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HUDSON COUNTY
PLANNING BOARD

RE:

REGULAR MEETING : TRANSCRIPT OF
: PROCEEDINGS
:
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Hudson County Freeholders Chambers
Third Floor
567 Pavonia Avenue
Jersey City, New Jersey
Wednesday, September 15, 2012
6:30 p.m.

BEFORE:

RENEE BETTINGER, Chairman
DEMETRIO ARENCIBIA, PE, PP, County Engineer
DANIEL CHOFFO, Commissioner
MICHAEL HOLLOWAY, Vice Chair
HON. DOREEN DiDOMENICO, Freeholder
ALAIN GOMEZ, Commissioner
RUSHABH MEHTA, Commissioner

ALSO PRESENT:

MEGAN MASSEY, P.E., AICP, PRINCIPAL PLANNER
MASSIEL FERRARA, PP, AICP, PLANNING DIRECTOR
PAUL D. CRAY, P.E., P.P., CME
JOHN J. CURLEY, ESQ., Board Attorney

Job No. NJ1306974

1 CHAIRWOMAN BETTINGER: Good evening.
2 I would like to call to order the meeting of the
3 Hudson County Planning Board for Wednesday,
4 September 19, 2012. Counselor, has this meeting
5 been properly advertised?

6 MR. CURLEY: Yes. The meeting has
7 been properly advertised in accordance with the Open
8 Public Meetings Act. Notice of the meeting was
9 published in the Jersey Journal and Star Ledger, and
10 the meeting has been posted with the Hudson County
11 Clerk and the Freeholder Board.

12 CHAIRWOMAN BETTINGER: May I have a
13 roll call, please?

14 MS. FERRARA: Commissioner Arencibia.

15 COMMISSIONER ARENCIBIA: Here.

16 MS. FERRARA: Commissioner Choffo.

17 COMMISSIONER CHOFFO: Here.

18 MS. FERRARA: Commissioner

19 DiDomenico.

20 FREEHOLDER DiDOMENICO: Here.

21 MS. FERRARA: Commissioner Gomez.

22 COMMISSIONER GOMEZ: Here.

23 MS. FERRARA: Commissioner Holloway.

24 COMMISSIONER HOLLOWAY: Here.

25 MS. FERRARA: Commissioner Mehta.

1 COMMISSIONER MEHTA: Here.

2 MS. FERRARA: Chairwoman Bettinger.

3 CHAIRWOMAN BETTINGER: Here.

4 MS. FERRARA: We have a quorum.

5 CHAIRWOMAN BETTINGER: Will everyone
6 please rise to salute the flag.

7 (Flag Salute.)

8 CHAIRWOMAN BETTINGER: Have all the
9 Commissioners received the Meeting Minutes of
10 August?

11 COMMISSIONER CHOFFO: Yes.

12 CHAIRWOMAN BETTINGER: Do I have a
13 motion?

14 COMMISSIONER CHOFFO: I make a
15 motion.

16 COMMISSIONER GOMEZ: Second.

17 MS. FERRARA: On a motion put forth
18 by Commissioner Choffo. Second by Commissioner
19 Gomez.

20 Commissioner Arencibia.

21 COMMISSIONER ARENCIBIA: Aye.

22 MS. FERRARA: Commissioner Choffo.

23 COMMISSIONER CHOFFO: Aye.

24 MS. FERRARA: Commissioner

25 DiDomenico.

1 FREEHOLDER DiDOMENICO: Aye.

2 MS. FERRARA: Commissioner Gomez.

3 COMMISSIONER GOMEZ: Aye.

4 MS. FERRARA: Commissioner Holloway.

5 COMMISSIONER HOLLOWAY: Aye.

6 MS. FERRARA: Commissioner Mehta.

7 COMMISSIONER MEHTA: Aye.

8 MS. FERRARA: Chairwoman Bettinger.

9 CHAIRWOMAN BETTINGER: Aye.

10 MS. FERRARA: The motion has passed.

11 CHAIRWOMAN BETTINGER: Thank you.

12 Next item on the agenda.

13 MS. FERRARA: The next item on the
14 agenda is memorialization of resolutions considered
15 at the last meeting. The first application,
16 2012-030-SP, Jacqueline and Jose Cantu at 957
17 Boulevard East, Block 60, Lot 31.2, Weehawken, New
18 Jersey.

19 Second application, 2012-032-SP, City of
20 Hoboken, 1600 Park Avenue and Hoboken Cove, Phase 1,
21 Blocks 256(H), 11(W), Lots 1 through 7(H), Lot 1,
22 2(W) in Hoboken.

23 CHAIRWOMAN BETTINGER: Do I have a
24 motion?

25 MS. FERRARA: On a motion put forth

1 by Commissioner Choffo. Second by Commissioner
2 DiDomenico.

3 Commissioner Arencibia.

4 COMMISSIONER ARENCIBIA: Aye.

5 MS. FERRARA: Commissioner Choffo.

6 COMMISSIONER CHOFFO: Aye.

7 MS. FERRARA: Commissioner

8 DiDomenico.

9 FREEHOLDER DiDOMENICO: Aye.

10 MS. FERRARA: Commissioner Gomez.

11 COMMISSIONER GOMEZ: Aye.

12 MS. FERRARA: Commissioner Holloway.

13 COMMISSIONER HOLLOWAY: Aye.

14 MS. FERRARA: Commissioner Mehta.

15 COMMISSIONER MEHTA: That one I was
16 not here at the time, and the second one I was. So
17 abstained on the memorialization, and the second,
18 yes.

19 MS. FERRARA: So let the record
20 reflect that Commissioner Metha wants to abstain the
21 first application, 2012-030-SP. He votes in the
22 affirmative for 2012-32-SP.

23 Chairwoman Bettinger.

24 CHAIRWOMAN BETTINGER: I vote aye.

25 MS. FERRARA: The motion passes. The

1 second item on the agenda is Site Plans,
2 Subdivisions and Other Matters Scheduled for Public
3 Hearing. First application, 2012-34-SP, applicant
4 John Apello; Location, 1445-1453 Union Turnpike,
5 Block 79, Lots 1.01, 1.02 and Lot 2 in the
6 municipality of North Bergen, New Jersey.

7 For the record, Madam Chairwoman, the
8 applicant has asked for an adjournment. We do have
9 a formal request from the applicant to the Planning
10 Board Attorney. The letters are in your folders.

11 CHAIRWOMAN BETTINGER: Thank you.

12 MR. CURLEY: The applicant has
13 followed the proper procedure in requesting an
14 adjournment and obtaining the consent of North
15 Bergen. So the Board can adjourn this for 30 days.
16 We have to be mindful of the time.

17 CHAIRWOMAN BETTINGER: Please speak
18 into the mic.

19 MR. CURLEY: We just have to be
20 mindful of the time limitation within which we're
21 required to act. Action should be taken on this
22 application at the next regular meeting.

23 CHAIRWOMAN BETTINGER: Okay. Do we
24 need to take a vote or?

25 MR. CURLEY: I think we should

1 approve the adjournment for one month.

2 CHAIRWOMAN BETTINGER: Do I have a
3 motion?

4 COMMISSIONER CHOFFO: I make a motion
5 to accept the adjournment.

6 MS. FERRARA: On a motion put forth
7 by Commissioner Choffo. Second by Commissioner
8 Mehta.

9 Commissioner Arencibia.

10 COMMISSIONER ARENCIBIA: Aye.

11 MS. FERRARA: Commissioner Choffo.

12 COMMISSIONER CHOFFO: Aye.

13 MS. FERRARA: Commissioner
14 DiDomenico.

15 FREEHOLDER DiDOMENICO: Aye.

16 MS. FERRARA: Commissioner Gomez.

17 COMMISSIONER GOMEZ: Aye.

18 MS. FERRARA: Commissioner Holloway.

19 COMMISSIONER HOLLOWAY: Aye.

20 MS. FERRARA: Commissioner Mehta.

21 COMMISSIONER MEHTA: Aye.

22 MS. FERRARA: Chairwoman Bettinger.

23 CHAIRWOMAN BETTINGER: Aye.

24 MS. FERRARA: The motion to adjourn
25 this application for 30 days has passed.

1 CHAIRWOMAN BETTINGER: Thank you.

2 MS. FERRARA: The next application on
3 the agenda is 2012-036-SP, 1404 Grand LLC, 1404-1406
4 Grand Street, Block 121, Lots 25 and 26 in Hoboken.

5 MR. MATULO: Good evening, Madam
6 Chairwoman and Board Members. Robert Matulo
7 appearing on behalf of the applicant. This is an
8 application for County site plan approval for a
9 building located at 1404-1406 Grand Street. That is
10 the corner of 14th and Grand, right where
11 construction is going on now with the viaduct
12 project.

13 I have Ciaran Kelly from Mr. Minervini's
14 office to testify, and he'll be presenting the
15 application to you. We need to have Mr. Kelly sworn
16 and qualified. Is that microphone over there
17 working? Would you like us to bring it over? We'll
18 just see how it goes and talk up.

19 Mr. Kelly.

20 MR. KELLY: Good evening. My name
21 Ciaran Kelly.

22 MR. CURLEY: Mr. Kelly, before you
23 start, we have to swear you.

24 (The witness is sworn.)

25 MR. CURLEY: Please state your full

1 name and spell your last name for the record.

2 MR. KELLY: Ciaran Kelly, K-e-l-l-y;
3 first name, C-i-a-r-a-n.

4 MR. MATULO: Mr. Kelly, could you
5 give the Board the benefit of educational
6 background, professional degrees and any licenses
7 that you hold?

8 MR. KELLY: Yes, I have a degree in
9 architecture from Trinity College in Dublin,
10 Ireland. I'm licensed in the State of New Jersey,
11 License No. 18866. I've work in Hudson County for
12 the past six years.

13 MR. MATULO: And this is your first
14 appearance before a County or municipal board,
15 correct?

16 MR. KELLY: It is.

17 MR. MATULO: Thank you. Have you
18 worked in Mr. Minervini's office in the last six
19 years?

20 MR. KELLY: Yes.

21 MR. MATULO: Madam Chairwoman, I ask
22 you to accept Mr. Kelly as an expert in the field of
23 architecture.

24 CHAIRWOMAN BETTINGER: He's been
25 accepted.

1 MR. MATULO: All right. Mr. Kelly,
2 if you can for the Board Members, please describe
3 the proposed project, and if you're going to refer
4 to any exhibits, we need to mark them for the
5 record.

6 MR. KELLY: Sure. This application
7 is for a six-story, ten-unit, residential building
8 that will be five residential floors over one
9 parking level. It's in the I-1 in Hoboken. It has
10 already been reviewed and approved by the Hoboken
11 Zoning Board, and I have a number of site
12 photographs, which I would like to enter.

13 MR. MATULO: So we'll mark this sheet
14 A-1?

15 MR. CURLEY: Yes, A-1.

16 MR. MATULO: Just for the record this
17 is a series of site photographs.

18 MR. KELLY: Correct, a series of site
19 photographs taken by me at the site approximately
20 one month ago. Just to give you an idea, the site
21 is a 50-by-100 foot lot on the northwest corner of
22 14th and Grand Street in Hoboken. It's currently a
23 hundred percent impervious lot coverage. The site
24 is currently used for storage of buses and trucks.

25 Directly to the north, there is a

1 two-story masonry structure about 16 feet. Directly
2 to the south is the viaduct. Beyond that is a
3 cinema on Grand Street in Hoboken. As you're
4 well-aware, the viaduct is undergoing major
5 reconstruction and improvements. The building as I
6 say will contain ten residential units, five
7 three-bed units at approximately 1,600 square foot
8 each and five two-bed units at approximately 1,290
9 square foot each.

10 The first floor will contain an enclosed
11 garage for ten cars, ten spaces, ten units. There
12 will also be 444-square-foot office space, which is
13 pending approval by the DEP if the floor has a
14 waiver given. If it's not we will remove it from
15 the plans. There are a number of landscaped roof
16 terraces proposed. They will be private. There is
17 one on the second floor, which is directly
18 accessible from the three-bed unit on the back of
19 the second floor. There are two private roof
20 terraces of 700 square foot each. I would like to
21 show you that now.

22 This is sheet Z4-A. You can see there is
23 extensive landscaped terraces on all the roof areas
24 of the building. The building will be LEED
25 certified. In order to achieve that, we will be

1 employing a number of items. First will be
2 stormwater detention. There will be a storm water
3 detention system under the first floor slot. Second
4 would be landscaped roofs as I have just discussed.
5 The third would be bike racks. Sheet 4-B, I
6 detailed the bike storage to be storage for
7 approximately 25 bicycles, above each of the parking
8 spaces and also common along the wall of the parking
9 garage. Within the parking garage also there will
10 be a car charging station for electric cars.

11 All the appliances throughout will be
12 Energy Star appliances. We're proposing a
13 high-efficiently, low-energy-use elevator, which
14 uses approximately 50 percent of standard energy use
15 for a building of this size. As I said landscaped
16 roofs and also reflective surfaces on the sidewalk
17 and on the roof to reduce heat and keep the overall
18 heating of the building down.

19 In terms of the site, we would be
20 proposing six street trees, four along 14th Street,
21 two along Grand Street. We would also be proposing
22 a green wall system along 14th Street. This has to
23 be coordinated with the 14th Street improvements.
24 It was a requirement of the Hoboken Zoning Board for
25 the green wall. These plans show a planter box. We

1 are removing that, and we are going to provide the
2 green by a hanging system on the second floor
3 parapet, so essentially hanging ivy plants hanging
4 down that wall at street level. The curb and trees
5 along 14th Street, the understanding is that they
6 will be done by the County at the time of the
7 improvements. However, if our building is not
8 complete at that time, we'd propose that we would
9 then do it after our building is finished.

10 Also, there is no staging proposed on 14th
11 Street during the construction. We are told to use
12 the property to the west, and any staging would be
13 done from that location. All the utility
14 connections are from Grand Street, not from 14th
15 Street.

16 So in conclusion, I would just say that
17 it's a LEED-certified building, fully suppressed,
18 concrete structure throughout, that we feel is
19 architecturally a very good proposal for this site,
20 and I'm glad the Hoboken Zoning Board agreed.

21 MR. MATULO: Do you have a rendering
22 of this building?

23 MR. KELLY: I do.

24 MR. MATULO: Refer to that as A-2.
25 If you can just go over that for the Board.

1 MR. KELLY: Sure. Obviously, in
2 terms of the exterior facade design, there is a
3 number of critical elements. Number one is
4 materials. As you know the red brick which is so
5 common in Hoboken, particularly along Grand Street,
6 but also this large element which sits here
7 addresses the viaduct. Our office is just east of
8 this block along 14th Street. We've been there for
9 four years. Of course, you have a lot of traffic
10 and also the visibility from the viaduct is
11 significant.

12 So we needed to find a way to address that
13 in terms of privacy for the building owners, but
14 also interest from the point of view is people
15 passing this building every day somewhat, you know,
16 it had to provide privacy, and at the same time, not
17 be a boring, blank facade. What we did is we
18 created this element which has smaller elements,
19 which are not so visible along the street, but the
20 pattern effect with this metal cladding so that
21 there is a constant change, ultra-lighting and
22 movement, of the facade of the building, but at the
23 same time, you get that solid wall on the property
24 line, which creates a sound barrier and provides
25 privacy for the building occupants. All those units

1 essentially address the east and west orientations
2 and not the viaduct.

3 MR. MATULO: Okay. Just as the point
4 of clarity, when this project was approved by
5 Hoboken, they had requested subject to County
6 approval, planter along 14th Street at grade. In
7 the work session, it was discussed that historically
8 the County does not grant easement ordinances along
9 14th Street. We're perfectly willing to eliminate
10 them at the Board's discretion, rather than going
11 through a futile exercise of getting a County
12 easement for them. We would still have the hanging
13 gardens coming down off the top to give us a green
14 wall, but the at-grade planters on 14th Street would
15 be eliminated, again, at your discretion.

16 CHAIRWOMAN BETTINGER: Mr. Arencibia,
17 do you have a comment regarding the planters?

18 COMMISSIONER ARENCIBIA: Well, why
19 don't we have our consultant first address the
20 comments with the viaduct, then I can follow up with
21 his comments.

22 Mr. Cray, do you have any comments?

23 MR. CRAY: On that particular item?

24 COMMISSIONER ARENCIBIA: No, just in
25 general with drainage and traffic.

1 MR. CRAY: When we met with the
2 applicant, they explained how they are well-aware of
3 the viaduct project in general, and their project
4 was already coordinated.

5 CHAIRWOMAN BETTINGER: Can you speak
6 in the microphone, please.

7 MR. CRAY: They had coordinated a
8 specific level with the viaduct and follow-up
9 streetscape project by the County at ground level.
10 That eliminated a lot of comments that wouldn't
11 apply because the County is doing the improvements
12 on 14th Street. As long as their project is done
13 before the County comes through, that's the subject
14 of my only remaining review comment.

15 That is, although they plan on coming
16 through and having the project substantially
17 completed, that they're working on the interior when
18 the County comes through for the streetscape
19 improvements, if for some reason they do get
20 delayed, I wanted to have a control there so that if
21 it doesn't work for the County to be installed by
22 the construction, they have to do the improvements
23 along that frontage of 14th Street. That was the
24 plan note added and placed on the record as an
25 approved condition if they were to obtain approval

1 tonight.

2 That being said, they have coordinated as
3 well as possible with the County's plans for 14th
4 Street. They have a plan for stormwater management
5 that does not involve the County. They're under the
6 combined sewer system, which is a separate
7 jurisdiction. The only other comment, they've
8 submitted a property survey. In fact, one comment
9 is now addressed.

10 The only other item was pertaining to a
11 franchise agreement request for the ground level
12 planters that stick a few feet in, and as they
13 mentioned, the way their approval went with Hoboken,
14 there was an option. If the County approves that,
15 that's what goes in. If the County does not approve
16 that, the second level would have hanging plants.
17 My understand is nothing would penetrate the plain
18 of the right-of-way, there would just be the
19 vegetation hanging from the second floor parapet.

20 When I spoke at the committee meeting,
21 along 14th Street, there haven't franchise
22 agreements issued. At this point it would be the
23 consistent with we've planned for that stretch. So
24 it's not necessarily germane to my review comments,
25 but it appeared that it was going to be unique to

1 give a franchise agreement, and it was more
2 consistent to not issue it. I leave that up to the
3 Board's decision. That's it. It was a pretty plain
4 plan application. They had already planned this in
5 concert with what the County has planned.

6 COMMISSIONER ARENCIBIA: Madam Chair,
7 to follow up the comments, the 14th Street Viaduct
8 is currently under construction on the opposite side
9 of where this project is currently. The south side
10 is currently under construction. Once that's done
11 early next year, we're going to start moving to the
12 other side adjacent to this project. We're going to
13 start demolition of the existing viaduct and the
14 traffic moving through, a portion of it, and so
15 that's going to be a very close coordination that's
16 going to have to be undertaken.

17 If you are indeed going to start
18 construction right away, we're going to be working
19 together. So one thing that is a very important
20 condition of approval is that the County
21 construction project has priority. So if there is
22 anything that's in terms of delay on our project
23 that is serious delay, it's very costly. Our
24 project is \$46 million. So there is a value to the
25 delay to the County's project. So there cannot be

1 any delays as a result of this development.

2 There are other developments along the
3 14th Street Viaduct that are proceeding on. You're
4 familiar with the Advance project on 14th. They are
5 moving along their projects. We are coordinating
6 with the contractor. Their activities that are
7 going on on their sites that may affect the County's
8 project and coordinating ahead of time. We can do
9 that for this applicant as well during construction.

10 MR. MATULO: I believe Mr. Minervini
11 was at the meeting. He indicated that they would
12 work very closely with the County and reiterated the
13 fact that there will be no staging on 14th Street.
14 Everything would be done on Grand Street or behind
15 us.

16 COMMISSIONER ARENCIBIA: I understand
17 that. At some point you're building right on the
18 right-of-way line. There is some coordination of
19 some activities. You may have your workers in the
20 County right-of-way. That could be permitted as
21 long as our contractor is okay with it. It's just a
22 matter of planning it out.

23 MR. MATULO: And we'll in interact
24 with the County as needs be to address of any of
25 those issues.

1 CHAIRWOMAN BETTINGER: Mr. Arencibia,
2 how long do you anticipate the project on the
3 viaduct to take? How long will it take?

4 COMMISSIONER ARENCIBIA: It will be
5 completed in the summer of 2014, and it's still on
6 schedule. It's a multiphase project. Right now, as
7 I explained earlier, we're working on the south
8 side. We'll be working on the north side about
9 three or four months from now. I'm not sure what
10 your schedule is, but if you want to get started
11 right now, it might be a good idea.

12 MR. MATULO: The only thing we have
13 to do, assuming we get approval here, we just have
14 to go back to Hoboken for final, which is really
15 just confirming that we got County approval, that
16 was the only condition of any substance, and we'll
17 be filing for that right away. I mean we want to
18 get in the ground as soon as we can.

19 COMMISSIONER ARENCIBIA: My last
20 question is about the timing of the streetscape
21 improvements on the ground level. The structure
22 built at street level up toward the right-of-way
23 line. The improvements with the sidewalks and trees
24 and decorative street-lighting, all that would be
25 done with the County's project. So that needs to be

1 coordinated so you might get -- I'm not sure when
2 your project would be done. You might be. You
3 would be able to do that sidewalk if for some reason
4 you're delayed, and you're going to come in after
5 all is said and done. You don't have to do
6 anything. It doesn't seem like you have to do
7 anything in the 14th Street Viaduct right-of-way.
8 It's all right there. It's already built. If you
9 disturb any of that as a result of your
10 construction, you have to replace that in kind.

11 MR. MATULO: Yes, we understand that.
12 I discussed that with both your engineer and
13 Mr. Curley.

14 COMMISSIONER ARENCIBIA: Right. So I
15 don't recommend that you build this planter or
16 encroachment in the County right-of-way.

17 MR. MATULO: We're fine with that.

18 COMMISSIONER ARENCIBIA: The
19 consultant mentioned there is no encroachment along
20 the viaduct right now. We would like to keep that
21 there because the whole viaduct scenery is going to
22 dramatically change once the bridge is constructed.
23 It's going to be more a public area, open for
24 pedestrians, more inviting.

25 CHAIRWOMAN BETTINGER: Commissioner

1 Mehta.

2 COMMISSIONER MEHTA: I was reading
3 something for Hoboken in that section for UNB. It
4 says the County will construct on 14th Street, and
5 the County will install an open front on 14th
6 Street, is the applicant responsible for that?

7 COMMISSIONER ARENCIBIA: Well, it's
8 part of the 14th Street Viaduct project along 14th
9 Street. At the grade level we're going to be
10 installing decorative streetlights, trees,
11 decorative sidewalks, curbing, cobblestones. It's a
12 significant project that we're undertaking.

13 CHAIRWOMAN BETTINGER: Did you have
14 any plans, any rendering of the bridge?

15 COMMISSIONER ARENCIBIA: Yes.

16 COMMISSIONER MEHTA: If I understand
17 correctly in the plaza, there's a couple of projects
18 where the applicant has to install the trees on the
19 roadway, and I know the County does it, does the
20 applicant offset the cost of that plant?

21 COMMISSIONER ARENCIBIA: It's true.

22 COMMISSIONER MEHTA: They are going
23 to do it, and the County is going to be at their
24 expense?

25 MR. KELLY: It depends on the timing.

1 If the County is performing its work when our
2 building is complete, then the County will do it.
3 If we're not ready for that work to come up to the
4 property, then we will take on this and do it in
5 accordance with the County plans.

6 COMMISSIONER ARENCIBIA: I think
7 you're asking since they're not planting trees, if
8 the County plants their trees, will there be a shade
9 tree fee and/or contribution. I'm not sure. I
10 don't know the answer to that.

11 MR. MATULO: As I understand it those
12 improvements are already in the County plan, and the
13 way it was explained to is that the County was going
14 to install all those improvements at the County's
15 cost because it's all part of the 14th Street
16 Viaduct redevelopment, if you will. The only caveat
17 to that was if the County is ready to do that in
18 sequencing and our project is at such a state that
19 the County can't do that, or they have done it and
20 we somehow disturb it, then we have to be
21 responsible for the cost of redoing it, otherwise we
22 would not be paying the typical fee that we would
23 normally be paying to the County.

24 CHAIRWOMAN BETTINGER: Any other
25 comments?

1 COMMISSIONER ARENCIBIA: That's all I
2 have.

3 CHAIRWOMAN BETTINGER: Commissioner
4 Arencibia, at the next meeting, would you be so kind
5 to bring a rendering, being there's so many projects
6 that will be built in this area, at least we'll have
7 a visual what the project will look like?

8 COMMISSIONER ARENCIBIA: I can do
9 that, Madam Chair. There is a website that you can
10 go to, the 14thstreetviaductreplacement.com. All
11 the records are on that website. There are progress
12 photographs, progress updates. It's constantly
13 updated. Let me know which one you want me to
14 bring. I have a lot of drawings for that project.

15 CHAIRWOMAN BETTINGER: Do we have any
16 on comments? Are we clear?

17 MR. CURLEY: Madam Chair, just on the
18 conditions --

19 CHAIRWOMAN BETTINGER: Right, that's
20 what I'm talking about.

21 MR. CURLEY: One thing for certain
22 according to County Engineer's point of view, there
23 is a recommendation that the planters not be allowed
24 in the right-of-way. That improvement designed by
25 the Hoboken Board will not be accepted, if that's a

1 condition of this Board. The second is that the
2 application will do street work on 14th Street in
3 the event for some reason the County does not do
4 that work as currently planned. The third is that
5 the County project will have priority over this
6 project in terms of use of the 14th Street
7 right-of-way for any purposes.

8 CHAIRWOMAN BETTINGER: Is that
9 agreeable?

10 MR. MATULO: Yes, ma'am. Absolutely.

11 CHAIRWOMAN BETTINGER: Do I have a
12 motion?

13 COMMISSIONER ARENCIBIA: I make a
14 motion.

15 CHAIRWOMAN BETTINGER: Do I have a
16 second?

17 COMMISSIONER GOMEZ: Second.

18 MS. FERRARA: On a motion put forth
19 by Commissioner Arencibia, and second by
20 Commissioner Gomez.

21 Commissioner Arencibia.

22 COMMISSIONER ARENCIBIA: Aye.

23 MS. FERRARA: Commissioner Choffo.

24 COMMISSIONER CHOFFO: Aye.

25 MS. FERRARA: Commissioner

1 DiDomenico.

2 FREEHOLDER DiDOMENICO: Aye.

3 MS. FERRARA: Commissioner Gomez.

4 COMMISSIONER GOMEZ: Aye.

5 MS. FERRARA: Commissioner Holloway.

6 COMMISSIONER HOLLOWAY: Aye.

7 MS. FERRARA: Commissioner Mehta.

8 COMMISSIONER MEHTA: Aye.

9 MS. FERRARA: Chairwoman Bettinger.

10 CHAIRWOMAN BETTINGER: I vote aye

11 with the conditions mentioned by our attorney.

12 MR. MATULO: Thank you.

13 MS. FERRARA: The motion passes.

14 CHAIRWOMAN BETTINGER: Thank you.

15 MS. FERRARA: Next applicant

16 scheduled to be heard is 2012-041-SP, St. Abanoub &

17 St. Anthony Church at 1325-1335 Kennedy Boulevard,

18 Block 7, Lot 4, in Bayonne.

19 MR. MEOLA: Good evening. Richard

20 Meola for the applicant. This is a site plan for

21 the construction of a church on the border between

22 Bayonne and Jersey City, and as indicated it's

23 1325-1335 Kennedy Boulevard in Bayonne. The

24 resolution is already passed in Bayonne. It is for

25 the building of the church, a main floor, basement

1 and the mezzanine. I have Alan Feld, the architect
2 here. I would like to have him sworn in.

3 (The witness is sworn.)

4 MR. CURLEY: Would you please state
5 your name for the record and spell your last name.

6 MR. FELD: Alan Feld, F-e-l-d.

7 MR. MEOLA: Mr. Feld, would you tell
8 the Board what your educational background is?

9 MR. FELD: I'm a licensed architect
10 in the state of New Jersey, New York and
11 Pennsylvania. I've been in private practice for
12 about 25 years, appeared before this Board a couple
13 of times in the past, and other boards in Hudson
14 County.

15 MR. MEOLA: And have you appeared
16 before the Bayonne Planning Board?

17 MR. FELD: Yes, I have.

18 MR. MEOLA: Are you part of this
19 project?

20 MR. FELD: Yes, I am.

21 MR. MEOLA: And those plans that you
22 can see over there, are those your plans?

23 MR. FELD: Yes, they are.

24 MR. MEOLA: I would like to mark
25 those as Exhibit 1. Would you explain to the Board

1 what the project is all about?

2 MR. FELD: Yes, the project is to
3 construct a new church on this property. As
4 mentioned we have a basement in the first floor and
5 a mezzanine, and there are other site improvements,
6 basically, the parking, landscaping, lighting and
7 drainage on the property.

8 MR. MEOLA: The church itself sits
9 pretty far back from Kennedy Boulevard, does it not?

10 MR. FELD: That is correct.

11 MR. MEOLA: There is a long, for
12 better term, driveway that leads from Kennedy
13 Boulevard to the back area?

14 MR. FELD: That's correct.

15 MR. MEOLA: And the project now is
16 already under construction; is that true?

17 MR. FELD: That is correct.

18 MR. MEOLA: And is some of the things
19 shown on this is already in place, such as some of
20 the landscaping?

21 MR. FELD: Some of the landscaping,
22 some the curbing, the drainage has already been
23 installed.

24 MR. MEOLA: I believe there is also a
25 fountain.

1 MR. FELD: There is a fountain
2 towards the front of the property.

3 MR. MEOLA: Is there shrubs around
4 that as well?

5 MR. FELD: That's correct.

6 MR. MEOLA: I believe that part of
7 the plan also includes the installing of trees?

8 MR. FELD: We're proposing three
9 shade trees besides other landscaping.

10 MR. MEOLA: The shade trees
11 themselves, Bayonne has as a program in which they
12 request or desire that you buy the trees from them;
13 is that correct?

14 MR. FELD: That is correct.

15 MR. MEOLA: Is that what we're going
16 to do in this particular project?

17 MR. FELD: That's correct.

18 MR. MEOLA: So that the trees that
19 will be planted are approved by the City of Bayonne?

20 MR. FELD: Correct.

21 MR. MEOLA: With reference to the
22 shrubbery, those will all be native to the area,
23 nothing that would be out of the ordinary?

24 MR. FELD: That's correct.

25 MR. MEOLA: One of the

1 recommendations that we got was the putting in a
2 bicycle rack near the entrance of the driveway which
3 leads from Kennedy Boulevard. We have no problem
4 complying with that; is that correct?

5 MR. FELD: That's correct.

6 MR. MEOLA: The other comments I
7 believe that we've already addressed. They were
8 also basically relating to the trees. There are
9 tree pits that in this construction, correct?

10 MR. FELD: Yes.

11 MR. MEOLA: And we will be willing to
12 plant shrubbery or flowers around all of those?

13 MR. FELD: That's correct.

14 MR. MEOLA: In addition to that, as I
15 said, we will use native landscaping?

16 MR. FELD: That's correct.

17 FREEHOLDER DiDOMENICO: Mr. Feld, I'm
18 just trying to figure out. I know where it is, but
19 the building that currently sits there, is that
20 going to be vacated, built onto? I'm confused. The
21 pictures that we're looking for of the facade that's
22 on Kennedy Boulevard, is that the beginning of the
23 construction?

24 MR. FELD: This is an entirely new
25 building, basically a two-story brick building set

1 back. It's right below the Cityline Plaza Shopping
2 Center. It's behind there.

3 MR. MEOLA: I believe what you're
4 looking at, this is Kennedy Boulevard. This is the
5 beginning of the driveway. The building you're
6 looking at are probably these existing buildings,
7 whereas, the driveway continues back here in the
8 parking lot, and the church is back here. General
9 Plumbing Supply, if you're familiar with that, would
10 be on this side.

11 FREEHOLDER DiDOMENICO: So the
12 building, the church is currently using the building
13 at the front of the driveway?

14 MR. MEOLA: That's just a chapel that
15 they're using presently.

16 FREEHOLDER DiDOMENICO: The lot
17 behind, I remember as a child, was the Boulevard
18 Pool.

19 MR. MEOLA: Exactly. That's what is
20 there now.

21 MR. FELD: We filled in the pool.

22 FREEHOLDER DiDOMENICO: Very good.

23 CHAIRWOMAN BETTINGER: What is the
24 cross street, was that ever discussed?

25 FREEHOLDER DiDOMENICO: It's

1 immediately across from County Mercer Park, between
2 an overpass from I believe 440, and 63rd Street,
3 which is near the beginning Country Village, and
4 Mercer Park is on the other side on the corner.

5 Already that area has been in very ill
6 repair for many years, and already it's been
7 beautified just by the chapel that was developed in
8 that building and the use of the area. The area
9 looks much, much better. I can only image the
10 church that will be constructed in the back will
11 continue to add quality to the neighborhood.

12 CHAIRWOMAN BETTINGER: Years ago it
13 used to be the old Bayonne Pool. Any other
14 questions?

15 COMMISSIONER CHOFFO: I had one
16 question. There is letter dated September 17th. I
17 believe it talked about the curb cuts being reduced
18 50 feet down to 30 feet.

19 MS. MASSEY: I'm sorry, Commissioner
20 Choffo. The applicant didn't actually receive
21 Mario's letter. The letter is just saying that
22 currently there are observable driveways that are
23 50 feet wide, but the driveway gate is only 30 feet,
24 so Mario was wondering if you are planning on
25 reducing the curb cuts to 30 feet because County

1 standard for a two-way driveway is 24 or 36?

2 COMMISSIONER ARENCIBIA: Madam Chair,
3 that property currently has now a drop curb extended
4 beyond the driveway. So you have a drop curb
5 currently in front of the building and a fence.
6 Somebody could drive from the driveway to the
7 building. That's the way it currently is.

8 MR. FELD: That's an existing
9 condition, right. It's been like that for a while
10 now.

11 COMMISSIONER ARENCIBIA: Is that
12 something that can be corrected to raise that curb
13 and sidewalk?

14 MR. FELD: We didn't have any plans
15 of that. It's the first we're hearing this comment.

16 COMMISSIONER ARENCIBIA: It's
17 approximately 18 feet long. On the photographs that
18 were taken, it shows a drop curb. Obviously, you
19 don't want somebody to drive into the building and
20 into the fence. As a safety precaution, I will
21 recommend that you raise that curb. Is that curb
22 and existing chapel staying?

23 MR. FELD: Yes, it's been in use.
24 They never had a problem with it.

25 MR. MEOLA: To be perfectly honest,

1 the budget for the construction of this project is
2 stretched pretty thin. The adding of this may be
3 far bigger of an expense than they can really
4 handle. I mean, before this became a chapel, I
5 think that was Barrett's Bar, so that the building
6 itself and the driveway has been in use probably for
7 50 years.

8 COMMISSIONER ARENCIBIA: Are you
9 planting any trees along Kennedy Boulevard?

10 MR. FELD: No, just on-site.

11 COMMISSIONER ARENCIBIA: I can't
12 really say it's okay to leave the driveway where you
13 don't want people drive into. So I mean there may
14 be other things you could look and try to make it
15 less obvious that that's a driveway, I'm not sure,
16 maybe trees or something else.

17 MR. FELD: If possible, I would put a
18 planter in front of that to minimize the opening.
19 If it's not the right-of-way, I would put a planter
20 to help identify the driveway.

21 COMMISSIONER ARENCIBIA: A drop curb.
22 There is no other driveway. There's no carport.
23 There's no garage. Sometimes somebody could drive
24 through.

25 COMMISSIONER HOLLOWAY: Madam Chair,

1 I know you mentioned putting a planter there. The
2 only problem I have with a planter is a planter can
3 always be moved after this is approved next year.
4 So if the Board is requesting them do something with
5 a curb, it should be done.

6 COMMISSIONER ARENCIBIA: Do you have
7 a picture?

8 COMMISSIONER HOLLOWAY: Yeah, that's
9 what I'm saying.

10 FREEHOLDER DiDOMENICO: Madam Chair,
11 if I could just add a thought to that. I was
12 originally thinking about if anyone was coming
13 northbound on the Boulevard to make a left turn,
14 they might see, from the aerial pictures of that,
15 that concrete barrier. So anyone entering
16 southbound, they will see the driveway before the
17 reduced drop curb. I mean, I don't know if it make
18 it more likely that in your line of sight, the first
19 thing you're going to be coming to is the actual
20 driveway before the area that you're referring to
21 because you have to enter it going southbound, am I
22 correct?

23 MR. FELD: It's a divided road at
24 that point, with a concrete curb in the middle of
25 the Boulevard.

1 MS. MASSEY: Madam Chair, just one
2 more comment with regard to the curb cuts and the
3 tree situation. Though they have 51 feet of
4 frontage along the County road. They should be
5 planting one tree, at least one tree. I know that
6 they're working on a tight budget. I know they are
7 planting three trees. Maybe they could put one of
8 those trees along the County road.

9 MR. FELD: So I would prefer a
10 planter that is permanent in front of the building,
11 permanent planter not to be removed that would
12 enhance the building look of the building as well.

13 CHAIRWOMAN BETTINGER: Commissioner
14 Choffo.

15 COMMISSIONER CHOFFO: I have a
16 question, Commissioner Arencibia. What is the
17 estimated cost of 18 feet of just a curb? We're not
18 talking new sidewalk. It's just curb.

19 COMMISSIONER ARENCIBIA: You have to
20 do some sidewalk. You've got to raise the sidewalk
21 up higher. I mean the decorative pavers, it
22 looks -- is that decorative pavers or the stamped?

23 MR. FELD: I believe it's stamped.

24 COMMISSIONER ARENCIBIA: You're more
25 pricey with that sidewalk. I can't help them with

1 those, but adding a raised curb, they may have to do
2 the sidewalk when they raise that curb up. I can't
3 really tell from the photographs. You're taking
4 around 18 feet of curb and sidewalk. They should be
5 able to get a reasonable price maybe somewhere
6 around five to \$10,000.

7 COMMISSIONER HOLLOWAY: Madam Chair,
8 this wasn't mentioned in the site plan meeting?

9 COMMISSIONER ARENCIBIA: This project
10 was already built. We decided there was no point in
11 having a meeting so we just looked at it.

12 COMMISSIONER HOLLOWAY: One of the
13 things that I'm concerned is somewhat of a little
14 issue. Obviously, the applicant can't really afford
15 it, thus trying to be consistent with the planning
16 of the curbing, if there is an issue, I'm not sure
17 it's too late.

18 CHAIRWOMAN BETTINGER: Why didn't
19 they come before us? I should be asking the
20 applicant.

21 MR. MEOLA: What the Father said is
22 that area is the spot where the bus would be
23 stopped, and that they needed that wide here both to
24 be cleared to allow people to get on and off the
25 bus, also the wide area for the bus to stop. That's

1 in part why it's designed, I guess, that way to
2 begin, and the design has not been changed. To put
3 something in that same general area, like a tree,
4 like a planter, like anything else, would effect the
5 people getting on and off the buses.

6 CHAIRWOMAN BETTINGER: So it's a bus
7 stop?

8 MR. MEOLA: That's what the Father
9 said.

10 COMMISSIONER ARENCIBIA: The general
11 rule is there is no drop curbs for bus stops, for
12 cars to drive into a driveway or garage.
13 Oftentimes, when a new owner comes in and does some
14 remedial work, there's a requirement to correct
15 their property, to have get the proper permits
16 that's needed, and that is a safety concern.

17 CHAIRWOMAN BETTINGER: Was this
18 project at the site plan review?

19 COMMISSIONER ARENCIBIA: Madam Chair,
20 we found out about this project when they came in
21 for a permit for the oversized vehicle
22 transportation development. So we didn't know this
23 was going on. The project is obviously behind the
24 Kennedy Boulevard.

25 CHAIRWOMAN BETTINGER: That's what my

1 first question was.

2 COMMISSIONER ARENCIBIA: We found out
3 about the project. Then we checked with the City of
4 Bayonne. They never came before us, and it's
5 basically built already. So that's where we're at.

6 CHAIRWOMAN BETTINGER: No one
7 informed you that you needed to come before the
8 Planning Board?

9 MR. MEOLA: The problem with that
10 project is this: The resolution from the Bayonne
11 was back in the 1990s. There was a second
12 resolution of Bayonne that reduced the size of the
13 church also in the 1990s, and it was only within the
14 past five years or so that the financing finally got
15 put into place.

16 COMMISSIONER HOLLOWAY: When you say
17 "the 1990s," when is that, 1990, 1995, 1998?

18 MR. MEOLA: '97. At that time when
19 the resolutions were first passed by Bayonne, there
20 was not a need to come. They did not realize. The
21 need to come developed simply because of the fact
22 that they finally finalized these plans, at that
23 point apparently, they then fell under this current
24 act. That's the reason why they didn't come. They
25 thought beholding a 1997 resolution, that they were

1 able to do this.

2 COMMISSIONER ARENCIBIA: Madam Chair,
3 that's what my question was.

4 CHAIRWOMAN BETTINGER: I believe we
5 were in.

6 MR. MEOLA: But the need to get
7 approval from the County for this, I'm led to
8 believe, I didn't do the resolutions, but I'm led to
9 believe that you didn't need this approval. I was
10 told that the reason we do need it now is because
11 these plans were modified, I believe, in 2007 or
12 2008. Because of that modification, we then fell
13 under this purview, and we just didn't realize that
14 that was the case.

15 MS. FERRARA: Madam Chair, I just
16 want to reiterate what Commissioner Arencibia said.
17 We were first alerted of this application by August
18 and did everything in our power to get this
19 application site plan review. We know that the
20 church is a nonprofit and also is financially
21 strained, and that's why we decided to review it
22 in-house.

23 I could make a recommendation. We have
24 very little recommendations or changes to the actual
25 site plan of the church itself. We just want to

1 make sure the safety along Kennedy Boulevard is
2 ensured, and I think the concern that Commissioner
3 Arencibia with the dropped curb should be noted as
4 well as we do have a -- I think, I'm sorry
5 Commissioner DiDomenico, I was about to call you
6 Freeholder DiDomenico, has stated the fact that this
7 area still redeveloping and in need of
8 beautification. I think having a shade tree along
9 the Boulevard will just enhance that.

10 I would highly recommend that we stay with
11 the one shade tree. We typically don't allow shade
12 trees to be put off-site. It has to be on the
13 property. It has to be on the frontage along the
14 County road. So that would be my recommendation to
15 the Board.

16 CHAIRWOMAN BETTINGER: So lieu of the
17 sidewalk you're recommending a shade tree, in lieu
18 of the curb?

19 MS. FERRARA: No, I think there are
20 two issues that should be addressed and should be a
21 condition of approval is that the sidewalk should be
22 brought up to the County standard as per
23 Commissioner Arencibia has said representing the
24 County Engineer, as well as there should be a shade
25 tree. The applicant is also, they are afforded the

1 same right to contribute if they do not want to
2 plant.

3 CHAIRWOMAN BETTINGER: Do you want to
4 take a moment to discuss it with your client and
5 then come forward?

6 MR. MEOLA: We can agree to
7 contribute to the fund. The tree in front of the
8 building just doesn't go very well.

9 CHAIRWOMAN BETTINGER: Speak into the
10 mic.

11 MR. MEOLA: I believe she said in
12 lieu of planting a tree, we can contribute to a
13 fund, correct?

14 MS. FERRARA: Yes.

15 MR. MEOLA: We would agree to
16 contribute to a fund, and you indicated that we
17 would comply with the curb cuts pursuant to what the
18 curb standard is, correct?

19 MS. FERRARA: I would defer to the
20 County Engineer.

21 MR. MEOLA: We will agree to that as
22 well.

23 MS. MASSEY: Madam Chair, the
24 applicant should submit a cost estimate for the one
25 shade tree.

1 MR. MEOLA: Before we contribute?

2 MS. MASSEY: For the cost of the
3 shade tree, the type of shade tree.

4 MR. MEOLA: Okay. We will do that.

5 CHAIRWOMAN BETTINGER: What is the
6 set amount that we need?

7 MS. MASSEY: No, it just has to be a
8 cost from the engineer or a landscape architect
9 certifying that this is what they're planting and
10 this is what they're contributing for a type of
11 shade tree. It's what we've done in the past.

12 MS. FERRARA: Madam Chair, we don't
13 have a set pricing for a shade tree. We do ask that
14 the applicant discuss it with a landscape architect
15 or an on-site engineer to come up with an estimate,
16 and that's what we charge as the shade tree
17 contribution.

18 FREEHOLDER DiDOMENICO: I would like
19 to move for adoption with the conditions of the
20 correction of the curb cut and the contribution
21 towards the shade tree.

22 MS. FERRARA: On the motion put
23 forward by Commissioner DiDomenico, and second by
24 Commissioner Arencibia.

25 Commissioner Arencibia.

1 COMMISSIONER ARENCIBIA: Aye.

2 MS. FERRARA: Commissioner Choffo.

3 COMMISSIONER CHOFFO: Aye.

4 MS. FERRARA: Commissioner

5 DiDomenico.

6 FREEHOLDER DiDOMENICO: Aye.

7 MS. FERRARA: Commissioner Gomez.

8 COMMISSIONER GOMEZ: Aye.

9 MS. FERRARA: Commissioner Holloway.

10 COMMISSIONER HOLLOWAY: Aye.

11 MS. FERRARA: Commissioner Mehta.

12 COMMISSIONER MEHTA: I vote aye with
13 the conditions.

14 MS. FERRARA: Chairwoman Bettinger.

15 CHAIRWOMAN BETTINGER: I vote aye.

16 MS. FERRARA: The motion has passed.

17 CHAIRWOMAN BETTINGER: Thank you.

18 MR. MEOLA: Thank you.

19 MS. FERRARA: The last application
20 scheduled is 2012-042-SP, Red Bridge Homes
21 Corporation, located at 154 Newark Street, Block
22 187, Lot 14 in Hoboken.

23 MR. KAPPOCK: That's correct. Madam
24 Chairperson, my name is Brian Kappock. I'm the
25 attorney for the applicant, Red Bridge Homes. This

1 applicant, as you touched on, is also an existing
2 three-unit building with three units. My client's
3 intentions are to remove the building, a brand new
4 construction which will only be two units they
5 intend to install.

6 Madam Chairperson, I have my architect. I
7 wish for him to be sworn in.

8 CHAIRWOMAN BETTINGER: Counselor.

9 (The witness is sworn.

10 MR. CURLEY: Would you please state
11 your named for the record and spell your last name.

12 MR. MELIA: Adrian, A-d-r-i-a-n;
13 Melia, M-e-l-i-a.

14 MR. KAPPOCK: Thank you. Mr. Melia,
15 can you provide to the Board your educational
16 background and experience background?

17 MR. MELIA: I am a project architect
18 for Minervini-Vandemark Architecture. I have a
19 five-year degree in architect from Trinity College,
20 Dublin. I've been licensed in the state of New
21 Jersey since March 2011. I've worked as a project
22 architect in New Jersey for ten years, the last
23 eight of which have been in Hoboken, New Jersey.

24 MR. KAPPOCK: Mr. Melia, are you
25 familiar with the project at 154 New York Street in

1 Hoboken?

2 MR. MELIA: I am.

3 MR. KAPPOCK: And you reviewed the
4 plans?

5 MR. MELIA: I have.

6 MR. KAPPOCK: Madam Chairwoman, I
7 would ask that Mr. Melia be permitted to speak as an
8 expert on his plans?

9 CHAIRWOMAN BETTINGER: Yes, please.

10 MR. MELIA: Good evening. The
11 proposed project is a located on the north side of
12 Newark Street, between Bloomfield and Garden
13 Streets. It a four-story, two-family structure.
14 There are duplex unit.

15 CHAIRWOMAN BETTINGER: I apologize,
16 but with the overhead air conditioning, it's very
17 difficult to hear. I'm so sorry.

18 MR. MELIA: The proposed project is
19 located on the north side, can you hear?

20 CHAIRWOMAN BETTINGER: Yes, thank
21 you.

22 MR. MELIA: It's located on the north
23 side of Newark Street between Bloomfield and Garden
24 Streets. It is a four-story, two-family structure.
25 It's got two duplex units, one on the floors one and

1 two, and the second on floor three and four.

2 MR. KAPPOCK: Just a quick question,
3 you've mentioned it being four-stories and two
4 units. What is existing there at the property for
5 the plans that were approved?

6 MR. MELIA: The existing building is
7 a three-story, three-family structure, and we've
8 thereby reduced the density to conform with the
9 Hoboken City ordinance for two units.

10 To continue, it's 40 feet in height, and
11 75 percent lot coverage with a private roof deck,
12 approximately 580 square feet. The building has
13 received final approval from the Hoboken Zoning
14 Board of Adjustment, and it should be noted that the
15 first floor level proposed is at basement, not one
16 foot above the base floor as per the national flood
17 insurance program, and we will be requesting a waiver
18 from the DEP for this.

19 To bring it through some of the low impact
20 development items proposed, we are proposing
21 stormwater detention in the rear yard. There is an
22 existing stair encroaching significantly into the
23 sidewalk that will be removed. We are proposing
24 impervious pavers and plantings in the rear yard.
25 The sidewalk will be brought up to the County

1 standards. We are proposing one street tree, which
2 would be Shade Tree Commission approved. It should
3 be noted that the client has offered to plant trees
4 along the entire block also. The roof and sidewalk
5 will have a high albedo. We proposing
6 energy-efficient LED exterior lighting fixtures
7 also.

8 MR. KAPPOCK: Mr. Melia, can you
9 provide a copy of the proposed drawing of what it's
10 going to look like?

11 MR. MELIA: Sure.

12 MR. KAPPOCK: Would you just go over
13 again briefly for the Board from the previous
14 changes to what's going to be built there now?

15 MR. MELIA: If you're referring to
16 Z-5, of the drawings set, you'll see there is a
17 block elevation which shows the proposed building,
18 and it is in context with adjacent structures.
19 There is mostly four-story structures, so it's of a
20 similar scale to the adjoining buildings. The
21 building aesthetically is the tradition materials,
22 such as brick and steel. It's got contemporary
23 scale.

24 It's replacing -- on Z-6, you'll see that
25 it's replacing a three-story, stucco-faced

1 structure. So this is to bring the aesthetic up to
2 date and replace something which was run down and
3 should increase property values in the area as per
4 the County recommendations.

5 MR. KAPPOCK: Ms. Chairperson, I
6 don't have any questions for architect at this
7 point.

8 CHAIRWOMAN BETTINGER: Do we have any
9 comments from our engineer?

10 COMMISSIONER ARENCIBIA: Madam Chair,
11 this was done in-house also. It's a two-family.
12 There is currently a granite curb along the Grand
13 Street. Do you intend on resetting that with the
14 new sidewalk to the property?

15 MR. MELIA: The entire sidewalk will
16 be brought up to County standards. Everything
17 that's there existing, there's an existing stair
18 encroaching into the sidewalk. It's all going to be
19 completely demolished and rebuilt.

20 COMMISSIONER ARENCIBIA: With respect
21 to the curb itself, it's going to be removed. It's
22 an expensive granite curb. The rest of the street
23 is granite curb. I would recommend that you remove
24 that granite curb and reset it to the property
25 elevation.

1 MR. MELIA: Assuming it's in good
2 condition and it could be reused, that's what we'll
3 do.

4 COMMISSIONER ARENCIBIA: If you can't
5 use it, you have to bring in your own curb. You
6 would need a road opening permit for the ten inches,
7 obviously. Any utilities, any utility work,
8 openings in the street, which I presume you probably
9 need, you have to get a permit for that too to be
10 able to do the curbing.

11 The encroachment, you have a fence that's
12 going to be into the sidewalk. I think it's five
13 feet from the drawings. It's going to be behind
14 that fence?

15 MR. MELIA: In Hoboken, most
16 buildings of this scale house their trash and
17 recycling in receptacle for pick up. So that's what
18 will be behind the fence.

19 COMMISSIONER ARENCIBIA: How would
20 that look? Do you have a sketch of how that looks?

21 MR. MELIA: That's as per Sheet Z-4.
22 The only thing that we proposed out in the front is
23 the fence itself, and we have shown the quantity of
24 trash and garbage receptacles that we feel are
25 necessary for the building.

1 COMMISSIONER ARENCIBIA: That fence
2 will be a see-through fence, or will this be hidden?
3 Like the garbage cans are an eyesore.

4 MR. MELIA: On the Sheet Z-5, the
5 front elevation it shows it's a 36-inch high,
6 probably painted aluminum or painted steel fence,
7 which would have slats, half inch in thickness.

8 COMMISSIONER ARENCIBIA: You've
9 indicated all of the -- pretty much most of those
10 neighboring buildings have a similar fence into the
11 sidewalk with their garbage cans?

12 MR. MELIA: Correct.

13 COMMISSIONER ARENCIBIA: Maybe a
14 condition of approval from this Board is that you
15 have to go to the Freeholder Board for the formal
16 approval. That would be a condition. Currently,
17 right now there is a fence. There is steps
18 encroached into the right-of-way. That's all been
19 removed, and you're just going to have a fence
20 further. It's not going to be encroached as much?

21 MR. MELIA: Correct.

22 COMMISSIONER ARENCIBIA: If you don't
23 get the DEP waiver, what would that mean?

24 MR. MELIA: We're going to most
25 likely bring the building up a foot and keep the

1 overall height. What was originally approved, we'll
2 probably take four inches out of three floors as
3 opposed to taking it from one floor.

4 COMMISSIONER ARENCIBIA: That
5 wouldn't have an encroachment or steps or anything
6 into the County right-of-way?

7 MR. MELIA: I think we can easily
8 work with the width of the sidewalk and achieve the
9 grade change to the front entrance.

10 COMMISSIONER ARENCIBIA: All right.
11 So how big of a grade change if you didn't get the
12 waiver?

13 MR. MELIA: Well, it's -- you're
14 talking about how big of a grade change to get up to
15 the ten feet. It would be a foot. It should be
16 noted that this street is pitched far beyond. It's
17 much steeper an ADA compliant ramp or a sidewalk
18 that would have a slope complying with ADA
19 requirements, so where the entry to the building is,
20 is actually the higher part of the sidewalk so.

21 COMMISSIONER ARENCIBIA: You're
22 saying right now the pitch or the grade from the
23 building towards the street is big enough that you
24 can raise it to make that elevation ten feet?

25 MR. MELIA: I'm saying that the

1 sidewalk width is such that we can easily ramp up to
2 the entry door, and that slope level will be similar
3 to what's going down the entire block any ways. So
4 the street is such that it doesn't meet
5 accessibility standards.

6 COMMISSIONER ARENCIBIA: There is no
7 driveways?

8 MR. MELIA: Right, no driveway, no
9 parking.

10 COMMISSIONER ARENCIBIA: That's it.

11 CHAIRWOMAN BETTINGER: Any other
12 comments.

13 COMMISSIONER CHOFFO: I make a motion
14 to approve.

15 MS. FERRARA: On a motion put forward
16 by Commissioner Choffo, seconded by Commissioner
17 Mehta.

18 Commissioner Arencibia.

19 COMMISSIONER ARENCIBIA: Aye, with
20 the conditions stated.

21 MS. FERRARA: Commissioner Choffo.

22 COMMISSIONER CHOFFO: Aye, with the
23 conditions stated.

24 MS. FERRARA: Commissioner
25 DiDomenico.

1 FREEHOLDER DiDOMENICO: Aye.

2 MS. FERRARA: Commissioner Gomez.

3 COMMISSIONER GOMEZ: Aye.

4 MS. FERRARA: Commissioner Holloway.

5 COMMISSIONER HOLLOWAY: Aye.

6 MS. FERRARA: Commissioner Mehta.

7 COMMISSIONER MEHTA: Aye.

8 MS. FERRARA: Chairwoman Bettinger.

9 CHAIRWOMAN BETTINGER: I vote aye.

10 MS. FERRARA: The motion has passed.

11 MR. KAPPOCK: Thank you.

12 CHAIRWOMAN BETTINGER: Thanks. Can
13 we take a two-minute recess?

14 (At this point in the proceeding, a
15 brief recess is taken.)

16 MS. FERRARA: The next item on the
17 agenda is applications to dismissed. The first
18 application is 2012-023-SP, George and Eric
19 Gutierrez, located at 3211-3215 Kennedy Boulevard,
20 Block 260.02, Lots 23, 27, 28 and 30, in Union City.

21 The next application, 2012-034-SP, Flavor,
22 O.F.D. Inc., located at 8801-8809 River Road, 8801
23 River Road, Block 440, Lots 10 through 16, in North
24 Bergen.

25 The next application is 2012-025-SP, Rocio

1 Menochaca at 699 Schuyler Avenue, Block 171, Lot 32,
2 in Kearny. Do I have a motion?

3 On a motion put forward by Commissioner
4 Holloway, second by Commissioner Mehta.

5 Commissioner Arencibia.

6 COMMISSIONER ARENCIBIA: Aye.

7 MS. FERRARA: Commissioner Choffo.

8 COMMISSIONER CHOFFO: Aye.

9 MS. FERRARA: Commissioner
10 DiDomenico.

11 FREEHOLDER DiDOMENICO: Aye.

12 MS. FERRARA: Commissioner Gomez.

13 COMMISSIONER GOMEZ: Aye.

14 MS. FERRARA: Commissioner Holloway.

15 COMMISSIONER HOLLOWAY: Aye.

16 MS. FERRARA: Commissioner Mehta.

17 COMMISSIONER MEHTA: Aye.

18 MS. FERRARA: Chairwoman Bettinger.

19 CHAIRWOMAN BETTINGER: Aye.

20 MS. FERRARA: The motion has passed.

21 CHAIRWOMAN BETTINGER: Thank you.

22 MS. FERRARA: The next item on the
23 agenda, applications to be declared exempt. First
24 application, 2012-039-SP, the applicant is 50 Regent
25 Street, LLC, located at 333 Grand Street a/k/a, 325

1 Grand Street, Block 14002, Lot 1, located in Jersey
2 City.

3 Next application, 2012-040-SP, New York
4 SMSA Limited Partnership, located at 238 5th Street,
5 Block 11204, Lot 9, in Jersey City.

6 Next application, 2012-043-SD, Marbella
7 Towers Associates South, LLC, located at 425
8 Washington Boulevard, Block 11606, Lots 44 and 45 in
9 Jersey City.

10 Last application, 2012-044-SP, applicant,
11 Frank Cappa, 453 Communipaw Avenue, Block 2040, Lot
12 C-12 and C-9 in Jersey City.

13 Do I have a motion?

14 On a motion put forth by Commissioner
15 Gomez. Second by Commissioner Holloway.

16 Commissioner Arencibia.

17 COMMISSIONER ARENCIBIA: Aye, with
18 the conditions stated.

19 MS. FERRARA: Commissioner Choffo.

20 COMMISSIONER CHOFFO: Aye with the
21 conditions stated.

22 MS. FERRARA: Commissioner
23 DiDomenico.

24 FREEHOLDER DiDOMENICO: Aye.

25 MS. FERRARA: Commissioner Gomez.

1 COMMISSIONER GOMEZ: Aye.

2 MS. FERRARA: Commissioner Holloway.

3 COMMISSIONER HOLLOWAY: Aye.

4 MS. FERRARA: Commissioner Mehta.

5 COMMISSIONER MEHTA: Aye.

6 MS. FERRARA: Chairwoman Bettinger.

7 CHAIRWOMAN BETTINGER: Aye.

8 MS. FERRARA: The motion has passed.

9 The neck item on the agenda is old
10 business. I do not have any old business. Do we
11 have any old business?

12 CHAIRWOMAN BETTINGER: I just want
13 take a moment to read to the Board the email that I
14 received from the applicant because I believe it
15 reflects the professionalism of this Board, and I
16 wanted to share it with all of you.

17 It says, Chairwoman Bettinger, I just
18 wanted to express my gratitude for your
19 consideration of my concerns at the 1600 Park
20 meeting. I have been to many planning board
21 meetings in Hoboken and have never seen one run with
22 the efficiency and professionalism of your Board.
23 Mr. Tridente's handling of my concern with a
24 thorough investigation was greatly appreciated and a
25 confirmation of the effectiveness of the Board.

1 Sincerely, Mark Lutembry.

2 I want to say that the Board did a
3 tremendous job. It's a pleasure serving with all of
4 you. The next items is new business.

5 MS. FERRARA: New business is the
6 discussion and clarification of the Hudson County
7 Planning Board voting procedures. I would like to
8 turn it over to the attorney, John Curley.

9 MR. CURLEY: We have been following a
10 procedure, which probably is not as well
11 synchronized with what we ought to be doing. My
12 recommendation is to borrow procedures from the
13 Municipal Land Use Law concerning voting on
14 resolutions. I say this because County Planning Act
15 does not have any specific procedures that cover the
16 questions that directly covered under the MLUL.

17 Under the Section 10 of the Municipal Land
18 Use Law, the way of voting on a resolution is
19 conducted is that there is a vote on an application
20 and a decision made at a meeting. At the next
21 meeting, there is a memorializing resolution, but
22 the persons who vote on the memorializing resolution
23 are only those who voted in favor of the action that
24 is being taken by the Board.

25 So if the Board decides to take action, at

1 the next meeting, the memorializing resolution is
2 voted on, but the voting would be limited to those
3 who have voted in favor of the action that the Board
4 has taken, whether it be an approval or a denial or
5 some type of conditional approval.

6 With respect to how many persons would
7 have to be available at the second meeting, the rule
8 under the MLUL is that as long as a single
9 Commissioner who voted in favor of the action being
10 taken is present and a quorum exists at the next
11 meeting, that the resolution can be adopted, even
12 with the vote of that single Commissioner.

13 Typically, we would have numerous Commissioners that
14 are at the decision-making meeting and at the
15 memorializing meeting, but in the event for some
16 reason why we don't have a full quorum, we don't
17 need one in terms of those who are able to take the
18 action.

19 This is recommended so that we would also
20 track the Commissioners. We have new form of
21 resolution that would have a tally sheet indicating
22 who voted for what. That's the basic changes to the
23 procedure.

24 CHAIRWOMAN BETTINGER: I think it's a
25 wonderful recommendation. Do we need to vote on the

1 procedure?

2 MR. CURLEY: I think we probably
3 should pass a resolution adopting that procedure as
4 set forth in Section 10 of the Municipal Land Use
5 Law as the methodology by which we would adopt
6 resolutions.

7 COMMISSIONER HOLLOWAY: Madam Chair,
8 just a question, I accept that, but was there an
9 issue that came about or caused you to look?

10 MR. CURLEY: I would think what's
11 been going on, we've been looking at things piece by
12 piece. I'm hearing a lot from the Board secretary
13 about things that are changing a little bit to make
14 sure things are being done properly and concerns of
15 possible challenges down the road. It's proper to
16 address that early on before we go forward with the
17 procedure.

18 COMMISSIONER CHOFFO: Madam Chair, I
19 have a question. Just reiterate the one part again,
20 Jack, say with the quorum that five members.

21 MR. CURLEY: Yes, then you have a
22 meeting. You only need one person, one
23 Commissioner, who voted in favor of the action that
24 is being taken by the Board. The Board already took
25 the action. The resolution is merely to memorialize

1 the action. If there are three members present who
2 voted in favor of that action, all three could vote
3 on the resolution.

4 COMMISSIONER CHOFFO: How would it be
5 if three vote yes and two vote no?

6 MR. CURLEY: At the next meeting, the
7 no voters don't vote on the resolution.

8 COMMISSIONER CHOFFO: Let me finish
9 my question. The next meeting there is six members,
10 and three that voted yes, only two of them are
11 there, the other four didn't make the last meeting.
12 So you only have two Members. That doesn't really
13 happen, that's hypothetically. What would happen in
14 that case?

15 MR. CURLEY: Those two would vote on
16 the memorialization of the resolution.

17 COMMISSIONER CHOFFO: Because there's
18 a quorum, right?

19 MR. CURLEY: There has to be a quorum
20 to have the meeting, but as far as it has to be a
21 quorum in order to have the meeting, once you've got
22 the meeting, you're only required one Commissioner
23 who voted in favor of the action being taken in
24 order to approve the vote for the memorialization of
25 the resolution.

1 CHAIRWOMAN BETTINGER: As far as the
2 Minutes are concerned, if a Commissioner was not
3 present at the previous meetings, should they, if
4 they read the Minutes, should they vote in favor of
5 the Minutes or abstain?

6 MR. CURLEY: If they have reviewed
7 the Minutes of the meeting, they can vote on the
8 Minutes. I would think most people don't sit around
9 reading the transcripts of the last meeting unless
10 they have a good reason to do so. I would recommend
11 that they abstained voting, unless they read the
12 transcript.

13 COMMISSIONER MEHTA: I understand
14 your position. Most of them is passed at the same
15 meeting and another vote. Sometimes it takes a
16 second or third meeting. At that time if you were
17 present at one meeting and you're missing one
18 meeting, you read the transcription and you vote on
19 the meeting. That's why I usually vote.

20 MR. CURLEY: This would have no
21 impact on that procedure. That procedure would
22 still be in place. If the application is carried
23 from meeting to meeting with continuous hearings,
24 then the Commissioner who reads transcript of the
25 prior meeting would be prepared at the next meeting

1 to vote.

2 CHAIRWOMAN BETTINGER: Okay. Do I
3 have motion?

4 COMMISSIONER GOMEZ: Madam Chair, at
5 the hearing for every meeting, you're going to get a
6 voting record so we know how everyone voted?

7 MR. CURLEY: You may advise the Board
8 secretary if you had not voted or you were not in
9 favor of the action that Board took. Your name
10 would not be called, only those who voted at the
11 decision-making vote.

12 COMMISSIONER GOMEZ: So your name
13 wouldn't be called?

14 CHAIRWOMAN BETTINGER: Even as far as
15 attendance, you're only going to be calling the
16 names of Commissioner that are present?

17 MR. CURLEY: For attendance, we have
18 to have a quorum for the meetings.

19 COMMISSIONER MEHTA: I think we
20 should do something as far as the rules, the
21 official voting in the bylaws. It can be an item of
22 a bylaws.

23 MR. CURLEY: It has not been made an
24 item for the bylaws so far.

25 COMMISSIONER MEHTA: I understand.

1 In a couple of months, the procedure can be reviewed
2 in the January meeting. Can it be included in the
3 bylaws?

4 MR. CURLEY: Yes, it can.

5 CHAIRWOMAN BETTINGER: I think at the
6 next meeting we should start this procedure.

7 COMMISSIONER MEHTA: I think this
8 should be a part of the bylaws. Those are the
9 guidelines, and like even for the other applicant.
10 I also voted on that. That's what I did. That was
11 the procedure at that time, but we are already
12 working on the Board a long time so we know the
13 procedure. So in the middle of the year, if we do
14 something, why we did we observe bylaws anyway? We
15 can include that item in the bylaws.

16 MR. CURLEY: I don't believe the
17 bylaws directly address this issue or this point.

18 CHAIRWOMAN BETTINGER: It was brought
19 to my attention as the Chair. It's the way we
20 should be following the procedures, and I felt it
21 should be suggested at the meeting.

22 COMMISSIONER MEHTA: I don't have any
23 objection. I didn't know before the meeting.

24 CHAIRWOMAN BETTINGER: For the
25 Commissioners that did not know, now it's clear, and

1 we should go forward.

2 We do have a motion on the floor.

3 MS. FERRARA: I would not be opposed
4 for your information to make sure we notify the
5 Commissioners beforehand. There was an email sent
6 out saying there was going to be a discussion on the
7 voting change. I want it on the record because in
8 talking with counsel, Mr. Curley, in case anyone
9 wanted to review the transcripts, they would notice
10 a difference in roll call change, and I thought it
11 was important to have your discussion on the record
12 as well as all your question answered on the record.

13 I would like to and we are going to do a
14 resolution that would be sent out to all
15 Commissioners showing that change. This resolution
16 stated that the bylaws will be amended, and we'll be
17 having a new draft of bylaws in January, which will
18 be including that change.

19 CHAIRWOMAN BETTINGER: I think we
20 have a motion on the floor.

21 MS. FERRARA: Motion made by
22 Commissioner Gomez -- on a motion put forward by
23 Commissioner Holloway. Second by Commissioner
24 Gomez.

25 Commissioner Arencibia.

1 COMMISSIONER ARENCIBIA: Aye.

2 MS. FERRARA: Commissioner Choffo.

3 COMMISSIONER CHOFFO: Aye.

4 MS. FERRARA: Commissioner

5 DiDomenico.

6 FREEHOLDER DiDOMENICO: Aye.

7 MS. FERRARA: Commissioner Gomez.

8 COMMISSIONER GOMEZ: Aye.

9 MS. FERRARA: Commissioner Holloway.

10 COMMISSIONER HOLLOWAY: Aye.

11 MS. FERRARA: Commissioner Mehta.

12 COMMISSIONER MEHTA: Aye.

13 MS. FERRARA: Chairwoman Bettinger.

14 CHAIRWOMAN BETTINGER: I vote aye.

15 MS. FERRARA: The motion has passed.

16 CHAIRWOMAN BETTINGER: Any other new

17 business? Do I have a motion to adjourn?

18 COMMISSIONER CHOFFO: Motion, yes.

19 CHAIRWOMAN BETTINGER: All in favor.

20 (Whereupon the proceeding is then

21 concluded at 8:16 p.m.)

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C E R T I F I C A T I O N

I, SHARI CATHEY, a Registered Professional Reporter and Notary Public of the State of New Jersey, hereby certify that the proceedings herein are from the notes taken by me of a Regular Meeting of the Hudson County Planning Board, held on Wednesday, September 19, 2012; and that this is a correct transcript of the same.

SHARI CATHEY, R.P.R.
A NOTARY PUBLIC of the
State of New Jersey
I.D. No. 2283786
Commission Expires 2/4/17

| | | | |
|---|--|---|-----------------------------|
| & | 1990s 39:11,13,17 | 325 55:25 | a |
| & 26:16 | 1995 39:17 | 333 55:25 | abanoub 26:16 |
| 1 | 1997 39:25 | 36 33:1 51:5 | able 21:3 37:5 40:1 |
| 1 4:20,21,21 10:9,14 10:15 27:25 56:1 1,290 11:8 1,600 11:7 1.01 6:5 1.02 6:5 10 54:23 58:17 60:4 10,000 37:6 100 10:21 11 4:21 11204 56:5 11606 56:8 12 56:12 121 8:4 1325-1335 26:17,23 14 44:22 14002 56:1 1404 8:3 1404-1406 8:3,9 1445-1453 6:4 14th 8:10 10:22 12:20,22,23 13:5,10 13:14 14:8 15:6,9 15:14 16:12,23 17:3 17:21 18:7 19:3,4 19:13 21:7 22:4,5,8 22:8 23:15 25:2,6 14thstreetviaductr... 24:10 15 1:8 154 44:21 45:25 16 11:1 54:23 1600 4:20 57:19 171 55:1 17th 32:16 18 33:17 36:17 37:4 187 44:22 18866 9:11 19 2:4 67:12 1990 39:17 | 2 | 4 | 50:10 59:17 |
| | 2 4:22 6:5 13:24 2/4/17 67:19 2007 40:11 2008 40:12 2011 45:21 2012 1:8 2:4 67:12 2012-023 54:18 2012-025 54:25 2012-030 4:16 5:21 2012-032 4:19 2012-034 54:21 2012-036 8:3 2012-039 55:24 2012-040 56:3 2012-041 26:16 2012-042 44:20 2012-043 56:6 2012-044 56:10 2012-32 5:22 2012-34 6:3 2014 20:5 2040 56:11 2283786 67:18 23 54:20 238 56:4 24 33:1 25 8:4 12:7 27:12 256 4:21 26 8:4 260.02 54:20 27 54:20 28 54:20 | 4 12:5 26:18 50:21 40 47:10 425 56:7 44 56:8 440 32:2 54:23 444 11:12 45 56:8 453 56:11 46 18:24 | absolutely 25:10 |
| | | 5 | abstain 5:20 62:5 |
| | | 5 48:16 51:4 50 10:21 12:14 32:18,23 34:7 55:24 51 36:3 567 1:7 580 47:12 5th 56:4 | abstained 5:17 |
| | | 6 | 62:11 |
| | | 6 48:24 60 4:17 63rd 32:2 699 55:1 6:30 1:9 | accept 7:5 9:22 60:8 |
| | | 7 | accepted 9:25 24:25 |
| | | 7 4:21 26:18 700 11:20 75 47:11 79 6:5 | accessibility 53:5 |
| | | 8 | accessible 11:18 |
| | | 8801 54:22 8801-8809 54:22 8:16 66:21 | achieve 11:25 52:8 |
| | | 9 | act 2:8 6:21 39:24 |
| | | 9 56:5,12 957 4:16 97 39:18 | 58:14 |
| | | | action 6:21 58:23,25 |
| | | | 59:3,9,18 60:23,25 |
| | | | 61:1,2,23 63:9 |
| | | | activities 19:6,19 |
| | | | actual 35:19 40:24 |
| | | | ada 52:17,18 |
| | | | add 32:11 35:11 |
| | | | added 16:24 |
| | | | adding 34:2 37:1 |
| | | | addition 30:14 |
| | | | address 14:12 15:1 |
| | | | 15:19 19:24 60:16 |
| | | | 64:17 |
| | | | addressed 17:9 30:7 |
| | | | 41:20 |
| | | | addresses 14:7 |
| | | | adjacent 18:12 |
| | | | 48:18 |
| | | | adjoining 48:20 |
| | | | adjourn 6:15 7:24 |
| | | | 66:17 |
| | | | adjournment 6:8,14 |
| | | | 7:1,5 |
| | | | adjustment 47:14 |

| | | | |
|--|---|--|---|
| <p>adrian 45:12 advance 19:4 advertised 2:5,7 advise 63:7 aerial 35:14 aesthetic 49:1 aesthetically 48:21 affect 19:7 affirmative 5:22 afford 37:14 afforded 41:25 agenda 4:12,14 6:1 8:3 54:17 55:23 57:9 ago 10:20 32:12 agree 42:6,15,21 agreeable 25:9 agreed 13:20 agreement 17:11 18:1 agreements 17:22 ahead 19:8 aicp 1:18,19 air 46:16 alain 1:14 alan 27:1,6 albedo 48:5 alerted 40:17 allow 37:24 41:11 allowed 24:23 aluminum 51:6 amended 65:16 amount 43:6 answer 23:10 answered 65:12 anthony 26:17 anticipate 20:2 anyway 64:14 apello 6:4 apologize 46:15 apparently 39:23 appearance 9:14 appeared 17:25 27:12,15</p> | <p>appearing 8:7 appliances 12:11,12 applicant 6:3,8,9,12 8:7 16:2 19:9 22:6 22:18,20 26:15,20 32:20 37:14,20 41:25 42:24 43:14 44:25 45:1 55:24 56:10 57:14 64:9 application 4:15,19 5:21 6:3,22 7:25 8:2 8:8,15 10:6 18:4 25:2 40:17,19 44:19 54:18,21,25 55:24 56:3,6,10 58:19 62:22 applications 54:17 55:23 apply 16:11 appreciated 57:24 approval 8:8 11:13 15:6 16:25 17:13 18:20 20:13,15 40:7 40:9 41:21 47:13 51:14,16 59:4,5 approve 7:1 17:15 53:14 61:24 approved 10:10 15:4 16:25 29:19 35:3 47:5 48:2 52:1 approves 17:14 approximately 10:19 11:7,8 12:7 12:14 33:17 47:12 architect 27:1,9 43:8,14 45:6,17,19 45:22 49:6 architecturally 13:19 architecture 9:9,23 45:18 area 21:23 24:6 28:13 29:22 32:5,8 32:8 35:20 37:22,25 38:3 41:7 49:3</p> | <p>areas 11:23 arencibia 1:12 2:14 2:15 3:20,21 5:3,4 7:9,10 15:16,18,24 18:6 19:16 20:1,4 20:19 21:14,18 22:7 22:15,21 23:6 24:1 24:4,8 25:13,19,21 25:22 33:2,11,16 34:8,11,21 35:6 36:16,19,24 37:9 38:10,19 39:2 40:2 40:16 41:3,23 43:24 43:25 44:1 49:10,20 50:4,19 51:1,8,13 51:22 52:4,10,21 53:6,10,18,19 55:5 55:6 56:16,17 65:25 66:1 asked 6:8 asking 23:7 37:19 associates 56:7 assuming 20:13 50:1 attendance 63:15,17 attention 64:19 attorney 1:21 6:10 26:11 44:25 58:8 august 3:10 40:17 available 59:7 avenue 1:7 4:20 55:1 56:11 aware 11:4 16:2 aye 3:21,23 4:1,3,5,7 4:9 5:4,6,9,11,13,24 7:10,12,15,17,19,21 7:23 25:22,24 26:2 26:4,6,8,10 44:1,3,6 44:8,10,12,15 53:19 53:22 54:1,3,5,7,9 55:6,8,11,13,15,17 55:19 56:17,20,24 57:1,3,5,7 66:1,3,6 66:8,10,12,14</p> | <p>b b 12:5 back 11:18 20:14 28:9,13 31:1,7,8 32:10 39:11 background 9:6 27:8 45:16,16 bar 34:5 barrett's 34:5 barrier 14:24 35:15 base 47:16 basement 26:25 28:4 47:15 basic 59:22 basically 28:6 30:8 30:25 39:5 bayonne 26:18,22 26:23,24 27:16 29:11,19 32:13 39:4 39:10,12,19 beautification 41:8 beautified 32:7 bed 11:7,8,18 beginning 30:22 31:5 32:3 behalf 8:7 beholding 39:25 believe 19:10 28:24 29:6 30:7 31:3 32:2 32:17 36:23 40:4,8 40:9,11 42:11 57:14 64:16 benefit 9:5 bergen 6:6,15 54:24 better 28:12 32:9 bettinger 1:12 2:1 2:12 3:2,3,5,8,12 4:8,9,11,23 5:23,24 6:11,17,23 7:2,22 7:23 8:1 9:24 15:16 16:5 20:1 21:25 22:13 23:24 24:3,15 24:19 25:8,11,15 26:9,10,14 31:23</p> |
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| | | | |
|---|---|--|---|
| <p>32:12 36:13 37:18 38:6,17,25 39:6 40:4 41:16 42:3,9 43:5 44:14,15,17 45:8 46:9,15,20 49:8 53:11 54:8,9 54:12 55:18,19,21 57:6,7,12,17 59:24 62:1 63:2,14 64:5 64:18,24 65:19 66:13,14,16,19 beyond 11:2 33:4 52:16 bicycle 30:2 bicycles 12:7 big 52:11,14,23 bigger 34:3 bike 12:5,6 bit 60:13 blank 14:17 block 4:17 6:5 8:4 14:8 26:18 44:21 48:4,17 53:3 54:20 54:23 55:1 56:1,5,8 56:11 blocks 4:21 bloomfield 46:12,23 board 1:1,21 2:3,11 6:10,15 8:6 9:5,14 10:2,11 12:24 13:20 13:25 24:25 25:1 27:8,12,16,25 35:4 39:8 41:15 45:15 47:14 48:13 51:14 51:15 57:13,15,20 57:22,25 58:2,7,24 58:25 59:3 60:12,24 60:24 63:7,9 64:12 67:11 board's 15:10 18:3 boards 27:13 border 26:21 boring 14:17 borrow 58:12</p> | <p>boulevard 4:17 26:17,23 28:9,13 30:3,22 31:4,17 34:9 35:13,25 38:24 41:1,9 54:19 56:8 box 12:25 brand 45:3 brian 44:24 brick 14:4 30:25 48:22 bridge 21:22 22:14 44:20,25 brief 54:15 briefly 48:13 bring 8:17 24:5,14 47:19 49:1 50:5 51:25 brought 41:22 47:25 49:16 64:18 budget 34:1 36:6 build 21:15 building 8:9 10:7 11:5,24,24 12:15,18 13:7,9,17,22 14:13 14:15,22,25 19:17 23:2 26:25 30:19,25 30:25 31:5,12,12 32:8 33:5,7,19 34:5 36:10,12,12 42:8 45:2,3 47:6,12 48:17,21 50:25 51:25 52:19,23 buildings 31:6 48:20 50:16 51:10 built 20:22 21:8 24:6 30:20 37:10 39:5 48:14 bus 37:22,25,25 38:6,11 buses 10:24 38:5 business 57:10,10 57:11 58:4,5 66:17 buy 29:12 bylaws 63:21,22,24 64:3,8,14,15,17</p> | <p>65:16,17 c c 9:3 56:12,12 67:1,1 call 2:2,13 41:5 65:10 called 63:10,13 calling 63:15 cans 51:3,11 cantu 4:16 cappa 56:11 car 12:10 carport 34:22 carried 62:22 cars 11:11 12:10 38:12 case 40:14 61:14 65:8 cathey 67:7,17 caused 60:9 caveat 23:16 center 31:2 certain 24:21 certified 11:25 13:17 certify 67:9 certifying 43:9 chair 1:13 18:6 24:9 24:17 33:2 34:25 35:10 36:1 37:7 38:19 40:2,15 42:23 43:12 49:10 60:7,18 63:4 64:19 chairman 1:12 chairperson 44:24 45:6 49:5 chairwoman 2:1,12 3:2,3,5,8,12 4:8,9 4:11,23 5:23,24 6:7 6:11,17,23 7:2,22 7:23 8:1,6 9:21,24 15:16 16:5 20:1 21:25 22:13 23:24 24:3,15,19 25:8,11 25:15 26:9,10,14</p> | <p>31:23 32:12 36:13 37:18 38:6,17,25 39:6 40:4 41:16 42:3,9 43:5 44:14 44:15,17 45:8 46:6 46:9,15,20 49:8 53:11 54:8,9,12 55:18,19,21 57:6,7 57:12,17 59:24 62:1 63:2,14 64:5,18,24 65:19 66:13,14,16 66:19 challenges 60:15 chambers 1:6 change 14:21 21:22 52:9,11,14 65:7,10 65:15,18 changed 38:2 changes 40:24 48:14 59:22 changing 60:13 chapel 31:14 32:7 33:22 34:4 charge 43:16 charging 12:10 checked 39:3 child 31:17 choffo 1:13 2:16,17 3:11,14,18,22,23 5:1,5,6 7:4,7,11,12 25:23,24 32:15,20 36:14,15 44:2,3 53:13,16,21,22 55:7 55:8 56:19,20 60:18 61:4,8,17 66:2,3,18 church 26:17,21,25 28:3,8 31:8,12 32:10 39:13 40:20 40:25 ciaran 8:13,21 9:2 cinema 11:3 city 1:8 4:19 26:22 29:19 39:3 47:9 54:20 56:2,5,9,12</p> |
|---|---|--|---|

| | | | |
|---|--|--|---|
| <p>cityline 31:1</p> <p>cladding 14:20</p> <p>clarification 58:6</p> <p>clarity 15:4</p> <p>clear 24:16 64:25</p> <p>cleared 37:24</p> <p>clerk 2:11</p> <p>client 42:4 48:3</p> <p>client's 45:2</p> <p>close 18:15</p> <p>closely 19:12</p> <p>cme 1:20</p> <p>cobblestones 22:11</p> <p>college 9:9 45:19</p> <p>combined 17:6</p> <p>come 21:4 23:3 37:19 39:7,20,21,24 42:5 43:15</p> <p>comes 16:13,18 38:13</p> <p>coming 15:13 16:15 35:12,19</p> <p>comment 15:17 16:14 17:7,8 33:15 36:2</p> <p>comments 15:20,21 15:22 16:10 17:24 18:7 23:25 24:16 30:6 49:9 53:12</p> <p>commission 48:2 67:19</p> <p>commissioner 1:13 1:14,15 2:14,15,16 2:17,18,21,22,23,24 2:25 3:1,11,14,16 3:18,18,20,21,22,23 3:24 4:2,3,4,5,6,7 5:1,1,3,4,5,6,7,10,11 5:12,13,14,15,20 7:4,7,7,9,10,11,12 7:13,16,17,18,19,20 7:21 15:18,24 18:6 19:16 20:4,19 21:14 21:18,25 22:2,7,15 22:16,21,22 23:6</p> | <p>24:1,3,8 25:13,17 25:19,20,21,22,23 25:24,25 26:3,4,5,6 26:7,8 32:15,19 33:2,11,16 34:8,11 34:21,25 35:6,8 36:13,15,16,19,24 37:7,9,12 38:10,19 39:2,16 40:2,16 41:2,5,23 43:23,24 43:25 44:1,2,3,4,7,8 44:9,10,11,12 49:10 49:20 50:4,19 51:1 51:8,13,22 52:4,10 52:21 53:6,10,13,16 53:16,18,19,21,22 53:24 54:2,3,4,5,6,7 55:3,4,5,6,7,8,9,12 55:13,14,15,16,17 56:14,15,16,17,19 56:20,22,25 57:1,2 57:3,4,5 59:9,12 60:7,18,23 61:4,8 61:17,22 62:2,13,24 63:4,12,16,19,25 64:7,22 65:22,23,23 65:25 66:1,2,3,4,7,8 66:9,10,11,12,18</p> <p>commissioners 3:9 59:13,20 64:25 65:5 65:15</p> <p>committee 17:20</p> <p>common 12:8 14:5</p> <p>communipaw 56:11</p> <p>complete 13:8 23:2</p> <p>completed 16:17 20:5</p> <p>completely 49:19</p> <p>compliant 52:17</p> <p>comply 42:17</p> <p>complying 30:4 52:18</p> <p>concern 38:16 41:2 57:23</p> | <p>concerned 37:13 62:2</p> <p>concerning 58:13</p> <p>concerns 57:19 60:14</p> <p>concert 18:5</p> <p>concluded 66:21</p> <p>conclusion 13:16</p> <p>concrete 13:18 35:15,24</p> <p>condition 16:25 18:20 20:16 25:1 33:9 41:21 50:2 51:14,16</p> <p>conditional 59:5</p> <p>conditioning 46:16</p> <p>conditions 24:18 26:11 43:19 44:13 53:20,23 56:18,21</p> <p>conducted 58:19</p> <p>confirmation 57:25</p> <p>confirming 20:15</p> <p>conform 47:8</p> <p>confused 30:20</p> <p>connections 13:14</p> <p>consent 6:14</p> <p>consideration 57:19</p> <p>considered 4:14</p> <p>consistent 17:23 18:2 37:15</p> <p>constant 14:21</p> <p>constantly 24:12</p> <p>construct 22:4 28:3</p> <p>constructed 21:22 32:10</p> <p>construction 8:11 13:11 16:22 18:8,10 18:18,21 19:9 21:10 26:21 28:16 30:9,23 34:1 45:4</p> <p>consultant 15:19 21:19</p> <p>contain 11:6,10</p> <p>contemporary 48:22</p> | <p>context 48:18</p> <p>continue 32:11 47:10</p> <p>continues 31:7</p> <p>continuous 62:23</p> <p>contractor 19:6,21</p> <p>contribute 42:1,7,12 42:16 43:1</p> <p>contributing 43:10</p> <p>contribution 23:9 43:17,20</p> <p>control 16:20</p> <p>coordinated 12:23 16:4,7 17:2 21:1</p> <p>coordinating 19:5,8</p> <p>coordination 18:15 19:18</p> <p>copy 48:9</p> <p>corner 8:10 10:21 32:4</p> <p>corporation 44:21</p> <p>correct 9:15 10:18 28:10,14,17 29:5,13 29:14,17,20,24 30:4 30:5,9,13,16 35:22 38:14 42:13,18 44:23 51:12,21 67:13</p> <p>corrected 33:12</p> <p>correction 43:20</p> <p>correctly 22:17</p> <p>cost 22:20 23:15,21 36:17 42:24 43:2,8</p> <p>costly 18:23</p> <p>counsel 65:8</p> <p>counselor 2:4 45:8</p> <p>country 32:3</p> <p>county 1:1,6,12 2:3 2:10 8:8 9:11,14 13:6 15:5,8,11 16:9 16:11,13,18,21 17:5 17:14,15 18:5,20 19:12,20,24 20:15 21:16 22:4,5,19,23 23:1,2,5,8,12,13,17</p> |
|---|--|--|---|

| | | | |
|--|--|--|--|
| <p>23:19,23 24:22 25:3 25:5 27:14 32:1,25 36:4,8 40:7 41:14 41:22,24 42:20 47:25 49:4,16 52:6 58:6,14 67:11 county's 17:3 18:25 19:7 20:25 23:14 couple 22:17 27:12 64:1 course 14:9 cove 4:20 cover 58:15 coverage 10:23 47:11 covered 58:16 cray 1:20 15:22,23 16:1,7 created 14:18 creates 14:24 critical 14:3 cross 31:24 curb 13:4 32:17,25 33:3,4,12,18,21,21 34:21 35:5,17,24 36:2,17,18 37:1,2,4 41:3,18 42:17,18 43:20 49:12,21,22 49:23,24 50:5 curbing 22:11 37:16 50:10 curbings 28:22 curbs 38:11 curley 1:21 2:6 6:12 6:19,25 8:22,25 10:15 21:13 24:17 24:21 27:4 45:10 58:8,9 60:2,10,21 61:6,15,19 62:6,20 63:7,17,23 64:4,16 65:8 current 39:23 currently 10:22,24 18:8,9,10 25:4 30:19 31:12 32:22</p> | <p>33:3,5,7 49:12 51:16 cut 43:20 cuts 32:17,25 36:2 42:17</p> <p style="text-align: center;">d</p> <p>d 1:20 27:6 45:12 daniel 1:13 date 49:2 dated 32:16 day 14:15 days 6:15 7:25 decided 37:10 40:21 decides 58:25 decision 18:3 58:20 59:14 63:11 deck 47:11 declared 55:23 decorative 20:24 22:10,11 36:21,22 defer 42:19 degree 9:8 45:19 degrees 9:6 delay 18:22,23,25 delayed 16:20 21:4 delays 19:1 demetrio 1:12 demolished 49:19 demolition 18:13 denial 59:4 density 47:8 dep 11:13 47:18 51:23 depends 22:25 describe 10:2 design 14:2 38:2 designed 24:24 38:1 desire 29:12 detailed 12:6 detention 12:2,3 47:21 developed 32:7 39:21</p> | <p>development 19:1 38:22 47:20 developments 19:2 didomenico 1:14 2:19,20 3:25 4:1 5:2 5:8,9 7:14,15 26:1,2 30:17 31:11,16,22 31:25 35:10 41:5,6 43:18,23 44:5,6 53:25 54:1 55:10,11 56:23,24 66:5,6 difference 65:10 difficult 46:17 directly 10:25 11:1 11:17 58:16 64:17 director 1:19 discretion 15:10,15 discuss 42:4 43:14 discussed 12:4 15:7 21:12 31:24 discussion 58:6 65:6 65:11 dismissed 54:17 disturb 21:9 23:20 divided 35:23 doing 16:11 58:11 door 53:2 doreen 1:14 draft 65:17 drainage 15:25 28:7 28:22 dramatically 21:22 drawing 48:9 drawings 24:14 48:16 50:13 drive 33:6,19 34:13 34:23 38:12 driveway 28:12 30:2 31:5,7,13 32:23 33:1,4,6 34:6,12,15 34:20,22 35:16,20 38:12 53:8 driveways 32:22 53:7</p> | <p>drop 33:3,4,18 34:21 35:17 38:11 dropped 41:3 dublin 9:9 45:20 duplex 46:14,25</p> <p style="text-align: center;">e</p> <p>e 9:2 27:6 45:13 67:1 earlier 20:7 early 18:11 60:16 easement 15:8,12 easily 52:7 53:1 east 4:17 14:7 15:1 educational 9:5 27:8 45:15 effect 14:20 38:4 effectiveness 57:25 efficiency 57:22 efficient 48:6 efficiently 12:13 eight 45:23 electric 12:10 element 14:6,18 elements 14:3,18 elevation 48:17 49:25 51:5 52:24 elevator 12:13 eliminate 15:9 eliminated 15:15 16:10 email 57:13 65:5 employing 12:1 enclosed 11:10 encroached 51:18 51:20 encroaching 47:22 49:18 encroachment 21:16,19 50:11 52:5 energy 12:12,13,14 48:6 engineer 1:12 21:12 41:24 42:20 43:8,15 49:9</p> |
|--|--|--|--|

| | | | |
|---|---|---|--|
| <p>engineer's 24:22 enhance 36:12 41:9 ensured 41:2 enter 10:12 35:21 entering 35:15 entire 48:4 49:15 53:3 entirely 30:24 entrance 30:2 52:9 entry 52:19 53:2 eric 54:18 esq 1:21 essentially 13:3 15:1 estimate 42:24 43:15 estimated 36:17 evening 2:1 8:5,20 26:19 46:10 event 25:3 59:15 exactly 31:19 exempt 55:23 exercise 15:11 exhibit 27:25 exhibits 10:4 existing 18:13 31:6 33:8,22 45:1 47:4,6 47:22 49:17,17 exists 59:10 expense 22:24 34:3 expensive 49:22 experience 45:16 expert 9:22 46:8 expires 67:19 explain 27:25 explained 16:2 20:7 23:13 express 57:18 extended 33:3 extensive 11:23 exterior 14:2 48:6 eyesore 51:3</p> | <p>facade 14:2,17,22 30:21 faced 48:25 fact 17:8 19:13 39:21 41:6 familiar 19:4 31:9 45:25 family 46:13,24 47:7 49:11 far 28:9 34:3 52:16 61:20 62:1 63:14,20 63:24 father 37:21 38:8 favor 58:23 59:3,9 60:23 61:2,23 62:4 63:9 66:19 fee 23:9,22 feel 13:18 50:24 feet 11:1 17:12 32:18,18,23,23,25 33:17 36:3,17 37:4 47:10,12 50:13 52:15,24 feld 27:1,6,6,7,9,17 27:20,23 28:2,10,14 28:17,21 29:1,5,8 29:14,17,20,24 30:5 30:10,13,16,17,24 31:21 33:8,14,23 34:10,17 35:23 36:9 36:23 fell 39:23 40:12 felt 64:20 fence 33:5,20 50:11 50:14,18,23 51:1,2 51:6,10,17,19 ferrara 1:19 2:14,16 2:18,21,23,25 3:2,4 3:17,22,24 4:2,4,6,8 4:10,13,25 5:5,7,10 5:12,14,19,25 7:6 7:11,13,16,18,20,22 7:24 8:2 25:18,23 25:25 26:3,5,7,9,13 26:15 40:15 41:19</p> | <p>42:14,19 43:12,22 44:2,4,7,9,11,14,16 44:19 53:15,21,24 54:2,4,6,8,10,16 55:7,9,12,14,16,18 55:20,22 56:19,22 56:25 57:2,4,6,8 58:5 65:3,21 66:2,4 66:7,9,11,13,15 field 9:22 figure 30:18 filing 20:17 filled 31:21 final 20:14 47:13 finalized 39:22 finally 39:14,22 financially 40:20 financing 39:14 find 14:12 fine 21:17 finish 61:8 finished 13:9 first 4:15 5:21 6:3 9:3,13 11:10 12:1,3 15:19 28:4 33:15 35:18 39:1,19 40:17 47:15 54:17 55:23 five 10:8 11:6,8 37:6 39:14 45:19 50:12 60:20 fixtures 48:6 flag 3:6,7 flavor 54:21 flood 47:16 floor 1:7 11:10,13 11:17,19 12:3 13:2 17:19 26:25 28:4 47:1,15,16 52:3 65:2,20 floors 10:8 46:25 52:2 flowers 30:12 folders 6:10 follow 15:20 16:8 18:7</p> | <p>followed 6:13 following 58:9 64:20 foot 10:21 11:7,9,12 11:20 47:16 51:25 52:15 form 59:20 formal 6:9 51:15 forth 3:17 4:25 7:6 25:18 56:14 60:4 forward 42:5 43:23 53:15 55:3 60:16 65:1,22 found 38:20 39:2 fountain 28:25 29:1 four 12:20 14:9 20:9 46:13,24 47:1,3 48:19 52:2 61:11 franchise 17:11,21 18:1 frank 56:11 freeholder 1:14 2:11 2:20 4:1 5:9 7:15 26:2 30:17 31:11,16 31:22,25 35:10 41:6 43:18 44:6 51:15 54:1 55:11 56:24 66:6 freeholders 1:6 front 22:5 29:2 31:13 33:5 34:18 36:10 42:7 50:22 51:5 52:9 frontage 16:23 36:4 41:13 full 8:25 59:16 fully 13:17 fund 42:7,13,16 further 51:20 futile 15:11</p> |
| <p>f</p> | | | <p>g</p> |
| <p>f 27:6 67:1</p> | | | <p>garage 11:11 12:9,9 34:23 38:12 garbage 50:24 51:3 51:11</p> |

| | | | |
|---|--|--|--|
| <p>garden 46:12,23 gardens 15:13 gate 32:23 general 15:25 16:3 31:8 38:3,10 george 54:18 germane 17:24 getting 15:11 38:5 give 9:5 10:20 15:13 18:1 given 11:14 glad 13:20 go 13:25 20:14 24:10 42:8 48:12 51:15 60:16 65:1 goes 8:18 17:15 going 8:11 10:3 13:1 15:10 17:25 18:11 18:12,15,16,17,18 19:7 21:4,21,23 22:9,22,23 23:13 29:15 30:20 35:19 35:21 38:23 48:10 48:14 49:18,21 50:12,13 51:19,20 51:24 53:3 60:11 63:5,15 65:6,13 gomez 1:14 2:21,22 3:16,19 4:2,3 5:10 5:11 7:16,17 25:17 25:20 26:3,4 44:7,8 54:2,3 55:12,13 56:15,25 57:1 63:4 63:12 65:22,24 66:7 66:8 good 2:1 8:5,20 13:19 20:11 26:19 31:22 46:10 50:1 62:10 grade 15:6,14 22:9 52:9,11,14,22 grand 8:3,4,9,10 10:22 11:3 12:21 13:14 14:5 19:14 49:12 55:25 56:1</p> | <p>granite 49:12,22,23 49:24 grant 15:8 gratitude 57:18 greatly 57:24 green 12:22,25 13:2 15:13 ground 16:9 17:11 20:18,21 guess 38:1 guidelines 64:9 gutierrez 54:19</p> <hr/> <p style="text-align: center;">h</p> <hr/> <p>h 4:21,21 half 51:7 handle 34:4 handling 57:23 hanging 13:2,3,3 15:12 17:16,19 happen 61:13,13 he'll 8:14 hear 46:17,19 heard 26:16 hearing 6:3 33:15 60:12 63:5 hearings 62:23 heat 12:17 heating 12:18 height 47:10 52:1 held 67:11 help 34:20 36:25 hidden 51:2 high 12:13 48:5 51:5 higher 36:21 52:20 highly 41:10 historically 15:7 hoboken 4:20,20,22 8:4 10:9,10,22 11:3 12:24 13:20 14:5 15:5 17:13 20:14 22:3 24:25 44:22 45:23 46:1 47:9,13 50:15 57:21</p> | <p>hold 9:7 holloway 1:13 2:23 2:24 4:4,5 5:12,13 7:18,19 26:5,6 34:25 35:8 37:7,12 39:16 44:9,10 54:4 54:5 55:4,14,15 56:15 57:2,3 60:7 65:23 66:9,10 homes 44:20,25 hon 1:14 honest 33:25 house 40:22 49:11 50:16 hudson 1:1,6 2:3,10 9:11 27:13 58:6 67:11 hundred 10:23 hypothetically 61:13</p> <hr/> <p style="text-align: center;">i</p> <hr/> <p>i.d. 67:18 idea 10:20 20:11 identify 34:20 image 32:9 immediately 32:1 impact 47:19 62:21 impervious 10:23 47:24 important 18:19 65:11 improvement 24:24 improvements 11:5 12:23 13:7 16:11,19 16:22 20:21,23 23:12,14 28:5 inch 51:5,7 inches 50:6 52:2 include 64:15 included 64:2 includes 29:7 including 65:18 increase 49:3</p> | <p>indicated 19:11 26:22 42:16 51:9 indicating 59:21 information 65:4 informed 39:7 install 22:5,18 23:14 45:5 installed 16:21 28:23 installing 22:10 29:7 insurance 47:17 intend 45:5 49:13 intentions 45:3 interact 19:23 interest 14:14 interior 16:17 investigation 57:24 inviting 21:24 involve 17:5 ireland 9:10 issue 18:2 37:14,16 60:9 64:17 issued 17:22 issues 19:25 41:20 item 4:12,13 6:1 15:23 17:10 54:16 55:22 57:9 63:21,24 64:15 items 12:1 47:20 58:4 ivy 13:3</p> <hr/> <p style="text-align: center;">j</p> <hr/> <p>j 1:21 jack 60:20 jacqueline 4:16 january 64:2 65:17 jersey 1:8,8 2:9 4:18 6:6 9:10 26:22 27:10 45:21,22,23 56:1,5,9,12 67:9,18 job 1:25 58:3 john 1:21 6:4 58:8 jose 4:16</p> |
|---|--|--|--|

| | | | |
|---|--|--|--|
| <p>journal 2:9 jurisdiction 17:7</p> | <p>letters 6:10 level 10:9 13:4 16:8</p> | <p>m</p> | <p>62:9,15,16,17,18,19 62:23,23,25,25 63:5 64:2,6,21,23 67:10</p> |
| <p>k</p> | <p>16:9 17:11,16 20:21</p> | <p>m 45:13</p> | <p>62:23 63:18</p> |
| <p>k 9:2 55:25 kappock 44:23,24 45:14,24 46:3,6 47:2 48:8,12 49:5 54:11 kearny 55:2 keep 12:17 21:20 51:25 kelly 8:13,15,19,20 8:21,22 9:2,2,4,8,16 9:20,22 10:1,6,18 13:23 14:1 22:25 kennedy 26:17,23 28:9,12 30:3,22 31:4 34:9 38:24 41:1 54:19 kind 21:10 24:4 know 14:4,15 22:19 23:10 24:13 30:18 35:1,17 36:5,6 38:22 40:19 63:6 64:12,23,25</p> | <p>20:22 22:9 47:15 53:2 license 9:11 licensed 9:10 27:9 45:20 licenses 9:6 lieu 41:16,17 42:12 lighting 14:21 20:24 28:6 48:6 limitation 6:20 limited 56:4 59:2 line 14:24 19:18 20:23 35:18 little 37:13 40:24 60:13 llc 8:3 55:25 56:7 located 8:9 44:21 46:11,19,22 54:19 54:22 55:25 56:1,4 56:7 location 6:4 13:13 long 16:12 19:21 20:2,3 28:11 33:17 59:8 64:12</p> | <p>ma'am 25:10 madam 6:7 8:5 9:21 18:6 24:9,17 33:2 34:25 35:10 36:1 37:7 38:19 40:2,15 42:23 43:12 44:23 45:6 46:6 49:10 60:7,18 63:4 main 26:25 major 11:4 making 59:14 63:11 management 17:4 marbella 56:6 march 45:21 mario 32:24 mario's 32:21 mark 10:4,13 27:24 58:1 masonry 11:1 massey 1:18 32:19 36:1 42:23 43:2,7 massiel 1:19 materials 14:4 48:21 matter 19:22 matters 6:2 matulo 8:5,6 9:4,13 9:17,21 10:1,13,16 13:21,24 15:3 19:10 19:23 20:12 21:11 21:17 23:11 25:10 26:12 mean 20:17 34:4,13 35:17 36:21 51:23 meet 53:4 meeting 1:4 2:2,4,6 2:8,10 3:9 4:15 6:22 17:20 19:11 24:4 37:8,11 57:20 58:20 58:21 59:1,7,11,14 59:15 60:22 61:6,9 61:11,20,21,22 62:7</p> | <p>meetings 2:8 57:21 62:3 63:18 megan 1:18 mehta 1:15 2:25 3:1 4:6,7 5:14,15 7:8,20 7:21 22:1,2,16,22 26:7,8 44:11,12 53:17 54:6,7 55:4 55:16,17 57:4,5 62:13 63:19,25 64:7 64:22 66:11,12 melia 45:12,13,14 45:17,24 46:2,5,7 46:10,18,22 47:6 48:8,11,15 49:15 50:1,15,21 51:4,12 51:21,24 52:7,13,25 53:8 members 8:6 10:2 60:20 61:1,9,12 memorialization 4:14 5:17 61:16,24 memorialize 60:25 memorializing 58:21,22 59:1,15 menochaca 55:1 mentioned 17:13 21:19 26:11 28:4 35:1 37:8 47:3 meola 26:19,20 27:7 27:15,18,21,24 28:8 28:11,15,18,24 29:3 29:6,10,15,18,21,25 30:6,11,14 31:3,14 31:19 33:25 37:21 38:8 39:9,18 40:6 42:6,11,15,21 43:1 43:4 44:18 mercier 32:1,4 merely 60:25 met 16:1</p> |
| <p>l</p> | <p>look 24:7 34:14</p> | <p>matter 19:22</p> | <p>62:9,15,16,17,18,19</p> |
| <p>l 9:2,2 27:6 45:13 land 58:13,17 60:4 landscape 43:8,14 landscaped 11:15 11:23 12:4,15 landscaping 28:6,20 28:21 29:9 30:15 large 14:6 late 37:17 law 58:13,18 60:5 leads 28:12 30:3 leave 18:2 34:12 led 40:7,8 48:6 ledger 2:9 leed 11:24 13:17 left 35:13 letter 32:16,21,21</p> | <p>36:12 48:10 50:20 60:9 looked 37:11 looking 30:21 31:4,6 60:11 looks 32:9 36:22 50:20 lot 4:17,21 6:5 10:21 10:23 14:9 16:10 24:14 26:18 31:8,16 44:22 47:11 55:1 56:1,5,11 60:12 lots 4:21 6:5 8:4 54:20,23 56:8 low 12:13 47:19 lutembry 58:1</p> | <p>matter 19:22 matters 6:2 matulo 8:5,6 9:4,13 9:17,21 10:1,13,16 13:21,24 15:3 19:10 19:23 20:12 21:11 21:17 23:11 25:10 26:12 mean 20:17 34:4,13 35:17 36:21 51:23 meet 53:4 meeting 1:4 2:2,4,6 2:8,10 3:9 4:15 6:22 17:20 19:11 24:4 37:8,11 57:20 58:20 58:21 59:1,7,11,14 59:15 60:22 61:6,9 61:11,20,21,22 62:7</p> | <p>62:9,15,16,17,18,19 62:23,23,25,25 63:5 64:2,6,21,23 67:10 meetings 2:8 57:21 62:3 63:18 megan 1:18 mehta 1:15 2:25 3:1 4:6,7 5:14,15 7:8,20 7:21 22:1,2,16,22 26:7,8 44:11,12 53:17 54:6,7 55:4 55:16,17 57:4,5 62:13 63:19,25 64:7 64:22 66:11,12 melia 45:12,13,14 45:17,24 46:2,5,7 46:10,18,22 47:6 48:8,11,15 49:15 50:1,15,21 51:4,12 51:21,24 52:7,13,25 53:8 members 8:6 10:2 60:20 61:1,9,12 memorialization 4:14 5:17 61:16,24 memorialize 60:25 memorializing 58:21,22 59:1,15 menochaca 55:1 mentioned 17:13 21:19 26:11 28:4 35:1 37:8 47:3 meola 26:19,20 27:7 27:15,18,21,24 28:8 28:11,15,18,24 29:3 29:6,10,15,18,21,25 30:6,11,14 31:3,14 31:19 33:25 37:21 38:8 39:9,18 40:6 42:6,11,15,21 43:1 43:4 44:18 mercier 32:1,4 merely 60:25 met 16:1</p> |

| | | | |
|---|--|---|---|
| <p>metal 14:20 metha 5:20 methodology 60:5 mezzanine 27:1 28:5 mic 6:18 42:10 michael 1:13 microphone 8:16 16:6 middle 35:24 64:13 million 18:24 mindful 6:16,20 minervini 19:10 45:18 minervini's 8:13 9:18 minimize 34:18 minute 54:13 minutes 3:9 62:2,4,5 62:7,8 missing 62:17 mlul 58:16 59:8 modification 40:12 modified 40:11 moment 42:4 57:13 month 7:1 10:20 months 20:9 64:1 motion 3:13,15,17 4:10,24,25 5:25 7:3 7:4,6,24 25:12,14 25:18 26:13 43:22 44:16 53:13,15 54:10 55:2,3,20 56:13,14 57:8 63:3 65:2,20,21,22 66:15 66:17,18 move 43:19 moved 35:3 movement 14:22 moving 18:11,14 19:5 multiphase 20:6 municipal 9:14 58:13,17 60:4</p> | <p>municipality 6:6</p> <hr/> <p style="text-align: center;">n</p> <hr/> <p>n 9:3 45:12 67:1 name 8:20 9:1,1,3 27:5,5 44:24 45:11 63:9,12 named 45:11 names 63:16 national 47:16 native 29:22 30:15 near 30:2 32:3 necessarily 17:24 necessary 50:25 neck 57:9 need 6:24 8:15 10:4 39:20,21 40:6,9,10 41:7 43:6 50:6,9 59:17,25 60:22 needed 14:12 37:23 38:16 39:7 needs 19:24 20:25 neighborhood 32:11 neighboring 51:10 never 33:24 39:4 57:21 new 1:8 4:17 6:6 9:10 27:10,10 28:3 30:24 36:18 38:13 45:3,20,22,23,25 49:14 56:3 58:4,5 59:20 65:17 66:16 67:8,18 newark 44:21 46:12 46:23 nj1306974 1:25 nonprofit 40:20 normally 23:23 north 6:6,14 10:25 20:8 46:11,19,22 54:23 northbound 35:13 northwest 10:21 notary 67:8,17</p> | <p>note 16:24 noted 41:3 47:14 48:3 52:16 notes 67:10 notice 2:8 65:9 notify 65:4 number 10:11 11:15 12:1 14:3,3 numerous 59:13</p> <hr/> <p style="text-align: center;">o</p> <hr/> <p>o 67:1 o.f.d. 54:22 objection 64:23 observable 32:22 observe 64:14 obtain 16:25 obtaining 6:14 obvious 34:15 obviously 14:1 33:18 37:14 38:23 50:7 occupants 14:25 offered 48:3 office 8:14 9:18 11:12 14:7 official 63:21 offset 22:20 oftentimes 38:13 okay 6:23 15:3 19:21 34:12 43:4 63:2 old 32:13 57:9,10,11 once 18:10 21:22 61:21 open 2:7 21:23 22:5 opening 34:18 50:6 openings 50:8 opposed 52:3 65:3 opposite 18:8 option 17:14 order 2:2 11:25 61:21,24 ordinance 47:9</p> | <p>ordinances 15:8 ordinary 29:23 orientations 15:1 originally 35:12 52:1 ought 58:11 overall 12:17 52:1 overhead 46:16 overpass 32:2 oversized 38:21 owner 38:13 owners 14:13</p> <hr/> <p style="text-align: center;">p</p> <hr/> <p>p.e. 1:18,20 p.m. 1:9 66:21 p.p. 1:20 painted 51:6,6 parapet 13:3 17:19 park 4:20 32:1,4 57:19 parking 10:9 12:7,8 12:9 28:6 31:8 53:9 part 22:8 23:15 27:18 29:6 38:1 52:20 60:19 64:8 particular 15:23 29:16 particularly 14:5 partnership 56:4 pass 60:3 passed 4:10 7:25 26:24 39:19 44:16 54:10 55:20 57:8 62:14 66:15 passes 5:25 26:13 passing 14:15 pattern 14:20 paul 1:20 pavers 36:21,22 47:24 pavonia 1:7 paying 23:22,23 pe 1:12</p> |
|---|--|---|---|

| | | | |
|---|--|--|---|
| <p>pedestrians 21:24 pending 11:13 penetrate 17:17 pennsylvania 27:11 people 14:14 34:13 37:24 38:5 62:8 percent 10:23 12:14 47:11 perfectly 15:9 33:25 performing 23:1 permanent 36:10,11 permit 38:21 50:6,9 permits 38:15 permitted 19:20 46:7 person 60:22 persons 58:22 59:6 pertaining 17:10 phase 4:20 photographs 10:12 10:17,19 24:12 33:17 37:3 pick 50:17 picture 35:7 pictures 30:21 35:14 piece 60:11,12 pitch 52:22 pitched 52:16 pits 30:9 place 28:19 39:15 62:22 placed 16:24 plain 17:17 18:3 plan 8:8 16:15,24 17:4 18:4 23:12 26:20 29:7 37:8 38:18 40:19,25 planned 17:23 18:4 18:5 25:4 planner 1:18 planning 1:1,19 2:3 6:9 19:22 27:16 32:24 37:15 39:8 57:20 58:7,14 67:11</p> | <p>plans 6:1 11:15 12:25 17:3 22:14 23:5 27:21,22 33:14 39:22 40:11 46:4,8 47:5 plant 22:20 30:12 42:2 48:3 planted 29:19 planter 12:25 15:6 21:15 34:18,19 35:1 35:2,2 36:10,11 38:4 planters 15:14,17 17:12 24:23 planting 23:7 34:9 36:5,7 42:12 43:9 plantings 47:24 plants 13:3 17:16 23:8 plaza 22:17 31:1 please 2:13 3:6 6:17 8:25 10:2 16:6 27:4 45:10 46:9 pleasure 58:3 plumbing 31:9 point 14:14 15:3 17:22 19:17 24:22 35:24 37:10 39:23 49:7 54:14 64:17 pool 31:18,21 32:13 portion 18:14 position 62:14 possible 17:3 34:17 60:15 posted 2:10 power 40:18 pp 1:12,19 practice 27:11 precaution 33:20 prefer 36:9 prepared 62:25 present 1:17 59:10 61:1 62:3,17 63:16 presenting 8:14</p> | <p>presently 31:15 presume 50:8 pretty 18:3 28:9 34:2 51:9 previous 48:13 62:3 price 37:5 pricey 36:25 pricing 43:13 principal 1:18 prior 62:25 priority 18:21 25:5 privacy 14:13,16,25 private 11:16,19 27:11 47:11 probably 31:6 34:6 50:8 51:6 52:2 58:10 60:2 problem 30:3 33:24 35:2 39:9 procedure 6:13 58:10 59:23 60:1,3 60:17 62:21,21 64:1 64:6,11,13 procedures 58:7,12 58:15 64:20 proceeding 19:3 54:14 66:20 proceedings 1:4 67:9 professional 9:6 67:7 professionalism 57:15,22 program 29:11 47:17 progress 24:11,12 project 8:12 10:3 15:4 16:3,3,9,12,16 18:9,12,21,22,24,25 19:4,8 20:2,6,25 21:2 22:8,12 23:18 24:7,14 25:5,6 27:19 28:1,2,15 29:16 34:1 37:9 38:18,20,23 39:3,10</p> | <p>45:17,21,25 46:11 46:18 projects 19:5 22:17 24:5 proper 6:13 38:15 60:15 properly 2:5,7 60:14 property 13:12 14:23 17:8 23:4 28:3,7 29:2 33:3 38:15 41:13 47:4 49:3,14,24 proposal 13:19 propose 13:8 proposed 10:3 11:16 13:10 46:11,18 47:15,20 48:9,17 50:22 proposing 12:12,20 12:21 29:8 47:20,23 48:1,5 provide 13:1 14:16 45:15 48:9 provides 14:24 public 2:8 6:2 21:23 67:8,17 published 2:9 purposes 25:7 pursuant 42:17 purview 40:13 put 3:17 4:25 7:6 25:18 34:17,19 36:7 38:2 39:15 41:12 43:22 53:15 55:3 56:14 65:22 putting 30:1 35:1</p> |
| q | | | |
| <p>qualified 8:16 quality 32:11 quantity 50:23 question 20:20 32:16 36:16 39:1 40:3 47:2 60:8,19 61:9 65:12</p> | | | |

| | | | |
|--|---|---|---|
| <p>questions 32:14 49:6 58:16 quick 47:2 quorum 3:4 59:10 59:16 60:20 61:18 61:19,21 63:18</p> | <p>recommended 59:19 recommending 41:17 reconstruction 11:5 record 5:19 6:7 9:1 10:5,16 16:24 27:5 45:11 63:6 65:7,11 65:12 records 24:11 recycling 50:17 red 14:4 44:20,25 redeveloping 41:7 redevelopment 23:16 redoing 23:21 reduce 12:17 reduced 32:17 35:17 39:12 47:8 reducing 32:25 refer 10:3 13:24 reference 29:21 referring 35:20 48:15 reflect 5:20 reflective 12:16 reflects 57:15 regard 36:2 regarding 15:17 regent 55:24 registered 67:7 regular 1:4 6:22 67:10 reiterate 40:16 60:19 reiterated 19:12 relating 30:8 remaining 16:14 remedial 38:14 remember 31:17 remove 11:14 45:3 49:23 removed 36:11 47:23 49:21 51:19</p> | <p>removing 13:1 rendering 13:21 22:14 24:5 renee 1:12 repair 32:6 replace 21:10 49:2 replacing 48:24,25 reporter 67:8 representing 41:23 request 6:9 17:11 29:12 requested 15:5 requesting 6:13 35:4 47:17 required 6:21 61:22 requirement 12:24 38:14 requirements 52:19 reset 49:24 resetting 49:13 residential 10:7,8 11:6 resolution 26:24 39:10,12,25 58:18 58:21,22 59:1,11,21 60:3,25 61:3,7,16 61:25 65:14,15 resolutions 4:14 39:19 40:8 58:14 60:6 respect 49:20 59:6 responsible 22:6 23:21 rest 49:22 result 19:1 21:9 reused 50:2 review 16:14 17:24 38:18 40:19,21 65:9 reviewed 10:10 46:3 62:6 64:1 richard 26:19 right 8:10 10:1 17:18 18:18 19:17 19:18,20 20:6,11,17 20:22 21:7,8,14,16</p> | <p>21:20 24:19,24 25:7 31:1 33:9 34:19 42:1 51:17,18 52:6 52:10,22 53:8 61:18 rise 3:6 river 54:22,23 road 35:23 36:4,8 41:14 50:6 54:22,23 60:15 roadway 22:19 robert 8:6 rocio 54:25 roll 2:13 65:10 roof 11:15,19,23 12:17 47:11 48:4 roofs 12:4,16 rule 38:11 59:7 rules 63:20 run 49:2 57:21 rushabh 1:15</p> |
| <p>r</p> | | | |
| <p>r 9:3 45:12 67:1 r.p.r. 67:17 rack 30:2 racks 12:5 raise 33:12,21 36:20 37:2 52:24 raised 37:1 ramp 52:17 53:1 read 57:13 62:4,11 62:18 reading 22:2 62:9 reads 62:24 ready 23:3,17 realize 39:20 40:13 really 20:14 34:3,12 37:3,14 61:12 rear 47:21,24 reason 16:19 21:3 25:3 39:24 40:10 59:16 62:10 reasonable 37:5 rebuilt 49:19 receive 32:20 received 3:9 47:13 57:14 receptacle 50:17 receptacles 50:24 recess 54:13,15 recommend 21:15 33:21 41:10 49:23 62:10 recommendation 24:23 40:23 41:14 58:12 59:25 recommendations 30:1 40:24 49:4</p> | | | |
| | | <p>s</p> | |
| | | <p>safety 33:20 38:16 41:1 salute 3:6,7 saying 32:21 35:9 52:22,25 65:6 says 22:4 57:17 scale 48:20,23 50:16 scenery 21:21 schedule 20:6,10 scheduled 6:2 26:16 44:20 schuyler 55:1 sd 56:6 second 3:16,18 4:19 5:1,16,17 6:1 7:7 11:17,19 12:3 13:2 17:16,19 25:1,16,17 25:19 39:11 43:23 47:1 55:4 56:15 59:7 62:16 65:23 seconded 53:16 secretary 60:12 63:8</p> | |

| | | | |
|---|--|---|---|
| <p>section 22:3 58:17 60:4</p> <p>see 8:18 11:22 27:22 35:14,16 48:16,24 51:2</p> <p>seen 57:21</p> <p>sent 65:5,14</p> <p>separate 17:6</p> <p>september 1:8 2:4 32:16 67:12</p> <p>sequencing 23:18</p> <p>series 10:17,18</p> <p>serious 18:23</p> <p>serving 58:3</p> <p>session 15:7</p> <p>set 30:25 43:6,13 48:16 60:4</p> <p>sewer 17:6</p> <p>shade 23:8 29:9,10 41:8,11,11,17,24 42:25 43:3,3,11,13 43:16,21 48:2</p> <p>share 57:16</p> <p>shari 67:7,17</p> <p>sheet 10:13 11:22 12:5 50:21 51:4 59:21</p> <p>shopping 31:1</p> <p>show 11:21 12:25</p> <p>showing 65:15</p> <p>shown 28:19 50:23</p> <p>shows 33:18 48:17 51:5</p> <p>shrubbery 29:22 30:12</p> <p>shrubs 29:3</p> <p>side 18:8,9,12 20:8,8 31:10 32:4 46:11,19 46:23</p> <p>sidewalk 12:16 21:3 33:13 36:18,20,20 36:25 37:2,4 41:17 41:21 47:23,25 48:4 49:14,15,18 50:12 51:11 52:8,17,20</p> | <p>53:1</p> <p>sidewalks 20:23 22:11</p> <p>sight 35:18</p> <p>significant 14:11 22:12</p> <p>significantly 47:22</p> <p>similar 48:20 51:10 53:2</p> <p>simply 39:21</p> <p>sincerely 58:1</p> <p>single 59:8,12</p> <p>sit 62:8</p> <p>site 6:1 8:8 10:11,17 10:18,19,20,23 12:19 13:19 26:20 28:5 34:10 37:8 38:18 40:19,25 41:12 43:15</p> <p>sites 19:7</p> <p>sits 14:6 28:8 30:19</p> <p>situation 36:3</p> <p>six 9:12,18 10:7 12:20 61:9</p> <p>size 12:15 39:12</p> <p>sketch 50:20</p> <p>slats 51:7</p> <p>slope 52:18 53:2</p> <p>slot 12:3</p> <p>smaller 14:18</p> <p>smsa 56:4</p> <p>solid 14:23</p> <p>somebody 33:6,19 34:23</p> <p>somewhat 14:15 37:13</p> <p>soon 20:18</p> <p>sorry 32:19 41:4 46:17</p> <p>sound 14:24</p> <p>south 11:2 18:9 20:7 56:7</p> <p>southbound 35:16 35:21</p> | <p>sp 4:16,19 5:21,22 6:3 8:3 26:16 44:20 54:18,21,25 55:24 56:3,10</p> <p>space 11:12</p> <p>spaces 11:11 12:8</p> <p>speak 6:17 16:5 42:9 46:7</p> <p>specific 16:8 58:15</p> <p>spell 9:1 27:5 45:11</p> <p>spoke 17:20</p> <p>spot 37:22</p> <p>square 11:7,9,12,20 47:12</p> <p>st 26:16,17</p> <p>staging 13:10,12 19:13</p> <p>stair 47:22 49:17</p> <p>stamped 36:22,23</p> <p>standard 12:14 33:1 41:22 42:18</p> <p>standards 48:1 49:16 53:5</p> <p>star 2:9 12:12</p> <p>start 8:23 18:11,13 18:17 64:6</p> <p>started 20:10</p> <p>state 8:25 9:10 23:18 27:4,10 45:10 45:20 67:8,18</p> <p>stated 41:6 53:20,23 56:18,21 65:16</p> <p>station 12:10</p> <p>stay 41:10</p> <p>staying 33:22</p> <p>steel 48:22 51:6</p> <p>steeper 52:17</p> <p>steps 51:17 52:5</p> <p>stick 17:12</p> <p>stop 37:25 38:7</p> <p>stopped 37:23</p> <p>stops 38:11</p> <p>storage 10:24 12:6,6</p> <p>stories 47:3</p> | <p>storm 12:2</p> <p>stormwater 12:2 17:4 47:21</p> <p>story 10:7 11:1 30:25 46:13,24 47:7 48:19,25</p> <p>strained 40:21</p> <p>street 8:4,9 10:22 11:3 12:20,20,21,22 12:23 13:4,5,11,14 13:15 14:5,8,19 15:6,9,14 16:12,23 17:4,21 18:7 19:3 19:13,14 20:22,24 21:7 22:4,6,8,9 23:15 25:2,2,6 31:24 32:2 44:21 45:25 46:12,23 48:1 49:13,22 50:8 52:16 52:23 53:4 55:25,25 56:1,4</p> <p>streetlights 22:10</p> <p>streets 46:13,24</p> <p>streetscape 16:9,18 20:20</p> <p>stretch 17:23</p> <p>stretched 34:2</p> <p>structure 11:1 13:18 20:21 46:13,24 47:7 49:1</p> <p>structures 48:18,19</p> <p>stucco 48:25</p> <p>subdivisions 6:2</p> <p>subject 15:5 16:13</p> <p>submit 42:24</p> <p>submitted 17:8</p> <p>substance 20:16</p> <p>substantially 16:16</p> <p>suggested 64:21</p> <p>summer 20:5</p> <p>supply 31:9</p> <p>suppressed 13:17</p> <p>sure 10:6 14:1 20:9 21:1 23:9 34:15 37:16 41:1 48:11</p> |
|---|--|---|---|

| | | | |
|--|--|--|--|
| <p>60:14 65:4 surfaces 12:16 survey 17:8 swear 8:23 sworn 8:15,24 27:2 27:3 45:7,9 synchronized 58:11 system 12:3,22 13:2 17:6</p> | <p>things 28:18 34:14 37:13 60:11,13,14 think 6:25 23:6 34:5 41:2,4,8,19 50:12 52:7 59:24 60:2,10 62:8 63:19 64:5,7 65:19 thinking 35:12 third 1:7 12:5 25:4 62:16</p> | <p>48:1,2 trees 12:20 13:4 20:23 22:10,18 23:7 23:8 29:7,9,10,12 29:18 30:8 34:9,16 36:7,8 41:12 48:3 tremendous 58:3 tridente's 57:23 trinity 9:9 45:19 trucks 10:24 true 22:21 28:16 try 34:14 trying 30:18 37:15 turn 35:13 58:8 turnpike 6:4 two 11:1,8,19 12:21 30:25 33:1 41:20 45:4 46:13,24,25 47:1,3,9 49:11 54:13 61:5,10,12,15 type 43:3,10 59:5 typical 23:22 typically 41:11 59:13</p> | <p>use 12:13,14 13:11 25:6 30:15 32:8 33:23 34:6 50:5 58:13,18 60:4 uses 12:14 usually 62:19 utilities 50:7 utility 13:13 50:7</p> |
| <p>t</p> | <p>thorough 57:24 thought 35:11 39:25 65:10 three 11:7,18 20:9 29:8 36:7 45:2,2 47:1,7,7 48:25 52:2 61:1,2,5,10 tight 36:6 time 5:16 6:16,20 13:6,8 14:16,23 19:8 39:18 62:16 64:11,12 times 27:13 timing 20:20 22:25 told 13:11 40:10 tonight 17:1 top 15:13 touched 45:1 towers 56:7 track 59:20 tradition 48:21 traffic 14:9 15:25 18:14 transcript 1:4 62:12 62:24 67:13 transcription 62:18 transcripts 62:9 65:9 transportation 38:22 trash 50:16,24 tree 23:9 30:9 36:3,5 36:5 38:3 41:8,11 41:17,25 42:7,12,25 43:3,3,11,13,16,21</p> | <p>u</p> | <p>v</p> |
| <p>t 67:1,1 take 6:24 20:3,3 23:4 42:4 52:2 54:13 57:13 58:25 59:17 taken 6:21 10:19 33:18 54:15 58:24 59:4,10 60:24 61:23 67:10 takes 62:15 talk 8:18 talked 32:17 talking 24:20 36:18 52:14 65:8 tally 59:21 tell 27:7 37:3 ten 10:7 11:6,11,11 11:11 45:22 50:6 52:15,24 term 28:12 terms 12:19 14:2,13 18:22 25:6 59:17 terraces 11:16,20,23 testify 8:14 thank 4:11 6:11 8:1 9:17 26:12,14 44:17 44:18 45:14 46:20 54:11 55:21 thanks 54:12 thickness 51:7 thin 34:2 thing 18:19 20:12 24:21 35:19 50:22</p> | <p>ultra 14:21 unb 22:3 undergoing 11:4 understand 17:17 19:16 21:11 22:16 23:11 62:13 63:25 understanding 13:5 undertaken 18:16 undertaking 22:12 union 6:4 54:20 unique 17:25 unit 10:7 11:18 45:2 46:14 units 11:6,7,8,11 14:25 45:2,4 46:25 47:4,9 updated 24:13 updates 24:12</p> | <p>vacated 30:20 value 18:24 values 49:3 vandemark 45:18 vegetation 17:19 vehicle 38:21 viaduct 8:11 11:2,4 14:7,10 15:2,20 16:3,8 18:7,13 19:3 20:3 21:7,20,21 22:8 23:16 vice 1:13 view 14:14 24:22 village 32:3 visibility 14:10 visible 14:19 visual 24:7 vote 5:24 6:24 26:10 44:12,15 54:9 58:19 58:22 59:12,25 61:2 61:5,5,7,15,24 62:4 62:7,15,18,19 63:1 63:11 66:14 voted 58:23 59:2,3,9 59:22 60:23 61:2,10 61:23 63:6,8,10 64:10 voters 61:7 votes 5:21 voting 58:7,13,18 59:2 62:11 63:6,21 65:7</p> | |

| | |
|---|---|
| w | <p>worked 9:18 45:21</p> <p>workers 19:19</p> <p>working 8:17 16:17 18:18 20:7,8 36:6 64:12</p> |
| <p>w 4:21,22</p> <p>waiver 11:14 47:17 51:23 52:12</p> <p>wall 12:8,22,25 13:4 14:23 15:14</p> <p>want 20:10,17 24:13 33:19 34:13 40:16 40:25 42:1,3 57:12 58:2 65:7</p> <p>wanted 16:20 57:16 57:18 65:9</p> <p>wants 5:20</p> <p>washington 56:8</p> <p>water 12:2</p> <p>way 14:12 17:13,18 19:18,20 20:22 21:7 21:16 23:13 24:24 25:7 33:1,7 34:19 38:1 51:18 52:6 58:18 64:19</p> <p>ways 53:3</p> <p>we've 14:8 17:23 30:7 43:11 47:7 60:11</p> <p>website 24:9,11</p> <p>wednesday 1:8 2:3 67:12</p> <p>weehawken 4:17</p> <p>went 17:13</p> <p>west 13:12 15:1</p> <p>wide 32:23 37:23,25</p> <p>width 52:8 53:1</p> <p>willing 15:9 30:11</p> <p>wish 45:7</p> <p>witness 8:24 27:3 45:9</p> <p>wonderful 59:25</p> <p>wondering 32:24</p> <p>work 9:11 15:7 16:21 19:12 23:1,3 25:2,4 38:14 50:7 52:8</p> | y |
| | <p>y 9:2</p> <p>yard 47:21,24</p> <p>yeah 35:8</p> <p>year 18:11 35:3 45:19 64:13</p> <p>years 9:12,19 14:9 27:12 32:6,12 34:7 39:14 45:22</p> <p>york 27:10 45:25 56:3</p> |
| | z |
| | <p>z 48:16,24 50:21 51:4</p> <p>z4 11:22</p> <p>zoning 10:11 12:24 13:20 47:13</p> |