>	68:11
60:9,14,25	42:25 58:6	73:18	64:15	<b>discussing</b>
100:11	<b>cutting</b>	<b>delivering</b>	<b>determines</b>	22:17
<b>Court</b> 1:23	75:11	82:22	86:4	90:13
2:8 72:8	113:22	<b>delivery</b>	<b>developed</b>	<b>discussion</b>
<b>courtyard</b>		61:2	107:9,16	8:1 92:5
45:3 56:7	<b>D</b>	<b>den</b> 33:22	<b>developer</b>	<b>dismiss</b> 26:5
56:10	<b>D</b> 66:7 78:2	<b>DEP</b> 101:16	38:20,23	<b>distance</b>
65:14	<b>Daphne</b> 63:17	<b>department</b>	39:6	91:12
91:22	<b>dark</b> 12:21	84:5	<b>developing</b>	<b>distributed</b>
<b>cover</b> 7:6,24	<b>date</b> 6:21	113:18	58:20	119:1
40:6 92:5	121:14	<b>depend</b> 64:19	<b>development</b>	<b>distribu...</b>
<b>coverage</b>	122:7	<b>depending</b>	35:9 38:24	38:7,9
78:13 87:7	123:5	19:16 47:2	60:12	39:13,20
<b>covered</b>	<b>dated</b> 13:3	<b>depends</b>	<b>developm...</b>	40:2
112:25	<b>dates</b> 120:13	19:10,12	53:5 83:17	<b>divided</b>
113:2	<b>day</b> 1:18	<b>describe</b>	<b>devoted</b>	37:18
<b>covering</b>	49:1 75:9	48:17	15:19	<b>dividing</b>
65:8	75:10	<b>described</b>	16:22	85:21
<b>covers</b> 40:4	120:10	43:13,21	<b>diagonally</b>	<b>dog</b> 75:13
<b>crafted</b> 61:5	<b>deal</b> 53:19	54:11,19	119:7	<b>doing</b> 13:1
<b>create</b> 19:17	<b>decided</b>	56:1,7	<b>diameter</b>	42:4 49:1
43:25	107:17	66:24	19:12	84:7 92:16
58:22	<b>deciduous</b>	69:12	<b>dies</b> 24:20	104:13
60:16	11:9	106:16	<b>diesel</b>	113:8
61:24 67:4	<b>decision</b>	<b>design</b> 8:9	112:20,21	<b>dominant</b>
<b>created</b> 62:3	45:12	19:3 48:4	<b>difference</b>	50:12
81:16 89:2	<b>decorative</b>	52:12 59:5	24:1 37:10	<b>DONNA</b> 123:17
89:3,11	9:23	59:9 90:13	91:12	<b>double</b>
108:16	<b>deer</b> 92:15	98:19,20	<b>different</b>	114:18
<b>creates</b> 91:5	<b>define</b> 68:12	98:23 99:1	16:12 17:1	<b>doubling</b>
<b>creating</b>	117:4	99:18,20	30:18 35:2	107:1
59:8 63:20	<b>defined</b>	112:8	36:24	<b>Douglas</b> 20:8
<b>credits</b>	39:13 68:4	<b>designed</b>	48:16	<b>drainage</b>
39:17	68:17 94:9	56:24 59:1	84:19 95:5	111:18
<b>cross</b> 2:2	<b>defines</b> 68:7	103:23	<b>differently</b>	<b>drains</b>
21:18	<b>definitely</b>	104:24	117:13	111:18
<b>cross-ex...</b>	52:24 53:3	109:6	<b>dimming</b> 15:3	<b>draw</b> 15:23
5:2 6:4	61:21 64:2	<b>designs</b>	<b>direct</b> 2:2	78:24
102:16	<b>definition</b>	90:22	28:6 73:16	83:25

<b>drawings</b>	83:24	<b>elements</b>	<b>engineering</b>	43:3 46:10
37:20	108:19	52:12	23:5 84:23	46:11
<b>drawn</b> 49:15	<b>Eck</b> 1:22 2:4	<b>elevated</b>	121:5,9	53:25 55:9
64:3	2:11 5:1,6	66:17,18	<b>engineers</b>	55:16
<b>drew</b> 78:17	5:7,25 6:1	<b>elevation</b>	87:11	73:14,19
<b>drive</b> 2:10	6:1,4 8:25	21:10	<b>enhance</b> 6:18	95:12
14:22 15:1	10:16 13:2	29:21	<b>enhanced</b>	103:2,3,6
21:11	13:8 15:4	34:15 36:5	61:22	103:7
51:16	15:9,10,25	36:6,7,7	<b>ensure</b> 112:8	105:19,24
65:18 66:5	16:2,4,8	37:22 42:3	<b>enter</b> 42:21	107:12
78:2	16:12,20	42:4,8,13	109:13	108:23
<b>driveway</b>	18:2 21:7	42:14 50:5	<b>entered</b> 29:4	111:23,23
53:14	21:20,22	50:8 51:13	31:18	<b>equipped</b>
73:17	22:6,9,18	<b>elevations</b>	<b>entering</b>	42:24
<b>driveways</b>	23:4 25:21	36:4 50:6	44:20	<b>equivalent</b>
77:2,13,15	26:12	<b>elevator</b>	<b>entire</b> 19:18	108:12
<b>driving</b>	102:12,13	44:15 97:9	36:20 80:5	<b>escape</b> 80:19
21:21	102:16	<b>eliminate</b>	92:18,23	<b>ESQ</b> 1:15,19
<b>drop</b> 37:25	110:1,23	119:4	95:16	1:22
<b>due</b> 56:21	113:21,24	<b>eliminated</b>	98:19,21	<b>essentially</b>
<b>dump</b> 56:12	114:3	107:21	98:23,24	6:17 8:14
<b>duty</b> 101:24	118:19	<b>embedded</b>	99:22	19:1 21:14
102:1	120:1,8	60:13	118:23	21:24
	121:16	<b>employee</b>	119:12	103:11
<b>E</b>	<b>economic</b>	42:18	<b>entirely</b>	105:12
<b>e</b> 1:8,8,18	90:19	102:25	95:5	107:1
1:18 2:1,1	<b>edge</b> 9:23	123:7,9	<b>entirety</b>	<b>esthetic...</b>
2:12 16:11	21:11	<b>enclosed</b>	116:19	60:9,17
28:2,2,3	<b>edges</b> 60:25	112:25	<b>entrance</b>	100:5
78:1 123:1	<b>Edgewood</b> 1:3	<b>enclosure</b>	41:19,23	<b>eternal</b>
123:1	4:9 5:12	10:18,23	97:11	102:15
<b>earlier</b>	<b>edition</b>	11:5,15,19	<b>entrances</b>	<b>evaluate</b>
49:14	85:20	<b>encroach</b>	37:15	96:18
<b>early</b> 57:6	<b>effected</b>	84:10	<b>entry</b> 31:17	<b>evening</b>
<b>earth</b> 32:10	9:21	<b>ends</b> 77:19	<b>entryway</b>	14:15
<b>easel</b> 30:3	<b>effecting</b>	<b>Enforcement</b>	33:25	<b>evergreen</b>
31:1,4	49:7 60:11	84:5	<b>envelope</b>	11:9
33:9,16	<b>effective</b>	113:17	108:17,21	<b>evergreens</b>
<b>easement</b>	107:18	<b>engineer</b>	<b>environm...</b>	8:7 11:10
49:18	<b>efficient</b>	1:15 5:21	55:7,20	<b>everybody</b>
<b>easier</b> 52:25	107:19	9:1,15	56:21 65:3	5:9 8:17
61:1 84:22	<b>effort</b> 7:2	10:3,14	65:19	13:7 26:10
<b>easily</b> 45:18	59:5	17:7,12	66:10,11	58:9 59:23
45:23	<b>egress</b> 80:11	26:21,25	106:15	121:23
66:15	81:6,16	46:22 63:7	111:24	<b>evidence</b>
<b>east</b> 1:23	85:25	85:1,9	112:5	12:25
65:25	<b>either</b> 18:14	98:14	<b>equals</b> 40:9	<b>exactly</b>
91:23	18:14 47:4	106:4	40:22	22:10
<b>easy</b> 58:19	51:20	<b>engineer's</b>	<b>equipment</b>	30:22
83:13,15	61:15	7:18	42:20 43:1	62:12

<b>EXAMINATION</b>	93:10	60:11,18	41:21	<b>fiber</b> 31:24
28:6	103:17,20	72:11 92:6	43:19,20	32:3 36:13
<b>example</b>	107:10,15	95:21,22	52:6,14	37:3,7,8
18:24	<b>exit</b> 37:16	105:11	64:25	42:12 56:1
23:18 32:3	37:16	107:15	65:17	91:7
97:4 117:9	80:17 86:4	<b>fact</b> 73:22	66:15,18	<b>fiberglass</b>
<b>examples</b>	<b>expect</b>	86:7	69:11 74:3	32:5
23:19	105:10	115:22	77:3,13,13	<b>final</b> 5:10
<b>exceed</b> 69:11	<b>expecting</b>	<b>factor</b> 70:24	77:13,17	5:11 13:12
<b>excellent</b>	8:25	<b>factory</b>	77:17,23	<b>financially</b>
58:3,7	120:19	51:11	85:22 86:8	123:10
<b>exception</b>	<b>experience</b>	93:20	87:22,22	<b>find</b> 51:5
91:25	28:8	<b>factually</b>	88:4,8,11	84:6
118:11	<b>expert</b> 28:19	24:15	89:23	<b>finding</b> 16:7
<b>excess</b> 23:24	28:21	<b>fairway</b> 64:6	95:21,25	<b>fine</b> 24:7
<b>excited</b> 9:2	77:21	64:16 66:7	96:5,10	53:19
<b>excluding</b>	109:20	<b>Fairways</b> 1:3	105:3,4	<b>fingers</b>
32:14	<b>EXPIRES</b>	4:9	106:5,6,6	121:3
34:12	123:18	<b>fall</b> 83:6	106:7,7,13	<b>finish</b> 80:8
<b>exclusive</b>	<b>explain</b> 6:15	<b>familiar</b>	106:15,17	<b>finished</b>
15:18	11:8 12:16	4:10 17:17	106:19,24	41:9 79:17
16:22	13:16	17:20 93:6	107:20,22	81:2 82:24
<b>Excuse</b> 34:10	29:19	<b>family</b> 82:24	108:3,3,4	<b>finishing</b>
40:2 48:11	107:6	<b>far</b> 7:21	108:10,10	5:1
110:15	<b>extend</b> 19:9	19:9 30:3	108:11,23	<b>fire</b> 47:9,22
<b>exhibit</b> 8:2	<b>extensive</b>	32:11 35:4	110:4,5,16	47:25 48:1
17:14,17	36:13	48:4,4	110:20	48:6,7
18:3 21:24	<b>extent</b> 36:22	61:8 74:2	114:10	67:7 80:10
21:25	57:10	76:1 103:9	115:1,2,18	<b>firs</b> 20:8
29:15 30:8	93:11	<b>Farms</b> 6:3	115:21	<b>first</b> 4:22
30:13,17	<b>exterior</b>	12:5	118:10,12	11:25 12:3
31:8,9	55:18	<b>feasible</b>	118:16	17:3 26:4
33:9 35:9	108:21	90:25	<b>FEMALE</b> 50:2	29:5 30:8
41:25 56:5	<b>extreme</b>	<b>feature</b>	53:11	31:1,16
62:3,8	43:16	50:12	<b>fence</b> 7:22	32:15,17
<b>exhibits</b>	70:11	<b>features</b>	9:9,11,22	32:23,25
8:13 12:24		97:13,14	9:22,23	33:1,5,19
29:4	<b>F</b>	<b>federal</b> 97:1	10:5,15	33:21 34:4
<b>exist</b> 70:19	<b>F</b> 1:8 94:12	<b>feel</b> 44:1	99:25	34:24
80:3	95:2 123:1	<b>feeling</b> 7:15	100:8	37:13 41:9
<b>existing</b>	<b>facade</b> 31:20	<b>feet</b> 11:20	<b>fencing</b>	42:11
5:12 7:22	<b>facilities</b>	15:20	98:17	43:12,18
8:3,6 9:11	60:13	16:24 18:6	99:22	45:17
61:20	62:19	19:17,17	<b>fertilizer</b>	51:16 52:7
62:25	95:12	21:5,9	55:11	53:13
63:12,15	96:18,20	22:11	<b>fertilizers</b>	61:14 78:3
66:24 67:6	107:10	23:24 24:9	111:5	79:4 87:21
74:8 78:10	<b>facility</b>	25:2,5,8	112:18	88:1
78:10	48:16	32:24 34:9	115:10	106:12
92:18,22	58:11,15	34:9,24	<b>fewer</b> 38:13	116:17

117:10	118:5,20	<b>foregoing</b>	6:22 7:11	31:17
<b>fit</b> 108:24	118:25	123:2	9:5,7,18	32:14
<b>five</b> 23:9	119:1,10	<b>foreground</b>	11:13	33:24
40:13,21	119:11	8:15	12:18	86:23
<b>five-story</b>	<b>floor/ce...</b>	<b>form</b> 34:6,6	21:10 31:6	<b>garden</b> 25:12
74:16,24	117:15,17	42:3 57:11	31:18	<b>gas</b> 112:18
<b>fixture</b> 14:4	<b>floor/floor</b>	119:6	33:10 36:5	113:3,11
<b>fixtures</b>	117:18	<b>formed</b> 56:6	42:8 50:5	<b>gasoline</b>
13:19	<b>floors</b> 118:3	<b>forth</b> 61:3	65:12	112:21
<b>flag</b> 3:11,13	<b>Florence</b> 2:8	123:5	77:18	115:11
<b>flat</b> 34:7,7	72:7	<b>Fortsch</b> 1:10	84:10,20	<b>gatehouse</b>
115:14	<b>fluids</b>	3:23,24	88:22	41:19
<b>flats</b> 33:4,5	113:11	57:2,5,12	<b>fuel</b> 55:15	<b>general</b>
33:5	<b>folks</b> 59:6	59:14 60:6	112:2,20	89:13
<b>flexibility</b>	<b>follow</b> 75:25	71:18,19	112:20,21	111:16
38:19,22	112:4	<b>forward</b>	113:4,5	116:11,12
39:21,24	113:13	61:18	<b>fuels</b> 112:6	<b>generally</b>
<b>flip</b> 44:6	<b>follow-up</b>	<b>found</b> 20:3	<b>full</b> 7:24	100:24
<b>floor</b> 29:20	10:8	75:9	39:16	105:10
31:2,13,16	<b>following</b>	<b>foundation</b>	79:10,14	<b>getting</b>
31:16,21	15:17	100:25	90:5	111:20
31:24	<b>follows</b>	119:3,15	<b>function</b>	120:14
32:15,17	57:22	<b>foundations</b>	71:2	<b>Giant</b> 66:14
32:17,19	<b>foot</b> 11:19	100:15	108:20	<b>give</b> 3:5
32:21,23	13:23	101:4	113:1	15:25
32:25 33:5	19:13	<b>four</b> 6:22	<b>function...</b>	18:23 23:5
33:5,20,21	32:13	7:1,11 8:5	109:6	27:21
34:1,4,24	41:10,12	31:2 33:4	<b>further</b> 9:24	28:23
37:12,14	41:13,21	33:19 34:5	74:4 122:3	34:21 42:5
37:19 41:9	51:24	37:17,19	123:6	43:2 61:12
41:10	52:16 55:8	40:8,20,20	<b>future</b> 70:17	92:7 94:19
43:12,18	61:17	40:20,24		<b>given</b> 98:14
52:7 68:5	105:12	63:19	<b>G</b>	<b>giving</b>
68:6 69:11	108:24	72:17,19	<b>G</b> 28:2	110:12
76:6 79:5	111:25	72:20,22	<b>gabled</b> 43:21	<b>glad</b> 72:9
83:9,14,19	114:21	76:10	43:22	<b>glasses</b> 62:8
83:20	115:9	77:14,15	<b>gables</b> 32:4	<b>GLEN</b> 1:12
87:21,22	<b>footage</b>	106:2,5	<b>Galvin</b> 17:22	<b>go</b> 4:21
88:1 97:9	25:13,15	<b>fourth</b> 118:5	120:19	10:21
106:12,14	32:12 34:8	118:5	<b>gambrel</b> 42:7	14:23 18:3
115:7	43:18	<b>framework</b>	52:15 55:1	19:25 21:1
116:17,21	85:21,22	119:3	55:25	24:4 26:16
116:25,25	86:5 96:3	<b>framing</b>	108:8	44:7,12
117:4,5,6	104:22,25	119:13	114:22	47:14,20
117:10,11	106:1,11	<b>frankly</b> 61:5	<b>garage</b> 31:14	48:11,24
117:12,12	106:19	<b>free</b> 97:6,7	31:18 33:8	49:4,24
117:13,14	107:17	97:23	33:20	50:15
117:17,19	<b>footprint</b>	<b>frequently</b>	34:11,13	57:13
117:20,25	38:3	70:17	42:22	62:24
118:1,2,2	115:16	<b>front</b> 6:14	<b>garages</b>	64:18,19

84:2 85:4	99:13	60:18	104:20,22	<b>handling</b>
90:24 93:7	102:20,20	61:14	<b>GREGORY</b> 1:12	111:13
110:24	102:21	65:22	<b>ground</b> 41:8	<b>Hang</b> 16:5
115:23	103:24	66:21	53:25 76:6	<b>happen</b> 63:1
121:3	104:3,5,12	96:11	97:9	<b>happened</b>
122:9,13	104:17,19	119:25	<b>group</b> 93:21	83:16
<b>goal</b> 49:13	105:16	120:3,10	109:12	<b>happening</b>
61:4	108:8	121:24,25	<b>groups</b>	59:24
<b>God</b> 27:23	111:3	<b>gotten</b> 48:3	109:12	<b>happy</b> 21:22
<b>goes</b> 61:8	112:17,22	112:10	<b>guardhouse</b>	<b>hard</b> 16:7
86:3 97:1	113:5,10	<b>govern</b> 57:19	41:23	62:9 84:19
117:19	113:23	<b>governed</b>	<b>guess</b> 19:6	<b>hardy</b> 37:3
<b>going</b> 6:6	114:10,25	113:12	29:16 60:7	69:19
7:8 8:12	115:6,19	<b>Governor</b>	64:10	<b>hardywood</b>
10:21	116:8	87:5	67:17	37:1
11:11 12:4	120:24	<b>governs</b>	86:18 87:7	<b>hazard</b> 94:13
14:7,14	121:1,8,10	57:19	102:6,11	109:24
15:5,13,22	122:1	<b>grade</b> 66:18	110:14	<b>hazardous</b>
20:12 23:4	<b>golf</b> 5:13	81:20	114:19	94:8
23:10 24:4	12:19	117:11	<b>guessed</b> 4:13	100:21
26:18	13:16	<b>grading</b>	<b>guy</b> 104:13	109:9,11
39:15	14:12	37:21 81:5	<b>guys</b> 12:20	109:12,15
41:24	15:18	<b>granular</b>	<b>gypsum</b> 47:13	109:18,21
42:15	16:22 43:1	112:18		<b>hazards</b> 94:4
44:19	43:6,8,9	<b>grass</b> 18:13	<b>H</b>	<b>he'll</b> 26:2
45:20,21	45:8,9,19	18:15	<b>H</b> 2:12 94:12	<b>head</b> 25:14
46:3,8,24	45:24 46:9	20:14,15	<b>HAAG</b> 1:16	25:17
47:2,10,14	46:12,19	20:18,24	29:12	121:2
48:5,23,24	48:24	21:9,14	<b>Hackensack</b>	<b>headache</b>
49:7 51:11	49:13,17	22:2,14,15	1:24	59:8
51:14,17	49:19,22	22:25 23:8	<b>half</b> 37:18	<b>heading</b>
53:7,9	57:5 58:12	23:22 24:2	68:8	65:23,24
54:1,20,23	58:19 60:9	24:10,14	108:15	<b>health</b> 102:2
59:11,19	60:13,25	25:16	116:6,7,9	102:5
59:24	61:15	76:21 77:8	116:15	<b>hear</b> 3:2
61:11,11	62:17	<b>grassy</b> 18:10	117:2	8:17 50:2
61:18,23	64:13,20	20:13 22:1	121:2	57:14
63:1 64:5	73:13,17	23:20	<b>halfway</b> 48:8	<b>heard</b> 61:8
64:15,19	75:7 96:19	<b>great</b> 60:23	<b>hall</b> 3:10	96:16
65:5,6,8,9	99:4,7,8	74:11	26:16	111:7
65:10,15	99:11,14	<b>greater</b> 24:9	122:10,13	<b>hearing</b> 4:8
66:4 70:5	99:17,24	<b>green</b> 17:18	<b>hand</b> 27:19	5:10 59:16
74:4,10,11	100:8,11	20:16	31:4 33:9	120:16
74:12 75:6	101:20	53:22	107:13	122:17
77:10	103:9,25	66:14	<b>handicapped</b>	<b>hearings</b> 7:8
80:25 82:6	104:2,3	<b>greenery</b>	76:2 98:11	17:15
89:13 92:1	111:10,13	76:11,15	<b>handle</b> 46:22	<b>heavier</b>
93:25	<b>good</b> 4:16	76:20,25	118:25	46:11
96:12,17	13:14	<b>greens</b> 59:25	<b>handled</b> 38:9	<b>heavily</b>
97:19	15:10	66:7	111:12	65:11 74:3

<b>hefty</b> 96:9	<b>Hillsdale</b>	<b>house</b> 2:14	33:17 48:9	<b>incorpor...</b>
<b>height</b> 26:18	72:24	6:3 21:10	<b>identify</b>	112:7
26:20	73:24	29:6,24	30:24	<b>increase</b>
32:23	74:16,25	31:2 32:11	<b>illegal</b> 84:7	79:22
34:21,22	<b>hip</b> 67:1	34:6 66:24	<b>illustrate</b>	<b>independ...</b>
37:12 41:9	<b>historical</b>	67:3 69:25	37:13	17:24
41:12,13	100:11	73:24	<b>illustrated</b>	<b>indicate</b>
52:4 54:13	101:21	74:16	42:3	83:20
66:16	<b>Hold</b> 21:19	76:10	<b>imagine</b>	<b>indicated</b>
67:24 68:1	35:12 51:2	79:22 80:2	113:19	34:2 37:12
68:2,12,18	<b>holdover</b>	83:17 88:5	<b>immediate</b>	67:8 109:9
68:19	58:8	93:11	11:4,11	113:8
79:10,14	<b>hole</b> 73:17	99:18	<b>immediately</b>	116:1
87:22,24	<b>holes</b> 107:4	104:6	19:22	<b>indicates</b>
88:3,4,8	<b>Holiday</b> 2:8	<b>houses</b> 12:12	<b>impact</b> 7:15	89:22
88:15	6:3 12:5	14:12	8:12	<b>indications</b>
89:23	72:8	34:17,23	108:21	63:12
105:12	<b>holidays</b>	35:21 37:5	<b>impervious</b>	<b>individual</b>
107:23,25	57:22	37:7 41:11	78:13	37:17
108:2,6	<b>Holmdel</b>	47:8,24	<b>importance</b>	<b>industrial</b>
110:3,4,7	27:15	68:9 79:3	96:18	93:20
110:13	<b>home</b> 58:21	79:8,12	<b>important</b>	<b>inform</b> 75:19
114:5,11	59:3,20	83:10	52:11	<b>information</b>
115:10	61:16	90:17	110:11	14:10
118:9,12	74:25	91:21 99:5	<b>imposed</b>	17:21
<b>heights</b> 69:2	120:23	99:6	119:14	39:18
87:20	<b>homes</b> 30:11	<b>housing</b> 6:14	<b>impossible</b>	<b>inland</b> 10:24
<b>held</b> 3:6	32:24	6:23 7:12	119:17	<b>insert</b> 118:6
120:24	35:18 59:7	9:6,8,18	<b>impression</b>	<b>inside</b> 43:4
<b>help</b> 13:6	59:10 73:8	12:15 30:1	61:15	44:21,25
27:23	82:22	36:9,11	<b>inadequate</b>	54:2
65:15	87:20,21	38:10	107:11,15	102:20
<b>helpful</b> 89:9	87:24	39:17 40:1	<b>inch</b> 22:5	113:2
<b>helping</b>	<b>hope</b> 59:13	40:3,5	<b>inches</b> 41:10	<b>install</b>
114:16	102:15	90:24 92:2	110:16,20	113:15
<b>hidden</b> 74:7	<b>Hopefully</b>	96:24	119:6,10	<b>insulation</b>
<b>hide</b> 54:3	59:24	114:8	<b>include</b>	117:22
<b>high</b> 59:3	<b>horizontal</b>	115:25	29:23	<b>integral</b>
94:13	31:23 37:4	<b>hundred</b> 74:2	33:21	117:25
108:18	38:2 91:9	<b>hypothet...</b>	34:11	<b>intended</b>
109:11,12	117:7	60:4 86:18	95:11	91:9
109:24	<b>horizont...</b>		<b>included</b> 9:3	<b>intending</b>
<b>higher</b> 55:2	37:23	<b>I</b>	13:11	4:23
<b>highest</b>	<b>horse</b> 51:7	<b>Id</b> 2:14,15	18:21	<b>intent</b> 7:23
32:25 33:1	<b>hour</b> 48:10	<b>idea</b> 22:23	20:15	64:2
41:10 52:7	48:10	60:18	<b>includes</b>	<b>intention</b>
65:1	121:2	69:20	67:2	83:1
114:21	<b>hours</b> 14:15	74:18	<b>including</b>	<b>interest</b>
<b>highlight</b>	14:18	113:4,23	21:25	23:17
62:5	57:20	<b>identical</b>	52:23	62:14

<b>interested</b>	28:11	22:2 23:16	<b>L8</b> 11:23	57:20,21
63:24	50:23	24:8,15	13:10	65:25 74:8
123:10	67:12	25:2,5,12	<b>labeled</b>	<b>large</b> 7:5,9
<b>interesting</b>	85:20	25:15,18	30:11	7:11 8:5
61:25	87:18 97:6	44:2 48:25	105:1	19:5,11
<b>interior</b>	97:23	50:17 54:5	<b>ladders</b>	22:1 23:12
56:13,17	98:13	54:5 58:2	80:11	36:21
115:20	109:24	60:17	<b>land</b> 1:16	49:25
<b>Internat...</b>	<b>Jersey's</b>	62:14	53:21	54:14 92:6
109:13	47:18	63:16 69:2	88:10	99:24
<b>interplayed</b>	97:16	74:23 75:9	<b>landscape</b>	<b>largely</b> 6:8
58:25	<b>jogged</b> 37:23	75:14,17	5:2,15	<b>larger</b> 73:19
<b>interrupt</b>	48:7	75:23,24	6:17,18	105:5
110:2	<b>JOHN</b> 1:13	76:13,14	11:16 13:9	<b>law</b> 3:9
<b>intersec...</b>	<b>Joint</b> 1:1	76:18	15:19	67:10 87:5
54:22	3:4	81:18 82:3	16:23 18:6	97:1
<b>interspa...</b>		82:6 85:5	18:14	<b>lawn</b> 23:12
117:22	<b>K</b>	89:8,21	19:21	23:24
<b>interspe...</b>	<b>K</b> 78:1,1	92:19 93:2	20:16,17	25:16
35:2	<b>Katharine</b>	94:21	20:24	46:10 54:1
<b>involved</b>	1:19 4:14	95:15	22:10	55:10
45:11	<b>keep</b> 8:6	103:19	23:21,21	103:7
113:20	45:19	112:17,19	24:2 51:21	<b>lawnmowers</b>
<b>involves</b>	49:13	114:5	54:3 61:12	53:18
28:14	58:14	115:6	65:16,21	<b>laws</b> 111:14
<b>irrigation</b>	70:20	<b>knowledge</b>	66:11	<b>layout</b> 34:3
45:20	104:18	111:1	77:18,20	<b>leach</b> 113:11
49:16 70:3	107:13	<b>knows</b> 59:23	78:4	<b>leave</b> 12:21
70:4,6	121:3	96:15	<b>landscaped</b>	49:4
<b>issue</b> 53:15	<b>keeper</b>		23:13	<b>led</b> 45:24
53:23	104:20	<b>L</b>	65:11	<b>left</b> 5:9,25
59:12 71:1	<b>keepers'</b>	<b>L</b> 43:16	77:17	6:5 20:2
<b>issues</b> 120:5	104:23	44:21,25	<b>Landscapers</b>	44:9 64:16
<b>items</b> 21:15	<b>key</b> 63:23	56:6,14,20	46:16	82:25
	<b>kind</b> 5:8	65:14	<b>landscaping</b>	<b>left-hand</b>
<b>J</b>	16:13 20:1	<b>L-shaped</b>	6:10 7:22	31:1 33:16
<b>J</b> 123:17	50:6,7	41:25 42:2	9:11,12	38:1,1
<b>Jameson</b> 1:22	51:20	42:16	10:22 11:3	<b>legal</b> 57:22
6:1	104:12	43:24 44:7	11:5 13:3	86:21
<b>January</b>	112:20	56:17 57:9	15:12,19	<b>Legally</b>
17:15	<b>Kira</b> 2:9	65:7	15:21	11:20
<b>Jasionowski</b>	<b>kitchen</b>	<b>L10</b> 18:25	16:23,25	<b>legs</b> 43:16
1:12 3:22	33:23	19:1	17:8,13,25	54:23
71:17	<b>kitchens</b>	<b>L4</b> 6:20 18:4	18:25 21:6	<b>Leibman</b> 1:15
<b>Jeff</b> 27:24	97:13,20	19:25 20:2	21:9,14,23	3:5,6
<b>Jefferson</b>	<b>knew</b> 9:17	23:20	22:3 23:22	21:20
1:19	<b>know</b> 7:4	24:17 62:4	26:9 51:15	27:17,19
<b>Jersey</b> 1:7	12:19 14:8	62:5	51:16	28:3,5
1:20,24	14:9 18:12	<b>L5</b> 23:20	52:23,25	29:7,11,17
3:8 27:15	20:12,17	24:17	53:21	40:17,24



41:3,6	<b>light</b> 12:10	28:20 29:9	99:11	50:10,17
50:20 51:2	12:11	30:6,12,16	119:22	51:24 52:8
51:6 57:15	13:19,22	30:20,23	<b>LLC</b> 1:3,22	52:8,15,20
60:3 62:2	14:4,14,14	31:3,7,11	<b>LLP</b> 1:18	53:2 103:5
76:16	<b>lighting</b>	32:7 33:12	<b>load</b> 79:22	121:1
81:25 82:3	11:23,25	33:15	79:24 80:1	<b>longer</b> 42:24
82:9,13	12:4,9,15	34:20 35:1	80:5 117:8	113:23
83:5 86:16	12:16	35:6,12,16	118:24	<b>look</b> 6:22
88:12,17	13:17,21	36:8,16	119:1,14	14:21 16:8
88:19	13:23	38:6 39:10	<b>located</b>	19:1 20:2
100:12	<b>lights</b> 14:7	39:18 43:5	35:18	26:17 31:5
110:1,10	14:16,21	43:9 50:3	36:14	37:22 42:5
110:14,18	14:24 15:3	52:17,22	41:24	50:22 51:4
110:22,23	<b>likeness</b>	67:14 71:3	43:15	51:11,17
110:24	24:16	71:8 72:1	54:22 56:3	52:24 53:3
118:6,15	<b>likewise</b>	72:2 74:21	56:4,13,16	53:7 54:7
118:18	55:25 69:9	77:6,22,25	56:19,21	56:5 60:17
120:3,7,21	<b>limit</b> 69:10	85:5,15	72:18,20	61:18,23
121:6,8	85:17 86:1	87:2,8	72:23	62:4,12
122:4,5,11	86:6,10	89:1,5,12	91:21	66:2 69:21
<b>length</b> 53:1	<b>line</b> 13:23	89:17,21	103:3	74:4 76:12
53:16,23	32:24 33:1	92:12	104:6	84:23,24
<b>let's</b> 3:11	34:25	94:23 95:1	<b>location</b>	<b>looked</b> 16:16
9:5 23:15	41:10	95:15,19	10:7 20:3	58:16,16
27:6 67:19	47:21	96:14	45:15,25	58:23
81:25	49:15 50:7	100:16,20	48:8 58:17	92:20,22
84:16	50:12,23	102:9,15	62:20 67:5	<b>looking</b> 6:20
85:18	53:2 65:1	113:21	70:20	14:2 19:25
87:19	88:1,3	114:1,4	108:3	23:2 29:10
118:18	91:13	120:6	122:2	35:6 52:9
121:3	<b>lined</b> 7:9	121:23	<b>locations</b>	66:9 72:10
<b>letter</b> 7:18	73:23	122:1,9	79:7 81:8	76:19
<b>level</b> 12:10	<b>lines</b> 52:9	<b>liquid</b>	<b>loft</b> 32:19	88:12,25
14:25	64:3	112:18	43:13,22	89:8,12
64:25	<b>Lineup</b> 50:25	<b>little</b> 8:18	44:16	95:16
115:22,23	<b>lining</b> 35:19	9:1 14:22	54:11,19	118:8,8
<b>LICENSE</b>	<b>link</b> 99:25	27:1 28:8	54:22 55:2	121:14
123:18	100:7	50:24	68:5 83:10	<b>looks</b> 51:18
<b>licensed</b>	<b>Lippert</b> 1:9	59:20	83:13	72:10
28:10 78:3	3:1,11 4:6	61:25	95:25	<b>lot</b> 9:8 12:4
87:17	4:7,16,19	62:22	107:21	12:18
<b>life</b> 102:2,4	5:5,23	76:17	108:4,5,20	13:18 15:5
<b>lift</b> 42:21	8:17 12:23	95:23	<b>lofts</b> 43:20	18:2 34:17
42:23	13:4,14	112:25	43:21	42:25
44:17 55:3	15:7 22:4	<b>live</b> 61:16	83:20	49:15,17
103:4	22:7,13,23	74:16 80:1	103:6	64:3 70:17
108:9,23	23:14	86:19	106:14	75:3,6
<b>lifted</b> 55:3	25:24 26:4	<b>living</b> 32:16	108:5	76:16
<b>lifts</b> 103:3	26:10,23	33:22 49:8	<b>long</b> 36:5	86:22
108:9	27:4,9,25	74:25 92:1	42:10	104:11

107:11	65:13,17	<b>maple</b> 7:1	113:20	99:16,21
<b>lots</b> 1:4	66:23	<b>maples</b> 6:22	<b>math</b> 40:24	100:4,7,10
5:13 78:10	67:25 68:3	20:6,11	<b>matter</b> 53:16	100:14,22
<b>loud</b> 60:21	68:8 70:25	<b>MARC</b> 1:15	<b>maximum</b>	101:3,7,12
75:19	73:10	<b>MARIA</b> 1:16	22:19 39:3	101:15,19
<b>lounge</b> 42:18	75:10,23	<b>mark</b> 1:11	41:12,13	101:23
102:25	91:15,20	30:16	88:14	102:4,6
<b>Lowe</b> 1:12	92:6 93:12	<b>marked</b> 30:12	110:4,7,13	<b>mean</b> 14:5
3:15,16	93:14	35:13,14	118:9,12	39:9 76:16
69:24 70:8	95:11,20	<b>market</b> 40:5	<b>Mayor</b> 1:12	79:23
70:14	95:22,24	90:22	3:22 71:17	83:15 99:9
71:10,11	102:17	<b>marketed</b>	<b>McKeown-</b> ...	99:15,19
<b>lower</b> 54:3	103:2,9,14	99:14	2:9 78:1,6	104:4
119:13	103:17	<b>marketing</b>	78:9,12,15	107:25
<b>LYNN</b> 123:17	104:2,8	59:6	78:17,22	108:1
	105:13,19	<b>marketplace</b>	79:2,10,14	<b>measured</b>
	106:9,9,13	60:2	79:17,21	21:11
	107:2	<b>MARY</b> 1:17	79:25 80:4	32:23 41:9
<b>M</b>	111:22	<b>masonry</b>	80:12,25	87:25
<b>M</b> 78:1,2	114:6,10	55:21	81:4,6,11	115:12
<b>M-1</b> 88:11	114:13,14	<b>mass</b> 108:22	81:15,19	<b>measures</b>
<b>main</b> 1:23	<b>major</b> 1:4,4	<b>massive</b>	81:22	52:6
33:25	5:10,11	19:18	82:14,17	<b>meditation</b>
41:23	60:19	<b>master</b> 31:15	83:9,12,16	25:12
42:24	119:17	32:16,20	83:23 84:2	<b>meet</b> 7:23
43:24	<b>majority</b>	32:21	84:9,13,15	17:25
91:12	35:21	33:21	85:13,18	<b>meeting</b> 3:4
101:24	<b>making</b> 52:19	58:13	86:9,13,17	3:6,8
102:1	59:1 60:22	<b>match</b> 115:13	87:4,10,15	57:17
<b>maintain</b>	74:22	115:19	87:19,23	120:22,24
46:12	75:12	<b>material</b>	88:2,5,9	121:4,13
<b>maintained</b>	85:10	37:9 42:9	88:14,18	122:12
55:4 103:4	<b>MALE</b> 8:19	47:11	88:20 89:3	<b>Meetings</b> 3:5
<b>maintenance</b>	26:8,15	55:18	89:10,15	3:7
6:15 12:17	27:2 48:13	76:20	89:19,24	<b>meets</b> 49:22
14:1 41:18	<b>managed</b>	<b>materials</b>	90:5,10,16	<b>Member</b> 57:16
42:2,20	104:2	31:20	91:1,14,24	<b>members</b> 27:4
43:6,7	<b>management</b>	34:16	92:4,9,14	59:24
44:3,15	103:25	36:12,21	92:20,24	67:15 71:4
45:9,16,22	104:2	41:21	93:2,13,19	72:4
46:10	<b>manager</b>	69:20	94:3,6,11	<b>membrane</b>
48:16 49:2	104:17	90:21 91:3	94:15,21	117:23,23
49:17,22	<b>manner</b> 48:9	91:6,11	94:24 95:2	<b>mention</b> 67:9
53:10	<b>manufact...</b>	94:8	95:9,13,18	<b>mentioned</b>
54:14 56:6	31:22	100:21	95:20 96:2	74:20
56:9 58:6	<b>map</b> 23:10	102:21	96:7,22	<b>merchant</b>
58:8,11	26:17,19	109:10,15	97:14,18	28:15
59:5 60:10	49:11	109:23	97:24 98:3	<b>metal</b> 44:2
60:13,18	59:23	111:11,17	98:9,16	74:10
60:24 62:6	62:19	111:19	99:1,3,10	<b>mezzanine</b>
62:7,19,25				
63:1,12,15				

68:6 95:25	76:14,18	<b>necessarily</b>	<b>nice</b> 51:10	65:22
108:20	77:4,24	10:9 45:18	51:19	66:21
<b>MICHAEL</b> 1:11	<b>morning</b>	89:14 95:7	<b>night</b> 15:5	<b>obtain</b> 39:16
<b>microphone</b>	12:20 57:6	<b>necessary</b>	121:7,12	<b>obvious</b> 66:4
8:20 53:12	59:17	14:17	<b>NJ</b> 101:16	<b>obviously</b>
67:18	75:11	96:19,21	<b>noise</b> 57:3	59:22
<b>middle</b> 5:16	<b>move</b> 15:11	122:3	57:13,14	62:14
48:5,6	23:15 27:6	<b>need</b> 13:16	67:4 70:23	63:23
<b>midway</b> 37:24	43:3 114:8	45:17	71:1 73:14	64:19
<b>mike</b> 27:8,10	118:18	49:10	75:8,12,19	104:18
27:11	<b>moved</b> 9:24	65:15	<b>non</b> 86:1	<b>occasions</b>
48:13 50:3	10:9,18	70:16	<b>normally</b>	28:13
<b>mind</b> 61:21	73:11,21	80:10 87:3	60:12	<b>occupancy</b>
114:16	<b>moving</b> 9:22	104:15,15	<b>north</b> 20:7	79:18,22
<b>Mine</b> 13:4	115:25	107:2,7	44:20 73:3	79:24 80:1
<b>minimum</b> 21:5	<b>mow</b> 48:24	108:11,19	73:5,5,6	80:4,15
21:8 38:18	<b>mowed</b> 59:25	115:9,20	<b>northwest</b>	82:14,17
39:4,5	<b>mowers</b> 46:11	<b>needed</b> 45:19	56:19	83:4,14
86:4	54:2 55:9	70:12	<b>notes</b> 110:10	85:19 86:1
<b>minute</b> 71:5	103:8	107:18	110:19	86:6,10
88:17	<b>mowing</b> 55:10	<b>needs</b> 50:7	<b>notice</b> 3:8	93:16
<b>minutes</b>	<b>muffled</b> 8:21	50:24 70:3	79:4 122:3	94:11
113:25	<b>mulch</b> 18:11	70:4	<b>noticed</b>	<b>occupied</b>
114:3	18:13,15	<b>neither</b>	120:24	25:16,19
<b>misreading</b>	18:15,20	111:9	<b>nuisance</b>	<b>occupies</b>
85:23	19:9,14,18	123:6,8	58:22 59:2	25:3,7
86:12	20:13	<b>nematicide</b>	<b>number</b> 17:11	<b>occupy</b> 86:21
<b>missing</b> 4:9	22:25	111:7	29:8 40:8	<b>odors</b> 67:4
<b>mixed</b> 45:8	<b>multi-fa...</b>	<b>neutral</b>	40:10,12	71:1
93:17,24	28:16	32:10	40:15	<b>offer</b> 79:9
94:2	29:25	<b>new</b> 1:7,20	85:25 86:4	<b>office</b>
<b>moderate</b>	<b>multi-story</b>	1:24 3:8	98:11,15	103:11,14
94:4	97:8	4:22 7:1	<b>numbered</b>	103:18,24
<b>modifica...</b>	<b>multi-use</b>	7:10,19	13:4	104:1,8,12
37:21	94:1	8:11 22:25	<b>numbers</b>	104:21,23
<b>modifica...</b>	<b>multiple</b>	27:15	107:3	105:6,7,22
84:8	23:19	28:11 30:4	<b>numerous</b>	<b>offices</b>
<b>modified</b>	86:19	38:3 47:18	28:13	42:18
67:7	<b>municipa...</b>	50:23		102:25
<b>money</b> 58:20	86:14 87:5	60:12	<b>O</b>	<b>offset</b> 38:2
<b>month</b> 87:6,7	<b>Murphy</b> 87:5	63:13,20	<b>O</b> 1:8 78:1,2	<b>oh</b> 88:20
<b>Morgenstein</b>		67:12	<b>oath</b> 14:20	89:3 99:2
2:8 72:7,7	<b>N</b>	85:20	<b>object</b> 22:14	114:24
72:19,22	<b>N</b> 1:18 2:1	87:18 89:1	<b>Objector</b>	<b>oil</b> 104:13
73:1,7,9	78:1	93:9,13	1:25	113:10
73:20	<b>nail</b> 81:25	97:6,16,22	<b>objectors'</b>	<b>okay</b> 3:3 4:8
74:15,19	<b>name</b> 28:1	98:12	22:2	5:5,23
74:23 75:4	32:2 72:6	103:23	<b>obliterate</b>	11:8,22
75:8,17	<b>near</b> 45:20	106:8	73:17	16:5,6,8
76:1,5,8	73:11	109:24	<b>observation</b>	18:12

19:11	45:2 48:21	<b>order</b> 73:17	94:16	58:13 60:1
22:13	58:6	104:14	<b>owner</b> 120:23	75:21
26:23 27:2	<b>once</b> 32:17	119:14	<b>owner's</b>	83:21
27:12	33:7, 9, 17	122:6	24:25	99:11, 24
28:23	36:12	<b>orders</b>		112:10, 14
30:23 31:3	41:20, 25	104:14	<b>P</b>	113:14
33:15 35:8	42:9 43:25	<b>ordinance</b>	<b>P</b> 1:18, 18, 22	116:24
35:16 37:5	48:9 55:17	7:24 15:14	<b>P.E</b> 1:15	<b>particular</b>
41:6 46:6	55:21 66:8	20:21 21:1	<b>p.m</b> 1:8	76:25
46:17	112:3	21:13 22:3	57:22, 24	89:25 94:7
52:17	113:12	22:6, 9, 19	71:7	97:25
54:10 64:9	<b>one-bedroom</b>	23:3 57:17	122:17	<b>parties</b>
70:22 72:3	39:4, 23	57:18 61:5	<b>package</b> 30:4	123:8
73:1, 20	40:18, 19	61:10	<b>page</b> 2:2, 13	<b>partner</b> 4:14
75:9 76:8	40:21	67:19 68:2	13:6 15:14	<b>parts</b> 103:7
77:24 78:6	<b>one-bedr...</b>	68:4, 7	17:2 24:5	105:18, 24
78:9, 22	38:11, 12	75:18, 24	<b>painstak...</b>	107:13
79:2, 21	41:1	82:20 83:3	24:5	119:13
81:6, 15	<b>one-story</b>	88:3, 10, 22	<b>pairs</b> 62:7	<b>pass</b> 66:8
83:12	55:8 67:1	88:24 89:2	<b>pallet</b> 36:20	<b>passed</b> 90:3
85:13, 18	67:21	89:13 90:2	<b>panel</b> 36:14	<b>passive</b>
85:19	68:20 69:5	90:6 95:5	37:3	25:11
86:17 87:1	<b>one-way</b>	95:8 109:4	<b>panels</b> 31:25	<b>path</b> 9:24
87:10, 19	65:12	109:8	37:3	25:3 64:17
87:23 88:9	<b>ones</b> 12:25	116:12	<b>paper</b> 109:1	64:22
89:10, 15	39:1	117:4	<b>paperwork</b>	<b>paths</b> 22:1
90:10, 11	<b>open</b> 3:5, 7	118:8	104:11	<b>pavement</b>
91:14, 24	17:14 18:9	<b>ordinances</b>	105:20	21:12
92:9, 14	20:7 21:25	68:16	<b>parked</b> 54:1	<b>paving</b> 11:21
93:13 94:6	66:9 71:5	116:8	<b>parking</b>	<b>paying</b> 59:15
94:15	<b>operate</b>	<b>original</b>	12:18	<b>pending</b>
95:18 98:3	107:18	40:7 107:3	13:18, 20	120:15
98:16	<b>operating</b>	<b>originally</b>	13:25 14:3	<b>people</b> 49:8
99:16	46:2	13:11 91:3	15:5 62:22	59:5, 6, 21
100:3, 10	<b>operation</b>	<b>outdoor</b>	97:11 98:4	74:15
101:19, 23	96:19	55:15	98:5, 6, 6	75:10, 13
106:18	104:21	112:24	98:12	75:24 80:1
114:1	105:11	<b>outdoors</b>	<b>Parsippany</b>	83:6 86:19
116:21, 22	107:19	107:12	1:20	92:1
118:19	<b>opinion</b> 9:13	<b>outline</b>	<b>part</b> 8:9	122:12
119:19	12:11	17:19	10:17	<b>percent</b>
120:21	20:15, 20	<b>outside</b> 11:4	13:18	15:12, 17
121:16, 23	20:24	43:2 53:7	15:23	16:21 17:6
122:14	24:13	60:11, 19	20:19	17:19, 25
<b>old</b> 63:13	<b>opportunity</b>	86:22	24:25	21:23, 25
114:5	43:3	<b>over-buf...</b>	35:11, 19	38:11, 12
<b>older</b> 88:25	<b>opposed</b>	61:9	44:14, 23	38:13, 13
<b>on-line</b>	23:20	<b>overall</b> 77:1	44:24, 25	38:18, 23
16:17	<b>opposite</b>	<b>overlay</b>	49:13	39:1, 2, 4, 4
<b>on-site</b> 43:1	91:20	89:17	54:24	39:5, 9

40:9,11,13 76:17,17 <b>percentage</b> 40:22,25 54:16 78:13 <b>percentages</b> 39:21 <b>perception</b> 53:15 74:9 <b>period</b> 83:3 <b>permit</b> 94:16 <b>permits</b> 81:5 113:16 <b>permitted</b> 22:20 47:17 81:7 82:15,18 86:20 90:19 93:3 95:11,16 96:3 <b>perpendi...</b> 42:11 <b>person</b> 45:7 85:2 86:8 <b>personally</b> 18:1 <b>personnel</b> 104:9 <b>perspective</b> 76:19 91:10 95:7 <b>pesticide</b> 112:1 <b>pesticides</b> 110:25 111:4,17 111:22 112:6,18 <b>Peter</b> 1:14 16:13 <b>phone</b> 84:17 104:16 <b>photocell</b> 14:8 <b>pick</b> 5:25 46:7 103:8 <b>pickup</b> 63:25 <b>picture</b>	59:15 76:9 76:12 <b>pieces</b> 46:13 116:20 <b>Piermont</b> 7:9 9:16 11:4 44:9,12 45:9 46:4 49:4 61:7 61:13 63:25 64:1 65:5,12 69:21 72:11,14 72:21 73:12 74:6 75:12 84:13 <b>piers</b> 7:22 <b>pill</b> 115:14 <b>pinned</b> 29:2 <b>pitch</b> 115:13 115:17,17 <b>pitched</b> 43:23 68:7 <b>itches</b> 115:13 <b>PITNEY</b> 1:18 <b>place</b> 3:10 24:21 45:2 57:9 68:16 72:13 97:10,20 107:14 113:1 120:4 123:4 <b>placed</b> 119:6 <b>plan</b> 1:4 4:21,25 5:10 11:23 12:7 13:22 13:23 14:2 17:18 18:9 18:12 19:2 21:16 31:2 31:13 39:10 41:24 58:13	62:10 63:3 67:8 77:1 84:16 <b>plank</b> 69:20 <b>planks</b> 118:21 <b>planned</b> 42:15 61:21 <b>planner</b> 1:16 94:19 95:9 96:13 120:8,9 <b>planner's</b> 121:19 <b>planning</b> 1:1 3:4 60:4 61:6 81:2 93:7 94:18 94:19 100:1 120:11,17 121:7 <b>plans</b> 4:22 5:18,22 6:10,21 7:10 8:1 9:4 13:3,9 13:10,12 14:21 18:17 19:19 24:22 26:3 29:20 37:12,14 38:4,22 39:12,25 78:7,18,21 78:23 79:4 81:23 83:19 97:15 114:17 120:20 121:11 <b>plant</b> 19:10 <b>planted</b> 18:19,19 24:2,24 74:8	<b>planting</b> 11:18 <b>plantings</b> 6:19 <b>plants</b> 24:2 <b>plate</b> 119:12 <b>play</b> 12:19 61:15 <b>Plaza</b> 1:23 <b>please</b> 3:12 3:14 27:13 28:9,19,25 44:6 48:14 53:11 71:9 72:6 <b>plenty</b> 23:10 <b>plus</b> 43:19 95:24 109:8 <b>plywood</b> 118:21 119:18 <b>pocket</b> 15:20 16:23 20:16,18 22:11 56:5 <b>pockets</b> 18:6 23:21 <b>Pod</b> 35:18 <b>pods</b> 35:22 48:7 <b>point</b> 15:4 21:21 22:22 23:15 24:24 35:20,20 50:8 51:9 52:7 57:15 61:14 62:14,20 62:23 70:11 77:4 77:5 80:23 112:7 114:21 <b>pointed</b> 24:9 <b>points</b> 60:23 77:7 110:16	<b>police</b> 75:18 <b>pollution</b> 14:14 <b>pond</b> 70:9 73:2,11 <b>Pontell</b> 1:22 6:2 <b>portal</b> 26:17 <b>portion</b> 21:13 35:10 55:1 63:2 94:1 95:6 103:5 103:10 105:13 107:20 108:5,7 110:8,9 <b>position</b> 22:2 24:6 24:7 <b>possible</b> 26:1 48:18 62:3 88:25 <b>possibly</b> 47:4 93:15 101:9 <b>posted</b> 3:9 <b>practice</b> 28:14 87:13 <b>pre-occu...</b> 79:20 <b>predominant</b> 35:11,17 <b>prefer</b> 107:12 <b>preliminary</b> 5:10,11 <b>prepared</b> 8:11,13 <b>presence</b> 4:10 <b>present</b> 21:12 26:1 66:19 <b>presenta...</b> 26:2 52:10 85:11 <b>presented</b>
---	---	--	--	---

8:2	<b>processed</b>	9:12 10:22	39:19 71:6	41:12 79:7
<b>presenting</b>	104:15	11:3, 6, 8	72:3, 5	<b>quadplexes</b>
70:7	<b>producing</b>	11:19	97:2, 3	33:4 34:22
111:17	17:22	12:16	102:3	35:5, 18
<b>presently</b>	<b>product</b>	13:19	<b>published</b>	47:25 68:9
97:20	31:22, 23	28:24	3:9	79:13
<b>President's</b>	32:1 33:2	29:23	<b>Puccio</b> 1:13	91:23
49:25	33:3	41:15 69:6	4:2, 3	<b>quads</b> 72:13
<b>pretty</b> 54:14	<b>products</b>	78:13	71:22, 23	72:14
62:8, 16	35:2 36:23	80:14 81:1	<b>pull</b> 15:1, 1	<b>qualific...</b>
67:4 83:24	<b>professi...</b>	81:23	<b>pump</b> 66:24	28:8
84:7 96:9	1:16	83:10	67:3 69:24	<b>qualify</b> 39:8
114:16	101:24	92:18 94:7	70:8, 15, 19	<b>qualifying</b>
<b>preventing</b>	102:2	100:1	93:11	24:11
111:19	<b>professi...</b>	<b>proposing</b>	<b>pumping</b>	<b>quantities</b>
<b>previous</b>	87:11, 16	6:16 7:10	69:25 70:1	109:21
12:7	<b>program</b>	32:9 38:21	70:2	<b>question</b>
<b>previously</b>	107:10, 16	93:10	<b>pumps</b> 55:15	7:25 10:8
35:13, 14	<b>prohibits</b>	<b>protect</b>	<b>purchase</b>	11:13
99:23	109:4	102:2	59:23	13:15 17:3
<b>primarily</b>	<b>project</b> 9:21	<b>prototype</b>	104:14	19:20 25:1
28:14, 16	10:17	29:24, 25	<b>purposes</b>	26:22 40:8
31:24	36:20, 21	36:2 41:14	54:23	44:5 45:6
32:13	41:20 84:6	<b>prototypes</b>	55:19, 20	45:14
41:17 42:8	90:20, 24	29:23	103:15	46:23
43:14	92:25	41:16	<b>put</b> 14:16	48:12 58:3
102:25	95:16	<b>provide</b> 7:5	21:16	59:13, 15
<b>primary</b> 42:2	112:15	7:24 17:21	42:23 50:5	63:21 65:2
42:6	115:14	19:5 63:7	51:3 76:9	69:15 73:2
<b>principal</b>	<b>project's</b>	69:16	78:23	76:9, 11, 23
118:9	5:15	<b>provided</b>	80:17	77:7, 9
<b>probably</b>	<b>prominence</b>	14:25 21:9	81:25	78:3 82:19
28:12 47:1	99:23	73:15	84:19	85:2 87:3
47:1, 25	<b>prominent</b>	98:15	91:15	87:9 90:12
48:5 50:17	3:10	<b>provides</b>	92:11	95:14
52:25 66:3	<b>proof</b> 92:15	33:25	103:4	96:15
66:18 85:2	<b>properly</b>	37:17	110:7	98:17
93:25	111:12	<b>providing</b>	118:20, 21	100:16, 23
115:23	<b>properties</b>	9:9 12:9	118:24	110:2
121:10	53:6	28:14	119:2, 11	111:15
<b>problem</b> 8:24	<b>property</b>	90:23	<b>putting</b> 92:5	<b>question...</b>
22:18	5:12 9:25	<b>provision</b>		101:9
114:2	11:19	24:22	<b>Q</b>	<b>questioner</b>
<b>procedure</b>	13:23	<b>provisions</b>	<b>quad</b> 72:17	26:12
24:20	23:25	22:21	<b>quadplex</b>	<b>questions</b>
<b>proceed</b> 4:17	49:19 93:4	<b>proximity</b>	2:15 29:16	6:6, 7
4:20	111:18	23:9	29:19, 20	10:21 18:3
<b>proceedings</b>	<b>proposal</b>	<b>public</b> 2:7	29:24	26:6, 11
123:3	11:25 12:6	3:5, 7 4:8	33:10	27:5 60:8
<b>process</b> 5:1	<b>proposed</b> 8:3	26:11	35:22	67:14 71:4

72:5,9	63:11	41:24	26:2 41:22	<b>represent</b>
74:21,22	89:19	42:16	55:7	16:16
85:6,8,9	91:12 97:1	77:10 95:3	<b>relocate</b>	40:11
85:12,17	100:12	<b>reference</b>	74:14	<b>represents</b>
101:13	108:21	21:18	<b>relying</b>	31:1 40:13
102:10,11	110:11	<b>referring</b>	57:10	<b>requesting</b>
<b>quick</b> 26:2	117:21	12:24 13:2	<b>remain</b> 7:23	69:4,7,13
<b>quickly</b> 84:7	<b>rear</b> 36:6	13:8 16:14	66:25	<b>require</b>
<b>quote</b> 15:22	42:13	31:13	112:9	45:22 47:6
	84:11	49:20,21	<b>remainder</b>	101:4,7
<b>R</b>	<b>reason</b> 12:22	55:23,24	39:6	105:24
<b>R</b> 1:8,18	74:14	<b>reflected</b>	<b>remaining</b>	119:2
28:2,2,2,3	92:14	38:3	55:1	<b>required</b>
28:3,4	107:6	<b>reflective</b>	<b>remediation</b>	15:21
78:1 123:1	115:9	61:17	101:16	16:25
<b>rain</b> 87:6	<b>reasonable</b>	<b>refuel</b> 55:15	<b>remind</b> 5:8	47:16
<b>raise</b> 27:19	15:8	<b>regard</b> 6:13	75:24	49:18
108:9	<b>reasons</b>	63:21	<b>removal</b>	67:10,11
<b>ramped</b> 9:2	86:20	103:10	63:15	76:7 80:17
14:24	91:17	<b>regardless</b>	<b>remove</b> 7:11	80:19,21
<b>range</b> 32:14	<b>recall</b> 10:12	117:2	62:24	85:24
34:8	49:14	<b>regs</b> 88:16	<b>removed</b> 7:17	90:21
<b>ranges</b> 77:16	110:12	<b>regulated</b>	63:4,6	97:22
<b>rate</b> 40:5	<b>received</b>	98:12	106:2	98:15
<b>rationale</b>	33:18	<b>regulating</b>	<b>removing</b>	108:16
73:10	<b>recess</b> 71:7	113:20	63:19	112:3
<b>reach</b> 27:8	<b>recognize</b>	<b>regulations</b>	<b>rendering</b>	113:15
27:10	83:2	90:19	2:14,15	<b>requirement</b>
66:15	<b>recommen...</b>	111:12	8:11,13,14	15:12
<b>read</b> 15:13	12:8	112:5	8:16 29:5	17:13,25
21:8 86:2	<b>reconfigure</b>	113:13	29:15,18	21:23 39:9
116:8,19	73:22	<b>REITER</b> 1:16	30:5 31:5	39:15
<b>readily</b>	<b>reconstruct</b>	8:21,23	31:8,19	88:15
119:19	118:24	34:10,14	33:10,13	<b>requirem...</b>
<b>reading</b>	119:13	38:15 39:3	36:3 44:10	39:25
15:15 22:9	<b>reconstr...</b>	39:12,22	51:25	101:5
88:10,21	119:17	62:23 63:7	69:16	103:22
89:25	<b>record</b> 10:10	63:11 69:3	<b>renderings</b>	109:7
116:11,14	72:6	88:23 89:7	29:4	111:14
<b>reads</b> 15:17	<b>recreation</b>	95:10	<b>repairs</b>	<b>requires</b>
38:12	25:11	<b>reiterate</b>	93:22	82:20 83:3
<b>ready</b> 4:17	<b>red</b> 6:22	57:15	<b>replaced</b>	97:7
5:6 97:18	20:6,11	<b>relate</b> 35:3	24:23	<b>reside</b> 80:9
<b>realize</b>	<b>REDIRECT</b> 2:2	<b>related</b> 71:1	114:6	<b>residence</b>
89:11 90:1	<b>reduce</b> 14:14	<b>relates</b>	<b>replant</b>	86:20
<b>really</b> 46:1	27:13	116:17	24:21	<b>residences</b>
46:5 48:3	<b>reduced</b> 12:9	<b>relative</b>	<b>report</b>	78:24
56:11	<b>reducing</b>	56:3 123:7	121:11	<b>residential</b>
58:10,15	107:4	123:9	<b>reported</b>	15:12
59:2 61:7	<b>refer</b> 13:6	<b>relatively</b>	123:4	29:22 33:1

33:3 35:17	21:16	115:1	<b>roofed</b> 55:14	73:15 74:1
36:2,23,24	28:24	119:25	<b>room</b> 9:8,13	74:18 75:2
41:15,16	101:10	120:3	23:7,7	75:5,15,21
45:1 46:20	103:20	<b>right-hand</b>	82:24	82:20 83:8
47:9 56:25	<b>revised</b> 5:18	37:25	105:9	92:3
66:23	5:22 6:9	<b>rip</b> 118:23	120:16	104:14
70:24	6:20 9:3	119:11,12	<b>rooms</b> 105:8	121:6,18
79:25 97:7	13:3,13	<b>rise</b> 115:17	<b>roughly</b>	121:21
120:22	26:3 38:3	<b>River</b> 1:1,7	77:23	122:15
<b>residents</b>	38:5	3:4 6:2	95:25	<b>sat</b> 58:9
46:3 57:3	120:20	28:12	<b>route</b> 48:18	<b>Saturday</b>
57:4 58:22	121:11	51:16,23	62:5 80:19	57:6
58:25	<b>revising</b>	61:13 74:6	<b>rules</b> 111:12	<b>Saturdays</b>
91:16,25	52:12	88:15	<b>run</b> 115:16	57:23
92:2	<b>revision</b>	116:9	119:7	<b>save</b> 7:8
<b>resolve</b>	6:21	<b>Rivervale</b>	<b>running</b>	<b>saying</b> 6:24
53:23	<b>revisions</b>	1:7 100:1	45:18	10:6 22:4
<b>respect</b> 40:1	52:19	<b>road</b> 1:7,19	<b>runoff</b> 87:6	22:8,10
93:12 95:4	<b>Rich</b> 61:23	35:19,20		24:6 41:7
95:8	<b>Richard</b> 2:5	49:4 60:19	<b>S</b>	68:12
<b>respectf...</b>	5:20 27:14	66:10	<b>S</b> 1:18 2:1,1	<b>says</b> 21:8
38:16	27:25	73:16 74:2	2:1,12	22:6 90:6
86:10	<b>rid</b> 108:4	74:3 84:13	<b>S-2</b> 93:25	93:24
<b>response</b>	<b>ridge</b> 32:24	100:2	<b>S2</b> 47:4	116:23
7:17	33:1 34:25	<b>roads</b> 61:2	<b>safe</b> 12:9	118:9
<b>responsi...</b>	41:10 65:1	<b>roadway</b> 8:6	14:25 15:3	<b>scattered</b>
24:25	87:24 88:1	11:15,17	<b>safety</b> 49:7	23:25
<b>responsible</b>	88:3	51:15 53:7	102:3,4,5	24:16 54:2
113:18	114:22	<b>ROBERT</b> 1:10	<b>salute</b> 3:12	<b>schedule</b>
<b>rest</b> 47:3	115:24	1:10	3:13	88:16
115:13	<b>right</b> 4:12	<b>Roll</b> 3:14	<b>sand</b> 48:25	<b>scheduled</b>
<b>restroom</b>	20:5 23:14	71:9	56:10,12	120:15
103:1	27:2,19	<b>roof</b> 32:5	61:1	<b>scheduling</b>
<b>restrooms</b>	31:4 33:8	42:7 43:22	<b>Santola</b>	120:5
42:19	44:13,22	43:22,23	14:19,19	<b>scheme</b> 32:8
105:9	45:7 49:11	47:15,21	38:8,25	32:10
<b>result</b> 37:22	49:11,19	50:7,11,23	45:15	34:17
<b>results</b>	50:13	52:9,15	48:20	36:17,18
107:16	60:18 61:4	53:1,2	49:10,21	77:1
<b>retaining</b>	62:21 66:7	54:4 55:22	52:24 53:3	<b>scope</b> 100:13
25:18,19	67:22	67:2 68:7	57:25	<b>SCOTT</b> 1:9
<b>retention</b>	70:24 71:3	108:8,25	59:18	<b>screen</b> 53:22
64:5 70:9	73:3,5	109:2	60:22 62:2	57:2 66:1
73:2,11	74:19 75:1	115:13,13	62:13,21	<b>screened</b>
<b>return</b>	77:5 78:19	115:14,17	63:2,9,17	44:25 45:1
120:20	86:13,16	115:17,24	64:7,12,17	65:9,10,13
<b>reverse</b> 56:6	86:16	117:1,20	64:22	<b>scroll</b> 84:18
85:25	100:1	117:23	65:11	<b>sea</b> 86:24
<b>review</b> 7:18	102:6,18	118:23	69:18 70:2	<b>sealed</b> 78:7
20:20	114:4	119:12	70:10,15	<b>second</b> 29:15



31:16,21	50:15,23	<b>serve</b> 108:20	<b>shingle</b> 32:3	<b>sidewalk</b>
31:24	51:14,17	<b>service</b> 55:4	55:22	21:12
32:17,18	51:24,24	93:22	<b>shingles</b>	<b>siding</b> 31:23
32:21 33:3	53:17,18	<b>serviced</b>	32:6	32:3 36:14
33:5 34:1	55:4 59:23	42:23	<b>short</b> 50:16	37:1,4
37:13	61:16 62:7	<b>services</b>	50:17	42:12 56:1
43:15	62:9,16	28:15	113:22	90:14,17
45:19 51:2	64:22	117:13	<b>shot</b> 24:4	91:7,8,8,9
54:22 68:6	65:18 66:3	<b>Sessions</b>	<b>shoulder</b>	91:10
83:9,14,20	72:24	27:24	16:9	<b>sight</b> 7:18
87:22	73:12 74:6	<b>set</b> 5:24	<b>show</b> 8:1	7:20
106:14	74:11,12	13:9 25:1	19:2 29:2	<b>signage</b>
108:15	74:13,17	27:7 39:12	36:6 54:18	99:23
117:12,16	75:7 76:12	76:25	63:3	<b>signed</b> 78:6
117:17	79:4 84:16	97:19	<b>showed</b> 8:2	87:5 89:7
<b>secondary</b>	84:22	123:5	44:7	<b>significant</b>
32:19,22	85:18	<b>setbacks</b>	<b>showers</b> 98:2	58:20
33:22	87:19	84:11 85:9	<b>shown</b> 18:16	70:23
<b>secretary</b>	116:9	85:14	18:18 36:4	<b>similar</b>
1:17	122:10,11	<b>shadow</b> 91:13	42:13	24:16 34:4
120:12	<b>seeding</b> 21:4	<b>shaking</b>	43:22	34:23 55:4
<b>section</b> 6:3	<b>seeking</b> 96:6	121:2	<b>shows</b> 33:19	91:13
9:5 15:15	96:8,9	<b>shaped</b> 59:1	62:12	<b>similarity</b>
16:14 21:3	<b>segmented</b>	<b>she'll</b> 27:1	<b>shrub</b> 18:8	91:11
21:4,4	42:6,17	<b>sheet</b> 6:20	18:19 19:5	<b>simply</b>
35:5 50:12	102:24	11:23	19:6,15,16	119:18
52:15	<b>segue</b> 84:25	13:10 18:4	24:21	<b>single</b> 19:13
57:20	<b>selected</b>	18:5 19:1	<b>shrubs</b> 6:19	<b>sir</b> 6:12
76:10	32:1	19:25 30:6	7:3,4,5	12:13
84:22 86:2	<b>self-con...</b>	30:10,24	11:10	118:13
86:12	46:1	32:18	19:17,23	<b>sit</b> 10:12
88:12,17	<b>self-sto...</b>	33:16 34:2	77:8	<b>site</b> 1:4
116:11,13	50:4 51:19	36:4,6	<b>side</b> 8:21	5:10 10:3
116:18	52:9	37:13	23:6,7	13:10,12
118:8	<b>sell</b> 59:7	41:18 42:3	31:17 36:6	14:2 15:18
<b>security</b>	<b>senior</b> 74:25	42:13,16	36:7 38:1	16:21 17:2
14:25 49:8	<b>sense</b> 5:3	62:10,12	38:1,2	17:4,18
<b>see</b> 13:22	45:21 46:5	77:11	42:12,14	25:6 29:23
14:16 17:1	63:14	84:24	44:6,21	35:5 38:4
17:2 20:5	120:13	117:14	52:20	41:24 42:1
24:1 30:2	<b>sensible</b>	<b>sheets</b> 13:12	56:19 57:9	62:10 67:8
31:14,18	23:2	18:23	60:11,12	81:14,16
31:24	<b>separate</b>	23:19	65:18	85:9,14
32:18 33:8	13:9,9,13	24:17	73:24	86:24 89:4
34:3,16	21:14 49:4	<b>shell</b> 108:16	84:11	89:5,6
35:11 36:5	106:15	<b>shelter</b>	91:20	92:18,21
37:15	<b>separately</b>	109:1	<b>sided</b> 42:8	92:23,24
41:18,25	30:13,17	<b>shield</b> 10:22	42:11	94:7,14
42:7,12,16	<b>separating</b>	<b>shielded</b>	<b>sides</b> 67:2	98:14,19
44:3 46:4	23:8	56:25	74:4	98:21,23

98:25	38:1,15	<b>spending</b>	<b>standpoint</b>	<b>Steve</b> 14:19
99:22	40:1,17,20	58:20	109:7	<b>sticking</b>
100:24,24	44:18 46:7	<b>Spiezle</b> 35:9	<b>start</b> 11:23	54:4 66:19
101:16,16	52:14	<b>spill</b> 12:4	57:6 59:20	<b>stone</b> 31:22
113:6	59:18	12:12	121:7	31:23
<b>sites</b> 89:20	64:12 75:4	<b>spots</b> 98:7	<b>started</b>	36:13
<b>sits</b> 56:7	78:15	<b>springs</b>	57:17	41:21 42:9
<b>size</b> 19:10	98:17	102:15	58:24 60:1	67:2
19:16	<b>sort</b> 45:3	<b>sprinklered</b>	<b>starts</b> 117:4	<b>storage</b>
24:16 34:8	109:2	46:25	<b>state</b> 3:8	42:25
41:22	<b>sound</b> 115:1	<b>sprinklers</b>	28:11,13	43:15,17
74:11	<b>Sounds</b> 15:10	47:7	57:22	54:21,24
105:5	<b>southern</b>	<b>square</b> 15:20	58:10	55:11,12
107:1	35:19	16:24 18:6	67:10 72:6	55:13,19
<b>skip</b> 18:2	<b>southwest</b>	22:11	87:12,18	56:9,10,16
<b>slab</b> 32:25	42:1	23:24 24:9	113:19	72:11
34:24 41:8	<b>space</b> 13:20	25:2,5,8	<b>statements</b>	95:12
64:25 68:5	17:14	25:13,15	74:22	102:21
117:11,15	21:25	32:11,13	<b>Statile</b> 1:15	103:6,6,7
<b>sleep</b> 57:7	22:24 55:2	34:8,9,9	12:8 15:2	105:16,20
<b>slight</b> 37:9	97:11	43:18,19	36:25 37:5	106:10
<b>Slow</b> 41:3	103:18	43:20 55:8	37:9 49:24	107:21
<b>small</b> 19:6	104:8	69:11	50:4,16,22	108:1,19
41:19,22	105:17	85:21,22	51:8,12	111:13,21
55:7 66:2	107:7,7,21	85:22 86:5	52:2,8,23	111:23
67:1 84:17	108:11	86:8 95:21	53:1,9,13	112:1,5
105:18	115:20	95:25 96:3	53:18,25	113:20
111:25	117:22,24	96:5,10	61:13	115:10
<b>smaller</b>	119:5,23	104:22,25	62:10	<b>store</b> 107:11
15:20	<b>spaced</b> 119:9	105:3,4	65:15 66:6	107:14
16:23	<b>spaces</b> 14:1	106:1,5,6	66:17	<b>stored</b> 43:1
<b>so-called</b>	14:3 98:12	106:6,7,7	67:18	109:10,16
68:5	98:15	106:11,13	68:17,21	110:25
117:24	<b>span</b> 109:3	106:15,17	68:24 80:7	111:9
<b>soil</b> 22:25	<b>speak</b> 8:19	106:19,19	80:14,20	112:22
56:11,12	9:15 48:13	106:24	80:23	<b>stories</b>
61:1	109:18	107:17,22	121:10	37:11
100:14,25	114:17	108:4,11	<b>station</b> 55:5	54:12,17
101:4	<b>SPEAKER</b> 8:19	111:25	93:23	68:4,9
<b>solid</b> 112:18	26:8,15	<b>staff</b> 58:8	113:3	117:18
<b>somebody</b>	27:2 48:13	58:18	<b>stay</b> 49:19	118:4,12
15:1 62:5	50:2 53:11	105:8,9	<b>stayed</b> 6:17	118:13
80:8	<b>speaking</b>	<b>stair</b> 37:17	10:6	<b>storing</b>
<b>Sonnenfeld</b>	60:4	37:19	<b>stays</b> 8:14	105:17
27:15	<b>specific</b>	54:21,25	<b>Steinberg</b>	<b>story</b> 54:3
<b>sorry</b> 13:15	11:18	<b>stairs</b> 37:16	1:22 6:2	54:17
16:7 27:18	12:22	<b>stand</b> 96:21	<b>stenogra...</b>	67:20,20
31:11	<b>specific...</b>	<b>standard</b>	123:4	68:8,13,18
34:10,20	18:16 89:4	32:5	<b>step</b> 114:9	69:4,5
35:16 37:2	<b>spell</b> 27:25	115:23	<b>steps</b> 90:24	74:7

108:13,15	97:5,6	5:7 16:10	52:12 54:7	65:16,17
108:15	111:14	16:20,20	56:5 57:9	<b>terms</b> 29:20
115:8	<b>submission</b>	21:22 26:4	61:23 62:6	34:15
116:6,7,9	11:25 12:3	26:5 28:10	66:12	76:25
116:13,15	55:24	29:1 59:1	68:24	<b>test</b> 64:24
116:17,24	<b>submitted</b>	59:7,11	70:22 71:5	<b>testified</b>
117:3,3,3	4:22 5:18	61:22 74:6	90:24	17:7,12
117:3,16	6:9 17:15	75:12,23	91:25	20:23
117:16,19	21:24 29:2	79:19	113:1	28:11,13
117:24	30:3,14,18	98:14	114:9	58:14
118:1,5,10	36:4 39:11	99:13	116:20	65:11
<b>straight</b>	39:25 78:7	100:15	<b>taken</b> 71:7	75:16 85:7
62:17	<b>subsection</b>	101:14	<b>takes</b> 45:2	85:17 91:3
<b>stream</b>	15:16	104:4	<b>talk</b> 5:22	91:14 93:9
111:20	88:19	110:10,18	7:7 9:5	96:22
<b>street</b> 1:23	<b>substitute</b>	111:11	10:15 26:8	106:4,12
10:18,23	91:9	114:17	50:3 67:20	<b>testifies</b>
11:1 12:5	<b>subsurface</b>	122:6	102:17	63:18
12:12 45:1	101:8	<b>surface</b>	120:20	<b>testify</b> 23:4
50:15 57:1	<b>subtract</b>	117:7	<b>talked</b> 92:10	78:11,14
<b>strip</b> 15:19	77:15	<b>surprised</b>	<b>talking</b> 30:8	78:16
16:23	<b>Suez</b> 70:15	102:13	40:4 47:2	85:16 90:9
20:16,17	<b>suggest</b>	<b>SUSAN</b> 1:13	52:20	96:13
22:11	52:10 75:2	<b>suspect</b> 47:6	55:17	<b>testimony</b>
<b>strips</b> 18:6	84:4 86:15	48:4	60:20	5:16 6:8
23:21	92:15	<b>swear</b> 27:17	66:15 86:1	27:21
<b>structure</b>	<b>suggestion</b>	27:21	116:15	49:14 61:8
42:1,2	92:13	<b>sworn</b> 27:20	117:9	63:8,10
55:8 67:1	<b>suitable</b>	<b>synthetic</b>	120:12	67:13
93:10 96:4	115:12	32:1	<b>tall</b> 108:11	75:21
101:1	<b>suite</b> 31:16	<b>system</b> 36:14	114:10	77:21
103:23	32:16	45:21	118:15	91:25 92:7
109:5	33:22	49:16 58:5	<b>tallest</b>	93:7,11
110:3	<b>summarizes</b>	70:3,6	110:16	94:18,19
113:2	41:14	109:2	<b>tanks</b> 112:1	96:16,21
115:8	<b>summarizing</b>	<b>systemat...</b>	<b>tans</b> 32:10	98:14
118:10	41:11	20:1	<b>team</b> 59:5	100:13
<b>structures</b>	<b>Sunday</b> 57:6	<b>systems</b> 23:1	<b>tell</b> 16:18	110:4
73:3,4	<b>Sundays</b>	37:3	21:20 28:7	120:11,17
78:25	57:23		59:22	120:18
92:17,23	<b>suppleme...</b>	<b>T</b>	81:20	121:5,7
93:3,9	9:12	<b>T</b> 2:1,12	95:10	123:3
103:20	<b>supplies</b>	123:1,1	106:8	<b>testing</b>
<b>stuff</b> 104:18	95:12	<b>table</b> 5:24	109:20,22	100:15,20
<b>subdivide</b>	105:22	39:14	<b>telling</b> 4:20	100:25
5:12	<b>support</b>	85:24 86:3	<b>tells</b> 26:20	101:4
<b>subdivision</b>	117:7	88:21,24	<b>term</b> 111:7	<b>Thank</b> 6:1
1:5 5:11	<b>supposed</b>	88:25 93:5	116:16	10:16
<b>subject</b> 40:6	23:12	96:2	<b>terminates</b>	15:10 16:3
41:12,13	<b>sure</b> 4:13	<b>take</b> 51:4	47:21	24:19

25:23,24	120:9,10	123:4	57:17,18	21:14
27:2,16	121:1,8,10	<b>timer</b> 14:7,8	58:21 59:3	<b>treatment</b>
28:5,17,22	121:11,20	<b>timers</b> 14:17	59:7,10,20	34:15
34:14 46:6	122:11	<b>times</b> 58:14	61:16 64:1	<b>tree</b> 15:20
49:23 54:9	<b>thinking</b>	58:24	65:18 68:9	16:23 18:5
62:13	62:4	<b>told</b> 26:16	72:12,24	18:8,19
69:23	<b>third</b> 36:2	42:25	73:8 76:9	19:2,3,5,8
77:24	37:14	70:25	78:7 79:3	19:11,13
82:13	83:13	103:22	79:8,12,22	19:13
102:8	117:17,19	<b>tone</b> 32:10	83:10,17	20:17 22:5
110:22	117:19	<b>tonight</b> 4:13	83:17	22:11,24
120:2	118:2	4:15 5:19	87:20,21	23:6,7,11
121:16	<b>thought</b> 5:3	27:1	87:24 88:2	23:21
122:15,16	8:1 58:3	<b>tool</b> 55:12	88:5 89:20	24:20,21
<b>theaters</b>	89:11	<b>tools</b> 105:17	89:25	24:22
82:23	<b>three</b> 5:13	<b>top</b> 19:2	90:17 92:2	<b>treed</b> 65:25
<b>theme</b> 43:25	20:6 29:22	25:14,17	99:4,6,18	<b>trees</b> 7:1,9
<b>thin</b> 109:1	37:11	50:20 51:7	122:10	7:11,17,19
<b>thing</b> 30:4	38:17	53:16	<b>township</b> 1:1	7:22 8:3,5
51:1,17	40:19,20	56:10,12	15:15	8:15 11:10
53:13	41:14	114:22	60:11	18:15
58:21 90:6	42:22	118:2	88:15	19:22
<b>things</b> 54:5	45:24	119:12	<b>tractor</b>	22:15 23:9
58:16	82:21 83:3	<b>topograp...</b>	63:24	66:8 75:11
65:10	97:8 106:8	26:17,19	<b>tractors</b>	76:21 92:5
<b>think</b> 8:25	118:3,4,12	<b>total</b> 15:18	46:11	92:5,6
13:11 15:4	118:14	15:21	59:16	<b>triangle</b>
22:14 26:2	<b>three-be...</b>	16:21,24	103:8	7:20 119:7
27:9 30:16	39:20	25:15	113:9	119:8
38:18,23	40:13,22	35:23 40:9	<b>traditional</b>	<b>triangles</b>
39:1,3	82:22	40:12,14	51:20	7:18
48:20 50:7	<b>three-be...</b>	40:15,23	<b>Traditio...</b>	<b>tried</b> 44:22
50:16 51:3	38:13 39:5	43:18	50:10	<b>tries</b> 61:7
51:20 52:2	41:4	106:8,10	<b>traffic</b>	<b>Trocchia</b>
52:25 58:1	<b>three-story</b>	<b>totals</b> 106:7	46:18	27:15
58:7 59:9	41:8 116:1	<b>town</b> 2:14	64:10,12	<b>trouble</b> 8:18
60:22,24	<b>threes</b> 39:2	6:3 12:12	64:23	<b>trucks</b> 103:8
61:5,7,13	39:24	14:11	73:14	<b>true</b> 7:14
61:20 63:2	<b>threshold</b>	21:10	<b>trail</b> 22:1	10:1,19
63:9,19,23	47:6	26:16 29:6	25:6,6	12:1 123:2
64:18	<b>time</b> 6:6	29:24	<b>transcript</b>	<b>truss</b> 109:2
74:12,13	16:1,7,13	30:11 31:2	123:3	<b>trusses</b>
75:15 77:8	20:23	32:11,24	<b>traps</b> 49:1	115:24
80:7 81:10	22:16	34:6,17,23	113:10	117:14,22
84:6 85:1	24:23	35:18,21	<b>trash</b> 10:18	119:5,5,9
88:23,24	26:11,15	37:5,7	10:23 11:5	<b>truth</b> 27:22
93:21	26:16	39:1,7,16	11:15,19	27:22,22
96:11	48:22 72:3	41:11 47:8	<b>traveling</b>	<b>try</b> 8:22
102:23	114:2	47:24	64:10	14:13
114:9	122:6	51:23 53:6	<b>treating</b>	45:25

104:18	<b>types</b> 29:22	49:10	47:4 48:25	2:11 5:1,6
<b>trying</b> 10:10	34:18 35:2	86:11	53:11 55:3	5:7,25 6:1
36:19 42:5	36:24	<b>Uniform</b>	67:5,18	6:1,4 8:25
89:9	94:16	47:18	70:5 88:10	10:16 13:2
<b>Tuesday</b> 1:6	109:23	67:12	90:21	13:8 15:4
3:3	<b>typical</b>	<b>Uniformed</b>	93:17,24	15:9,10,25
<b>turn</b> 11:22	33:10	38:10	93:25,25	16:2,4,8
83:7,13	105:6	98:13	94:2,13	16:12,20
119:22	<b>typically</b>	112:4	95:7,7,17	18:2 21:7
<b>turning</b> 18:3	12:19 19:8	<b>unit</b> 20:2,12	103:12,24	21:20,22
21:3	38:10	21:10	104:1,12	22:6,9,18
<b>two</b> 13:18	60:24 61:3	24:10 31:2	105:9,18	23:4 25:21
20:7 25:11	82:23	47:22	105:25	26:12
29:3 31:14		59:16	109:12,12	102:11,13
32:21 33:5	<b>U</b>	77:14	109:24	102:16
33:8,19,20	<b>U</b> 47:4	84:25	113:20	110:1,23
33:24 34:1	<b>UHAC</b> 38:9,11	97:12	<b>useable</b>	113:21,24
34:18 35:1	38:22	<b>units</b> 22:20	119:10,22	114:3
37:15	39:14,16	22:20	<b>uses</b> 94:16	118:19
38:18	40:6	31:14,17	94:24 95:1	120:1,7
39:20,24	<b>ultimately</b>	32:12 33:7	95:3,11	121:16
42:6 43:13	112:14	33:19,20	102:19	<b>vane</b> 51:6
43:16 48:2	113:14	34:1,4,5,8	<b>usually</b>	<b>variance</b>
48:7,10,10	<b>um-um</b> 77:15	37:18,19	60:13	69:4,7,14
54:23	<b>unavailable</b>	39:20,23	83:21	96:6,8,9
55:10 60:7	4:15	40:3,5,8	97:10	96:13
62:7 65:10	<b>underneath</b>	40:10,11	<b>utilitarian</b>	114:19
86:23	18:20	40:12,13	44:2 55:19	115:3
89:15 90:1	<b>understand</b>	40:14,15	<b>utilize</b>	<b>Variations</b>
91:11	12:14	40:18,20	101:11	69:19
106:14	14:13	40:21,21	<b>utilized</b>	<b>varies</b> 32:12
117:18	39:19	40:22,23	81:17	<b>various</b>
<b>two-bedroom</b>	53:20 58:4	48:2 55:21		22:21
40:10,21	59:4 83:5	56:25 76:6	<b>V</b>	<b>vary</b> 77:12
<b>two-bedr...</b>	83:6 85:14	76:10	<b>Vaccaro</b> 1:13	<b>vehicle</b>
38:14,19	96:7 120:7	77:12	4:4,5 45:6	44:15
39:5 41:2	<b>understa...</b>	84:10	45:13 46:6	108:9,10
<b>two-stories</b>	17:11	90:22,22	48:11,15	<b>vehicles</b>
68:10	43:10	96:23 97:8	49:6,23	42:21 43:4
<b>Twofold</b>	104:10	97:9,24,25	60:7 71:24	44:19
73:12	105:23	98:1,5,6	71:25	45:17
<b>type</b> 7:4	107:9	98:10	<b>Vale</b> 1:1,7	46:14
35:17 44:2	<b>understands</b>	<b>upgrading</b>	3:4 6:2	48:15,19
46:11	85:15	58:12	28:12	48:21 55:3
72:10	<b>unenclosed</b>	<b>upper</b> 115:7	51:16	57:12
91:10	55:14	<b>usages</b> 117:6	61:13 74:6	59:10 62:6
94:24 95:1	56:11	<b>use</b> 1:16	88:15	64:10
105:11,16	<b>unfinished</b>	36:12,13	116:9	113:9
109:5	82:25	36:19 45:8	<b>Vale's</b> 51:23	<b>Verde</b> 1:22
115:14	<b>Unfortun...</b>	46:11 47:3	<b>Van</b> 1:22 2:4	6:2

<b>VERDUCCI</b>	83:25	73:21	84:18	31:9,12
1:17 3:15	<b>walls</b> 25:18	83:24 86:5	<b>week</b> 75:20	32:9 33:14
3:17,19,22	25:19 47:9	<b>Wayne</b> 1:14	<b>weekdays</b>	34:12,22
3:25 4:2,4	55:20	3:25 4:1	57:24	35:4,8
4:6 71:10	112:25	46:24 47:8	<b>Welcome</b> 3:1	36:1,10,18
71:12,14	<b>want</b> 11:22	47:14,22	3:3	37:2,7
71:17,20	14:13	48:2 52:4	<b>well-aware</b>	40:7,19
71:22,24	15:11,23	67:16,19	57:25	41:1,4,7
72:1	18:3 19:25	67:23 68:1	<b>wells</b> 80:11	43:7,10
<b>verify</b> 98:14	21:1 24:8	68:11,15	81:16	44:13,16
<b>versions</b>	24:15 26:5	68:19,23	<b>went</b> 21:4	44:22
29:2	39:18	69:1 71:20	26:18	45:11
<b>versus</b> 18:13	49:24	71:21	48:16	46:10,15
54:17	50:20,22	<b>we'll</b> 26:23	<b>weren't</b> 59:2	46:17,22
<b>vertically</b>	51:6 58:21	51:4 52:24	59:8	47:1,12,16
37:23	59:4,25	53:3 63:3	<b>west</b> 51:13	47:24 48:3
<b>viable</b> 90:20	61:14 63:5	71:5 94:18	56:22 64:5	48:19
<b>VICE</b> 1:10	63:24,25	96:21	64:6 65:18	50:14 52:3
3:24 57:2	70:20 74:9	122:9,10	65:23	52:6,14
57:5,12	74:13 82:3	122:11,13	74:15	54:10 56:4
59:14 60:6	82:6	<b>we're</b> 4:8,9	91:22	57:4,8,14
71:19	102:17	9:1 15:4	<b>western</b> 57:9	64:24 65:6
<b>vicinity</b>	108:9	15:14 17:2	<b>White</b> 2:10	65:9,23
11:4,12	109:1	22:16 29:9	78:2	66:22
13:20 14:3	110:1,10	32:2,9	<b>wide</b> 66:9	67:22,25
<b>view</b> 23:5	118:23	36:19 40:4	77:3,14	68:3,14
59:3 65:13	121:6	42:4,5	<b>widths</b> 77:12	69:9 70:1
75:3,3,5,6	<b>wanted</b> 14:16	45:20	<b>Wilson's</b>	70:21,25
<b>views</b> 61:12	39:8 45:4	47:16,17	4:14	71:6 72:17
<b>vinyl</b> 36:25	58:4	48:4 55:17	<b>window</b> 66:2	72:20,25
37:4 90:14	<b>wants</b> 39:1	57:10	80:11	73:6,8
90:17 91:8	<b>warm-up</b> 9:1	58:11	81:16 83:8	75:16,22
91:8	<b>wash</b> 55:9	59:11,19	<b>windows</b>	76:4,6,13
<b>visible</b> 65:5	<b>washed</b> 55:10	61:11,11	31:25	77:2,10,23
	<b>wasn't</b> 45:11	61:18,22	36:15 81:1	78:5,8,11
<b>W</b>	75:16	62:4 63:19	81:3,4,7,9	78:14,16
<b>W</b> 2:1 78:1	98:13	69:13 70:6	81:17	78:20 79:1
<b>Wait</b> 88:17	100:22	74:4 90:19	<b>wing</b> 42:7,11	79:6,12,16
<b>waive</b> 122:6	<b>water</b> 70:4,8	93:9 96:6	42:11,24	79:19,23
<b>walk</b> 75:13	70:13 87:6	96:12	43:24	80:3,6,16
117:7,8	<b>way</b> 4:19	113:12	<b>witness</b> 8:23	80:22,24
<b>walk-in</b> 84:3	27:11	117:9	14:9 25:22	81:3,5,9
<b>walking</b> 22:1	42:15 46:1	120:19,24	26:5,12,13	81:13,18
25:6	51:5 52:15	121:14,18	27:5,6,7	81:21,24
<b>walkout</b> 81:7	56:24	121:25	27:14,24	82:2,8,11
81:11,14	57:13 58:4	122:1	28:2,4	82:16
82:1,4,6,8	58:25 59:9	<b>weather</b> 51:6	29:14,18	83:11,15
<b>wall</b> 47:13	59:9 61:6	<b>webs</b> 119:7	30:10,14	83:19 84:1
47:23,25	64:18 70:5	<b>website</b>	30:19,22	84:4,12,14
48:1,6,7	73:18,20	16:17	30:25 31:4	85:3,23

86:11,15	81:19	1 54:12,17	<b>18,000</b> 95:21	16:24 18:6
87:1,13,17	92:15	67:20 68:4	95:23 96:9	22:11
87:21,25	115:23	68:8,13,18	<b>18,530</b> 43:19	23:24 24:8
88:4,7	<b>wrestle</b> 58:2	69:4,5	106:13	108:3,24
89:22 90:4	<b>wrong</b> 60:15	117:3	<b>188</b> 84:25	<b>26,000</b>
90:9,15,18	72:12	<b>1/2</b> 34:24	<b>191</b> :23	107:22
91:7,18	<hr/> <b>X</b> <hr/>	54:12,17	<b>1975</b> 101:17	<b>26,345</b>
92:7,19,22	<b>X</b> 1:3,5 2:12	67:20,20	<b>1984</b> 28:11	106:23
93:1,6,17	<b>XI00991</b>	68:4,8,13	<b>1998</b> 101:17	<b>29</b> 2:6
93:24 94:5	123:18	68:18 69:4	<hr/> <b>2</b> <hr/>	<b>29th</b> 121:14
94:9,13,17	<hr/> <b>Y</b> <hr/>	69:5 87:24	<b>2</b> 19:17	121:21,24
95:3,22	<b>yard</b> 84:10	118:10	67:20	121:25
96:5,11,16	84:11,11	<b>10</b> 21:5,8	76:17	122:10,11
96:25	<b>yeah</b> 7:5	41:21 71:5	118:10	<hr/> <b>3</b> <hr/>
97:16,22	8:19 44:16	87:22	119:7	<b>3</b> 19:17
98:1,8,11	54:2 57:14	114:3	<b>2,000</b> 95:25	35:18
98:24 99:2	64:14,17	<b>10:15</b> 114:2	105:3,4	<b>3,137</b> 106:6
99:8,13,19	79:9,16	<b>10:20</b> 122:17	107:21	<b>3,200</b> 32:13
100:3,6,9	83:8 85:5	<b>101</b> 20:2,12	108:4	32:13 34:9
100:19	89:1 105:4	24:10	<b>2,100</b> 43:20	<b>3,400</b> 32:13
101:2,5,10	108:25	<b>102</b> 2:11	106:14	<b>3.3</b> 36:6
101:14,18	109:6	<b>11</b> 6:21	<b>2,800</b> 34:9	<b>3/4s</b> 117:3
101:22	114:14,15	108:10	<b>20</b> 28:12	<b>30</b> 1:6 2:14
102:1,5,10	<b>years</b> 28:12	<b>12</b> 77:17	38:11,12	2:15 15:11
110:6,12	107:8	<b>12,958</b> 106:7	38:13,25	15:17
110:21	<b>yep</b> 102:4	<b>1201</b> 1:4	39:1,2,3,4	16:21 17:6
118:14,16	111:6	<b>13.3</b> 17:7	77:3,13,15	17:19,25
<b>woke</b> 75:13	<hr/> <b>Z</b> <hr/>	<b>142</b> 67:17,19	77:23	21:23,24
<b>Wolfson</b> 4:11	<b>Z</b> 28:2,4,5	68:12	<b>20,630</b>	38:18 39:5
4:13	<b>zebra</b> 28:4	88:10	106:19	77:13
<b>wondering</b>	<b>zero</b> 13:23	<b>142-224</b>	<b>20.8</b> 40:13	<b>30th</b> 3:3
49:6 89:8	<b>zone</b> 68:25	15:15 16:4	40:23 41:5	<b>31</b> 64:25
<b>wood</b> 117:13	88:11	<b>142-224A...</b>	<b>200</b> 65:17	66:15
117:14	89:18 90:1	21:3	85:21,22	114:10
<b>words</b> 108:17	93:4 94:25	<b>142-3</b> 116:12	<b>201</b> 1:24	115:1,2,9
<b>work</b> 15:2	<b>zones</b> 89:16	<b>144-</b> 88:17	<b>2015</b> 85:20	115:17,20
17:22	<b>zoning</b> 89:13	<b>15</b> 40:9,10	<b>2018</b> 89:7	<b>32</b> 35:24
34:18	95:5,8,19	40:18,21	<b>2019</b> 1:6 3:3	77:12 88:6
51:22 54:6	109:8	40:21	6:21 17:16	<b>33</b> 52:16
58:17	<hr/> <b>0</b> <hr/>	114:3	<b>22</b> 52:6,14	105:12
59:19	<b>07054</b> 1:20	<b>15th</b> 120:8	110:8	107:20
65:20	<b>07601</b> 1:24	120:10,15	<b>224</b> 16:6,10	108:3
66:20	<b>07675</b> 1:7	120:22	88:18	110:9,16
113:8	<b>08/04/19</b>	122:2,12	<b>225</b> 22:20,20	110:20
<b>worked</b> 54:1	123:18	<b>16</b> 2:4 41:21	<b>24</b> 40:16,23	114:21
94:8	<hr/> <b>1</b> <hr/>	<b>16.7</b> 40:9,23	63:10	<b>35</b> 88:11
<b>works</b> 121:21		41:1	119:6,9	89:25
<b>worse</b> 75:3,6		<b>18</b> 77:17	<b>25</b> 11:18	<b>36</b> 110:4,5
<b>wouldn't</b> 8:1		95:23	15:20	<b>37</b> 32:24
60:16		108:11,23		

34:24	57:23			
87:24,25	<b>60</b> 38:13,23			
	39:9 41:3			
<b>4</b>	<b>600</b> 69:10			
<b>4</b> 66:18	96:5,9			
119:7	<b>61</b> 13:5,5			
<b>4,084</b> 106:6	<b>62.5</b> 40:11			
<b>4/11</b> 13:3	40:23 41:2			
<b>40</b> 51:24	41:4			
<b>41</b> 2:6	<b>628</b> 1:7			
<b>44</b> 17:4,6				
105:2	<b>7</b>			
<b>45</b> 41:12	<b>7</b> 108:10			
88:4,8	<b>7:00</b> 57:24			
89:23	57:24			
118:10	59:16			
<b>46</b> 118:16	75:11,20			
<b>466</b> 2:10	<b>7:30</b> 1:8			
78:2	<b>72</b> 2:7,8			
<b>47</b> 41:10	<b>78</b> 2:9			
<b>48</b> 84:24				
<b>489-0077</b>	<b>8</b>			
1:24	<b>8</b> 13:12			
<b>491</b> 106:7	41:21			
	<b>8:00</b> 57:23			
<b>5</b>	<b>800,000</b>			
<b>5</b> 1:4 13:4	59:15			
62:10,12				
66:18	<b>9</b>			
76:17 86:8	<b>9</b> 2:8 72:7			
<b>5,000</b> 111:25	87:22			
<b>5,246</b> 106:5	107:4			
<b>5,700</b> 55:8	<b>9:00</b> 57:23			
<b>5,715</b> 106:16	<b>9:02</b> 71:7			
106:23	<b>9:15</b> 71:8			
<b>5:30</b> 12:20	<b>9142-2.4</b>			
<b>50</b> 41:13	118:9			
118:12	<b>966-6300</b>			
<b>530</b> 95:23	1:20			
<b>54</b> 105:2	<b>973</b> 1:20			
	<b>98-5</b> 57:21			
<b>6</b>				
<b>6</b> 1:4 13:5				
19:13				
41:10				
52:16				
110:16,20				
114:21				
<b>6:00</b> 12:20				
14:18				
57:22,23				