

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

COUNTY OF HUDSON
PLANNING BOARD

MEETING OF THE HUDSON :
COUNTY PLANNING BOARD : TRANSCRIPT
- - - - - OF
PROCEEDINGS

March 16, 2011
County Annex Building
567 Pavonia Avenue
3rd Floor
Jersey City, New Jersey
commencing at 6:30 p.m.

B E F O R E:

DANIEL CHOFFO, CHAIRMAN
RENEE BETTINGER, VICE CHAIRWOMAN
JUDE FITZGIBBONS, CHAIR PRO TEMPORE
DEMETRIO ARENCIBIA, COMMISSIONER
MARY AVAGLIANO, COMMISSIONER
HON. DOREEN DiDOMENICO, FREEHOLDER
RUSHABH MEHTA, COMMISSIONER
HON. ANTHONY ROMANO, FREEHOLDER

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

JOHN J. CURLEY, ESQ., BOARD ATTORNEY
STEPHEN MARKS, PP, AICP, PLANNING DIRECTOR
MEGAN MASSEY, PRINCIPAL PLANNER
DANIELA CIAMMARUCONI, PLANNING AIDE
MARIO TRIDENTE, BUILDING INSPECTOR/ZONING
OFFICER
LEE D. KLEIN, T & M ASSOCIATES

Job No. NJ308680

1 CHAIRMAN CHOFFO: I'd like to call to
2 order, the meeting of the Hudson County Planning
3 Board for this evening, Wednesday, March 16th, 2011.

4 Mr. Marks, roll call, please.

5 DIRECTOR MARKS: Commissioner Arencibia?

6 COMMISSIONER ARENCIBIA: Here.

7 DIRECTOR MARKS: Commissioner Avagliano?

8 COMMISSIONER AVAGLIANO: Here.

9 DIRECTOR MARKS: Commissioner Bettinger?

10 COMMISSIONER BETTINGER: Here.

11 DIRECTOR MARKS: Commissioner

12 DiDomenico?

13 COMMISSIONER DiDOMENICO: Here.

14 DIRECTOR MARKS: Commissioner

15 Fitzgibbons?

16 COMMISSIONER FITZGIBBONS: Here.

17 DIRECTOR MARKS: Commissioner Holloway?

18 Commissioner Mehta?

19 COMMISSIONER MEHTA: Here.

20 DIRECTOR MARKS: Commissioner NG?

21 Commissioner O'Dea?

22 Commissioner Romano?

23 Chairman Choffo?

24 CHAIRMAN CHOFFO: Here.

25 DIRECTOR MARKS: Mr. Chairman, we have a

1 quorum.

2 CHAIRMAN CHOFFO: Thank you.

3 Mr. Curley, has this meeting been
4 properly advertised?

5 MR. CURLEY: Yes, Mr. Chairman, the
6 meeting has been properly advertised in accordance
7 with the New Jersey Open Public Meetings Act. Notice
8 of the meeting has been posted on the bulletin boards
9 at the Office of the County Clerk and of the
10 Register.

11 CHAIRMAN CHOFFO: Thank you.

12 Please stand to salute the flag.

13 (All stand to Salute the Flag.)

14 DIRECTOR MARKS: Mr. Chairman, the first
15 order of business is review and adoption of the
16 meeting minutes from February 16, 2011.

17 CHAIRMAN CHOFFO: Do I have a motion?

18 COMMISSIONER FITZGIBBONS: I make a
19 motion.

20 COMMISSIONER AVAGLIANO: Second.

21 COMMISSIONER ARENCIBIA: Mr. Chairman,
22 there's a comment I have on the transcript of the
23 proceedings.

24 Mr. Bob Jasek is not listed as present
25 at the meeting. This is the February meeting?

1 DIRECTOR MARKS: Right.

2 COMMISSIONER ARENCIBIA: That was his
3 last meeting, so we'll make sure he was noted as
4 present at that meeting.

5 DIRECTOR MARKS: He was present.

6 COMMISSIONER ARENCIBIA: I'm saying in
7 the transcript he's not mentioned.

8 DIRECTOR MARKS: Mr. Chairman, on a
9 motion made by Commissioner Fitzgibbons and seconded
10 by Commissioner Avagliano.

11 Commissioner Arencibia?

12 COMMISSIONER ARENCIBIA: Here.

13 DIRECTOR MARKS: Commissioner Avagliano?

14 COMMISSIONER AVAGLIANO: Aye.

15 DIRECTOR MARKS: Commissioner Bettinger?

16 COMMISSIONER BETTINGER: Aye.

17 DIRECTOR MARKS: Commissioner

18 DiDomenico?

19 COMMISSIONER DiDOMENICO: Aye.

20 DIRECTOR MARKS: Commissioner

21 Fitzgibbons?

22 COMMISSIONER FITZGIBBONS: Aye.

23 DIRECTOR MARKS: Commissioner Mehta?

24 COMMISSIONER MEHTA: Abstain.

25 DIRECTOR MARKS: Abstain.

1 And Chairman Choffo?

2 CHAIRMAN CHOFFO: I vote aye.

3 DIRECTOR MARKS: Mr. Chairman, the
4 motion passed.

5 CHAIRMAN CHOFFO: Thank you.

6 Mr. Chairman, the next order of business
7 is the memorialization of applications heard at the
8 last meeting.

9 Mr. Chairman, we did have a request from
10 one of the applicants who was heard and approved at
11 the last meeting. He could explain it a little bit
12 in further detail. But there was, I guess an
13 amendment to the subdivision that took place or
14 that's being requested since last month, a further
15 revision that needs to be done.

16 So instead of memorializing the
17 approval, the applicant is here requesting that it be
18 reheard.

19 MR. CURLEY: Mr. Chairman, I will be
20 recusing myself from this particular application and
21 would ask that Jon B. Campbell acts as the Board
22 Attorney on the application.

23 CHAIRMAN CHOFFO: All right.

24 Steve, question: You want to remove
25 this first and we would memorialize them?

1 DIRECTOR MARKS: I'm not an attorney, it
2 would be -- it's up to the attorney to advise the
3 Board. Probably, if the applicant -- any motion or
4 request by the applicant to the Board, if you have a
5 conflict yourself, you may want to recuse.

6 CHAIRMAN CHOFFO: At this point, Mr.
7 Campbell, I'm also going to recuse myself because I
8 have an existing relationship with the applicant.
9 I'm going to turn the meeting over to the Vice
10 Chairperson, Renee Bettinger.

11 MR. CAMPBELL: Fine.

12 MR. McNAMARA: Thank you, Mr. Marks,
13 Madam Chair, members of the Board. Patrick McNamara,
14 from the law firm, Scarinci Hollenbeck, on behalf of
15 the applicant.

16 The reason we're here before you this
17 evening is that we were made aware, after our
18 appearance, that there was a small additional amount
19 of property that the Port Authority wishes to secure
20 in conjunction to the improvements they are making to
21 the PATH station adjacent to the parking deck that is
22 an integral part of our development project in
23 Harrison.

24 I provided Mr. Marks with an updated
25 survey, that was done by Birdsall Services, dated

1 March of this year. It's a small, de minimis change
2 and we're asking that the record just be amended to
3 reflect that we would be bound by that revised plan,
4 which is also under consideration in the Town of
5 Harrison, and we hope to secure an amended approval
6 from their planning board next week.

7 We regret the oversight. Unfortunately,
8 it was not brought to our attention until after we
9 had already appeared before you, so we apologize for
10 the inconvenience and ask your indulgence in making
11 this change in the record.

12 ACTING CHAIR BETTINGER: Mr. Marks, any
13 comments?

14 DIRECTOR MARKS: Madam Chair, just as a
15 matter of procedure, the item at hand is the
16 memorialization of the applications approved at the
17 last meeting. I would recommend that the -- this
18 application, which is the 2010-087-SD, Richard
19 Miller, applicant, be removed from item 5-A on the
20 agenda and then it could be heard on section 5-B.
21 That would allow the Board to vote on the items
22 remaining in 5-A.

23 So I would recommend that the Board take
24 a separate vote, first to remove this item from 5-A,
25 and then to consider the rest of the items under 5-A

1 and then rehear this -- the actual item under 5-B.

2 ACTING CHAIR BETTINGER: Do I have --
3 yes, Mr. Campbell?

4 MR. CAMPBELL: One point of order. I
5 understand that the matter was noticed for the
6 memorialization of the resolution. I've spoken with
7 Mr. McNamara and it's my opinion, and I believe his,
8 that because it is essentially a de minimis amendment
9 to that approval, that the notice would be deemed
10 effective but I wanted it on the record to make sure
11 that Mr. McNamara understood that and was prepared to
12 proceed under those circumstances.

13 MR. McNAMARA: I've been advised by
14 counsel and my client is still prepared to proceed,
15 Madam Chair. Thank you.

16 ACTING CHAIR BETTINGER: Do I have a
17 motion?

18 DIRECTOR MARKS: This would be a motion
19 to remove this application from section 5-A; correct?

20 COMMISSIONER FITZGIBBONS: I make a
21 motion.

22 COMMISSIONER AVAGLIANO: Second.

23 DIRECTOR MARKS: Madam Chair, on a
24 motion to remove application -- sorry, 2010-087-SD,
25 from section 5-A on the agenda, a motion was made by

1 Commissioner Fitzgibbons, seconded by Commissioner
2 Avagliano.

3 Commissioner Arencibia?

4 COMMISSIONER ARENCIBIA: Aye.

5 DIRECTOR MARKS: Commissioner Avagliano?

6 COMMISSIONER AVAGLIANO: Aye.

7 DIRECTOR MARKS: Commissioner Bettinger?

8 COMMISSIONER BETTINGER: Aye.

9 DIRECTOR MARKS: I'm sorry.

10 COMMISSIONER BETTINGER: That's okay.

11 DIRECTOR MARKS: Commissioner

12 DiDomenico?

13 COMMISSIONER DiDOMENICO: Aye.

14 DIRECTOR MARKS: Commissioner

15 Fitzgibbons?

16 COMMISSIONER FITZGIBBONS: Aye.

17 DIRECTOR MARKS: Commissioner Mehta?

18 COMMISSIONER MEHTA: Aye.

19 DIRECTOR MARKS: Madam Chair,

20 Commissioner Romano is now present.

21 Commissioner Romano?

22 COMMISSIONER ROMANO: Aye.

23 DIRECTOR MARKS: And Chairwoman

24 Bettinger?

25 COMMISSIONER BETTINGER: I vote aye

1 again.

2 DIRECTOR MARKS: Okay. So we should now
3 take a separate vote to memorialize the rest of the
4 items under section 5-A on the agenda. Is there a
5 motion?

6 ACTING CHAIR BETTINGER: Is there a
7 motion?

8 COMMISSIONER FITZGIBBONS: I make a
9 motion to memorialize.

10 ACTING CHAIR BETTINGER: Do I have a
11 second?

12 COMMISSIONER AVAGLIANO: Second.

13 DIRECTOR MARKS: Madam Chair, on a
14 motion, to memorialize the remaining items on section
15 5-A on the agenda, made by Commissioner Fitzgibbons,
16 seconded by Commissioner Avagliano.

17 Commissioner Arencibia?

18 COMMISSIONER ARENCIBIA: Aye.

19 DIRECTOR MARKS: Commissioner Avagliano?

20 COMMISSIONER AVAGLIANO: Aye.

21 DIRECTOR MARKS: Commissioner
22 DiDomenico?

23 COMMISSIONER DiDOMENICO: Aye.

24 DIRECTOR MARKS: Commissioner
25 Fitzgibbons?

1 COMMISSIONER FITZGIBBONS: Aye.

2 DIRECTOR MARKS: Commissioner Mehta?

3 COMMISSIONER MEHTA: I abstain.

4 DIRECTOR MARKS: Abstain.

5 Commissioner Romano?

6 COMMISSIONER ROMANO: Aye.

7 DIRECTOR MARKS: And Chairwoman

8 Bettinger?

9 COMMISSIONER BETTINGER: One question
10 that I have is, do we need to read what we're
11 memorializing?

12 DIRECTOR MARKS: I'm sorry?

13 ACTING CHAIR BETTINGER: Do we need to
14 read into the record?

15 DIRECTOR MARKS: Oh, I'm sorry, with the
16 confusion.

17 So the remaining items, that were
18 advertised in the Star Ledger and The Jersey Journal,
19 that appear on the agenda tonight, are, application
20 2010-081-SP, Palisades Medical Center, located at
21 7600 River Road, Block 438A, Lot 23C, in the Township
22 of North Bergen.

23 Application 2010-086-SP, Stefan and
24 Llata Janega, applicant, located at 1154 Kennedy
25 Boulevard, which is Block 51, Lot 3 in the City of

1 Bayonne.

2 Next is application 2000 -- should be
3 11-001-SD, Schuyler Crossing, LLC, located at 212-234
4 Schuyler Avenue, which is Block 252, Lot 2.02 also
5 known as 2B in the Town of Kearny.

6 And finally, is application 2011-003-SP,
7 PSE&G Power, LLC, Pennsylvania Avenue also known as
8 Hackensack Avenue, which is Block 298, Lot 19.01 in
9 the Town of Kearny.

10 Those are the items that were advertised
11 to be memorialized.

12 ACTING CHAIR BETTINGER: And I vote aye.

13 DIRECTOR MARKS: Okay.

14 Madam Chair, the next matter is the
15 rehearing of application 2010-087-SD, Richard Miller,
16 applicant, located at the intersection of Frank E.
17 Rodgers Boulevard and Middlesex Street, which is
18 Block 117.1, Lots 1.01 and 1.02 in the Town of
19 Harrison.

20 MR. McNAMARA: Thank you, Madam Chair.

21 Patrick McNamara, from the law firm,
22 Scarinci Hollenbeck, again on behalf of the
23 applicant.

24 I'm here this evening again with Mr.
25 Richard Miller. As I explained briefly before, after

1 our initial appearance it was brought to our
2 attention that there was de minimis land of five to
3 six hundred square feet in a narrow space between
4 where the parking deck has been constructed and where
5 the existing PATH property is; and the Port Authority
6 wants to acquire this narrow piece of property in
7 addition to what we're already providing to it, in
8 effect by way of friendly condemnation.

9 So that eventually, when the platform is
10 redesigned, it could be interconnected directly to
11 the current parking deck.

12 That narrow area was not in the plans
13 that were originally submitted, they have been
14 revised, submitted, Mr. Marks has them, I believe
15 they've been distributed and we're just asking that
16 the record be reflected that we would be bound by
17 this revised subdivision map.

18 ACTING CHAIR BETTINGER: Commissioner
19 Arencibia, do you have any comment?

20 COMMISSIONER ARENCIBIA: What is the
21 amount of the change?

22 MR. McNAMARA: It's about -- it's
23 between five and six hundred square feet total. It's
24 an area that runs approximately 128 feet by about a
25 width of 5 to 8 feet and it runs directly between the

1 Port Authority PATH property and the parking deck.

2 COMMISSIONER ARENCIBIA: The difference
3 in the change, do you have --

4 MR. McNAMARA: It's a slight increase.

5 COMMISSIONER ARENCIBIA: Do you know the
6 amount?

7 MR. McNAMARA: I don't know the exact
8 square footage. It's 128 feet long, as I said, and
9 the width varies from 5 feet to 8 feet. So you're
10 talking about an area, roughly 650 to 700 square
11 feet.

12 COMMISSIONER ARENCIBIA: I just wanted
13 to get a relative difference --

14 MR. McNAMARA: We'll show you here.

15 (Pause.)

16 ACTING CHAIR BETTINGER: Mr. McNamara,
17 just for the record, could you please mark --

18 MR. McNAMARA: This is Minor Subdivision
19 prepared by Birdsall Services Group, Michael King,
20 March 12, 2011. The area I'm highlighting, we had
21 originally had the subdivision here. The Port
22 Authority then advised us, this additional area
23 needed to be acquired so the new terminal station
24 platform will come right up against the parking deck.
25 So the idea, one day, would be people would be able

1 to walk directly out of the deck and onto the train
2 platform.

3 COMMISSIONER ARENCIBIA: Okay, all
4 right. This could be marked as an exhibit?

5 MR. McNAMARA: Certainly.

6 ACTING CHAIR BETTINGER: Yes.

7 (Exhibit received and marked into
8 evidence.)

9 COMMISSIONER FITZGIBBONS: Can we see
10 that?

11 DIRECTOR MARKS: Mr. McNamara, can you
12 hold it up for the benefit --

13 MR. McNAMARA: Certainly. I brought --
14 I thought electronic copies had already been
15 provided. I apologize if that's not the case.

16 This is the initial subdivision area
17 that was already approved (indicating,) it's this
18 narrow strip, that's about 128 feet long, it's 5 feet
19 at this end, 8.4 feet at this end, and that's where
20 the new platform would be directly put up against the
21 existing --

22 MR. CAMPBELL: Can you hold it up
23 closer?

24 MR. McNAMARA: Sure.

25 The area in question starts here and

1 runs to here. It's 5 feet at this end, it's 8.4 feet
2 wide at this end. This was the entire area of the
3 initial application and the Port Authority then
4 advised us they needed this stretch so when they
5 redesign the platform it will be integrated directly
6 into the parking deck (indicating.)

7 COMMISSIONER FITZGIBBONS: All right.

8 THE WITNESS: That's an elevated
9 station, so the platform is about the --

10 ACTING CHAIR BETTINGER: Do we need to
11 swear in --

12 MR. McNAMARA: Yes. Could you please
13 swear in Mr. Miller?

14 R I C H A R D M I L L E R, having been duly sworn,
15 testifies as follows:

16 MR. McNAMARA: Mr. Miller, what I have
17 described, is that your understanding of the
18 additional property that needs to be acquired by the
19 Port Authority from your company and from the County
20 improvement authority to complete these improvements
21 to the new PATH station?

22 MR. MILLER: Yes, it is.

23 MR. McNAMARA: That's it.

24 ACTING CHAIR BETTINGER: Anyone have any
25 questions?

1 COMMISSIONER MEHTA: No.

2 ACTING CHAIR BETTINGER: Do I have a

3 motion?

4 COMMISSIONER ROMANO: Motion.

5 COMMISSIONER MEHTA: Second.

6 DIRECTOR MARKS: Madam Chair, on a
7 motion, to reapprove application 2010-087-SD, made by
8 Commissioner Romano -- is that correct?

9 ACTING CHAIR BETTINGER: Yes.

10 DIRECTOR MARKS: -- and seconded by
11 Commissioner Mehta.

12 Commissioner Arencibia?

13 COMMISSIONER ARENCIBIA: Aye.

14 DIRECTOR MARKS: Commissioner Avagliano?

15 COMMISSIONER AVAGLIANO: Aye.

16 DIRECTOR MARKS: Commissioner

17 DiDomenico?

18 COMMISSIONER DiDOMENICO: Aye.

19 DIRECTOR MARKS: Commissioner

20 Fitzgibbons?

21 COMMISSIONER FITZGIBBONS: Aye.

22 DIRECTOR MARKS: Commissioner Mehta?

23 COMMISSIONER MEHTA: Aye.

24 DIRECTOR MARKS: Commissioner Romano?

25 COMMISSIONER ROMANO: Aye.

1 DIRECTOR MARKS: And Chairwoman
2 Bettinger?

3 COMMISSIONER BETTINGER: I vote aye.

4 DIRECTOR MARKS: Madam Chair, the motion
5 passes.

6 MR. McNAMARA: Thank you very much for
7 your courtesies. We greatly appreciate your
8 indulgence.

9 DIRECTOR MARKS: Madam Chair, I would
10 just ask that Mr. McNamara submit the exhibit.

11 ACTING CHAIR BETTINGER: Thank you.

12 MR. CAMPBELL: I'm going to excuse
13 myself and Mr. Curley will return.

14 Thank you, all.

15 DIRECTOR MARKS: Mr. Chairman, welcome
16 back. The next application scheduled for public
17 hearing is 2010-083-SP, MCPK Realty, LLC, located at
18 3085 Kennedy Boulevard, which is Block 634, Lots b.99
19 also known as b-152 in the City of Jersey City.

20 MR. HADLEY: Good evening, ladies and
21 gentlemen. My name is Oswin Hadley and I am the
22 attorney for the applicant, MCPK Realty, LLC.

23 The applicant, Mr. Patel, who is a
24 principal of MCPK Realty, is present here this
25 evening. Also with me are the following individuals

1 from whom we'll be taking testimony this evening.

2 There's, from LWDMR Architects, Ron
3 Russell; Jeffrey Reeves, from Dresdner Robin, the
4 engineers on the project; and Craig Peregoy, the
5 traffic engineer from Joe Staigar engineers.

6 Having said that, I'll introduce Mr.
7 Russell and get him qualified as a witness and we can
8 begin our presentation.

9 Mr. Russell, can you give this Board the
10 benefit of your educational background?

11 MR. CURLEY: Mr. Russell, if you could
12 please be sworn.

13 R O N A L D R U S S E L L, having been duly sworn,
14 testifies as follows:

15 THE WITNESS: Am I qualified already
16 or --

17 DIRECTOR MARKS: No.

18 DIRECT EXAMINATION BY MR. HADLEY:

19 Q. Could you please give us a brief
20 synopsis of your educational background?

21 A. I graduated Pratt Institute. I'm a
22 Registered Architect in New Jersey. I'm a former
23 historic preservation commissioner in Jersey City. I
24 was there for ten years. Principal at DMR Architects
25 in Jersey City. I've been practicing architecture,

1 licensed and unlicensed, for 35 years. Licensed for
2 about 20 years now.

3 Does that set it up?

4 CHAIRMAN CHOFFO: Proceed.

5 MR. HADLEY: I offer Mr. Russell as an
6 expert architect.

7 BY MR. HADLEY:

8 Q. Sir, you have here, a drawing which
9 actually is the site plan of the proposed
10 application. Can you briefly describe it for the
11 benefit of the Board members, please?

12 A. Yes, I'm looking at drawing A-100. Just
13 to go over -- the building is three stories. First
14 floor was at the highest level, fronts on Kennedy
15 Boulevard just south of State Highway 139. That
16 first floor, which is the highest elevation, will
17 house the salesroom or the sales floor area for the
18 Cornucopia Market, which will be a small, about
19 9,000/10,000 square feet, retail, supermarket-type
20 store.

21 That will have -- on that same drawing,
22 A-100, there's a title drawing key plan indicating
23 existing and proposed areas. This was the former AC
24 Volkswagen/Chevrolet dealership. We're proposing to
25 expand the front of that first floor out to the edge

1 of the old platform area to increase the sales floor
2 area. We're also going to provide a handicapped ramp
3 as well as stairs to take you up to the market since
4 it's at an elevated floor. That's the first floor.

5 Access to the driveway -- there will be
6 two parking lots for this building, one from Kennedy
7 Boulevard on the south end of the building, which is
8 the existing ramp which takes you to the mid-level.
9 That will drive down a level and approximately 14 or
10 15 cars will be parked back there on -- where the
11 cars used to be parked for the dealership.

12 That ramp is a little too narrow now, so
13 we're going to expand the ramp and use an adjacent
14 property and have an easement there so the ramp can
15 be expanded so it will be two ways, one way in and
16 one way out.

17 The second floor or the next level down
18 is the mid-level floor. That will be a storage area.
19 And that storage area backs to that parking lot,
20 which actually has 14 parking spaces. So that
21 storage area is at the mid-level and the parking is
22 behind it.

23 The lowest level is accessed from
24 Skillman Avenue, which is behind Kennedy Boulevard,
25 parallels Kennedy Boulevard, accessed from St. Paul's

1 Avenue. That will be, again, storage. There, it
2 will be a grade parking area. Both parking areas,
3 the grade level and the immediate one, will have a
4 handicapped parking space. Both parking areas will
5 be accessed from an elevator to get to the sales
6 floor area. The one on Skillman Avenue will be grade
7 parking, there will be handicapped access, there will
8 be a place for shopping carts and you'll take the
9 elevators up to the first floor, Kennedy Boulevard,
10 for shopping. That same floor has storage area that
11 wraps around. So basically we have one sales floor
12 area, accessed from Kennedy Boulevard, and two
13 storage areas and two parking areas.

14 Q. Can you just touch on areas where the
15 actual building footprint will be expanded?

16 A. Yes, if you are looking at A-100 again,
17 the drawing to the right, which is the key plan,
18 we're actually at the north end rear. We're taking
19 down an existing structure, which is no longer
20 needed, which has an old stair system in there.
21 We're actually going to put a new fire stair and the
22 back of the building will be expanded to house a new
23 elevator core and the front of the building, we're at
24 the curve. If you are familiar with the building,
25 there's a curving glass where used to be the

1 salesroom, we're going to expand that area out again
2 to Kennedy Boulevard and make a new contemporary
3 facade there along Kennedy Boulevard.

4 Q. Anything else?

5 A. That's the floor plans, if there's any
6 questions about the floor plans.

7 MR. CURLEY: Have those plans been
8 marked and submitted?

9 MR. HADLEY: You mean --

10 THE WITNESS: These have been submitted.

11 MR. HADLEY: They have been submitted as
12 part of the application already.

13 MR. CURLEY: Can you just read off the
14 identification on the plans?

15 THE WITNESS: Drawing A-100, which is
16 the Level 1 Plan. Drawing A-101, which is the Lower
17 Level Plan. And drawing A-102, which is the Lower
18 Level Plan, the Skillman Avenue plan.

19 MR. CURLEY: Just the last revision
20 date.

21 THE WITNESS: The last revision date is
22 4/27/10, on all of the drawings.

23 MR. CURLEY: Thank you.

24 COMMISSIONER ROMANO: Just a question,
25 sir. You said storage, would that be storage of

1 refrigerated areas?

2 THE WITNESS: It will be general storage
3 for the market itself. Refrigerated areas, dry
4 storage, anything that is going to be on the shelves.
5 All deliveries will be made from Skillman Avenue not
6 Kennedy Boulevard.

7 So, the trucks would go around Skillman,
8 drive in. There's an access space inside the
9 building for trucks to park. It was a storage space
10 for -- it was a service area for the store. So that
11 service area would now be the storage area. Trucks
12 will pull in and drop off their goods inside the
13 building and access again will be from Skillman
14 Avenue.

15 COMMISSIONER ROMANO: It's definitely a
16 blighted area?

17 THE WITNESS: Yes.

18 COMMISSIONER BETTINGER: Mr. Chairman?
19 Did this come before -- this
20 particular -- not this particular development, but
21 did we approve something like this previously, like
22 for a condo?

23 MR. HADLEY: There was a
24 previously-approved project on the site. I believe
25 it was a 249-unit, approximately, condominium

1 highrise development there. The owner has since sold
2 a portion of the site. As to build a highrise condo
3 is not economically feasible in today's market, he's
4 looked to alternatives and he's sold a portion of
5 this site to my client, who proposes to do an
6 adaptive reuse of the existing building into a
7 gourmet supermarket on the site.

8 COMMISSIONER ROMANO: My question, then,
9 Steve, how does that affect the previously-approved
10 plans? Is it being divided? Does that mean that
11 that nullified the previous approvals or what are
12 we -- you know, just give us some guidance there.

13 MR. CURLEY: A new approval would
14 supercede and the old approval would be abandoned.

15 COMMISSIONER ROMANO: Once this is
16 approved, it therefore makes null and void any
17 previous commitment by this Board of approvals for
18 the whole area even though he's only giving him half?

19 MR. CURLEY: I believe that is the case.

20 COMMISSIONER ROMANO: Is that a yes or a
21 no?

22 MR. CURLEY: That's a yes.

23 CHAIRMAN CHOFFO: One second. Steve,
24 when was the first application approved; do you know
25 offhand, datewise?

1 DIRECTOR MARKS: Probably about five
2 years ago.

3 MR. HADLEY: If I may add something
4 further, just for the Board's edification, the site
5 sits in the new Journal Square Redevelopment Plan,
6 which has been adopted. That plan specifically
7 incorporates a market use on this site. So they have
8 amended the plan, specifically to accommodate this
9 proposed use.

10 COMMISSIONER ROMANO: Steve, that means
11 that wouldn't there be any correspondence from this
12 authority, this Board to the previous owner, stating
13 that his previous approvals are null and void just
14 for our protection?

15 DIRECTOR MARKS: Actually, I don't mean
16 to disagree with Mr. Curley, but the county planning
17 boards in New Jersey have very limited jurisdiction
18 and county planning board approvals don't expire,
19 from the statute and the case law.

20 So once the county planning board lends
21 the approval to something, that approval for that set
22 of plans is good in perpetuity.

23 So, even though this application would
24 supercede the previously-approved application, in
25 terms of the county planning board's jurisdiction,

1 from my understanding, your approval of the previous
2 application doesn't go away.

3 COMMISSIONER ROMANO: So does that
4 mean --

5 DIRECTOR MARKS: However, however, under
6 Municipal Land Use Law, there are sunset provisions
7 for the municipal approval.

8 So, Mr. Tridente just reminded me that
9 in your packets this evening is a report that he
10 prepared in July 2006 when the previous application
11 was heard and approved. Under Municipal Land Use
12 Law, there are sunset provisions, so they would have
13 to -- the municipal approval of this application --
14 of the previously-approved application would at some
15 time expire. I'm not -- I wasn't prepared and I'm
16 not sure when that --

17 COMMISSIONER ROMANO: My main
18 responsibility is to make sure this Board is
19 protected so that --

20 THE WITNESS: Of course.

21 COMMISSIONER ROMANO: So that the
22 previously-approved plan by the owner, does that mean
23 now, that half went to the new person who hopefully
24 will approve, does that mean 249 and now he's allowed
25 126? That's my question.

1 THE WITNESS: No, no.

2 COMMISSIONER ROMANO: In other words,
3 you cut it in half, correct, sir? Is that what you
4 stated, that he sold a portion?

5 MR. HADLEY: Sold a portion of the site,
6 yes.

7 DIRECTOR MARKS: That set of site plans
8 unchanged, remain in approval in perpetuity by this
9 Board. Any deviations from the previously approved
10 set of site plans would then have to go back to this
11 Board.

12 COMMISSIONER ROMANO: Thank you very
13 much.

14 COMMISSIONER FITZGIBBONS: I got a
15 question.

16 CHAIRMAN CHOFFO: Go ahead, Jude.

17 COMMISSIONER FITZGIBBONS: Did the City
18 of Jersey City approve these plans?

19 MR. HADLEY: Yes, they did. It was --

20 COMMISSIONER FITZGIBBONS: So, actually
21 the City of Jersey City approved the prior plans for
22 that?

23 MR. HADLEY: That's correct.

24 COMMISSIONER FITZGIBBONS: So now, by
25 doing that, they actually changed everything so

1 actually it's before anybody on the parcel of land
2 that you don't own, they have to go before the City
3 of Jersey City for new approval?

4 MR. HADLEY: That would be correct, for
5 the other portion of that.

6 COMMISSIONER FITZGIBBONS: If any city
7 approves -- I mean or changes anything, they as a
8 county, as a county board, we go by what the city
9 does, they do not -- if they say it's no -- they have
10 to come before them again, we as a county board
11 have -- based on our approval, right, has to go by
12 what the city does?

13 DIRECTOR MARKS: Mr. Chairman, the
14 municipality, in New Jersey, has final say under
15 Municipal Land Use Law. It could be approved by this
16 Board, but they still need Jersey City municipal
17 planning board or zoning board approval depending
18 upon the circumstances.

19 CHAIRMAN CHOFFO: Let me ask you a
20 question. Mr. Hadley, the current owner of this
21 property, did you represent him? Not the current
22 owner, the previous owner, the one on the neighboring
23 property.

24 MR. HADLEY: For the previous approval
25 that he obtained?

1 CHAIRMAN CHOFFO: Yes.

2 MR. HADLEY: No, I did not. The
3 attorney, I believe, on that application was Charles
4 Harrington from Connell Foley.

5 CHAIRMAN CHOFFO: I think the Board as a
6 whole, based on what Freeholder Romano is saying, I
7 think we would all feel more comfortable knowing that
8 the prior owners basically wants to either remove his
9 application or put something in writing from him.
10 Because we don't want a conflict down the road based
11 on us having granted prior approval on this parcel.

12 MR. HADLEY: I don't know that that is
13 necessary, I think you can -- I'm sure Mr. Curley can
14 elaborate on that.

15 Because a couple of things have occurred
16 with regard to this site. There's a time period with
17 which that approval has to it. Just bearing in mind,
18 I know the Governor had passed an executive order
19 which had extended the time period of these
20 approvals.

21 To my knowledge, Mr. Curley, I believe
22 the Governor's executive order has expired,
23 therefore --

24 MR. CURLEY: No, that's not true. The
25 Permit Extension Act was passed by the legislature

1 and it has been amended and once again advanced to a
2 later date.

3 What Mr. Marks was referring to is that
4 a county approval remains in perpetuity.

5 COMMISSIONER ROMANO: Right.

6 MR. CURLEY: But this project, from the
7 point of view of the municipality, is certainly
8 different and superseding. What does the
9 resolution -- we should get the resolution from the
10 municipality.

11 MR. HADLEY: We have the resolution
12 here. Resolution -- I thought everyone was
13 understanding of this, but perhaps not.

14 This was previously approved, by the
15 Jersey City Zoning Board, back in June of 2010.
16 Unanimously, 7-0.

17 The reason we're here is the condition
18 of that approval is that this property abuts a County
19 road. Their approval is conditioned upon us coming
20 before this body and thereby getting similar
21 approval.

22 COMMISSIONER ROMANO: Right, we
23 understand that. My point is exactly, you're in
24 complete opposition with what's said. Stephen said
25 it's in perpetuity, okay? All we're asking for, for

1 approval, is a condition that there's a letter from
2 the previous owner stating that he has relinquished
3 this part of the property to you with the
4 understanding that this is new approvals by the
5 Board. Correct me if I'm wrong, Mr. Chairman.

6 CHAIRMAN CHOFFO: Right.

7 COMMISSIONER ROMANO: You're saying it's
8 not necessary. I'm not a legal expert, but I believe
9 it's necessary.

10 MR. HADLEY: Well, I didn't exactly
11 finish. Subsequent to that gentleman selling and
12 conveying that site to my client, Jersey City has
13 then amended the Journal Square Redevelopment Plan.

14 So, in essence, what -- and the
15 redevelopment plan supersedes the current zoning
16 there. The plan now does not call for highrise
17 development on this site, it now provides for a
18 supermarket on this site.

19 COMMISSIONER ROMANO: What if the
20 previous owner doesn't agree with that and decides to
21 take legal action and gets the City of Jersey City
22 and we get dragged into it?

23 MR. HADLEY: I understand that. We're
24 engaging in an awful lot of speculation here.

25 COMMISSIONER ROMANO: Wouldn't a simple

1 letter get rid of all the speculation, Counselor?

2 MR. HADLEY: If that's what the Board
3 requires, I would get the letter.

4 COMMISSIONER ROMANO: I think we would
5 defer to our legal. What is our legal advice?

6 MR. CURLEY: I don't think that we have
7 the power to condition this application on getting a
8 letter with respect to the former approval. What I
9 point out is that this is no longer the same
10 property, because part of it has been sold. Whatever
11 approval this Board granted would be an approval
12 based upon the Jersey City prior approval. Since the
13 Jersey City prior approval is basically at an end,
14 because they have now gotten a new approval, in
15 effect we'll never have that project. So our
16 approval, although technically goes in perpetuity, in
17 practicality it's of a project that doesn't exist.

18 COMMISSIONER ROMANO: Okay. So we're
19 covered?

20 MR. CURLEY: We're covered.

21 COMMISSIONER ROMANO: That's all I need,
22 Counselor. That's why you make the big bucks.

23 COMMISSIONER MEHTA: Describing the
24 project, placed on the record, can you tell the
25 architect to give the new what is in the plan, how

1 much was the square foot or how big the property was
2 and how much portions this project is, so whatever is
3 a limited project, it's not touching the Kennedy
4 Boulevard so in the future it may not come in front
5 of us if they want to do anything on that particular
6 piece of land?

7 CHAIRMAN CHOFFO: This owner or the
8 previous owner?

9 COMMISSIONER MEHTA: No, the previous --

10 CHAIRMAN CHOFFO: He's not representing
11 the previous owner.

12 COMMISSIONER MEHTA: No, I understand.
13 But my point is that at least they have to mention
14 how much is the square foot and what is the property
15 size they are subdividing from the previous plan. So
16 how much the project is.

17 CHAIRMAN CHOFFO: I understand. Mr.
18 Hadley, do you understand the Commissioner's
19 question?

20 MR. HADLEY: As part of our application
21 we did submit a property survey of this site.

22 COMMISSIONER MEHTA: I understand, but
23 can you just, for the record purpose, can you just
24 mention how much is the square feet and what is the
25 size?

1 MR. HADLEY: I'll do that with Mr.
2 Reeves' testimony, okay?

3 COMMISSIONER MEHTA: Okay, just put it
4 on the record and you'll be fine.

5 MR. HADLEY: That's fine. Are there any
6 more questions for this witness?

7 COMMISSIONER FITZGIBBONS: No.

8 COMMISSIONER MEHTA: Just one question.
9 Are you just modifying the existing structure or you
10 are going to modify the existing structure and going
11 to be the new one?

12 MR. HADLEY: We're keeping the existing
13 structure and just expanding it in certain areas.

14 Okay?

15 Mr. Reeves.

16 Ladies and gentlemen, this is Jeffrey
17 Reeves; he's an engineer with the firm of Dresdner
18 Robin. I guess you'll have to swear him in first.
19 J E F F R E E V E S, having been duly sworn,
20 testifies as follows:

21 DIRECT EXAMINATION BY MR. HADLEY:

22 Q. Mr. Reeves, can you give us the benefit
23 of your educational background, please?

24 A. I have a Bachelor's Degree in civil
25 engineering. I'm a licensed Professional Engineer in

1 the State of New Jersey, practicing in the State of
2 New Jersey for approximately 20 years. I've already
3 been before this Board a few times in the past.

4 CHAIRMAN CHOFFO: You may proceed.

5 MR. HADLEY: Thank you.

6 BY MR. HADLEY:

7 Q. Sir, before we start, can you just
8 identify the drawing that you're going to use as a
9 reference?

10 A. Certainly. This is the site plan
11 drawing, it's drawing No. C-3 and it's sheet No. 3 of
12 10 in the set of drawings that were submitted.

13 This is a revised site plan. We met
14 with the Technical Review Committee a few weeks ago
15 and we revised the entrance, which I'm going to
16 describe to you.

17 This revision date is dated 3/11/11 of
18 this year. The only change that we made on the
19 drawings, that is different than what you have in
20 your packet, is the entrance off of Kennedy Boulevard
21 is slightly different than what's in your packet.

22 Q. Before we proceed, I'd like to address
23 Mr. Mehta's question, if possible.

24 A. Sure.

25 Q. Do you know, approximately, what the

1 square footage -- is it the entire site that you
2 would like to know, sir?

3 COMMISSIONER MEHTA: Yeah, if you can
4 describe it, it will be fine, or the project, what it
5 is.

6 THE WITNESS: The current project has
7 29,416 square feet or .67 acres. That's the current
8 property that we're proposing to develop.

9 COMMISSIONER MEHTA: And how much will
10 be the building square foot?

11 THE WITNESS: Total building square
12 footage?

13 COMMISSIONER MEHTA: Yes.

14 MR. HADLEY: Ron, you might best be
15 able.

16 MR. RUSSELL: There's three levels. The
17 approximate square footage of the building is around
18 27 to 28,000 square feet over the three floors.

19 COMMISSIONER MEHTA: So one floor will
20 be around 7,000-plus?

21 MR. RUSSELL: They are about 9,000
22 square feet each floor, approximately.

23 COMMISSIONER MEHTA: All right.

24 THE WITNESS: Thank you.

25 COMMISSIONER BETTINGER: Mr. Chairman?

1 So, is this supermarket going to be
2 multilevels?

3 MR. HADLEY: That's correct.

4 THE WITNESS: There's three floors on
5 the building. The building is shaded in dark brown.
6 That's the shape of the building, it is an existing
7 building that we're rehabbing.

8 Off to the west is a parking lot. We're
9 going to propose 16 parking spaces that will be
10 accessed to Skillman.

11 COMMISSIONER BETTINGER: There's only
12 going to be 16 parking spaces for a supermarket?

13 MR. HADLEY: No, no. There's 16 on --
14 again let me just briefly describe the site again for
15 you.

16 It's the old AC Volkswagen site.

17 COMMISSIONER BETTINGER: I'm very
18 familiar with it. It's my neighborhood, so . . .

19 MR. HADLEY: You reside nearby?

20 COMMISSIONER BETTINGER: Exactly.

21 BY MR. HADLEY:

22 Q. The access off the ramp on Kennedy
23 Boulevard, on that level --

24 A. It's right here (indicating.)

25 Q. -- immediately in back of Kennedy

1 Boulevard, there's a parking deck so to speak.

2 A. Fourteen.

3 Q. There will be 14 spots there?

4 A. Fourteen parking spaces up on the second
5 deck.

6 Q. The building slopes down along three
7 stories on Skillman Avenue, and that's how you get
8 the three floors. If you are on Kennedy Boulevard,
9 you only see the top story because -- again, because
10 of the slope going down to Skillman. But from the
11 rear you can see that the building has three levels.

12 Below, on Skillman Avenue, is the
13 additional parking, which is in the parking area lot
14 that Mr. Reeves is referencing right now. And there
15 is -- is it 14 or 16?

16 A. There's 16 at grade off of Skillman,
17 there's 14 off of the ramp from Kennedy Boulevard.
18 Total of 30 proposed parking spaces.

19 Q. Thirty?

20 A. Which complies to the code.

21 The loading dock, as described by Mr.
22 Russell, is also off of Skillman. There's a proposed
23 driveway in the center of the building, that is
24 adjacent to Skillman, and will pull in right into the
25 middle here and unload inside the building.

1 We're proposing, as I said, 16 parking
2 spaces on-site. Total impervious area for the
3 proposed lot is 13 percent less impervious than at
4 the present. So we have 13 percent more greenery and
5 landscaping. All of these circles are new trees that
6 we're adding in to beautify the area. There's also a
7 landscaped island along the front of the proposed
8 development along Skillman Avenue.

9 Q. Approximately, how many new trees are
10 you proposing?

11 A. I believe there's around 30.

12 Q. 35 I believe.

13 A. Okay, 35. There's 35 proposed trees.

14 Q. Okay.

15 A. There's a Dumpster enclosure off to the
16 parking lot, storage off to the rear, handicapped
17 parking spaces are provided in both parking lots.

18 The parking lots are not connected, they
19 are disconnected. The parking lot off of Kennedy
20 Boulevard is an entrance and exit off of Kennedy
21 Boulevard, 14 parking spaces, and the 16 come off of
22 Skillman, due to the grade changes. A 25 foot
23 difference in grade elevation across the site.

24 Q. Can you identify where the bicycle racks
25 are?

1 A. Yes, we are proposing three bicycle
2 racks along Kennedy Boulevard and two bicycle racks
3 along Skillman. A total of five.

4 Q. Can you touch on what the green elements
5 are with regard to this application?

6 A. Certainly. We have three green elements
7 in accordance with the County checklist. One are
8 bike racks, the other one are trees, and the third,
9 all of the planting materials will be native planting
10 materials.

11 COMMISSIONER FITZGIBBONS: Coming off of
12 Kennedy Boulevard, making what -- you make a right
13 into the --

14 THE WITNESS: Yes, you can make a right
15 into the parking lot and you also can make a left off
16 of Kennedy Boulevard into the parking lot. There's a
17 left turn slot off of Kennedy Boulevard, that you can
18 pull in, but when you exit the building, you can only
19 make a right, you cannot make a left. You cannot
20 make a left out of the building.

21 Let me describe that.

22 MR. HADLEY: Yeah, I believe that was
23 the purpose of our meeting with staff and the
24 engineers for the County, which occurred on March
25 2nd. At that meeting, a solution was arrived at,

1 which was mutually agreeable.

2 Jeff will now point out to --

3 THE WITNESS: At present, there's two
4 driveways going out to Kennedy Boulevard in the
5 existing conditions. We're proposing one. One is
6 going to be closed off. The proposed driveway is 30
7 foot wide, 15 foot in width existing, to give you a
8 little bit more room to make that right-hand turn,
9 and 10 foot wide as an entrance, because you're
10 pulling off of the main road, 10 feet wide.

11 There's a 5-foot island in the middle of
12 the two entrance and exits on the driveway; and there
13 will be a sign in the middle of the island. So there
14 will be two signs, one will say No Left Turn and the
15 other says Keep Right. And all of that was worked
16 out with the TRC.

17 COMMISSIONER BETTINGER: Mr. Chairman, I
18 have another question. There's a school on the
19 corner there, a school for handicapped children, and
20 my concern is, I know for a fact, from 2:30 to 3:00,
21 cars are just lined up. And will be blocking the
22 entrance and exit of your parking area.

23 MR. HADLEY: I don't believe the cars
24 that are queuing up are going to go that far up to
25 our site. However, that was an issue which we

1 addressed at the meeting. It was a concern voiced
2 there as well.

3 I'm not sure it's going to come up that
4 far, which is this area here where the ramp accesses.
5 The school is further down here (indicating.)

6 COMMISSIONER BETTINGER: I know, but the
7 line of cars during the day queues up to basically
8 towards your property.

9 MR. HADLEY: We'll address that with our
10 traffic engineer. Because they did their analysis at
11 those hours and we have also -- the hours that we're
12 going to schedule deliveries took into account the
13 hours of the school. It was a condition which was
14 imposed by Jersey City, that the deliveries would not
15 conflict with the hours of operation, specifically
16 with the hours of operation of the school.

17 Any other questions for this witness?

18 COMMISSIONER ARENCIBIA: Mr. Chairman, I
19 have some questions. Actually, maybe I should first
20 defer to our engineering consultant, who reviewed the
21 plans, and find out if he's satisfied all of our
22 comments.

23 MR. KLEIN: I believe their traffic
24 expert will come up and give some more testimony.

25 COMMISSIONER ARENCIBIA: Civil

1 engineering and drainage?

2 MR. KLEIN: Yeah, they are not making
3 any connections to the County system. We have
4 requested that they get permission from the local
5 authority for drainage.

6 THE WITNESS: I can describe that.
7 We're proposing -- we're reducing 13 percent of
8 pavement on the track itself. In addition to that,
9 we're proposing an underground detention basin, under
10 the parking lot, that will discharge into Skillman.
11 We also are doing reduction factors for the two, ten
12 and 100-year storm, in conformance with Jersey City
13 Municipal Utility Authority, and we have already
14 received approval from that body.

15 All of the utilities will be serviced
16 from Skillman Avenue with the exception to the water
17 main. There's an existing water main off of Kennedy
18 Boulevard which we are proposing to reuse. There's
19 no new utilities coming out to Kennedy Boulevard.

20 COMMISSIONER ARENCIBIA: Mr. Chairman, I
21 do have some comments on the site plan. I think the
22 one that's in the packet, the plan sheet No. C-3.
23 You have in the County's right of way, along Kennedy
24 Boulevard, you have proposed trees and proposed
25 railing, fence, proposed light poles, proposed

1 bicycle rack, all within the County's right of way.

2 And I'd like for you to just -- if you
3 have a drawing that blows that up a little bit?

4 THE WITNESS: Certainly. On sheet Z3,
5 there is a detail of the island right here on the
6 corner. Basically it's two curbs with a 2 foot 6
7 high, metal rail fence with landscaping along the
8 center. It goes along the entire frontage of the
9 property.

10 The reason we did this is to prevent
11 cars from parking right in front of the store and
12 opening their doors and letting people in and out,
13 being picked up. That was done as a deterrent for
14 that to happen.

15 So, we show the five trees and the
16 railings, the fencing and the landscaping along the
17 front. That's why we did that. The bicycle racks
18 are interwoven in between the trees.

19 COMMISSIONER ARENCIBIA: My concern with
20 the bicycle racks and the sidewalk is that it's going
21 to interfere with the pedestrians on the sidewalk.

22 THE WITNESS: They are adjacent to the
23 trees; that still provides 15 foot wide, 15 foot wide
24 sidewalk for pedestrians. It's a wide frontage along
25 here (indicating.) We felt 15 foot wide,

1 unobstructed sidewalk, in the front of the building,
2 was adequate.

3 CHAIRMAN CHOFFO: What's the current
4 sidewalk now, in total, Mr. Reeves?

5 THE WITNESS: Around 20. Island is
6 around 5, 6 feet wide. Yeah, it's 5 feet away. So
7 the sidewalk is around 20 feet wide.

8 COMMISSIONER ARENCIBIA: It's just the
9 design of the railing and the bike rack right along
10 the curblin is atypical design. My concern is, is
11 if you have a railing right up against the curb.

12 THE WITNESS: Yes, we do.

13 COMMISSIONER ARENCIBIA: Right. It's
14 very close to the traffic. There's no parking there,
15 as I remember, there's no parking, so my concern is
16 that fence getting damaged by cars, or whatever is
17 alongside the road, by sweeping machines.

18 I think maybe there ought to be a
19 further setback from the curb to avoid any damage to
20 that railing. Because there are streets -- street
21 sweepers that protrude out.

22 THE WITNESS: At present it's about 12
23 inches clearance from the face of the curb. Because
24 you have the width of the curb, then you have a flush
25 curb behind the curb, and we split that. So it's

1 plus or minus 12 inches. Which again we felt was
2 adequate. Obviously, anything along the side of a
3 road, signs, garbage cans, poles, anything is subject
4 to being hit, but we do provide a 12-inch buffer, we
5 felt that was adequate, that it would not --

6 COMMISSIONER ARENCIBIA: From the base
7 of the curb to the --

8 THE WITNESS: To the face of the
9 railing.

10 COMMISSIONER ARENCIBIA: -- to the face
11 of the rail is 12 inches?

12 THE WITNESS: 12 inches.

13 COMMISSIONER ARENCIBIA: You're really
14 only 3 inches behind the back of the curb.

15 THE WITNESS: Like I said,
16 approximately. The curb -- the flush curb, flush
17 curb is 6 inches, so we're 6, now we're roughly 15
18 inches. Again you got thickness of the railing
19 itself. So we're approximately 12 inches back, 13,
20 14 inches. You're more than 12 inches back from the
21 face of the railing to the face of the curb.

22 COMMISSIONER ARENCIBIA: The County does
23 have to comply with the Manual of Uniform Traffic
24 Control Devices and installation of signs and 1 and
25 1/2 feet from the face of the curb is where the posts

1 are normally placed.

2 So I would ask that it be at least a
3 foot and a half, maybe a little bit more than that,
4 so that we don't interfere with any signs that the
5 County may install or may be out there presently.

6 THE WITNESS: Okay. I believe we could
7 provide that. We could just open up, have slightly a
8 larger buffer from the face of the curb to the face
9 of the railing. So 19 inches, a little bit more than
10 18?

11 COMMISSIONER ARENCIBIA: Yeah.

12 THE WITNESS: Would that be okay?

13 COMMISSIONER ARENCIBIA: That would be
14 fine.

15 THE WITNESS: Okay, I believe we could
16 accommodate that. That would just move -- that would
17 just make the island slightly smaller. It would
18 still be adequate for the landscaping and the trees.

19 COMMISSIONER ARENCIBIA: As far as the
20 fence, is the owner going to maintain that?

21 THE WITNESS: Yes, sir.

22 MR. HADLEY: Yes.

23 COMMISSIONER ARENCIBIA: So do we -- I
24 would suppose you would need a franchise agreement
25 for that fence?

1 THE WITNESS: I'm not sure if you need
2 one or not. I defer to the attorney. I don't know.
3 Would the County require one? Typically, they are
4 for structures; this is a railing and a curb.

5 COMMISSIONER ARENCIBIA: I think there
6 needs to be some type of agreement, responsibility,
7 in terms of if there's damage to that railing, that
8 the owner is going to repair it and not the County.

9 MR. HADLEY: We'll consent to doing the
10 franchise agreement if this Board requires one. It's
11 not a problem.

12 COMMISSIONER ARENCIBIA: And I just need
13 you to explain the bike rack also. We normally don't
14 have bike racks in the right of way. Normally the
15 policy is to install them on your property. But if
16 you could explain to me, how that's going to work in
17 the County's right of way? How many bicycles are you
18 proposing?

19 THE WITNESS: We're proposing three
20 bicycle racks along the front. They are adjacent to
21 this island, they are along -- they'll be protected
22 from the traffic. This island would actually protect
23 the bicycle racks from traffic. They're sitting in
24 the sidewalk. I don't know how else to describe it.
25 They are small posts, that each rack can hold two

1 bikes. They are de minimis in width, they're only
2 about 5 inches wide. There's a post with a T on
3 them, and a bike can go on either side of it. They
4 take up very little space. We felt it was a benefit
5 to the application and it was also an item that
6 Jersey City was happy to see. So I mean that's about
7 as much as I can say about it.

8 COMMISSIONER MEHTA: Chairman?

9 I understand there's a right to have a
10 bike rack, but at the same time, as County property
11 and County right of way and using that way, I think
12 last time on the Hoboken property, we required the
13 Freeholders' permission and approval for using that
14 on County property. I don't think that on Kennedy
15 Boulevard, a major highway, which is a major artery,
16 people are driving so fast and so carelessly, people
17 might be driving on the bike, bicycle.

18 CHAIRMAN CHOFFO: Steve, as
19 Commissioner --

20 COMMISSIONER MEHTA: If they can
21 accommodate something, the bike rack on the property
22 rather than on the County right of way or on the
23 sidewalk.

24 CHAIRMAN CHOFFO: Do you know, off the
25 top of your head, if we have ever approved one on the

1 sidewalk within the County right of way, bike racks,
2 planters and so on and so forth?

3 DIRECTOR MARKS: I can't recall any
4 other applications proposing to put the bike racks
5 within the County right of way. Normally it's
6 something that is located within the property. We
7 normally recommend that any bike racks be located
8 either within the parking lot area or close to any
9 entrances or exits.

10 COMMISSIONER BETTINGER: Mr. Chairman?
11 Counselor, would we be responsible, the
12 County would, if something was to happen with the
13 bicycle on the sidewalks?

14 MR. CURLEY: There would be a potential
15 for liability on the part of the County. I would
16 expect that the County would expect to have a
17 franchise in order to allow any structure within the
18 right of way.

19 There may be some blanket franchises
20 that are routinely granted, I'd have to check that
21 out.

22 CHAIRMAN CHOFFO: Mr. Hadley, is there
23 anywhere else we can put the bicycle racks?

24 THE WITNESS: We're proposing two
25 already on Skillman Avenue. I guess we could provide

1 some on-site.

2 MR. HADLEY: Yes. We'd be amenable to
3 moving the bike racks from the County right of way if
4 that's a concern.

5 COMMISSIONER FITZGIBBONS: The bike
6 racks were required by Jersey City?

7 MR. HADLEY: It was part of the
8 approval, yes, we would have to discuss that with
9 them. If the County will not permit it in the front,
10 we can either relocate them on the site itself or
11 perhaps supplement what already exists in the rear.

12 COMMISSIONER FITZGIBBONS: Don't get the
13 County wrong, they like the idea of bike racks but
14 they don't like the idea to put it on their property.

15 MR. HADLEY: Okay.

16 COMMISSIONER FITZGIBBONS: Okay?

17 THE WITNESS: I get the distinction,
18 yes.

19 COMMISSIONER FITZGIBBONS: Our Board
20 wants bike racks, but --

21 MR. HADLEY: Not the corresponding
22 possible liability.

23 COMMISSIONER ARENCIBIA: Mr. Chairman,
24 it's just that the County doesn't really have bike
25 racks within the right of way.

1 COMMISSIONER MEHTA: Like, I'm on the
2 Board for so long, eight years or nine years, I don't
3 remember that anytime we give permission of any
4 applicant to use this way the County right of way or
5 County property.

6 CHAIRMAN CHOFFO: So, Mr. Hadley, your
7 client is willing to move them?

8 MR. HADLEY: We shall relocate the bike
9 racks from the front of the building, yes. Okay.

10 CHAIRMAN CHOFFO: That's the most
11 feasible option at this point.

12 MR. HADLEY: Very good.

13 CHAIRMAN CHOFFO: Any other questions?

14 COMMISSIONER ARENCIBIA: Mr. Chairman,
15 just want to make sure that we cover all the items.

16 Is there some decorative poles or light
17 poles that you are proposing too in the sidewalk?

18 THE WITNESS: PSE&G decorative light
19 poles along Kennedy Boulevard. They'll be part of
20 the lighting program along Kennedy Boulevard. It's a
21 PSE&G-type fixture that they'll install and they'll
22 maintain.

23 COMMISSIONER ARENCIBIA: Are these to
24 replace existing fixtures or are they new additional
25 fixtures?

1 THE WITNESS: I'm not a hundred percent
2 sure on that. I know we're proposing new lighting
3 along the front.

4 COMMISSIONER ARENCIBIA: But these are
5 light poles that are along the curblineline, right?

6 THE WITNESS: Yes.

7 COMMISSIONER ARENCIBIA: Typically the
8 County has leases on those poles with PSE&G. So it's
9 unusual to have a property owner install these
10 lights, but again that would have to go through a
11 franchise agreement, I would imagine, as to who's
12 going to be responsible for maintenance of those
13 lights.

14 THE WITNESS: PSE&G will maintain them
15 as part of their maintenance program. It gets put
16 into the road program that currently exists. That's
17 what our discussions with PSE&G were.

18 COMMISSIONER ARENCIBIA: So they are
19 looking for the County to approve the lighting?

20 THE WITNESS: Yes.

21 COMMISSIONER ARENCIBIA: So that is
22 something that has to come before the Freeholder
23 Board, as well, if there's any increase in the costs
24 associated with those decorative poles.

25 THE WITNESS: Okay. I understand that.

1 COMMISSIONER ARENCIBIA: There very
2 likely will be.

3 THE WITNESS: Yes. Typically, what
4 happens with the decorative lights is the applicant
5 pays for the lights to be installed and PSE&G forces
6 installs them and then goes into a maintenance
7 agreement and they maintain them.

8 COMMISSIONER ARENCIBIA: With decorative
9 light poles, they cost more money than the standard
10 poles. I believe out there, I'm not a hundred
11 percent certain, but I believe that they are standard
12 highway-type light poles out there right now.

13 THE WITNESS: Okay.

14 COMMISSIONER ARENCIBIA: Those are a
15 cheaper rate than the decorative poles because the
16 decorative pole, if something goes wrong with it, if
17 it's damaged in a car accident, PSE&G will come out
18 there, replace that pole. That is a more expensive
19 pole than the standard light pole.

20 So my concern has to do with the cost to
21 the taxpayers if this is something that may wind up
22 having to go before the Freeholder Board for approval
23 of the additional cost. Because PSE&G will want an
24 approval from the County Board of Freeholders before
25 they proceed with this work.

1 So this has to really get clarified as
2 to who is going to be paying for what.

3 CHAIRMAN CHOFFO: Commissioner Romano.

4 COMMISSIONER ROMANO: May I suggest,
5 Mr. Chairman, that the contact you have for PSE&G, it
6 would be wise for him to get in touch with Demetrio.

7 THE WITNESS: Sure, we could arrange
8 that. Again, our discussions with PSE&G is that we
9 would pay for everything up front, set up the
10 agreement with PSE&G and then they would continue to
11 provide the maintenance and they would install it.

12 COMMISSIONER ARENCIBIA: One way, if
13 it's possible with PSE&G, if there's some way that we
14 can avoid having any change in the cost? Because
15 once there's a change, then we have to go through the
16 Freeholders Board.

17 THE WITNESS: I'll have to verify that
18 with you and contact your office.

19 COMMISSIONER ARENCIBIA: If there's no
20 change in what we're currently paying, then --

21 THE WITNESS: Then it's a wash. I
22 understand. I can't answer that definitively off the
23 top of my head. I have to investigate that.

24 CHAIRMAN CHOFFO: Anything else?

25 COMMISSIONER ARENCIBIA: That's all I

1 have, Mr. Chairman.

2 MR. HADLEY: Okay. Thanks, Jeff.

3 THE WITNESS: Thank you.

4 MR. HADLEY: My next witness is Craig
5 Peregoy, who is a traffic engineer from Joe Staigar
6 engineers. If you would swear him in.

7 C R A I G P E R E G O Y, having been duly sworn,
8 testifies as follows:

9 DIRECT EXAMINATION BY MR. HADLEY:

10 Q. Mr. Peregoy, can you give us the benefit
11 of your educational background, please?

12 A. Sure. I have a Bachelor's Degree, in
13 civil engineering, from Virginia Tech. I'm a
14 licensed Professional Engineer in the State of New
15 Jersey. I have appeared before this Board a number
16 of years ago, but several hundred occasions to other
17 planning and zoning boards throughout the State of
18 New Jersey as an expert in traffic.

19 MR. HADLEY: I offer him as our traffic
20 expert.

21 CHAIRMAN CHOFFO: All right.

22 BY MR. HADLEY:

23 Q. Mr. Peregoy, your office conducted a
24 traffic analysis with respect to the site, did they
25 not?

1 A. Yes, that's correct.

2 Q. Can you just briefly give us basically
3 what that analysis encompassed?

4 A. Sure, I'll give you the brief version.

5 Q. Overview.

6 A. What we took a look at was the St.
7 Paul's Avenue intersections, it's to the south of the
8 site off to the left of the page, with Skillman
9 Avenue and Kennedy Boulevard. We looked at the
10 weekday evening and Saturday midday peak time
11 periods, 'cause that's when the roadway will be
12 busiest along with the proposed market. What we
13 found is both of those intersections currently
14 operate at acceptable levels of the service. With
15 the addition of other site-generated traffic, they'll
16 remain at the same levels of service in the future.
17 So very little, if any, impact to the adjacent
18 roadway network.

19 That was basically the crux of the
20 traffic impact analysis. Of course I'd be happy to
21 get into more details, but I'm sure you don't want to
22 hear all the minutia of that.

23 Q. One of the Board members had a
24 particular question with regard to the automobiles
25 queuing up for the school which is to the south of

1 the site. Is there anything you can add with respect
2 to that concern?

3 A. Sure. Now, admittedly we took our
4 evening counts from 4 to 6 in the evening --

5 CHAIRMAN CHOFFO: Can you just speak
6 into the microphone? I don't know if all the Board
7 members can hear.

8 THE WITNESS: Sure.

9 We took our evening counts from 4 to 6
10 in the evening, weekdays, so we were a little bit
11 after that school time period. I've been out there
12 on other occasions and seen the school stacking up
13 and I haven't seen it get to as far as our driveway
14 is. If it were to extend that far, somebody would
15 pretty much have to brazenly sit in the driveway and
16 block an active driveway. I think what you'd see is
17 that line would have a gap at the point where our
18 driveway is. I mean, for safety purpose or just as
19 an extra measure of comfort, we could put a sign that
20 says Active Driveway or Do Not Block Driveway. It
21 will appear as an active driveway when it's
22 constructed and I don't think someone would sit in
23 there and block it while they were waiting to pick up
24 at the school.

25 Like I said, I haven't seen it get that

1 far, but you live closer, I'm sure you've seen it
2 many more times than I have. I certainly expect that
3 it's possible, but I don't see anybody sitting in
4 that driveway.

5 COMMISSIONER ARENCIBIA: Mr. Chairman,
6 if there's a concern of traffic queuing and waiting
7 for the children to come out, then I have more of a
8 concern now with that fence. Because there's going
9 to be people waiting for their kids and the fence is
10 going to be restrictive for people to get out of
11 their cars, obviously.

12 So we really should be certain if
13 there's a queuing that goes on passed the driveway,
14 because it will obviously affect how the fence is
15 going to be -- whether it's going to be there or not.

16 COMMISSIONER FITZGIBBONS: I got a
17 question. Is there a crossing guard at that site?

18 THE WITNESS: I don't believe so, not
19 that I've seen.

20 COMMISSIONER BETTINGER: No.

21 COMMISSIONER FITZGIBBONS: Is that a
22 private school?

23 COMMISSIONER BETTINGER: No, it's a
24 school for handicapped children.

25 COMMISSIONER FITZGIBBONS: They don't

1 have a crossing guard there?

2 COMMISSIONER BETTINGER: I don't
3 remember seeing it. Do they? I've seen it, yes.

4 THE WITNESS: Back to the fence, you're
5 worried about, like, the pickup and drop-off
6 occurring at the fence. I think they basically come,
7 line up and pick up and drop off closer to the
8 school. I don't think anybody is going back that
9 far, I think that's kind of just a queue. The condo
10 line if you will.

11 CHAIRMAN CHOFFO: Craig, what's the
12 distance that we're talking about?

13 THE WITNESS: I'd have to say it's
14 probably 180 to 200 feet just looking at the aerial
15 that I have. Probably can fit, between our driveway
16 and where this right turn lane begins, it could fit
17 nine, ten cars.

18 CHAIRMAN CHOFFO: Go ahead, Steve.

19 DIRECTOR MARKS: Mr. Chairman, I
20 actually drive passed that site often and often it's
21 during the -- I guess AM or PM pickup or drop-off
22 hours. There's regularly, I can't say everyday,
23 there's regularly queuing of parked vehicles going
24 back to the site and even further back.

25 My question to Mr. Peregoy is, wouldn't

1 the fencing, that you propose, actually discourage
2 people from queuing back that far for discharging or
3 picking up pedestrians?

4 THE WITNESS: Oh, sure, it would make it
5 a lot tighter to open that passenger's side door.

6 CHAIRMAN CHOFFO: The other reason they
7 may be queuing is because this property is currently
8 vacant; right?

9 MR. HADLEY: That is correct.

10 CHAIRMAN CHOFFO: I think the fence
11 should stay, is my personal feeling.

12 COMMISSIONER ARENCIBIA: I'm just -- in
13 theory it should work, but in reality you might get
14 people that are stubborn and don't want to be further
15 back and they'll queue up along the fence.

16 COMMISSIONER ROMANO: That is a no
17 parking area.

18 COMMISSIONER ARENCIBIA: Right, there's
19 no parking anytime along there. It's a right-hand
20 turn lane and they still park there.

21 CHAIRMAN CHOFFO: The applicant is
22 showing good faith by putting up the fence to avoid
23 that happening on their property.

24 COMMISSIONER ARENCIBIA: Mr. Chairman,
25 we have people that are actually breaking the law by

1 parking there and they shouldn't be parking there.

2 MR. HADLEY: Yeah, I think that becomes
3 an enforcement issue right now, where the
4 municipality is going to have to step up their
5 enforcement. As there's an ongoing business there,
6 which will be the market and the school. We have
7 these problems around Journal Square where the cars
8 are double-parked. It's an enforcement issue.

9 I think we have made the best effort at
10 addressing the problems as it concerns our site.
11 We'll pretty much get in touch with the officials to
12 notify them that if the queuing problem adds to the
13 problem, which is access and egress from our site,
14 that certainly the town should be stepping up
15 enforcement there.

16 COMMISSIONER BETTINGER: But my only
17 concern is that these are handicapped children, it's
18 not just a school where people are just parking. If
19 you have a handicapped child and you need to pick
20 your child up, where are they supposed to pick their
21 child up?

22 MR. HADLEY: I'm sorry, I don't have an
23 answer for that.

24 COMMISSIONER BETTINGER: I know. The
25 concern is --

1 MR. HADLEY: I would imagine some of
2 these kids, they are bused, are they not? I'm not
3 sure what the -- I know there's a school around
4 Skillman Avenue. Which school are you referring to?

5 COMMISSIONER BETTINGER: I'm referring
6 to the school on Kennedy Boulevard and St. Paul's
7 Avenue.

8 MR. HADLEY: Kennedy Boulevard, right.

9 COMMISSIONER BETTINGER: Yes.

10 The applicant is indicating to me that
11 he is certain that that is not a handicapped school,
12 he says it's a regular school. I don't know --

13 COMMISSIONER ROMANO: As long as I think
14 if the signage is there and it's decided that it does
15 become an enforcement issue, that the proper
16 notifications are made to the proper law enforcement
17 agency that monitor and direct the situation. That
18 should end it, between that and the signage.

19 COMMISSIONER FITZGIBBONS: I got a
20 question. If there's a school there, there should be
21 a mark-off, no parking from 8 to 3 PM. 4 PM, 8 PM.
22 There should be signs up there existing. Because
23 every school that I know of has signage and you can't
24 park by the school.

25 CHAIRMAN CHOFFO: That's the school's

1 problem.

2 COMMISSIONER ARENCIBIA: There's no
3 parking allowed anytime?

4 COMMISSIONER BETTINGER: You think we
5 could inform the school, before this project goes
6 forward, that they won't be able to pick up their
7 child from there?

8 MR. HADLEY: We'll certainly notify the
9 school that this project is in the works and that if
10 there's an issue there, that --

11 COMMISSIONER BETTINGER: That the school
12 needs to make adjustments for their pickup.

13 MR. HADLEY: We'll agree to doing that,
14 Commissioner. Whatever letter we sent to them, we'll
15 certainly notify this body as well.

16 THE WITNESS: Now mom and dad will be
17 able to go into the market before and after. It's
18 very convenient.

19 COMMISSIONER AVAGLIANO: There's no
20 parking on the Boulevard, from the highway to the
21 school there's no parking on the Boulevard.

22 COMMISSIONER BETTINGER: But they are
23 there.

24 COMMISSIONER AVAGLIANO: None whatsoever
25 near the school, none. By the side of the school and

1 the front of the school. Because I go there every
2 week. No parking on the Boulevard.

3 COMMISSIONER ARENCIBIA: Mr. Chair, it's
4 a concern that you have to deal with, because it may
5 affect the operation. Somebody actively waiting and
6 blocking the driveway will affect your operation. So
7 it's going to be disruptive to your business. So
8 something really has to be clarified with the local
9 police to make sure there's enforcement.

10 DIRECTOR MARKS: Mr. Chairman, are the
11 curbs currently painted yellow there? Demetrio, is
12 that something that --

13 COMMISSIONER ARENCIBIA: I know the
14 right turn lane is painted yellow and there's a sign
15 for no parking. There's no room for parking. They
16 block the right turn lane. So there's a definite --
17 it's right in front of the school. So I don't think
18 the police enforce it because they are picking up
19 their kids.

20 DIRECTOR MARKS: Mr. Chairman.

21 As part of your project, are you
22 proposing to redo, replace, existing sidewalks and
23 curbs?

24 MR. HADLEY: I believe so, yes.

25 THE WITNESS: One.

1 DIRECTOR MARKS: If approved, when the
2 applicant replaces the curbs, maybe they apply yellow
3 paint or whatever the appropriate MUCTD color is to
4 further discourage illegal parking in front of the
5 site. Because it doesn't -- it's not just a matter
6 of blocking the driveway, it also interferes with the
7 sight lines of anybody trying to leave if there's
8 illegally parked vehicles on either side of the
9 driveway and then you can't properly see when you're
10 exiting.

11 COMMISSIONER ARENCIBIA: Mr. Chairman,
12 there should be No Stopping or Standing Anytime
13 signs. You might want to make it as a condition that
14 No Stopping or Standing signs be posted all the way
15 to -- is it St. Paul's intersection is where this is?

16 MR. HADLEY: Yeah, yeah.

17 COMMISSIONER ARENCIBIA: At least from
18 that side we make sure it's covered that there's no
19 stopping or standing anytime.

20 MR. HADLEY: Whatever signage this body
21 requires, we'll comply with.

22 Any other questions for this witness?

23 CHAIRMAN CHOFFO: Mr. Marks.

24 DIRECTOR MARKS: Lee Klein is here from
25 T & M Associates, Mr. Chairman. He had some issues.

1 MR. KLEIN: We have worked with the
2 applicant's traffic engineer to come up with an
3 access in and out of the site on the Kennedy
4 Boulevard side. Originally they were going to have
5 left turns out, permitted from the site, and we met
6 with them in a Technical Review Committee meeting and
7 we decided that we would allow right turns in from
8 Kennedy, right turns out from Kennedy and that's why
9 they have that little island in there to force
10 traffic to make the right turn. Then we're allowing
11 left turns in.

12 Because of the separation of the two
13 parking lots, people are going to possibly have to
14 come in, try to find a parking spot up there on the
15 upper level. If they don't find one, they'll come
16 back out, make a right, it will send them around to
17 St. Paul's and Skillman and into the main level. We
18 thought that was adequate. Since there's that left
19 turn slot there for the intersection with 1 & 9
20 further up, traffic would just be flowing into a left
21 turn lane that's there today.

22 CHAIRMAN CHOFFO: Wasn't there a
23 question about the queuing with regard to making a
24 left turn into the property?

25 MR. KLEIN: Maybe the applicant can

1 elaborate on it, but I know I had conversations with
2 Mr. Staigar from their office. They tried to reach
3 out to the DOT and I think to the consultant that was
4 working on the 1 & 9 circle down there, and they
5 weren't able to get a copy of any reports that said
6 any of the traffic would change, but I believe, and
7 maybe Demetrio can elaborate on this as well, that
8 that left turn should actually be reduced because of
9 the movements -- once you make that left turn to get
10 onto 1 & 9, it's only going to allow to go north on 1
11 & 9. So the traffic, that today goes down there to
12 get on 1 & 9 to go south, will have to go a different
13 way. If anything, the queues will be shorter in the
14 future.

15 THE WITNESS: I found on the DOT Web
16 site, they have a map of the improvements and that is
17 the case, you're only going -- when you make that
18 left you can't get on the Skyway or 7 --

19 CHAIRMAN CHOFFO: The rest of the Board
20 members and myself and Commissioner Fitzgibbons were
21 at the site plan, but just so the other Board members
22 know.

23 THE WITNESS: Sure. This left turn lane
24 provides access to the Tonnelle Circle, where you can
25 get onto the Pulaski Skyway or Route 7 or to Tonnelle

1 Avenue north. Under the proposed reconfiguration of
2 the Tonnelle Circle, this left turn, that ramp is
3 going to remain but it's just going to peel off to
4 the right to go to northbound Tonnelle Avenue, 1 & 9.
5 You're not going to be able to get onto the Pulaski
6 Skyway or Route 7 from that ramp, they are going to
7 go St. Paul's or Newark Avenue and they are both
8 going to get you to that direction.

9 So, you're going to see a lot less
10 traffic making that left. It's a pretty long turn
11 lane now and it will be utilized. That's it.

12 COMMISSIONER ARENCIBIA: Mr. Chairman,
13 the construction is going on right now. If you are
14 familiar with the Tonnelle Circle, there's a \$200
15 million project the State is undertaking and
16 eventually that ramp will be only for northbound 1 &
17 9 traffic.

18 CHAIRMAN CHOFFO: All right. Go ahead,
19 Steve.

20 DIRECTOR MARKS: Mr. Chairman, the
21 application was also reviewed and inspected by the
22 Board's Principal Planner, Megan Massey, and our
23 Building Inspector, Mario Tridente. I would just
24 ask, for the record, if they have any questions or
25 additional comment?

1 MR. TRIDENTE: Mr. Chairman, after
2 reviewing the site plans, I noticed that there
3 weren't any signage notifying the exiting vehicles,
4 from the upper driveway, of children present during
5 work hours. Would you object to installing a sign
6 notifying exiting traffic?

7 MR. HADLEY: No objection to that.

8 MR. TRIDENTE: Children present during
9 school hours coming -- going in and out. Just as a
10 point of order, children probably will be walking by
11 there and proper notification would be warranted.

12 MR. HADLEY: That won't be a problem.

13 MR. TRIDENTE: Okay.

14 MS. MASSEY: My comments were addressed.

15 COMMISSIONER ARENCIBIA: Mr. Chairman,
16 if I can elaborate on that, what was the sight
17 distance coming out of the driveway? For a car
18 that's coming out, are they going to have to be --
19 like in New York City, you know, there's a lot of
20 parking garages, that people coming out of those
21 parking garages really can't see people in the
22 sidewalk until the car is already up, you know, to
23 the sight line of the person that's driving.

24 So, is that going to be similarly here,
25 is that going to be where someone has to pry into the

1 sidewalk so they could see the people that are coming
2 across the sidewalk?

3 THE WITNESS: It looks like the wall
4 existing does come up to the sidewalk. I'm not sure
5 how high it is.

6 MR. HADLEY: Mr. Reeves, would you like
7 to just address that, please?

8 MR. REEVES: There's a stop condition in
9 the garage. If you are exiting the garage, there
10 will be a stop condition inside the garage and then
11 you will slowly proceed onto the sidewalk to look
12 both directions before proceeding onto Kennedy
13 Boulevard.

14 COMMISSIONER ARENCIBIA: Oftentimes they
15 may put those convex mirrors so that the driver can
16 see. So it would be right at the openings of the
17 garage. Would you be willing to install those
18 mirrors?

19 MR. REEVES: I think we can install
20 those mirrors. If it turns into being an issue where
21 they can't see, I don't think that would be an issue.

22 COMMISSIONER ARENCIBIA: That's why I'm
23 asking whether there's a sight issue problem. If you
24 don't know the answer, that's fine, but if it does
25 turn out to be a sight distance issue, I think we are

1 going to need to have those mirrors.

2 MR. HADLEY: We'll consent to installing
3 the mirrors.

4 CHAIRMAN CHOFFO: Thank you.

5 MR. HADLEY: Are there any other
6 questions for this witness?

7 Well, that concludes our case and our
8 presentation.

9 COMMISSIONER BETTINGER: Chairman, I
10 have one question. When is this project going to
11 start and when is the completion?

12 MR. HADLEY: That is dependent on
13 whether or not the final drawings are done.

14 Ron, the Commissioner asked, when will
15 this project commence?

16 MR. RUSSELL: I'm going to guesstimate
17 that it will start -- tomorrow we'll do internals and
18 two months to do the drawing and 12 months for
19 construction, give or take a few months for bidding.
20 I would say about 16 months, plus or minus. Don't
21 hold me to that. Can I get any more vague than that?

22 COMMISSIONER BETTINGER: Thank you.

23 MR. HADLEY: You're welcome.

24 CHAIRMAN CHOFFO: Anyone want to make a
25 motion?

1 COMMISSIONER FITZGIBBONS: I make a
2 motion to approve this on the agreements of the
3 applicant. Steve, the agreements were?

4 DIRECTOR MARKS: Mr. Chairman,
5 Mr. Curley was noting all the conditions, so I'd
6 recommend that he read it into the record.

7 CHAIRMAN CHOFFO: All the signage.

8 MR. CURLEY: I'll start with the
9 franchise from the Board of Chosen Freeholders for
10 any improvements to be placed in the County right of
11 way, including, without limitation, the barriers or
12 railings, any trees or landscaping elements, any
13 decorative lighting fixtures. The other one is to
14 maintain all such improvements to the satisfaction of
15 the Board of Chosen Freeholders either directly or
16 through PSE&G maintenance program as applicable.

17 The second condition would be that
18 deliveries are to be scheduled so as not to conflict
19 with school traffic. I believe that was a condition
20 of the municipal approval that was mentioned.

21 The third condition is that the design
22 would be changed to move the fence, along Kennedy
23 Boulevard, back 18 inches from the face of the curb.

24 The fourth condition would be that the
25 bicycle racks are to be relocated so as not to be in

1 the County right of way.

2 The fifth condition is to avoid conflict
3 with the school drop-off traffic. Certain measures
4 would be taken, including yellow painting of the
5 Kennedy Boulevard curb in front of the building,
6 after it's rebuilt, and signage indicating that there
7 would be no stopping or standing. I don't know if
8 that would require some type of DOT approval. We'll
9 have to look into that.

10 COMMISSIONER ARENCIBIA: It may require
11 an ordinance from the Freeholder Board. If there's
12 no one present.

13 Getting back to the PSE&G, you know, I
14 think Mr. Reeves mentioned that they were going to
15 work towards a no-cost option for PSE&G not to have
16 anything that's going to be a burden to the county
17 taxpayer.

18 MR. CURLEY: Condition No. 6 would be a
19 sign at the Kennedy Boulevard entrance and exit:
20 Children Present During School Hours.

21 And the seventh condition would be
22 concave mirrors at Kennedy Boulevard entrance and
23 exit so that drivers can perceive whether or not the
24 pedestrians are on the sidewalk.

25 COMMISSIONER ARENCIBIA: Sounds good.

1 CHAIRMAN CHOFFO: Do I have a second?

2 COMMISSIONER BETTINGER: I'll second the
3 motion.

4 DIRECTOR MARKS: Mr. Chairman, on a
5 motion, to conditionally approve application
6 2010-083-SP, made by Commissioner Fitzgibbons,
7 seconded by Commissioner Bettinger.

8 Commissioner Arencibia?

9 COMMISSIONER ARENCIBIA: Aye.

10 DIRECTOR MARKS: Commissioner Avagliano?

11 COMMISSIONER AVAGLIANO: Aye.

12 DIRECTOR MARKS: Commissioner Bettinger?

13 COMMISSIONER BETTINGER: Aye.

14 DIRECTOR MARKS: Commissioner
15 DiDomenico?

16 COMMISSIONER DiDOMENICO: Aye.

17 DIRECTOR MARKS: Commissioner
18 Fitzgibbons?

19 COMMISSIONER FITZGIBBONS: Aye.

20 DIRECTOR MARKS: Commissioner Mehta?

21 COMMISSIONER MEHTA: Aye.

22 DIRECTOR MARKS: Commissioner Romano?

23 COMMISSIONER ROMANO: Aye.

24 DIRECTOR MARKS: Chairman Choffo?

25 CHAIRMAN CHOFFO: I vote aye. Good

1 luck.

2 DIRECTOR MARKS: Mr. Chairman, the
3 motion passes.

4 Mr. Chairman, next application scheduled
5 for public hearing is 2010-089-SP, Hurricane
6 Associates, applicant, located at 1200 Harrison
7 Avenue, which is Block 275, Lot 1 in the Town of
8 Kearny.

9 MR. FAGAN: Good evening, members of the
10 Board. My name is Michael Fagan. I'm in-house
11 counsel for the applicant, Hurricane Associates. My
12 title is Vice President Associate General Counsel for
13 the applicant.

14 With me today is Lahbib Chibani, of
15 Sadat & Associates, who will provide some testimony
16 and background with respect to our application which
17 in general terms relates to the relocation of Frank's
18 Creek and Dead Horse Run around our property, that is
19 located at 1200 Harrison Avenue, to allow for
20 additional parking at that property, which will in
21 the end result in trailers, that are currently parked
22 across the street at the Wal-Mart site in Kearny, New
23 Jersey, being moved onto our site. That agreement
24 with the Town of Kearny, to allow our parking on the
25 Wal-Mart site presently, will expire at the end of

1 this year, thus the need for relocating Frank's Creek
2 and allowing those trailers to move onto the rear of
3 our site will obviously improve the aesthetics of the
4 Wal-Mart site from Harrison Avenue and will result in
5 additional parking on our property.

6 At the present time, I would ask Mr.
7 Chibani to stand and be sworn in.

8 L A H B I B C H I B A N I, having been duly sworn,
9 testifies as follows:

10 DIRECT EXAMINATION BY MR. FAGAN:

11 Q. Mr. Chibani, would you provide the Board
12 with the benefit of your education?

13 A. Good evening, Mr. Chairman and
14 Commissioners. My name is Lahbib Chibani and I have
15 a Master's Degree, in civil and environmental
16 engineering, from Rutgers University; and I have a
17 Ph.D., in civil engineering, from the University of
18 Illinois. I am a Professional Engineer in New Jersey
19 and I practiced engineering for approximately 20
20 years in New Jersey.

21 MR. FAGAN: If that's satisfactory, we
22 would like to hear from Mr. Chibani with respect to
23 the application.

24 BY MR. FAGAN:

25 Q. Mr. Chibani, now that you've been

1 qualified, a letter has been provided, dated March
2 10th of 2011, to Randy Kertes of Sadat Associates,
3 your firm. A couple of items were noted in that
4 review letter. Specifically I'd like you to, if you
5 could, address items 10, 11 and 12 and explain what
6 those items were and what our response to those items
7 is.

8 A. The board that you have in front of you
9 is the current location of Frank's Creek. It runs
10 along Bergen Avenue. The objective of the project
11 basically --

12 CHAIRMAN CHOFFO: One second. Could we
13 just mark that?

14 (Exhibit received and marked into
15 evidence.)

16 MR. FAGAN: This has been marked as
17 Exhibit 1.

18 THE WITNESS: The objective of the
19 project is basically to locate the creek further to
20 the side of the site. What you see in front of you
21 are the existing conditions. We have a water body
22 and we have some wetlands around the creek. We did
23 sample the creek and we found that in the sediments
24 of the creek there's some contamination and also the
25 purpose of the project is to basically remove the

1 sediment and clean the creek.

2 COMMISSIONER ARENCIBIA: Mr. Chairman,
3 before you move that drawing, can you just reference
4 where you said Bergen Avenue, "along Bergen Avenue"?

5 THE WITNESS: Yes.

6 COMMISSIONER ARENCIBIA: Can you just
7 point out where that is in that photo?

8 THE WITNESS: This is Bergen Avenue and
9 this is Harrison Avenue (indicating.) And the
10 property is surrounded by New Jersey Transit on one
11 side and Conrail on the other side.

12 COMMISSIONER ARENCIBIA: Okay. So
13 Bergen Avenue, right, is that road and across the
14 street -- there's a traffic light there -- across the
15 street is the Wal-Mart?

16 THE WITNESS: Yeah, this side
17 (indicating.)

18 COMMISSIONER ARENCIBIA: Okay.

19 MR. FAGAN: This next exhibit is marked
20 as Exhibit 2. It is Sadat & Associates additional
21 drawing 1 of 1, dated 3/15/11.

22 (Exhibit received and marked into
23 evidence.)

24 THE WITNESS: What's being proposed over
25 here is basically to move the creek to the side of

1 the site along Bergen Avenue. And what -- we had
2 been talking to DEP in how to improve the creek, and
3 the result of the decision of DEP, basically is to
4 improve the hydraulics of the creek.

5 So, you know, as you may be aware, that
6 there's a flood -- you know, the whole area, you
7 know, it's being accessed by various entities. So,
8 as far as this project here, we're going to be
9 improving the hydraulics of the creek. The capacity
10 of the creek will be increasing. We'll be enhancing,
11 as well, the wetlands. We're approximately enhancing
12 the wetlands by 15 percent and we're increasing the
13 water body by approximately 20 percent.

14 We're adding about 55,000 square feet of
15 impervious to the site. It's not much, like
16 three-quarters of an acre, that's what we're adding
17 to the site.

18 So, what you have, basically is a very
19 simple application. We got a couple of comments from
20 the --

21 BY MR. FAGAN:

22 Q. In terms of the impervious, could you
23 provide the Board with knowledge of what the total
24 site acreage is?

25 A. Total site is about 20 acres. You know,

1 most of the site is paved and, as I said earlier,
2 we're adding only like 55,000 square feet of
3 impervious to the site. Not much.

4 As far as the comments we received from
5 the County technical staff, the first comment
6 basically deals with the number of trees. We have
7 about 20 trees along Harrison Avenue already. And
8 also, as part of the improvement of the creek, we're
9 also adding Riparian. We're planting approximately
10 86 trees, American sycamores and the white cedars,
11 about 86 trees we're planting along this area here
12 (indicating.)

13 In addition, we're also planting
14 approximately 700 shrubs along this creek here. So
15 we feel like we're providing more than what is
16 required.

17 Q. Mr. Chibani, just staying with the
18 comment and the number of trees called for in the
19 review letter, they are calling for 28 trees, I
20 believe you said?

21 A. Right.

22 Q. 20 are existing, so what are we planning
23 on doing with respect to bridging that difference?
24 Planting the additional eight trees?

25 A. Yeah, we can plant additional eight

1 trees.

2 CHAIRMAN CHOFFO: I have a question.
3 The creek runs, currently, parallel with Bergen
4 Street?

5 THE WITNESS: Bergen.

6 CHAIRMAN CHOFFO: Yeah. It's to the
7 west of Bergen Street?

8 THE WITNESS: Right.

9 MR. FAGAN: This is the existing view.

10 CHAIRMAN CHOFFO: It's going to be moved
11 in which direction?

12 THE WITNESS: Slightly to the south but
13 the same direction.

14 MR. FAGAN: The question, if I
15 understand it correctly is, how is the new location
16 going to differ from the existing location?

17 CHAIRMAN CHOFFO: Yes.

18 MR. FAGAN: If you could demonstrate
19 how --

20 THE WITNESS: Existing location
21 basically goes from -- you know, from north to south
22 and there's a little meandering here and the new
23 location would also go from north to south, with
24 improvement of hydraulics of the creek.

25 CHAIRMAN CHOFFO: So you're moving

1 east --

2 THE WITNESS: Yeah, we're moving east,
3 east.

4 CHAIRMAN CHOFFO: All right.

5 COMMISSIONER FITZGIBBONS: Is that a
6 manmade creek?

7 THE WITNESS: I think it's -- yeah, most
8 likely it's a manmade creek.

9 The whole site has a lot of fill in it.
10 And this creek drains a large area including some
11 landfills and stuff like that from upstream.

12 CHAIRMAN CHOFFO: Even though it's moved
13 east, I believe, it's still on the west side of
14 Bergen Street though?

15 THE WITNESS: That's right.

16 MR. FAGAN: That is correct.

17 THE WITNESS: Yeah.

18 CHAIRMAN CHOFFO: All right.

19 MR. FAGAN: You'll note that it's
20 dropping down to the eastern side.

21 CHAIRMAN CHOFFO: I was just trying to
22 get a visual of it.

23 THE WITNESS: As part of the requirement
24 of DEP, they asked us to demonstrate that the new
25 creek basically will be hydraulically more efficient

1 than the old one, which would be most ready to them.

2 By the way, we have all the approval
3 from DEP: Land use, waterfront permits, wetlands
4 permit, flood hazard permit. We got all the
5 approvals from DEP.

6 CHAIRMAN CHOFFO: You do?

7 THE WITNESS: Yeah. And I think they
8 were forwarded to the County.

9 MR. FAGAN: We have an application
10 pending with the Meadowlands; is that correct?

11 THE WITNESS: Yeah, we have an
12 application with New Jersey Meadowlands Commission
13 and this application.

14 So we believe that item 10, you know,
15 we're addressing item 10 off of the comments of the
16 technical staff.

17 The second comment, which is comment 11,
18 which is basically the green infrastructure
19 stormwater. Which we believe also is being addressed
20 because we're creating more Riparian. We're planting
21 more native trees, the sycamore and the shrubs and so
22 on.

23 BY MR. FAGAN:

24 Q. So the Best Management Practices are
25 being met through the additional vegetation that

1 we're adding?

2 A. That's right. So we're meeting two,
3 maybe, if not more.

4 The last comment is dealing with
5 providing sidewalk along Harrison Avenue and we're
6 willing to provide that as well as handicap access.

7 Those are the three comments we got from
8 the County.

9 Q. Mr. Chibani, while you're still
10 testifying, again just to give the Board perspective
11 on our other applications and other bodies that are
12 passing on this application, the Army Corps of
13 Engineers, is there an application pending with that?

14 A. Yes. And basically the feedback we got
15 from the Army Corps of Engineers, once DEP approve
16 it, they'll approve it. So we anticipate the
17 approval from the Army Corps of Engineers.

18 CHAIRMAN CHOFFO: The DEP approved it?

19 THE WITNESS: Yes, which we have the
20 approval from DEP.

21 CHAIRMAN CHOFFO: All right.

22 MR. FAGAN: Soil Conservation, we'll be
23 making application to them?

24 THE WITNESS: Yeah, we'll also get the
25 Soil Conservation District's approval.

1 MR. FAGAN: Any questions for Mr.
2 Chibani or would the Board like to see any of these
3 exhibits more closely.

4 COMMISSIONER FITZGIBBONS: All I can
5 say, this is the first time I ever seen, across the
6 commission of the Board here, was movement of a
7 creek. You go to Hoboken, we got a lot of creeks
8 running around.

9 COMMISSIONER ROMANO: The school, right.

10 COMMISSIONER MEHTA: Chairman, I just
11 have a question. That you mentioned that you are
12 improving the property and you are improving only
13 just by adding the parking spaces, right, you are not
14 adding anything, structure or building or anything?

15 THE WITNESS: Nothing. We have
16 currently, a 400,000 square feet building; it's going
17 to stay the same. We're only adding a little
18 pavement, like 55,000 square feet of parking -- of
19 pavement.

20 MR. FAGAN: If the Commissioners are
21 familiar with the site, the post office is currently
22 a tenant of the site and those trailers that you
23 probably might have seen as you drive into the
24 Wal-Mart site along Harrison Avenue, some of them
25 have the post office logos on them, and so, for

1 obvious aesthetics reasons, it's desirable to get
2 them off that site and behind our building.

3 THE WITNESS: And actually this will
4 improve the traffic in the area because the trailers
5 don't have to move from one side to the other, they
6 just have to come to one place and stay there.

7 MR. FAGAN: In other words, a right-hand
8 turn into our site as opposed to a left into the
9 Wal-Mart site.

10 COMMISSIONER MEHTA: So all the 92
11 parking spaces will be for the trucks or it will be
12 for the cars and trucks combined?

13 THE WITNESS: No, just for the trucks.
14 There's only one additional parking spot for the
15 cars.

16 MR. FAGAN: As we have explained, the
17 purpose and the driving force behind that is to get
18 those trailers off of the Wal-Mart site onto our
19 site.

20 CHAIRMAN CHOFFO: Which is something
21 Kearny wanted?

22 MR. FAGAN: Which is something Kearny is
23 requiring, that we accomplish that by the end of this
24 year.

25 CHAIRMAN CHOFFO: How many trailers are

1 over there?

2 MR. FAGAN: It varies, honestly, because
3 it's a surge kind of thing with the post office.
4 Obviously during the holiday season, more arrive than
5 at other times. I'd say, in general we're talking
6 about -- I think it's about 60 trailers, give or
7 take, on average. I would not represent to the
8 Commissioners and the Board that it doesn't vary from
9 that. As I say, during the holiday season, obviously
10 there is a surge of that.

11 CHAIRMAN CHOFFO: Mr. Marks.

12 DIRECTOR MARKS: Mr. Chairman, I just
13 have a couple questions. The 700 shrubs that are
14 proposed, are they native shrubs?

15 THE WITNESS: Yes.

16 DIRECTOR MARKS: Is that native
17 landscaping?

18 THE WITNESS: Yes, all of them are
19 native shrubs, yeah.

20 DIRECTOR MARKS: And the application was
21 reviewed by Megan Massey who is the Principal
22 Planner. Megan, do you have anything?

23 MS. MASSEY: The applicant addressed the
24 comments in my letter. I was also going to speak to
25 the next letter.

1 DIRECTOR MARKS: Mr. Chairman, there was
2 a T -- T & M had originally reviewed this and T & M
3 Associates, apparently there's a relationship between
4 one of the principals of Hurricane Associates and a
5 project that T & M Associates had worked on in South
6 Jersey. We brought it to the attention of Mr.
7 Curley. Mr. Curley had ruled that it constituted a
8 conflict of interest.

9 So T & M actually recused itself. This
10 was pretty far along into the process after T & M --
11 normally, at the Site Plan and Subdivision Review
12 Committee, the applications are given to either the
13 consulting engineer or the alternate engineer. T & M
14 wasn't aware of it, that the engineers from T & M
15 weren't aware of the conflict at the time. It only
16 came up within the last couple days. T & M had
17 prepared a comment letter, but given the situation of
18 the conflict of interest that does exist, we didn't
19 distribute it to the Board.

20 So we didn't actually have a
21 consulting -- an outside consulting engineer review.
22 It was done, but we can't -- basically we can't
23 access it, unfortunately. This was something that
24 came up only recently. We didn't have time to refer
25 the application to the alternate engineer.

1 So, it was reviewed by the Site Plan
2 Subdivision Review Committee. I would just ask that
3 the applicant speak to any changes in the actual
4 drainage from the County roadway system and/or any
5 impact on the traffic from moving the trailers, if
6 whether or not there's any impact on the trailer
7 parking from one side of Harrison Avenue to the
8 other.

9 MR. FAGAN: So I'm clear about your
10 second question, with respect to the second part,
11 you're talking about the movements of the trailers,
12 where they now reside, onto our site?

13 DIRECTOR MARKS: Right. Is there any
14 impact on the local roadway system or traffic?

15 THE WITNESS: You know, as I said
16 earlier, the movement of material from the close --
17 to the site will improve traffic because you don't
18 have to have this crossing back and forth between the
19 two traffics. The tourists will come and just make a
20 right-hand side instead of making a left-hand side.
21 We see improvements in actually what is being
22 proposed here.

23 CHAIRMAN CHOFFO: Majority of your
24 trucks are going westbound on Harrison Avenue from
25 eastbound?

1 MR. FAGAN: That's correct, coming from
2 the highway, obviously.

3 COMMISSIONER FITZGIBBONS: The township
4 of Kearny approved it?

5 THE WITNESS: I believe the Meadowlands
6 Commission has jurisdiction over the project and
7 issued their approval.

8 MR. FAGAN: It is a pending application
9 with Meadowlands. We have already had a review with
10 the Meadowlands and we're continuing discussions with
11 them and the application is proceeding.

12 COMMISSIONER FITZGIBBONS: All I can say
13 is that I'm sure they are going to look at this
14 development very -- the Meadowlands are going to look
15 at it -- Commission is going to look at this
16 development very, very, carefully because it takes
17 part of the Meadowlands.

18 THE WITNESS: We have approval from the
19 State, which issued all the wetland permits, all the
20 waterfront permits. We have all of these approvals.

21 CHAIRMAN CHOFFO: This should have a
22 positive impact on drainage?

23 THE WITNESS: Drainage doesn't change
24 too much at the site. As you see, you know, the
25 Frank's Creek is tidal so the quantities don't

1 account when you have a tidal.

2 MR. FAGAN: Unless I misunderstood the
3 question, I believe you gave previous testimony about
4 the capacity of the creek in terms of the size and
5 the depth and the ability to handle additional flows.

6 THE WITNESS: Yes. I have two exhibits,
7 these were included in the stormwater report, and
8 they show the creek, you know, the existing creek,
9 and you see the water in it and you see the proposed
10 creek and you see that there's improvement because
11 the water level is less in the new creek than the old
12 creek.

13 DIRECTOR MARKS: Just more specifically,
14 Mr. Chairman, what is the impact -- are you proposing
15 any changes to the County drainage system involving
16 catch basins, inlets, outfalls, County-owned
17 outfalls, storm sewers?

18 I understand what you're doing with the
19 wetlands, but in terms of the County's assets and
20 facilities, are there any -- are you proposing any
21 changes?

22 MR. FAGAN: Let me ask him one question,
23 if I may, Mr. Marks.

24 THE WITNESS: Yeah, most of the
25 stormwater end up into the Frank's Creek, so there is

1 no change in the catch basins, whatever owned by the
2 County. Stormwater end up into Frank's Creek. The
3 change that is being proposed is only in this area
4 and it goes into Frank's Creek.

5 CHAIRMAN CHOFFO: What does something
6 like this cost, ballpark?

7 MR. FAGAN: Too much. In all honesty,
8 it's an expensive project. But, you know, it's
9 tied -- we can't continue it to stand as is with the
10 trailers parking across the street with the Town of
11 Kearny. It's something that we must make an
12 investment in and change.

13 CHAIRMAN CHOFFO: Any questions,
14 Commissioners?

15 COMMISSIONER ARENCIBIA: Yes. I don't
16 have the report from our consulting engineer. If I
17 could see what comments they have had.

18 (Pause.)

19 I'm sorry, Chairman, you're tying into a
20 culvert that goes underneath Harrison Avenue; what's
21 the size of that culvert?

22 THE WITNESS: I don't know off the top
23 of my head, but I think it's -- I have to look at the
24 drawing.

25 COMMISSIONER ARENCIBIA: You have it on

1 the drawing?

2 THE WITNESS: Yeah.

3 COMMISSIONER ARENCIBIA: Could you
4 please just check?

5 THE WITNESS: I believe it's 4 by 15,
6 you know.

7 MR. FAGAN: It's 4 by 18.

8 THE WITNESS: 4 by 18, 4 by 15.

9 COMMISSIONER ARENCIBIA: 4 feet by --

10 THE WITNESS: 4 feet high by 15 --
11 18/15.

12 COMMISSIONER ARENCIBIA: 18 feet wide?

13 THE WITNESS: 15, 15/18.

14 COMMISSIONER ARENCIBIA: 15 feet wide?

15 THE WITNESS: Yeah.

16 Okay, 18 feet wide.

17 COMMISSIONER ARENCIBIA: 18 feet. Did
18 you inspect that culvert, was that part of your work?

19 THE WITNESS: It was inspected by our
20 engineer. And as part of the discussions we had with
21 DEP, it's basically -- you know, the purpose is to
22 improve Frank's Creek.

23 Now, the whole flood hazard management
24 in the area has been down a larger scale and I'm not
25 sure whether you're familiar, there was a report by

1 Neglia that addressed the whole flood in the whole
2 area. So that's the larger scope. What we're
3 dealing with here is just to improve Frank's Creek;
4 that's basically the objective of the project.

5 COMMISSIONER ARENCIBIA: I understand
6 that the project is improvement of Frank's Creek,
7 you're really relocating Frank's Creek in order to
8 accommodate additional parking. You're relocating
9 the creek to accomodate that parking. So that's --
10 improvement is really -- I don't know exactly what
11 they are, if you are designing the channel
12 differently or you're improving the channel to make
13 it -- I'm not even sure of the hydraulics of the
14 channel. Is there a high velocity; is it erosion?

15 THE WITNESS: No, what we improving is
16 the capacity of the channel. Like, if the channel
17 can handle now, 50 capacity, the new channel will
18 handle more capacity than the existing.

19 COMMISSIONER ARENCIBIA: So, you're
20 making the channel wider, larger, to accommodate
21 additional capacity?

22 THE WITNESS: Yeah, the capacity is
23 bigger. And also, we're improving the wetlands,
24 we're improving the water quality in the area.
25 That's basically it.

1 MR. FAGAN: Mr. Chibani, let's stay with
2 this one line of questioning. Frank's Creek is both
3 widening and becoming deeper; is that not correct?

4 THE WITNESS: That's right, yeah.

5 COMMISSIONER ARENCIBIA: Okay. But you
6 are thereby increasing the capacity and increasing
7 the flow?

8 THE WITNESS: That's right.

9 COMMISSIONER ARENCIBIA: Now, as it
10 leaves the site it's going to go through the culvert?

11 THE WITNESS: That's right.

12 COMMISSIONER ARENCIBIA: On Harrison
13 Avenue. And that's going to accomodate additional
14 flow -- the culvert will be taking on additional
15 flow, correct?

16 THE WITNESS: We don't have too much
17 additional flow from what's being proposed at the
18 site. When we did the modeling for that culvert, you
19 know, it's not the limiting factor, you know, in
20 terms of flooding, it's a whole regional issue.

21 COMMISSIONER ARENCIBIA: Well, I mean,
22 what is the difference in the flows for that channel?
23 From before to after the improvement.

24 THE WITNESS: What we did basically, is
25 we have a flow of 300 cfs, cubic feet per second, and

1 we model the existing channel for that flow and we
2 saw how it behaves. Then we move -- the existing
3 curb in everything. Then we did the same thing with
4 the new creek and it has more capacity.

5 MR. FAGAN: If I may for a moment?

6 (Pause.)

7 Mr. Chibani, have you done an analysis
8 of whether the culvert could handle any additional
9 flow that comes through Frank's Creek after the
10 modifications are made?

11 THE WITNESS: Yeah, it will handle it.

12 COMMISSIONER ARENCIBIA: So you've done
13 an analysis to support that the existing culvert can
14 accomodate the additional flow, right?

15 THE WITNESS: Yes, from the site.

16 COMMISSIONER ARENCIBIA: For what type
17 of storm event?

18 THE WITNESS: As part of the discussion
19 with DEP, basically we used, you know -- just the
20 base flow. Because Frank's Creek, you know, drains
21 from a large area, so it was 300 cubic feet per
22 second was I think like one-year flow.

23 COMMISSIONER ARENCIBIA: So for a
24 one-year storm event?

25 THE WITNESS: Yeah.

1 COMMISSIONER ARENCIBIA: If we get
2 anything larger than that, like a 10 or 25-year
3 event, we're going to have capacity problems.

4 THE WITNESS: That's on the regional
5 basis, not from the site. The site doesn't generate
6 too much flow, but --

7 COMMISSIONER ARENCIBIA: Frank's Creek
8 in general, you're saying, is not capable of handling
9 the flow beyond a one-year storm event?

10 THE WITNESS: That's right, it will
11 flood a little bit, yeah.

12 COMMISSIONER ARENCIBIA: So flooding is
13 quite frequent as a result?

14 THE WITNESS: Yes, it will flood, yeah.
15 I mean flooding is an issue already, so. . .

16 COMMISSIONER ARENCIBIA: One-year storm
17 event is every year. There's always flooding, at
18 least once a year?

19 THE WITNESS: Potential for flooding,
20 yeah.

21 COMMISSIONER ARENCIBIA: If we get major
22 storm events beyond that, there's always flooding.
23 So there's flooding on the site?

24 THE WITNESS: Yeah, there's a little
25 flooding on the site.

1 COMMISSIONER ARENCIBIA: You're modestly
2 increasing its capacity --

3 MR. FAGAN: I don't know that Mr.
4 Chibani is qualified to address the historical flood,
5 flooding, at the site. I have a witness, who's a
6 member of our team, who can address that. So if you
7 want to pull that question, I can have someone else
8 sworn in and address that specifically, either now or
9 at the finish of your line of questioning with Mr.
10 Chibani.

11 COMMISSIONER ARENCIBIA: Well, Mr.
12 Chibani, he did the calculations for the hydraulic
13 analysis or --

14 THE WITNESS: Yeah, we did.

15 COMMISSIONER ARENCIBIA: Wouldn't that
16 include storm events?

17 MR. FAGAN: I'm not speaking to the
18 storm events, I'm speaking to the historical flooding
19 at the site in terms of a longer view.

20 THE WITNESS: As part of --

21 MR. FAGAN: From a factual basis.

22 THE WITNESS: As part of the approval
23 with DEP, which looks into stormwater, you know, all
24 issues, the agreement with DEP was to provide a
25 channel that's more efficient, that's better than

1 existing channel. The objective of this project is
2 not to solve the flood in the area.

3 COMMISSIONER ARENCIBIA: That makes it
4 very clear. Because the objective is for the
5 additional parking, and you're relocating the channel
6 as a result, you're modestly increasing the capacity
7 to improve the situation.

8 Then the only other question I have goes
9 back to the culvert, and maybe the other witness may
10 be able to testify to that, but the culvert really
11 should be -- should have been inspected just to see
12 what the condition of that was too. But if that was
13 not done, I could make that as a condition.

14 So, was the culvert ever inspected; do
15 you know?

16 THE WITNESS: Yeah, it was inspected by
17 our engineer, yeah.

18 COMMISSIONER ARENCIBIA: Do you have an
19 inspection report for that culvert?

20 THE WITNESS: I believe we should have
21 it in our office.

22 COMMISSIONER ARENCIBIA: Was it ever
23 submitted to T & M or to the County?

24 THE WITNESS: I don't believe it was
25 submitted, no.

1 COMMISSIONER ARENCIBIA: I would ask
2 that it be submitted to the County Engineer. And do
3 you recall the findings of that report?

4 THE WITNESS: They basically went and
5 checked the site as part of the modeling and they
6 looked at the structure and everything there.
7 Because sometimes you get something from the
8 surveyor, then you go in place and you check it.

9 Also, when the survey was done, our
10 engineers were there with them and they were looking
11 at the structures there.

12 COMMISSIONER ARENCIBIA: Okay. I would
13 ask, if it's possible, because I haven't seen a
14 report and my concern is, is the condition of that
15 culvert, whether there's a few things, whether it
16 needs to be cleaned out, there could be blockages in
17 there. So I would make it as a condition as part of
18 your approval to cleaning that culvert out.

19 THE WITNESS: That's right.

20 COMMISSIONER ARENCIBIA: I'm talking
21 about the culvert that goes underneath Harrison
22 Avenue.

23 THE WITNESS: Yeah, because the water
24 goes all the way up to there.

25 COMMISSIONER ARENCIBIA: It goes right

1 into -- I think it goes right into the detention
2 basin on the Wal-Mart side; right?

3 THE WITNESS: Yeah.

4 COMMISSIONER ARENCIBIA: Is that true or
5 no?

6 CHAIRMAN CHOFFO: There's one right over
7 there. I know what you're talking about.

8 MR. FAGAN: Through another witness we
9 can answer that.

10 COMMISSIONER ARENCIBIA: Other condition
11 would be to clean out the culvert to -- as far as the
12 County Engineer needs to review the inspection
13 report. And any recommendations, in terms of repairs
14 to it, should be done also as a condition.

15 So I would include that so that -- as
16 part of your approval, to look into that.

17 MR. FAGAN: We have no objection to
18 submitting that report and adhering to whatever
19 recommendations arise from the engineer's inspection
20 of that report regarding the culvert's capacity.

21 CHAIRMAN CHOFFO: Can you speak into the
22 microphone?

23 MR. FAGAN: We have no objection to
24 submitting that report and having that reviewed and
25 we'll comply with the recommendations that result

1 from that.

2 COMMISSIONER ARENCIBIA: Thank you.

3 Mr. Chairman, the post office is paying
4 for this project, so it's a federally-funded project?

5 MR. FAGAN: We wish.

6 COMMISSIONER ARENCIBIA: Where are the
7 funds coming from, if you don't mind me asking?

8 MR. FAGAN: The funds are coming from
9 the owner, the applicant.

10 COMMISSIONER ARENCIBIA: And the
11 applicant is, again?

12 MR. FAGAN: Hurricane Associates.

13 COMMISSIONER ARENCIBIA: Hurricane
14 Associates, okay. So they lease it to the post
15 office?

16 MR. FAGAN: They do, in fact, lease it
17 to post office.

18 COMMISSIONER ARENCIBIA: Just wanted to
19 make certain of that.

20 So Hurricane Associates would be
21 agreeable to this condition?

22 MR. FAGAN: If you're talking about the
23 condition of submitting the inspection report, we
24 have already agreed to that.

25 COMMISSIONER ARENCIBIA: And then the

1 repairs. I'm just saying, you represent the
2 applicant?

3 MR. FAGAN: Yes.

4 COMMISSIONER ARENCIBIA: He would be
5 acceptable to that?

6 MR. FAGAN: Yeah, to the extent that
7 there are repairs that are needed to the culvert, to
8 accommodate flow, then we'll make those repairs.

9 COMMISSIONER ARENCIBIA: All right.
10 Okay. Now you have your other witness?

11 MR. FAGAN: One qualification with that.
12 As long as the report and the analysis is something
13 that is not in dispute. If the report says that the
14 existing culvert can handle the flows, it needs to be
15 cleaned out and that's it, and then we get a review
16 back that says, no, it's in deplorable shape and it
17 needs to be pulled out, we've got a significant
18 difference of opinion. If we can't bridge that
19 difference, then we're going to have to be back
20 before this Board if we can't resolve that amongst
21 ourselves. If we both agree that the culvert can't
22 handle the flow, we'll certainly make those repairs.

23 COMMISSIONER ARENCIBIA: I think your
24 engineers would know that.

25 MR. FAGAN: Right.

1 COMMISSIONER ARENCIBIA: Right now they
2 could testify whether the report did indeed say
3 something as serious as replacement. If they have
4 read the report and they say, well, it looks like
5 everything is nominal, just minor repairs, cleaning
6 out, then that's fine, but if there's something that
7 they should know and testify to the fact that if
8 there's something serious that is calling for the
9 replacement of the culvert -- is that the case --

10 MR. FAGAN: No, I don't mean to
11 misrepresent that, to state that. All I'm saying is
12 that the testimony, that I heard and understood it to
13 be, was that the culvert can handle the flows.

14 So, based on their analysis and their
15 report, that's their belief at this time based on the
16 testimony they have provided to this Board. If there
17 is a difference of opinion, after the engineer has
18 the chance to review that report, then there may be
19 discussions that need to occur between the Board's
20 engineer and our engineer and the experts need to
21 resolve that, obviously. And if that -- if the
22 experts can't resolve that, then, you know, we have
23 an issue that we're going to need to resolve before
24 this Board, obviously.

25 COMMISSIONER ARENCIBIA: I understand

1 what you're saying. Basically, if it's a difference
2 of opinion in the inspection report.

3 MR. FAGAN: Correct. I don't expect
4 that that will be the case, I just wanted to qualify
5 the response.

6 COMMISSIONER ARENCIBIA: If there was an
7 engineer that did inspect the culvert; do you know?

8 MR. FAGAN: If they did the job right,
9 then there shouldn't be a problem. I'm hesitant and
10 hedging, honestly because I have not seen this report
11 either.

12 COMMISSIONER ARENCIBIA: Well, that's
13 something we should of had. Do you have it here?

14 MR. FAGAN: No. The other thing I
15 should mention is, Mr. Chibani is filling in for the
16 primary engineer on this project whose son was bitten
17 by a dog in the face and is in the hospital as of
18 yesterday and has reacted badly to antibiotics. That
19 engineer was prepped and ready to go and to be
20 present, and Mr. Chibani, although he did sign the
21 plans and is very familiar with the project, some of
22 the gaps in his knowledge are due to the fact that
23 he's a fill-in at the last minute because of that
24 unfortunate event. And I apologize for some of the
25 gaps in our testimony.

1 COMMISSIONER FITZGIBBONS: I got a
2 question. You said our engineer had a conflict;
3 right?

4 DIRECTOR MARKS: The consulting
5 engineer, our outside consulting engineers from T &
6 M, Mr. Curley ruled had a conflict. Which neither
7 Jacqueline Foushee nor Lee Klein knew about at the
8 time that we assigned the application to them.

9 COMMISSIONER FITZGIBBONS: My question,
10 do we need an outside consulting engineer to look at
11 this? They are not going anywhere without approval
12 from Meadowlands.

13 MR. FAGAN: Correct.

14 COMMISSIONER FITZGIBBONS: I think we
15 should get an outside engineer. All due respect,
16 they have recused themselves, but I think to protect
17 us, we should have our alternate outside engineer
18 come in and review these plans.

19 COMMISSIONER ARENCIBIA: Mr. Chair, I
20 think there's some work that was done already by
21 T & M Associates. And there was testimony by their
22 engineer that they are not really doing any
23 detrimental -- anything that would be detrimental to
24 the performance of that culvert and they are just
25 increasing its capacity and there's, I guess, a

1 little more impervious area that you're adding.

2 But ultimately the Meadowlands
3 Commission and DEP have all of the jurisdiction here,
4 in terms of hydraulics, and they'll be approving.
5 And the testimony was, it currently floods and this
6 is not really addressing the flooding situation.
7 This is, you know, really adding parking and
8 relocating the creek.

9 As I mentioned, ultimately this empties
10 out into the Passaic River and I believe there are
11 tide gates at that outfall.

12 MR. FAGAN: That is correct.

13 COMMISSIONER ARENCIBIA: So, it is a
14 tidal or semi-tidal type of flow that comes in and
15 it's all dependent on how the flow in the Passaic
16 River moves. But this does not have too much effect
17 on that creek as it is right now.

18 And as I mentioned, ultimately the
19 Meadowlands Commission will have the authority to --
20 ultimate authority to approve this.

21 By biggest concern for the County is the
22 culvert on Harrison Avenue.

23 CHAIRMAN CHOFFO: Demetrio, I have a
24 question. Your office can handle reviewing that?

25 COMMISSIONER ARENCIBIA: I'm going based

1 on what T & M has reviewed and I will look at the
2 inspection report, I could do that, we can handle
3 that, and certainly it's not like a heavy-duty type
4 of review.

5 CHAIRMAN CHOFFO: Right.

6 THE WITNESS: I mean we're only adding
7 35,000 square feet of impervious. Compared to the
8 energy of Frank's Creek in the flow that comes
9 through it, this is very negligible what we're
10 putting here and I explained this to you. It's very
11 minimal.

12 COMMISSIONER FITZGIBBONS: I would
13 suggest that the County Engineer, anything you have
14 to give him.

15 COMMISSIONER MEHTA: They doing that
16 already for here.

17 COMMISSIONER FITZGIBBONS: I know, but
18 as a condition of the approval we want to see that
19 letter, that report, inspection report.

20 MR. FAGAN: We already consented to
21 that. We don't have a problem with that.

22 THE WITNESS: Yeah.

23 COMMISSIONER ARENCIBIA: They should
24 also include cleaning out the culvert and making
25 whatever repairs as recommended in the inspection

1 report.

2 COMMISSIONER FITZGIBBONS: Are we going
3 to inspect that ourselves?

4 COMMISSIONER ARENCIBIA: If the
5 inspection report is signed by a licensed
6 Professional Engineer, he's putting his license on
7 the line there, so I'm not going to inspect it
8 myself, I mean, but it should be fine enough with the
9 report that was prepared.

10 MR. FAGAN: We're willing to disclose
11 the report and provide it and render the discussions
12 necessary with respect to any comments you may have.

13 CHAIRMAN CHOFFO: Any other questions?
14 Steve.

15 DIRECTOR MARKS: Not a question, Mr.
16 Chairman, just a comment. I would just ask that the
17 applicant provide all the information, the revised
18 plans, the inspection report, all the other matter,
19 within ten days, to allow sufficient time for the
20 County Engineer to review and sign off on it. If
21 there are any significant issues, if approved tonight
22 and there remains any significant issues, the
23 resolution approving or to memorialize the approval
24 could be held next month or put in abeyance, perhaps
25 until the -- whatever issues there may be, are

1 resolved.

2 CHAIRMAN CHOFFO: All right.

3 MR. FAGAN: That's acceptable.

4 CHAIRMAN CHOFFO: Do I have a motion?

5 COMMISSIONER DiDOMENICO: Make a motion.

6 COMMISSIONER MEHTA: Second.

7 DIRECTOR MARKS: Mr. Chairman,
8 Mr. Curley was taking notes on the actual conditions
9 of the approval. I would just ask Mr. Curley to read
10 those into the record so we're all on the same page.

11 MR. CURLEY: The only condition is that
12 the applicant will file, with the County Engineer,
13 the inspection report for the inspection of the
14 culvert located under Harrison Avenue.

15 And the applicant will comply with the
16 recommendations of the engineering report prepared by
17 its own engineers, as to the culvert, and will do
18 those repairs to the extent required to handle the
19 flow from this project.

20 DIRECTOR MARKS: Mr. Chairman, I would
21 also ask that the applicant submit the plans for the
22 sidewalks and the shade trees to the Division of
23 Engineering and the Division of Planning and that
24 those plans be acceptable to both. To the
25 satisfaction of both offices.

1 CHAIRMAN CHOFFO: Are you okay with
2 that?

3 MR. FAGAN: Yes, that's acceptable as
4 well.

5 DIRECTOR MARKS: Mr. Chairman, I
6 apologize, I missed who had made the motion and who
7 seconded it.

8 CHAIRMAN CHOFFO: Commissioner
9 DiDomenico made the motion, Commissioner Mehta
10 seconded it.

11 DIRECTOR MARKS: Mr. Chairman, on a
12 motion, to conditionally approve application
13 2010-089-SP, made by Commissioner DiDomenico,
14 seconded by Commissioner Mehta.

15 Commissioner Arencibia?

16 COMMISSIONER ARENCIBIA: Aye.

17 DIRECTOR MARKS: Commissioner Avagliano?

18 COMMISSIONER AVAGLIANO: Aye.

19 DIRECTOR MARKS: Commissioner Bettinger?

20 COMMISSIONER BETTINGER: Aye.

21 DIRECTOR MARKS: Commissioner
22 DiDomenico?

23 COMMISSIONER DiDOMENICO: Aye.

24 DIRECTOR MARKS: Commissioner
25 Fitzgibbons?

1 COMMISSIONER FITZGIBBONS: Aye.

2 DIRECTOR MARKS: Commissioner Mehta?

3 COMMISSIONER MEHTA: Aye.

4 DIRECTOR MARKS: Commissioner Romano?

5 COMMISSIONER ROMANO: Aye.

6 DIRECTOR MARKS: And Chairman Choffo?

7 CHAIRMAN CHOFFO: I vote aye.

8 DIRECTOR MARKS: Mr. Chairman, the
9 motion passes.

10 Mr. Chairman, the next application
11 scheduled for public hearing is 2011-016-SP, Julietta
12 Ugaz, applicant, located at 314 Park Avenue which is
13 Block 166, Lot 32 in the City of Hoboken.

14 MS. UGAZ: Good evening. Yes, as Mr.
15 Marks mentioned, my name is Julietta Ugaz. I live in
16 109 Grand Street, in Hoboken, New Jersey, with my
17 husband Dino and our son Valbar. We have acquired a
18 home, it's a four-family home, that we want to
19 convert it to a one-family. We have submitted our
20 plans to the zoning officer in Hoboken, which has
21 approved the plans. However, because the home is on
22 a County road, which is Park Avenue, there are three
23 things that we would like to do to the property that
24 she says that we need to seek approval from you in
25 order to be able to do those changes.

1 One of them is, there are two entrances
2 to the home, one through the basement and one
3 through --

4 MR. CURLEY: It's just an explanation;
5 if you are going to testify in support of the
6 application, then you should be sworn.

7 MS. UGAZ: Maybe I should be sworn then.
8 J U L I E T T A U G A Z, having been duly sworn,
9 testifies as follows:

10 THE WITNESS: So as I was mentioning, we
11 have acquired a home, which is a four-family home and
12 we would like to -- we're converting it to a
13 one-family home. We have submitted the application
14 to the zoning officer in Hoboken, who has approved
15 the application. However, because the home is on a
16 County road, which is Park Avenue, and there are
17 three things that we have to do to the property which
18 I guess would take action on the County property, she
19 said that we needed to get approval from the HCPB in
20 order for us to proceed on those three things.

21 One of the things that we would like to
22 do is that the home has two entries, one through the
23 basement and one through the first floor, therefore,
24 the main entrance is actually going through a big
25 stoop to the first floor and obviously, with children

1 and strollers, that doesn't work so we would like to
2 remove that stoop.

3 I brought some pictures for you to be
4 able to look at, to make it more clear. But it's a
5 very steep stoop that we want to remove and just
6 leave one entrance through the basement. So by just
7 putting a ramp that would go to the basement and that
8 will be the only entry to the home.

9 Then, Rob Feinstein, from Studio One
10 Architects, who is the architect on the project, can
11 go into details, but I'm just going to summarize the
12 other things.

13 The other thing is a bay area on the
14 third and fourth floor, kind of like sticking out
15 towards again -- it's in the air, but it's, I guess,
16 part of the County property.

17 And the last thing, there's going to be
18 a corrective column that kind of pretending to be
19 holding --

20 CHAIRMAN CHOFFO: Hold on. We can tell
21 you're nervous. Take a deep breath. You're doing an
22 excellent job.

23 THE WITNESS: I'm sorry. The third
24 thing is that there is the corrective column that
25 pretending to be holding that bay area, but it's not,

1 it's just a decoration, and that would also be in the
2 County area.

3 So those are the three main things that
4 the Hoboken Zoning Officer instructed us to seek
5 approval from you, from this Board.

6 CHAIRMAN CHOFFO: Do you have your
7 architect with you?

8 THE WITNESS: Yes, this is Robert
9 Feinstein --

10 CHAIRMAN CHOFFO: Before you go there,
11 we have pictures of our own, Mr. Tridente provided
12 us. You're saying, the front stairs, you want to
13 remove them totally?

14 THE WITNESS: Yes.

15 COMMISSIONER ROMANO: Mr. Chair, I'm
16 just wondering if in a way I -- this is like an old
17 brownstone or an old -- I'm wondering, is there a way
18 you can just somehow maybe not remove them? Because
19 I don't know, are you allowed? The historic
20 commission, Mario? Correct me.

21 MR. TRIDENTE: I'm not sure if that
22 would fall under the historical jurisdiction, I'm not
23 sure.

24 COMMISSIONER ROMANO: To remove that
25 stoop?

1 COMMISSIONER FITZGIBBONS: You're making
2 that a one-family home?

3 THE WITNESS: Yes, sir.

4 COMMISSIONER FITZGIBBONS: What are you
5 going to do, brick up the entrance -- that's an
6 egress entrance, it used to be for the multiple
7 dwelling that you used to have there. So you're
8 going to brick that up?

9 THE WITNESS: So that entrance would go
10 away so we would only be going in through the
11 basement.

12 COMMISSIONER FITZGIBBONS: Yes.

13 THE WITNESS: Yes. We have a baby and
14 we're going to have another one on the way, so it's
15 strollers --

16 COMMISSIONER FITZGIBBONS: What you're
17 going to do is make it like a townhouse for yourself?

18 THE WITNESS: Yes, sir. As far as the
19 Zoning Officer said, she only mentioned that we
20 needed -- that it wasn't her jurisdiction to approve
21 that because it's on the County road so --

22 COMMISSIONER FITZGIBBONS: Well, you
23 also would have to find out, I don't know if the
24 zoning officer's -- the zoning officer is new in
25 Hoboken.

1 COMMISSIONER ROMANO: Right.

2 THE WITNESS: Yes.

3 COMMISSIONER FITZGIBBONS: And what
4 Freeholder Romano said, I don't know if it falls
5 under the jurisdiction of historical preservation or
6 not. There's a committee, a commission in Hoboken.
7 It might not fall under that, all right, we don't
8 know, but I think everything in Hoboken below a
9 certain street, going to the river, may fall under
10 the Hoboken preservation, historical. I don't know
11 that.

12 THE WITNESS: I can find out.

13 COMMISSIONER ARENCIBIA: Mr. Chairman,
14 maybe we can have our Board Counsel address this.
15 Because I don't think this Board has the authority to
16 issue an approval of removal of a stoop.

17 MR. CURLEY: I think we should probably
18 go to the applicant's architect and hear his
19 testimony before we consider any of these issues.

20 COMMISSIONER ROMANO: Before you go to
21 an architect's testimony, we're putting you and
22 asking that to take down a stoop like this, in a
23 block where they are all like this and it's a
24 historic thing, I think you have to make the
25 determination, not the architect.

1 MR. CURLEY: I would have to look at the
2 Hoboken zoning code that determined that this is in
3 one of the historic districts.

4 My understanding of the Hoboken Historic
5 Preservation Commission, is that it doesn't have
6 carte blanche jurisdiction over the entire city.

7 CHAIRMAN CHOFFO: Speak closer, because
8 we have background noise here and it's hard for us to
9 hear you.

10 MR. CURLEY: I don't believe that the
11 Hoboken historic commission has carte blanche
12 jurisdiction over the entire city, I believe that the
13 jurisdiction is limited to certain zones. But I'd
14 have to look at their ordinance.

15 COMMISSIONER ROMANO: Right, 10th, 11th
16 and Jefferson down in the back wouldn't be under
17 historic commission. Garden, Bloomfield, Park,
18 Washington and Hudson are.

19 MR. CURLEY: It could be.

20 COMMISSIONER ROMANO: It definitely is.

21 MR. CURLEY: Mr. Chairman, I would think
22 that the architect may very well have done this
23 investigation.

24 COMMISSIONER ARENCIBIA: Our
25 jurisdiction pertains to the effect on traffic and

1 drainage on County roads. If she's testifying that
2 Hoboken instructed her to come to the County to
3 remove the stoop, we have no authority to issue that
4 approval.

5 THE WITNESS: The reason why she said
6 that, she said because it was a County road.

7 COMMISSIONER ARENCIBIA: Well, you need
8 approval for a project if it's on a County road, but
9 our review is based on the impact to our facilities
10 on a County road with respect to traffic and
11 drainage.

12 DIRECTOR MARKS: Mr. Chairman, I agree
13 with Mr. Arencibia. This Board has jurisdiction over
14 the traffic and drainage impact of the application on
15 County roads and drainage facilities. There's also
16 the encroachment of the bay windows on the third and
17 fourth floor that needs approval from both this Board
18 and the Freeholder Board.

19 With regard to the stoop, whether the
20 stoop stays or whether the stoop is removed, it's my
21 understanding that the stoop is within the County
22 right of way, so whether it stays, the applicant
23 would need a franchise agreement for it to stay, even
24 if it's historic, because it's an encroachment within
25 the County right of way. And if it goes, I would

1 imagine that the applicant would need the consent,
2 since it's an existing appurtenance or encroachment,
3 that the applicant would need the approval of the
4 Board to remove it from the -- the stoop of the bay
5 windows are within the County right of way, so no
6 matter what the applicant proposes to do, the
7 applicant needs to consent to this Board to either
8 keep it or to remove it. That's why I believe the
9 Hoboken Zoning Officer referred the applicant to this
10 Board. It's the County right of way, it's not the
11 municipal right of way, the City of Hoboken can't
12 either stop them -- I mean they can stop them, but
13 the municipality doesn't have the jurisdiction over
14 the stoop of the bay window to permit it.

15 In addition, you're correct, Freeholder
16 Romano, Hoboken has a historic commission, the
17 historic commission may or may not have jurisdiction
18 over this property, but that's really for the
19 municipal zoning officer and construction code
20 official to determine before they issue -- it's a
21 municipal issue. And before any construction permits
22 are issued to the applicant, the applicant or the
23 zoning officer has to, to the best of their
24 knowledge, make sure that the proposed application is
25 consistent with municipal -- the municipal zoning

1 ordinance and with municipal plans and approvals as
2 well as the county plans and approvals.

3 So it is something -- you know, county
4 planning board does have jurisdiction over this
5 matter and, you know, it may or may not approve the
6 removal of the stoop. But only in terms of this
7 Board's jurisdiction over traffic and drainage.

8 Historic preservation is a totally
9 different issue, wholly a municipal concern, and you
10 as Commissioners shouldn't be basing your decision
11 here this evening on historic preservation aspects of
12 the application, but on the traffic and drainage --
13 maybe there's a traffic -- you know, traffic isn't
14 just automobile traffic, it's pedestrian circulation
15 as well. You should and could base your decisions
16 this evening on the traffic and drainage impacts, not
17 historic preservation.

18 THE WITNESS: So maybe we'll have Rob
19 Feinstein.

20 R O B E R T F E I N S T E I N, having been duly
21 sworn, testifies as follows:

22 MR. CURLEY: State your name and please
23 spell it.

24 CHAIRMAN CHOFFO: Could you step up to
25 the microphone, Mr. Feinstein?

1 THE WITNESS: Good evening. Robert
2 Feinstein, F-E-I-N-S-T-E-I-N, with Studio One
3 Architects, in Union City, New Jersey.

4 CHAIRMAN CHOFFO: You can proceed.

5 THE WITNESS: She did such a good job
6 describing the project, I don't know exactly what you
7 want to know. But it's an existing four-story
8 structure --

9 MR. CURLEY: Mr. Feinstein, before you
10 proceed, would you review your qualifications?

11 THE WITNESS: Bachelor of Architecture
12 Degree from the Rhode Island School of Design. I've
13 been with Studio One, for 15 years, practicing
14 architecture.

15 MR. CURLEY: Thank you.

16 THE WITNESS: You have a four-story
17 structure with a large stoop that sticks beyond the
18 gate line. Everything from the front facade of the
19 existing structure, beyond, is within the County, you
20 know, right of way. The two steps actually stick
21 out, like I said, onto the sidewalk.

22 The client came to us looking for a more
23 modern approach to living. We removed the facade.
24 There's the structural damage with the facade that we
25 found when they were buying the home. So they wanted

1 to enter the project from the lower level. We
2 created a low-ramp system within the gate line.
3 We're not going to change the location of the gate
4 line. We may update the aesthetic to the gate, but
5 that will stay in the same position. You'll enter on
6 a flat area, you'll work your way down the ramp,
7 which I could show you on the plans, and you'll enter
8 into the structure where the old doorway was under
9 the stoop. Again rebuilt and modernized, but it's
10 sort of a play on a previous aesthetic.

11 If I may or should, in regards to that
12 block, I am 99.9 percent sure it does not fall within
13 the purview of the historic preservation committee
14 and that block is unfortunately sort of a mishmash of
15 stoops and driveways and not really one of the great
16 representations of a rowhouse or brownstones that
17 Hoboken has associated with Bloomfield and other part
18 of Park Avenue.

19 CHAIRMAN CHOFFO: You said it was 99
20 percent not?

21 THE WITNESS: No, 99.9 percent sure it
22 does not fall within the jurisdiction of the historic
23 commission. Because one of the things that happens,
24 when you submit to the zoning officer, is you dissent
25 to the historic commission if it does.

1 CHAIRMAN CHOFFO: You can proceed. Were
2 these plans submitted to the Board?

3 THE WITNESS: Yes, they were.

4 CHAIRMAN CHOFFO: If you are going to
5 discuss them, can you just identify them?

6 THE WITNESS: Sure. This is the
7 elevation, the front elevation. This is the rear
8 elevation and the side --

9 CHAIRMAN CHOFFO: Can you speak into the
10 microphone? I know it's difficult.

11 THE WITNESS: The first drawing is the
12 front facade, this is the rear facade, and this is a
13 section of the rear facade.

14 So you would come in on a flat location
15 here, you'd work your way down the ramp and you'd
16 enter the doors -- actually on the side. I don't see
17 the door from the front.

18 COMMISSIONER FITZGIBBONS: I know that
19 building very well. I'm the former chief housing
20 inspector. Four units. You know what, that block is
21 still lovely.

22 THE WITNESS: It's a lovely block, it's
23 not at all consistent with --

24 COMMISSIONER FITZGIBBONS: Just the way
25 it was built, you know.

1 THE WITNESS: Right.

2 COMMISSIONER FITZGIBBONS: That's "Old
3 Hoboken" there.

4 I got a question. What was it approved
5 by, the zoning officer or the zoning board?

6 THE WITNESS: The zoning officer.

7 COMMISSIONER FITZGIBBONS: So it never
8 went before the zoning board?

9 THE WITNESS: No, sir.

10 COMMISSIONER ROMANO: It has to.

11 COMMISSIONER FITZGIBBONS: That's all I
12 wanted to know.

13 CHAIRMAN CHOFFO: Question?

14 COMMISSIONER ROMANO: You said you were
15 99.9 percent sure; who did you speak to at the
16 historic commission?

17 THE WITNESS: Well, typically I've
18 worked in Hoboken, my practice has been in Hoboken
19 for 15 years. When we submit to the zoning officer,
20 and I know the woman is new, but when you submit you
21 typically have to get zoning -- I'm sorry, historic
22 approval prior to zoning approval.

23 So when we submitted, she did not
24 request that. And I know the map and we're in a R-1
25 district not a historic district.

1 COMMISSIONER ROMANO: Have you spoken to
2 Theresa Castellano?

3 THE WITNESS: I have not. No, I have
4 not.

5 COMMISSIONER ROMANO: Are you aware of
6 the fact that the zoning official is brand-new?
7 Correct?

8 THE WITNESS: Yes, I do.

9 COMMISSIONER ROMANO: Right now we don't
10 have a construction code official in place, correct.

11 THE WITNESS: I understood that too.

12 COMMISSIONER ROMANO: I just find it,
13 just curious, since you're there 15 years and I'm
14 there my whole life and as Commissioner Fitzgibbons
15 said, that is a good block, that's where the
16 development on the left, that was put in about 15, 18
17 years ago, had to conform to -- I don't know if you
18 notice, across the street on the left-hand side.

19 THE WITNESS: Yes.

20 COMMISSIONER ROMANO: That development,
21 they had to conform to certain requirements.

22 THE WITNESS: Right.

23 COMMISSIONER ROMANO: I understand. So,
24 in other words, you're going to take that stoop down,
25 you're going to somehow brick that?

1 THE WITNESS: Well, it's a combination
2 of materials. Glazing, lots of glass, metalwork and
3 little bit of concrete wood siding so it looks like
4 sort of an older look which they have been doing on
5 Newark, on the corner of Newark and Bloomfield
6 Street, bringing back that clapboard look. So we're
7 taking new and old elements and mixing them together.

8 COMMISSIONER ROMANO: Newark and
9 Bloomfield Street?

10 THE WITNESS: Around the corner from
11 Sobsey's.

12 COMMISSIONER ROMANO: That's not
13 Bloomfield then. Newark and Bloomfield, on the
14 corner, is City Hall, across the street is Applied
15 Housing and across the street from there is a
16 development that was done 15, 16 years ago.

17 THE WITNESS: The facade is on Newark
18 Street, it's kind of one in from the corner, which is
19 that old store. It used to -- is still a fruit
20 stand.

21 COMMISSIONER ROMANO: Dry cleaner.

22 THE WITNESS: Yes, they just did a whole
23 yellow-and-white scheme with the clapboards. It's
24 sort of a play on that aesthetic.

25 COMMISSIONER ROMANO: Is it sound,

1 structurally, to take that stoop down or is it going
2 to affect the building? Will there be any shift,
3 since it is an old building?

4 THE WITNESS: Well, like I said, I don't
5 have the report, but there's a report, from an
6 engineer who reviewed the project prior to them
7 buying the home, that says there's damage to the
8 masonry on the front facade. So facade work in
9 either case would have been pretty dramatic, we would
10 have had to remove a good portion of the brick.

11 COMMISSIONER FITZGIBBONS: One other
12 question.

13 CHAIRMAN CHOFFO: Hold on.

14 COMMISSIONER ROMANO: In other words,
15 you have an engineer's report saying that there's a
16 structural damage under there?

17 THE WITNESS: The front facade --

18 COMMISSIONER ROMANO: You're saying
19 either the stoop or the facade, which --

20 THE WITNESS: I'm talking about the
21 facade, to clarify.

22 COMMISSIONER ROMANO: So it's not the
23 stoop, the stoop is not structurally sound?

24 THE WITNESS: No, no.

25 COMMISSIONER ROMANO: By removing the

1 stoop, will there be a shift, since it is an old
2 house? This happened on Bloomfield Street and it got
3 hung up for a year, a year, with the removal of a
4 stoop to go down. That's all I'm asking, just to be
5 sure.

6 THE WITNESS: Yeah, again, I'm not the
7 engineer nor the construction company, but, you know,
8 the existing condition of the stoop, large pieces of
9 slate so they should be disassembled pretty easily.

10 Another point, we probably will
11 incorporate, you know, much of the brick and the
12 stoop elements in the landscape of the rearyard so
13 we're not just going to toss it and throw it in a
14 container.

15 But to answer the question, we're going
16 to remove the stoop piece-by-piece. I don't think
17 there will be any shifting or undermining.

18 COMMISSIONER ROMANO: Has the engineer
19 report been submitted to our engineer?

20 THE WITNESS: No. Again I need to
21 clarify. It was a person who did a home inspection
22 that -- I have to ask, did you guys hire an engineer?
23 No? We had a home inspection?

24 MS. UGAZ: Right, it was a home
25 inspector that we -- that I think it was needed for

1 when we bought the home.

2 COMMISSIONER ROMANO: So then again --

3 MS. UGAZ: It's a very detailed report
4 that we can certainly send in.

5 THE WITNESS: I don't mean to throw us
6 off, but again I don't know if -- I'm not here to --
7 well, my family has been down there since 1979. I've
8 only been in the practice for 15 years in Hoboken.

9 So, you know, the town means a lot to
10 me; I've been there for years. You know, when
11 there's something to salvage and save. And I'm also
12 a recipient of Historic Preservation Commission award
13 several years ago.

14 So, you know, the town is near and dear
15 to me as well. I think that this is not one of the
16 best examples, I think it's a great block, I just
17 don't think it's one of the greatest examples and I
18 don't feel like we're doing any harm by removing this
19 facade.

20 CHAIRMAN CHOFFO: Commissioner
21 Arencibia.

22 COMMISSIONER ARENCIBIA: Yes, I just
23 want to get down to the nitty-gritty here and find
24 out exactly, you're going to be removing the stoop --
25 right now you have a stoop there, you have a

1 railing --

2 MS. UGAZ: I have a picture; do you want
3 to see it?

4 COMMISSIONER ARENCIBIA: We have the
5 pictures. Railing, that's all within the County's
6 right of way. Right of way, I suppose is right at
7 the facade?

8 THE WITNESS: Correct.

9 COMMISSIONER ARENCIBIA: So how far out
10 does that stoop and fence go up to?

11 THE WITNESS: The fence is approximately
12 10 feet and the stoop is -- with the two steps is
13 approximately 12 feet.

14 COMMISSIONER ARENCIBIA: 12 feet. So
15 into the County's right of way up to 12 feet to 10
16 feet. And then how wide is the sidewalk, the rest of
17 it? From the curb.

18 THE WITNESS: From the top of my head --
19 it's pitched at that location where the stoop is. If
20 I'm guessing, I'm going to say between 4 and 1/2, 5
21 feet, where other parts are closer to 6 feet.

22 COMMISSIONER ARENCIBIA: So, by removing
23 that stoop, what's going to happen?

24 THE WITNESS: We're still going to
25 install the fence line back. So they are still going

1 to maintain -- you know, right now it's all poured
2 concrete. So from where the fence is, we're going to
3 maintain the fence line but we're going to remove the
4 two steps that protrude beyond the fence.

5 MS. UGAZ: You'll gain 2 feet.

6 COMMISSIONER ARENCIBIA: You're going to
7 be 10 feet, right?

8 MS. UGAZ: Right, correct.

9 COMMISSIONER ARENCIBIA: And what are
10 you going -- you're going to take down the railing
11 and the stoop and replace it with what exactly?

12 THE WITNESS: A new railing and with the
13 ramp-way. And the ramp-way will be some sort of
14 masonry product. And she mentioned a column, but
15 there's also a plant there closer to the home, so
16 there will be some greenery where there's no greenery
17 now.

18 COMMISSIONER ARENCIBIA: So the ramp
19 will be 10 feet and then sloping --

20 THE WITNESS: Well, do you guys have the
21 plans? I think in the plan you can see, you come to
22 a flat level where you enter into the gate line,
23 you'd be flat. You'd turn right and you'd gradually
24 slide down the ramp, you'd hit another flat space and
25 you'd gradually slip back towards the door.

1 COMMISSIONER ARENCIBIA: I'm looking at
2 the plan, but how does this work? You have a gate
3 that opens up inward towards the building. If you
4 are going to use the ramp -- you can use the ramp or
5 you can go straight?

6 THE WITNESS: No, you have to use the
7 ramp and slide down.

8 COMMISSIONER ARENCIBIA: Everyone has to
9 use the ramp?

10 THE WITNESS: Yes. Yes.

11 COMMISSIONER ARENCIBIA: The ramp is
12 going to go down or up?

13 THE WITNESS: Down. 'Cause it's
14 already -- there's already that change in elevation.
15 So the stoop goes up, you go to the high door
16 currently. If you wanted to access the lower level,
17 the existing lower level, you would have to slip
18 under --

19 COMMISSIONER ARENCIBIA: Is there a door
20 underneath the stoop --

21 THE WITNESS: Right, right.

22 DIRECTOR MARKS: This ramp will go
23 down --

24 MS. UGAZ: To that level.

25 THE WITNESS: Right, it won't change

1 that aspect of how you would --

2 COMMISSIONER ARENCIBIA: Are you going
3 to have access to the upper level, where the stoop
4 is, from the front?

5 THE WITNESS: No. Now the means of
6 entry will be at the lowest level.

7 MS. UGAZ: It will be the only entry to
8 the home.

9 COMMISSIONER ARENCIBIA: How deep do you
10 have to go down to that entrance?

11 MS. UGAZ: It's about 14 inches.
12 Currently about two steps down.

13 COMMISSIONER ARENCIBIA: It's like the
14 ramp --

15 THE WITNESS: It's very, very gradual.

16 MS. UGAZ: Right now it's flat and then
17 two steps down to get to the door in the basement so
18 the basement is like that (gestures.)

19 COMMISSIONER ARENCIBIA: And why do you
20 need a ramp?

21 THE WITNESS: Quite frankly, it's
22 twofold. It's aesthetic, architectural, and ease of
23 them getting in and out of the home with a stroller.
24 She wouldn't -- they wouldn't be the first family
25 that have to go down two steps.

1 MS. UGAZ: In Hoboken, if you have
2 children, stroller is your --

3 COMMISSIONER ARENCIBIA: I understand.
4 It seems like a ramp system to go down 14 inches.

5 THE WITNESS: Well, that is really just
6 an aesthetic, you know, it's part of the experience
7 of entering the home.

8 MS. UGAZ: It's much easier than going
9 up the stoop with my son and the stroller.

10 COMMISSIONER ARENCIBIA: It's going to
11 be a very gradual ramp?

12 THE WITNESS: Right.

13 COMMISSIONER ARENCIBIA: Just probably
14 looking at it, you're going almost the entire width
15 of the building, with the ramp system, just to go
16 down 14 inches and it's a back-and-forth system. You
17 don't really need all that room.

18 THE WITNESS: No, there's two flat
19 portions. You know, when you come directly into the
20 gate, that's a flat area. Then there's about, you
21 know, 7 feet and then another flat area and then you
22 turn and there's another 7 feet and another flat
23 area. So the ramp is only about 7 feet long.

24 COMMISSIONER ARENCIBIA: The ramps are 7
25 feet long each?

1 THE WITNESS: Correct, correct.

2 COMMISSIONER ARENCIBIA: Is that ramp
3 going down --

4 THE WITNESS: It turns back on itself.

5 COMMISSIONER BETTINGER: Mr. Chairman?
6 Do you have a rendering so that we could
7 see?

8 THE WITNESS: No.

9 COMMISSIONER ARENCIBIA: This drawing
10 right here, it's in your package. It's kind of tough
11 to see, but regardless of what you do, you're going
12 to need a franchise agreement, right?

13 MS. UGAZ: Yes, I understand that.

14 THE WITNESS: Yes.

15 COMMISSIONER ARENCIBIA: Try to minimize
16 that. It's needed in some cases, but in terms of the
17 work, if you're removing the stoop and you have a
18 fence and it seems to be like adjacent properties
19 have the same setup, stoops --

20 THE WITNESS: Correct. Well, not
21 exactly.

22 MS. UGAZ: The one to the left doesn't.

23 THE WITNESS: On the left-hand side, up
24 the block, is a property that has two little steps;
25 building must have been built at a much different

1 time and properties directly adjacent to the north
2 has a lower stoop. This is the highest stoop on the
3 block and then there's a newer construction, probably
4 as Mr. Romano said, probably 20 years ago maybe, that
5 one property across the street from the doctor's.

6 COMMISSIONER ROMANO: Yes, across from
7 Dr. Quinto. That was just restored, that Dr. Quinto
8 just did when he built on top, that was just
9 restored. That's a three --

10 THE WITNESS: I mean this is an
11 odd-ball, high-stoop situation on that block.

12 COMMISSIONER ARENCIBIA: But you're
13 removing that door, right?

14 THE WITNESS: Yes.

15 COMMISSIONER ARENCIBIA: You're going to
16 remove it, close it with bricks. And the new doorway
17 would be the one underneath the stoop?

18 THE WITNESS: Correct.

19 COMMISSIONER ARENCIBIA: It's 14 inches
20 down?

21 THE WITNESS: Correct.

22 COMMISSIONER ARENCIBIA: You're saying
23 some of the adjacent properties deal with it by a
24 couple of steps.

25 COMMISSIONER ROMANO: The ones on the

1 right has a step too --

2 THE WITNESS: They have a much different
3 step.

4 COMMISSIONER ARENCIBIA: There are some
5 buildings with a similar design that have --

6 THE WITNESS: Correct, lower doors.

7 MS. UGAZ: And the reason why is because
8 if you're looking at this property, the one on the
9 left, the lady, this is where she grew up so now she
10 has a much wider lot and she has four apartments that
11 she rent and she lives in one of them and she has her
12 door is just literally two steps above the sidewalk.
13 While ours is way up, the main entrance, and then the
14 other one, low. The one to the right is a building
15 that looks just like ours, it was also built in 1901.

16 COMMISSIONER DiDOMENICO: Mr. Chair?

17 Looking at the house that I guess is on
18 the south side, once that stoop is removed, it seems
19 like they are going to need a railing on the other
20 side of their stairs. Because currently they don't
21 have it because they have the wall of your stoop.

22 THE WITNESS: Good point.

23 MS. UGAZ: Right.

24 COMMISSIONER DiDOMENICO: Is that
25 something that by taking the stoop, is there any

1 responsibility for you guys to put the rail or is
2 that the other homeowner's?

3 MS. UGAZ: We can certainly put rail,
4 that is not a problem. We can talk to Denise, she's
5 the owner of that home. If she wants us to pay for
6 her railing, we would.

7 CHAIRMAN CHOFFO: Commissioner
8 Fitzgibbons, I see you have a question.

9 COMMISSIONER FITZGIBBONS: Yes. Most of
10 those stoops are almost the same size. Because the
11 reason why, they were multiple dwellings,
12 three-family -- usually basement, first floor, are
13 occupied by the owner and the next two floors were
14 renters.

15 Problem is -- I see what you're doing,
16 you know, it's a nice idea. I see nothing really
17 wrong with -- like Freeholder said over there, she
18 said that railing there has to be replaced, because
19 it is an egress, and under the law, if you remove
20 your stoop and you share that railing, under law
21 there has to be a railing because it's an egress from
22 the building.

23 MS. UGAZ: Yeah, think right now it's
24 not a railing but it's just a wall, yeah, from the
25 stoop.

1 COMMISSIONER FITZGIBBONS: It's used as
2 a rail?

3 MS. UGAZ: Yeah. For sure, as I
4 mention, we have no problem, we replace it.

5 COMMISSIONER FITZGIBBONS: If you remove
6 that, you got an egress on one side, you know, you
7 could fall a couple of feet. So that has to be
8 incorporated.

9 MS. UGAZ: Sure.

10 COMMISSIONER FITZGIBBONS: I got a
11 question. You're going to have one kitchen in there?

12 MS. UGAZ: Yes, sir, one kitchen. One
13 cook.

14 COMMISSIONER FITZGIBBONS: You know why
15 I'm saying that? You know why I'm saying that?

16 MS. UGAZ: No, I don't.

17 COMMISSIONER FITZGIBBONS: Because if
18 you have more than one kitchen, it's not a one-unit
19 building.

20 MS. UGAZ: No, it will be only us living
21 there and we're only one kitchen. I believe we
22 submitted full plans which show that there's only one
23 kitchen.

24 CHAIRMAN CHOFFO: Any other questions?

25 MS. UGAZ: Also we noted that it was

1 restored from a four-family to a one-family.

2 COMMISSIONER FITZGIBBONS: No, it was a
3 four-family -- it's vacant now?

4 MS. UGAZ: Now we --

5 COMMISSIONER FITZGIBBONS: Converted
6 from a four-family to a one.

7 MS. UGAZ: Yes.

8 COMMISSIONER MEHTA: Yes, my question
9 was on the same line that when you did the
10 application with the Hoboken Zoning Officer, you
11 already applied for conversion of four-family into
12 one-family, for the record?

13 THE WITNESS: We did and we have that
14 already.

15 CHAIRMAN CHOFFO: An approval?

16 THE WITNESS: Yes, yes, sir.

17 DIRECTOR MARKS: Mr. Chairman, the site
18 was inspected by Mr. Tridente, who makes
19 recommendations in his report dated March 15th. I
20 would just ask that Mr. Tridente put his
21 recommendations on the record.

22 MR. TRIDENTE: Mr. Chairman, just to
23 reiterate what the applicant said, concerning the
24 handrail on the left side of the building, which they
25 propose to remove, is nonconforming. Neighbor on the

1 adjacent property cannot properly use that, so it
2 would not be an issue, but also the fall issue of
3 falling off the porch on that side should be
4 addressed. So that the railing, as it is now, is
5 nonconforming and cannot be used by the neighbor.

6 Just to clear that it is not being used
7 by the adjacent property as a means of egress for
8 that porch. Because it's too high and way out of the
9 way, there's no way the neighbor could use it.

10 But they should put something there as
11 some sort of a fall protection in light of that.

12 CHAIRMAN CHOFFO: Once the stairs are
13 removed?

14 MR. TRIDENTE: Once the stairs are
15 removed. But I did notice that the curbs and the
16 sidewalks were in disrepair. Does the applicant
17 propose to repair or replace the sidewalks and put in
18 new curbs?

19 MS. UGAZ: Yep, definitely.

20 THE WITNESS: Sure.

21 MR. TRIDENTE: That's all I have.

22 COMMISSIONER ARENCIBIA: What kind of
23 railing are you going to be installing, is it similar
24 to what you have there already or --

25 THE WITNESS: Probably in a more modern

1 aesthetic. So we're still sort of refining some of
2 the design, but some sort of metal railing.

3 COMMISSIONER ARENCIBIA: And all the
4 work will be concrete sidewalk or are you using other
5 materials?

6 THE WITNESS: For the sidewalk or for
7 the ramp-ways?

8 COMMISSIONER ARENCIBIA: Both.

9 THE WITNESS: Can't attest to the
10 sidewalk yet because we didn't really talk about
11 that --

12 COMMISSIONER ARENCIBIA: It's concrete
13 right now?

14 THE WITNESS: It is concrete right now.

15 MS. UGAZ: We would put the same.

16 THE WITNESS: Right.

17 COMMISSIONER ARENCIBIA: The ramp is
18 going to be concrete too?

19 THE WITNESS: We're going to sort of put
20 concrete and/or like a bluestone paver of some sort,
21 but it will be masonry.

22 COMMISSIONER ARENCIBIA: I just, you
23 know, want to reiterate, the franchise agreement will
24 require, besides a survey detailing the encroachment
25 and the work and the maintenance of these

1 improvements within the County's right of way.

2 CHAIRMAN CHOFFO: Ms. Massey.

3 MS. MASSEY: Mr. Chairman, the applicant
4 did submit a signed and sealed survey, as well as
5 metes and bounds description, that we can forward on
6 to the law department to get the franchise agreement
7 moving.

8 CHAIRMAN CHOFFO: Mr. Marks.

9 DIRECTOR MARKS: Mr. Chairman, on item
10 6, paragraph No. 6 on Ms. Massey's letter, dated
11 March 11th, the area that the subject property is
12 within a 100-year floodplain. So I would just ask
13 that the applicant or the architect, what's proposed
14 for the first floor, what's the usage on the first
15 floor?

16 THE WITNESS: The existing condition is
17 living space and the proposed condition remains the
18 same.

19 DIRECTOR MARKS: Living space?

20 THE WITNESS: Correct.

21 DIRECTOR MARKS: And the location of
22 utilities?

23 THE WITNESS: Above the BFE. We have to
24 relocate them currently, they are a little low, but
25 we have a spot for them above the BFE.

1 DIRECTOR MARKS: Mr. Chairman, I would
2 just recommend, it's a recommendation, I wouldn't --
3 it's not a requirement, since the property is within
4 a floodplain, that the applicant take out flood
5 insurance or participate in National Flood Insurance
6 Program.

7 MS. UGAZ: We have that, because we
8 needed to get it for the mortgage. They wouldn't
9 give us the mortgage, so. . .

10 DIRECTOR MARKS: Great.

11 CHAIRMAN CHOFFO: Any other questions?

12 COMMISSIONER ARENCIBIA: I'd also like
13 to add the condition of obtaining a road-opening
14 permit from the County Engineer's office for all the
15 work that is still within the County's right of way.

16 The applicant or the contractor has to
17 obtain a road-opening permit which will include the
18 sidewalk and curb work to be done in the County's
19 right of way.

20 CHAIRMAN CHOFFO: You're all right with
21 that, aren't you, Mr. Feinstein?

22 THE WITNESS: Yes.

23 COMMISSIONER FITZGIBBONS: Make a motion
24 to approve.

25 COMMISSIONER AVAGLIANO: Second.

1 CHAIRMAN CHOFFO: Before we take a vote,
2 can Mr. Curley please read off the conditions?

3 MR. CURLEY: I noted three conditions.
4 One is a franchise agreement with the approval of the
5 Board of Chosen Freeholders for all proposed
6 encroachments that will remain in the County right of
7 way.

8 Second condition would be replacement of
9 sidewalks and curbs.

10 And the third condition would be
11 road-opening permit for the County road.

12 MS. UGAZ: Should we say also the -- I
13 was wondering if also the railing -- sorry.

14 MR. CURLEY: That's correct, rail
15 replacement so that it's continuous with the
16 neighbor. Thank you.

17 COMMISSIONER ARENCIBIA: Can we make a
18 condition with the historic -- confirmation whether
19 the historic --

20 MR. CURLEY: I don't think it's in our
21 jurisdiction. I do believe that, according to review
22 in my mind of the MLUL provision concerning that, I
23 do not believe that the building department is
24 permitted to issue any construction permits without
25 referral first to the historic preservation officer,

1 who has the right to hold up those permits.

2 COMMISSIONER ARENCIBIA: Just want to
3 make certain that the city understands that they
4 obtain -- that what the applicant obtains tonight is
5 not an approval for the removal of the stoop. As the
6 applicant was testifying earlier, that she's here as
7 the city instructed her to come here for the removal
8 of the stoop.

9 So I just wanted to make that clear,
10 that this is not really an approval of removal of the
11 stoop, that you still need to go to the city for
12 that.

13 THE WITNESS: Can I speak again?

14 The -- when we submitted to the zoning
15 officer, and when we were referred to come to the
16 County, it's not for the demolition of that stoop as
17 much as it is for the work being done in that right
18 of way.

19 So, I actually wanted to jump in
20 earlier, but, yeah, it wasn't here to seek the
21 approval from the County to remove that, so I don't
22 want to put that burden on you guys.

23 MS. UGAZ: Also, she mentioned that once
24 and if you approve this, then she would, with that
25 approval, she would then try to file for a Hoboken

1 City Council approval as well. But she could not
2 file for that if you don't approve, you know, if
3 there's different things that are in your property.

4 COMMISSIONER FITZGIBBONS: Excuse me,
5 she said apply for a Hoboken City Council approval?

6 MS. UGAZ: Yes, I think she said HCC
7 approval. I think it's HCC. Maybe commission, I
8 don't know. But we need to get city approval for the
9 changes. We need both.

10 MR. CURLEY: Do you have a rent approval
11 letter from the zoning official?

12 MS. UGAZ: Yes.

13 MR. CURLEY: Why don't we mark that.
14 (Exhibit received and marked into
15 evidence.)

16 MR. TRIDENTE: Mr. Chairman --

17 COMMISSIONER MEHTA: As far as our
18 jurisdiction, it is always our understanding that
19 whenever we approve, it is subject to the local
20 approval. And if local government or local doesn't
21 approve, it's null and void.

22 CHAIRMAN CHOFFO: That is correct,
23 Commissioner Mehta.

24 MR. TRIDENTE: Mr. Chairman, if I could
25 enlighten the Board, I reviewed the Hoboken

1 certificate requirements and on the checklist,
2 there's a line item for historic preservation. So
3 for them to receive their First Certificate of Zoning
4 Compliance, they must adhere to all those
5 requirements, otherwise they would not have received
6 their First Certificate of Zoning Compliance. So
7 it's on the checklist.

8 MR. CURLEY: There is a note on the
9 First Certificate of Zoning Compliance that
10 "Alterations of the front facade, the front stoop,
11 fence and areaway, are not approved at this time
12 pending easement of the City Council and approval of
13 Hudson County Planning Board." I would think any
14 approval resolution should reflect that.

15 CHAIRMAN CHOFFO: Are you comfortable
16 with that, Freeholder?

17 COMMISSIONER ROMANO: Uh-huh.

18 CHAIRMAN CHOFFO: Demetrio?

19 COMMISSIONER ARENCIBIA: Yes.

20 CHAIRMAN CHOFFO: For purposes of the
21 record, we'll mark the drawings, that were testified
22 to, as Exhibit 1; and the First Certificate of Zoning
23 Compliance as Exhibit 2.

24 (Exhibit received and marked for
25 identification.)

1 DIRECTOR MARKS: Mr. Chairman, there was
2 a motion made, to conditionally approve application
3 2011-016-SP, made by Commissioner Fitzgibbons and
4 seconded by Commissioner Avagliano. Any further
5 discussion?

6 COMMISSIONER FITZGIBBONS: No.

7 DIRECTOR MARKS: Commissioner Arencibia?

8 COMMISSIONER ARENCIBIA: Aye.

9 DIRECTOR MARKS: Commissioner Avagliano?

10 COMMISSIONER AVAGLIANO: Aye.

11 DIRECTOR MARKS: Commissioner Bettinger?

12 COMMISSIONER BETTINGER: Aye.

13 DIRECTOR MARKS: Commissioner

14 DiDomenico?

15 COMMISSIONER DiDOMENICO: Aye.

16 DIRECTOR MARKS: Commissioner

17 Fitzgibbons?

18 COMMISSIONER FITZGIBBONS: Aye.

19 DIRECTOR MARKS: Commissioner Mehta?

20 COMMISSIONER MEHTA: Aye.

21 DIRECTOR MARKS: Commissioner Romano?

22 COMMISSIONER ROMANO: Aye.

23 DIRECTOR MARKS: And Chairman Choffo?

24 CHAIRMAN CHOFFO: I vote aye.

25 DIRECTOR MARKS: Mr. Chairman, the

1 motion passes.

2 MS. UGAZ: Thank you for your time and
3 for your patience with me.

4 DIRECTOR MARKS: Mr. Chairman, the next
5 section on the agenda is 5-C, applications
6 administratively approved. Beginning with
7 application 2010 -- 2011-005-SP, New Cingular
8 Wireless PCS, LLC, located at 1500 Kennedy Boulevard,
9 which is Block 81, Lot 14 in the City of Union City.

10 Next is application 2011-010-SP, New
11 Cingular Wireless PCS, LLC located at 8400 River
12 Road, which is Block 435, Lot 6.01 in the Township of
13 North Bergen.

14 Next is application 2010-011-SP, New
15 Cingular Wireless PCS, LLC, located at 7221 Kennedy
16 Boulevard, which is Block 259, Lot 70 in the Township
17 of North Bergen.

18 Next is application 2010-012-SP, New
19 Cingular Wireless PCS, LLC, located at 8405 Kennedy
20 Boulevard, which is Block 356, Lot 18 in the Township
21 of North Bergen.

22 And finally is application
23 2010-014-SP -- I'm sorry, these should be 2011. So,
24 please, if the record could reflect that. The third
25 was 2011-011-SP. The one after that was 2011-002-SP.

1 And the final one is 2011-014-SP, which is New
2 Cingular Wireless PCS, LLC, located at 6011-6017
3 Kennedy Boulevard, which is Block 198, Lots 463 and
4 465 in the Township of North Bergen.

5 CHAIRMAN CHOFFO: Do I have a motion?

6 COMMISSIONER FITZGIBBONS: Make a
7 motion.

8 COMMISSIONER AVAGLIANO: Second.

9 DIRECTOR MARKS: Mr. Chairman, on a
10 motion made by Commissioner Fitzgibbons and seconded
11 by Commissioner Avagliano.

12 Commissioner Arencibia?

13 COMMISSIONER ARENCIBIA: Aye.

14 DIRECTOR MARKS: Commissioner Avagliano?

15 COMMISSIONER AVAGLIANO: Aye.

16 DIRECTOR MARKS: Commissioner Bettinger?

17 COMMISSIONER BETTINGER: Aye.

18 DIRECTOR MARKS: Commissioner

19 DiDomenico?

20 COMMISSIONER DiDOMENICO: Aye.

21 DIRECTOR MARKS: Commissioner

22 Fitzgibbons?

23 COMMISSIONER FITZGIBBONS: Aye.

24 DIRECTOR MARKS: Commissioner Mehta?

25 COMMISSIONER MEHTA: Aye.

1 DIRECTOR MARKS: Commissioner Romano?

2 Not present.

3 And Chairman Choffo?

4 CHAIRMAN CHOFFO: Aye.

5 DIRECTOR MARKS: Mr. Chairman, the
6 motion passed.

7 Next, Mr. Chairman, is 5-D on the

8 agenda, applications to be declared exempt.

9 Beginning with application 2011-007-SP, New Cingular
10 Wireless, PCS, LLC, located at 59 13th Street, which
11 is Block 244, Lot 4.1 in the City of Hoboken.

12 Next is application 2011-008-SP, New
13 Cingular Wireless PCS, LLC, located at 401 Adams
14 Street, Block 61, Lots 1.1 and 1.2 in the City of
15 Hoboken.

16 Next is application 2011-009-SP, New
17 Cingular Wireless PCS, LLC, located at 1017 Jefferson
18 Street, which is Block 100, Lots 1 through 14 in the
19 City of Hoboken.

20 And last is 2011-015-SP, New Cingular
21 Wireless PCS, LLC, located at 8305 Bergenline Avenue,
22 which is Block 383.01, Lot 35 located in the Township
23 of North Bergen.

24 CHAIRMAN CHOFFO: Do I have a motion?

25 COMMISSIONER AVAGLIANO: Motion.

1 COMMISSIONER MEHTA: Second.

2 DIRECTOR MARKS: Mr. Chairman, on a
3 motion made by Commissioner Avagliano and seconded by
4 Commissioner Mehta.

5 Commissioner Arencibia?

6 COMMISSIONER ARENCIBIA: Aye.

7 DIRECTOR MARKS: Commissioner Avagliano?

8 COMMISSIONER AVAGLIANO: Aye.

9 DIRECTOR MARKS: Commissioner Bettinger?

10 COMMISSIONER BETTINGER: Aye.

11 DIRECTOR MARKS: Commissioner
12 DiDomenico?

13 COMMISSIONER DiDOMENICO: Aye.

14 DIRECTOR MARKS: Commissioner
15 Fitzgibbons?

16 COMMISSIONER FITZGIBBONS: Aye.

17 DIRECTOR MARKS: Commissioner Mehta?

18 COMMISSIONER MEHTA: Aye.

19 DIRECTOR MARKS: Commissioner Romano?

20 Not present.

21 And Chairman Choffo?

22 CHAIRMAN CHOFFO: Aye.

23 DIRECTOR MARKS: Mr. Chairman, the
24 motion passed.

25 Mr. Chairman, under old business --

1 CHAIRMAN CHOFFO: Can you give me one
2 second?

3 DIRECTOR MARKS: Oh, sure.

4 Renee, you want to take over as chair?

5 COMMISSIONER BETTINGER: Sure. I'm
6 ready.

7 DIRECTOR MARKS: Madam Chair, under old
8 business on the agenda is the memorialization of a
9 resolution approving Professional Services Contract
10 with John J. Curly, LLC for outside counsel.

11 ACTING CHAIR BETTINGER: Do I have a
12 motion to approve?

13 COMMISSIONER FITZGIBBONS: I make a
14 motion.

15 COMMISSIONER AVAGLIANO: Second.

16 DIRECTOR MARKS: Madam Chair, on a
17 motion made by Commissioner Fitzgibbons, seconded by
18 Commissioner Avagliano.

19 Commissioner Arencibia?

20 COMMISSIONER ARENCIBIA: Aye.

21 DIRECTOR MARKS: Commissioner Avagliano?

22 COMMISSIONER AVAGLIANO: Aye.

23 DIRECTOR MARKS: Commissioner
24 DiDomenico?

25 COMMISSIONER DiDOMENICO: Aye.

1 DIRECTOR MARKS: Commissioner
2 Fitzgibbons?

3 COMMISSIONER FITZGIBBONS: Aye.

4 DIRECTOR MARKS: Commissioner Mehta?

5 COMMISSIONER MEHTA: I abstain.

6 DIRECTOR MARKS: Commissioner Romano is
7 not present.

8 And Chairwoman Bettinger?

9 COMMISSIONER BETTINGER: I vote aye and
10 I welcome you to the Board.

11 MR. CURLEY: Thank you very much.

12 DIRECTOR MARKS: Madam Chair, the motion
13 passes.

14 ACTING CHAIR BETTINGER: Do we have any
15 new business?

16 COMMISSIONER FITZGIBBONS: I make a
17 motion to adjourn.

18 ACTING CHAIR BETTINGER: Any new
19 business?

20 DIRECTOR MARKS: No.

21 COMMISSIONER FITZGIBBONS: I make a
22 motion to adjourn.

23 COMMISSIONER MEHTA: Everybody say
24 "aye."

25 ACTING CHAIR BETTINGER: Finished.

(Time noted: 9:37 p.m.)

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25

C E R T I F I C A T E

I, JOANNE M. OPPERMANN, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby state that the foregoing is a true and accurate transcript of my stenographic notes of the within proceedings, to the best of my ability.

JOANNE M. OPPERMANN, C.C.R.

License No. XI01435

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

<p style="text-align: center;">&</p> <p>& 1:18 67:25 68:19 69:4,10,11,12 70:4 70:16 77:15 80:20 90:2,2,5,9,10,13,14 90:16 101:23 108:5 108:21 110:1</p>	<p>139 20:15 13th 155:10 14 21:9,20 39:3,15 39:17 40:21 47:20 136:11 137:4,16 139:19 153:9 155:18</p>	<p>2010-011 153:14 2010-012 153:18 2010-014 153:23 2010-081 11:20 2010-083 18:17 76:6 2010-086 11:23 2010-087 7:18 8:24 12:15 17:7</p>	<p>3/11/11 36:17 3/15/11 80:21 30 39:18 40:11 42:6 300 97:25 98:21 3085 18:18 314 114:12 32 114:13 35 20:1 40:12,13,13 155:22</p>
<p style="text-align: center;">1</p>	<p>15 21:10 42:7 45:23 45:23,25 47:17 81:12 95:5,8,10,13 95:14 124:13 127:19 128:13,16 129:16 132:8</p>	<p>2010-089 77:5 113:13 2011 1:5 2:3 3:16 14:20 79:2 153:23</p>	<p>35,000 110:7 356 153:20 383.01 155:22 3:00 42:20 3rd 1:7</p>
<p>1 23:16 47:24 68:19 69:4,10,10,12 70:4 70:16 77:7 79:17 80:21,21 127:24 151:22 155:18 1.01 12:18 1.02 12:18 1.1 155:14 1.2 155:14 1/2 47:25 133:20 10 36:12 42:9,10 79:5 85:14,15 99:2 133:12,15 134:7,19 100 20:12,22 22:16 23:15 44:12 146:12 155:18 101 23:16 1017 155:17 102 23:17 109 114:16 10th 79:2 120:15 11 79:5 85:17 11-001 12:3 1154 11:24 117.1 12:18 11th 120:15 146:11 12 14:20 46:22 47:1 47:4,11,12,19,20 73:18 79:5 133:13 133:14,15 1200 77:6,19 126 27:25 128 13:24 14:8 15:18 13 40:3,4 44:7 47:19</p>	<p>15/18 95:13 1500 153:8 152 18:19 15th 143:19 16 1:5 3:16 38:9,12 38:13 39:15,16 40:1 40:21 73:20 129:16 166 114:13 16th 2:3 18 48:10 74:23 95:7 95:8,12,16,17 128:16 153:20 18/15 95:11 180 61:14 19 48:9 19.01 12:8 1901 140:15 1979 132:7 198 154:3</p>	<p>2011-002 153:25 2011-003 12:6 2011-005 153:7 2011-007 155:9 2011-008 155:12 2011-009 155:16 2011-010 153:10 2011-011 153:25 2011-014 154:1 2011-015 155:20 2011-016 114:11 152:3 212-234 12:3 23c 11:21 244 155:11 249 24:25 27:24 25 40:22 99:2 252 12:4 259 153:16 27 37:18 275 77:7 28 82:19 28,000 37:18 29,416 37:7 298 12:8 2:30 42:20 2b 12:5 2nd 41:25</p>	<p style="text-align: center;">4</p> <p>4 59:4,9 64:21 95:5 95:7,8,8,9,10 133:20 4.1 155:11 4/27/10 23:22 400,000 87:16 401 155:13 435 153:12 438a 11:21 463 154:3 465 154:4</p>
<p style="text-align: center;">2</p> <p>2 45:6 80:20 134:5 151:23 2.02 12:4 20 20:2 36:2 46:5,7 78:19 81:13,25 82:7 82:22 139:4 200 61:14 70:14 2000 12:2 2006 27:10 2010 31:15 153:7</p>	<p style="text-align: center;">3</p> <p>3 11:25 36:11,11 44:22 47:14 64:21</p>	<p style="text-align: center;">5</p> <p>5 7:19,20,22,24,25 8:1,19,25 10:4,15 13:25 14:9 15:18 16:1 42:11 46:6,6 50:2 133:20 153:5 155:7 50 96:17 51 11:25 55,000 81:14 82:2 87:18 567 1:6 59 155:10</p>	<p style="text-align: center;">6</p> <p>6 45:6 46:6 47:17,17 59:4,9 75:18 133:21 146:10,10</p>

<p>6.01 153:12 60 89:6 6011-6017 154:2 61 155:14 634 18:18 650 14:10 67 37:7 6:30 1:8</p>	<p>101:10 114:25 116:4 abstain 4:24,25 11:3 11:4 158:5 abuts 31:18 ac 20:23 38:16 acceptable 58:14 105:5 112:3,24 113:3 access 21:5 22:7 24:8,13 38:22 63:13 68:3 69:24 86:6 90:23 135:16 136:3 accessed 21:23,25 22:5,12 38:10 81:7 accesses 43:4 accident 55:17 accommodate 26:8 48:16 50:21 96:8,20 105:8 accomodate 96:9 97:13 98:14 accomplish 88:23 account 43:12 93:1 accurate 160:7 acquire 13:6 acquired 14:23 16:18 114:17 115:11 acre 81:16 acreage 81:24 acres 37:7 81:25 act 3:7 30:25 acting 7:12 8:2,16 10:6,10 11:13 12:12 13:18 14:16 15:6 16:10,24 17:2,9 18:11 157:11 158:14,18,25 action 32:21 115:18 active 59:16,20,21 actively 66:5 acts 5:21 actual 8:1 22:15 91:3 112:8</p>	<p>adams 155:13 adaptive 25:6 add 26:3 59:1 147:13 adding 40:6 81:14 81:16 82:2,9 86:1 87:13,14,17 109:1,7 110:6 addition 13:7 44:8 58:15 82:13 122:15 additional 6:18 14:22 16:18 39:13 53:24 55:23 70:25 77:20 78:5 80:20 82:24,25 85:25 88:14 93:5 96:8,21 97:13,14,17 98:8,14 101:5 address 36:22 43:9 72:7 79:5 100:4,6,8 119:14 addressed 43:1 71:14 85:19 89:23 96:1 144:4 addressing 63:10 85:15 109:6 adds 63:12 adequate 46:2 47:2 47:5 48:18 68:18 adhere 151:4 adhering 103:18 adjacent 6:21 21:13 39:24 45:22 49:20 58:17 138:18 139:1 139:23 144:1,7 adjourn 158:17,22 adjustments 65:12 administratively 153:6 admittedly 59:3 adopted 26:6 adoption 3:15 advanced 31:1 advertised 3:4,6 11:18 12:10</p>	<p>advice 33:5 advise 6:2 advised 8:13 14:22 16:4 aerial 61:14 aesthetic 125:4,10 129:24 136:22 137:6 145:1 aesthetics 78:3 88:1 affect 25:9 60:14 66:5,6 130:2 agency 64:17 agenda 7:20 8:25 10:4,15 11:19 153:5 155:8 157:8 ago 26:2 36:14 57:16 128:17 129:16 132:13 139:4 agree 32:20 65:13 105:21 121:12 agreeable 42:1 104:21 agreed 104:24 agreement 48:24 49:6,10 54:11 55:7 56:10 77:23 100:24 121:23 138:12 145:23 146:6 148:4 agreements 74:2,3 ahead 28:16 61:18 70:18 aicp 1:16 aide 1:17 air 116:15 allow 7:21 51:17 68:7 69:10 77:19,24 111:19 allowed 27:24 65:3 117:19 allowing 68:10 78:2 alongside 46:17 alterations 151:10 alternate 90:13,25 108:17</p>
7			
<p>7 69:18,25 70:6 137:21,22,23,24 7,000 37:20 7-0 31:16 70 153:16 700 14:10 82:14 89:13 7221 153:15 7600 11:21</p>			
8			
<p>8 13:25 14:9 64:21 64:21 8.4 15:19 16:1 81 153:9 8305 155:21 8400 153:11 8405 153:19 86 82:10,11</p>			
9			
<p>9 68:19 69:4,10,11 69:12 70:4,17 9,000 37:21 9,000/10,000 20:19 92 88:10 99 125:19 99.9 125:12,21 127:15 9:37 159:1</p>			
a			
<p>abandoned 25:14 abeyance 111:24 ability 93:5 160:8 able 14:25 37:15 65:6,17 69:5 70:5</p>			

<p>alternatives 25:4</p> <p>amenable 52:2</p> <p>amended 7:2,5 26:8 31:1 32:13</p> <p>amendment 5:13 8:8</p> <p>american 82:10</p> <p>amount 6:18 13:21 14:6</p> <p>analysis 43:10 57:24 58:3,20 98:7,13 100:13 105:12 106:14</p> <p>annex 1:6</p> <p>answer 56:22 63:23 72:24 103:9 131:15</p> <p>anthony 1:13</p> <p>antibiotics 107:18</p> <p>anticipate 86:16</p> <p>anybody 29:1 60:3 61:8 67:7</p> <p>anytime 53:3 62:19 65:3 67:12,19</p> <p>apartments 140:10</p> <p>apologize 7:9 15:15 107:24 113:6</p> <p>apparently 90:3</p> <p>appear 11:19 59:21</p> <p>appearance 6:18 13:1</p> <p>appeared 7:9 57:15</p> <p>applicable 74:16</p> <p>applicant 5:17 6:3,4 6:8,15 7:19 11:24 12:16,23 18:22,23 53:4 55:4 62:21 64:10 67:2 68:25 74:3 77:6,11,13 89:23 91:3 104:9,11 105:2 111:17 112:12,15,21 114:12 121:22 122:1,3,6,7,9,22,22 143:23 144:16 146:3,13 147:4,16</p>	<p>149:4,6</p> <p>applicant's 68:2 119:18</p> <p>applicants 5:10</p> <p>application 5:20,22 7:18 8:19,24 11:19 11:23 12:2,6,15 16:3 17:7 18:16 20:10 23:12 25:24 26:23,24 27:2,10,13 27:14 30:3,9 33:7 34:20 41:5 50:5 70:21 76:5 77:4,16 78:23 81:19 85:9,12 85:13 86:12,13,23 89:20 90:25 92:8,11 108:8 113:12 114:10 115:6,13,15 121:14 122:24 123:12 143:10 152:2 153:7,10,14 153:18,22 155:9,12 155:16</p> <p>applications 5:7 7:16 51:4 86:11 90:12 153:5 155:8</p> <p>applied 129:14 143:11</p> <p>apply 67:2 150:5</p> <p>appreciate 18:7</p> <p>approach 124:23</p> <p>appropriate 67:3</p> <p>approval 5:17 7:5 8:9 25:13,14 26:21 26:21 27:1,7,13 28:8 29:3,11,17,24 30:11,17 31:4,18,19 31:21 32:1 33:8,11 33:11,12,13,14,16 44:14 50:13 52:8 55:22,24 74:20 75:8 85:2 86:17,20,25 92:7,18 100:22 102:18 103:16 108:11 110:18</p>	<p>111:23 112:9 114:24 115:19 117:5 119:16 121:4 121:8,17 122:3 127:22,22 143:15 148:4 149:5,10,21 149:25 150:1,5,7,8 150:10,20 151:12 151:14</p> <p>approvals 25:11,17 26:13,18 30:20 32:4 85:5 92:20 123:1,2</p> <p>approve 24:21 27:24 28:18 54:19 74:2 76:5 86:15,16 109:20 113:12 118:20 123:5 147:24 149:24 150:2,19,21 152:2 157:12</p> <p>approved 5:10 7:16 15:17 24:24 25:9,16 25:24 26:24 27:11 27:14,22 28:9,21 29:15 31:14 50:25 67:1 86:18 92:4 111:21 114:21 115:14 127:4 151:11 153:6</p> <p>approves 29:7</p> <p>approving 109:4 111:23 157:9</p> <p>approximate 37:17</p> <p>approximately 13:24 21:9 24:25 36:2,25 37:22 40:9 47:16,19 78:19 81:11,13 82:9,14 133:11,13</p> <p>appurtenance 122:2</p> <p>architect 19:22 20:6 33:25 116:10 117:7 119:18,25 120:22 146:13</p>	<p>architect's 119:21</p> <p>architects 19:2,24 116:10 124:3</p> <p>architectural 136:22</p> <p>architecture 19:25 124:11,14</p> <p>area 13:12,24 14:10 14:20,22 15:16,25 16:2 20:17 21:1,2 21:18,19,21 22:2,6 22:10,12 23:1 24:10 24:11,11,16 25:18 39:13 40:2,6 42:22 43:4 51:8 62:17 81:6 82:11 84:10 88:4 94:3 95:24 96:2,24 98:21 101:2 109:1 116:13,25 117:2 125:6 137:20 137:21,23 146:11</p> <p>areas 20:23 22:2,4 22:13,13,14 24:1,3 35:13</p> <p>areaway 151:11</p> <p>arencibia 1:11 2:5,6 3:21 4:2,6,11,12 9:3 9:4 10:17,18 13:19 13:20 14:2,5,12 15:3 17:12,13 43:18 43:25 44:20 45:19 46:8,13 47:6,10,13 47:22 48:11,13,19 48:23 49:5,12 52:23 53:14,23 54:4,7,18 54:21 55:1,8,14 56:12,19,25 60:5 62:12,18,24 65:2 66:3,13 67:11,17 70:12 71:15 72:14 72:22 75:10,25 76:8 76:9 80:2,6,12,18 94:15,25 95:3,9,12 95:14,17 96:5,19 97:5,9,12,21 98:12</p>
---	---	--	---

<p>98:16,23 99:1,7,12 99:16,21 100:1,11 100:15 101:3,18,22 102:1,12,20,25 103:4,10 104:2,6,10 104:13,18,25 105:4 105:9,23 106:1,25 107:6,12 108:19 109:13,25 110:23 111:4 113:15,16 119:13 120:24 121:7,13 132:21,22 133:4,9,14,22 134:6 134:9,18 135:1,8,11 135:19 136:2,9,13 136:19 137:3,10,13 137:24 138:2,9,15 139:12,15,19,22 140:4 144:22 145:3 145:8,12,17,22 147:12 148:17 149:2 151:19 152:7 152:8 154:12,13 156:5,6 157:19,20</p> <p>army 86:12,15,17 arrange 56:7 arrive 89:4 arrived 41:25 artery 50:15 asked 73:14 84:24 asking 7:2 13:15 31:25 72:23 104:7 119:22 131:4 aspect 136:1 aspects 123:11 assets 93:19 assigned 108:8 associate 77:12 associated 54:24 125:17 associates 1:18 67:25 77:6,11,15 79:2 80:20 90:3,4,5 104:12,14,20 108:21</p>	<p>attention 7:8 13:2 90:6 attest 145:9 attorney 1:15 5:22 6:1,2 18:22 30:3 49:2 atypical 46:10 authority 6:19 13:5 14:1,22 16:3,19,20 26:12 44:5,13 109:19,20 119:15 121:3 automobile 123:14 automobiles 58:24 avagliano 1:12 2:7,8 3:20 4:10,13,14 8:22 9:2,5,6 10:12 10:16,19,20 17:14 17:15 65:19,24 76:10,11 113:17,18 147:25 152:4,9,10 154:8,11,14,15 155:25 156:3,7,8 157:15,18,21,22 avenue 1:6 12:4,7,8 21:24 22:1,6 23:18 24:5,14 39:7,12 40:8 44:16 51:25 58:7,9 64:4,7 70:1,4 70:7 77:7,19 78:4 79:10 80:4,4,8,9,13 81:1 82:7 86:5 87:24 91:7,24 94:20 97:13 102:22 109:22 112:14 114:12,22 115:16 125:18 155:21 average 89:7 avoid 46:19 56:14 62:22 75:2 award 132:12 aware 6:17 81:5 90:14,15 128:5 awful 32:24</p>	<p>aye 4:14,16,19,22 5:2 9:4,6,8,13,16,18 9:22,25 10:18,20,23 11:1,6 12:12 17:13 17:15,18,21,23,25 18:3 76:9,11,13,16 76:19,21,23,25 113:16,18,20,23 114:1,3,5,7 152:8 152:10,12,15,18,20 152:22,24 154:13 154:15,17,20,23,25 155:4 156:6,8,10,13 156:16,18,22 157:20,22,25 158:3 158:9,24</p> <p style="text-align: center;">b</p> <p>b 1:9 5:21 7:20 8:1 18:19 78:8,8,8 123:20 b.99 18:18 baby 118:13 bachelor 124:11 bachelor's 35:24 57:12 back 18:16 21:10 22:22 28:10 31:15 38:25 47:14,19,20 61:4,8,24,24 62:2 62:15 68:16 74:23 75:13 91:18 101:9 105:16,19 120:16 129:6 133:25 134:25 137:16 138:4 background 19:10 19:20 35:23 57:11 77:16 120:8 backs 21:19 badly 107:18 ball 139:11 ballpark 94:6 barriers 74:11</p>	<p>base 47:6 98:20 123:15 based 29:11 30:6,10 33:12 106:14,15 109:25 121:9 basement 115:2,23 116:6,7 118:11 136:17,18 141:12 basically 22:11 30:8 33:13 43:7 45:6 58:2,19 61:6 79:11 79:19,25 80:25 81:3 81:18 82:6 83:21 84:25 85:18 86:14 90:22 95:21 96:4,25 97:24 98:19 102:4 107:1 basin 44:9 103:2 basing 123:10 basins 93:16 94:1 basis 99:5 100:21 bay 116:13,25 121:16 122:4,14 bayonne 12:1 bearing 30:17 beautify 40:6 becoming 97:3 beginning 153:6 155:9 begins 61:16 behalf 6:14 12:22 behaves 98:2 belief 106:15 believe 8:7 13:14 24:24 25:19 30:3,21 32:8 40:11,12 41:22 42:23 43:23 48:6,15 55:10,11 60:18 66:24 69:6 74:19 82:20 84:13 85:14 85:19 92:5 93:3 95:5 101:20,24 109:10 120:10,12 122:8 142:21 148:21,23</p>
---	---	--	---

<p>benefit 15:12 19:10 20:11 35:22 50:4 57:10 78:12 bergen 11:22 79:10 80:4,4,8,13 81:1 83:3,5,7 84:14 153:13,17,21 154:4 155:23 bergenline 155:21 best 37:14 63:9 85:24 122:23 132:16 160:8 better 100:25 bettinger 1:10 2:9 2:10 4:15,16 6:10 7:12 8:2,16 9:7,8,10 9:24,25 10:6,10 11:8,9,13 12:12 13:18 14:16 15:6 16:10,24 17:2,9 18:2,3,11 24:18 37:25 38:11,17,20 42:17 43:6 51:10 60:20,23 61:2 63:16 63:24 64:5,9 65:4 65:11,22 73:9,22 76:2,7,12,13 113:19 113:20 138:5 152:11,12 154:16 154:17 156:9,10 157:5,11 158:8,9,14 158:18,25 beyond 99:9,22 124:17,19 134:4 bfe 146:23,25 bicycle 40:24 41:1,2 45:1,17,20 49:20,23 50:17 51:13,23 74:25 bicycles 49:17 bidding 73:19 big 33:22 34:1 115:24 bigger 96:23</p>	<p>biggest 109:21 bike 41:8 46:9 49:13 49:14 50:3,10,17,21 51:1,4,7 52:3,5,13 52:20,24 53:8 bikes 50:1 birdsall 6:25 14:19 bit 5:11 42:8 45:3 48:3,9 59:10 99:11 129:3 bitten 107:16 blanche 120:6,11 blanket 51:19 blighted 24:16 block 11:21,25 12:4 12:8,18 18:18 59:16 59:20,23 66:16 77:7 114:13 119:23 125:12,14 126:20 126:22 128:15 132:16 138:24 139:3,11 153:9,12 153:16,20 154:3 155:11,14,18,22 blockages 102:16 blocking 42:21 66:6 67:6 bloomfield 120:17 125:17 129:5,9,13 129:13 131:2 blows 45:3 bluestone 145:20 board 1:1,3,15 2:3 5:21 6:3,4,13 7:6,21 7:23 19:9 20:11 25:17 26:12,18,20 27:18 28:9,11 29:8 29:10,16,17,17 30:5 31:15 32:5 33:2,11 36:3 49:10 52:19 53:2 54:23 55:22,24 56:16 57:15 58:23 59:6 69:19,21 74:9 74:15 75:11 77:10 78:11 79:8 81:23</p>	<p>86:10 87:2,6 89:8 90:19 105:20 106:16,24 117:5 119:14,15 121:13 121:17,18 122:4,7 122:10 123:4 126:2 127:5,8 148:5 150:25 151:13 158:10 board's 26:4,25 70:22 106:19 123:7 boards 3:8 26:17 57:17 bob 3:24 bodies 86:11 body 31:20 44:14 65:15 67:20 79:21 81:13 bought 132:1 boulevard 11:25 12:17 18:18 20:15 21:7,24,25 22:9,12 23:2,3 24:6 34:4 36:20 38:23 39:1,8 39:17 40:20,21 41:2 41:12,16,17 42:4 44:18,19,24 50:15 53:19,20 58:9 64:6 64:8 65:20,21 66:2 68:4 72:13 74:23 75:5,19,22 153:8,16 153:20 154:3 bound 7:3 13:16 bounds 146:5 brand 128:6 brazenly 59:15 breaking 62:25 breath 116:21 brick 118:5,8 128:25 130:10 131:11 bricks 139:16 bridge 105:18 bridging 82:23</p>	<p>brief 19:19 58:4 briefly 12:25 20:10 38:14 58:2 bringing 129:6 brought 7:8 13:1 15:13 90:6 116:3 brown 38:5 brownstone 117:17 brownstones 125:16 bucks 33:22 buffer 47:4 48:8 build 25:2 building 1:6,17 20:13 21:6,7 22:15 22:22,23,24 24:9,13 25:6 37:10,11,17 38:5,5,6,7 39:6,11 39:23,25 41:18,20 46:1 53:9 70:23 75:5 87:14,16 88:2 126:19 130:2,3 135:3 137:15 138:25 140:14 141:22 142:19 143:24 148:23 buildings 140:5 built 126:25 138:25 139:8 140:15 bulletin 3:8 burden 75:16 149:22 bused 64:2 busiest 58:12 business 3:15 5:6 63:5 66:7 156:25 157:8 158:15,19 buying 124:25 130:7</p>
			c
			<p>c 16:14 36:11 44:22 57:7 78:8 153:5 160:1,1 c.c.r. 160:13 calculations 100:12</p>

<p>call 2:1,4 32:16 called 82:18 calling 82:19 106:8 campbell 5:21 6:7 6:11 8:3,4 15:22 18:12 cans 47:3 capable 99:8 capacity 81:9 93:4 96:16,17,18,21,22 97:6 98:4 99:3 100:2 101:6 103:20 108:25 car 55:17 71:17,22 carefully 92:16 carelessly 50:16 cars 21:10,11 42:21 42:23 43:7 45:11 46:16 60:11 61:17 63:7 88:12,15 carte 120:6,11 carts 22:8 case 15:15 25:19 26:19 69:17 73:7 106:9 107:4 130:9 cases 138:16 castellano 128:2 catch 93:16 94:1 cause 58:11 135:13 cedars 82:10 center 11:20 39:23 45:8 certain 35:13 55:11 60:12 64:11 75:3 104:19 119:9 120:13 128:21 149:3 certainly 15:5,13 31:7 36:10 41:6 45:4 60:2 63:14 65:8,15 105:22 110:3 132:4 141:3 certificate 151:1,3,6 151:9,22</p>	<p>certified 160:4 cfs 97:25 chair 1:11 6:13 7:12 7:14 8:2,15,16,23 9:19 10:6,10,13 11:13 12:12,14,20 13:18 14:16 15:6 16:10,24 17:2,6,9 18:4,9,11 66:3 108:19 117:15 140:16 157:4,7,11 157:16 158:12,14 158:18,25 chairman 1:10 2:1 2:23,24,25 3:2,5,11 3:14,17,21 4:8 5:1,2 5:3,5,6,9,19,23 6:6 18:15 20:4 24:18 25:23 28:16 29:13 29:19 30:1,5 32:5,6 34:7,10,17 36:4 37:25 42:17 43:18 44:20 46:3 50:8,18 50:24 51:10,22 52:23 53:6,10,13,14 56:3,5,24 57:1,21 59:5 60:5 61:11,18 61:19 62:6,10,21,24 64:25 66:10,20 67:11,23,25 68:22 69:19 70:12,18,20 71:1,15 73:4,9,24 74:4,7 76:1,4,24,25 77:2,4 78:13 79:12 80:2 83:2,6,10,17 83:25 84:4,12,18,21 85:6 86:18,21 87:10 88:20,25 89:11,12 90:1 91:23 92:21 93:14 94:5,13,19 103:6,21 104:3 109:23 110:5 111:13,16 112:2,4,7 112:20 113:1,5,8,11 114:6,7,8,10 116:20</p>	<p>117:6,10 119:13 120:7,21 121:12 123:24 124:4 125:19 126:1,4,9 127:13 130:13 132:20 138:5 141:7 142:24 143:15,17 143:22 144:12 146:2,3,8,9 147:1 147:11,20 148:1 150:16,22,24 151:15,18,20 152:1 152:23,24,25 153:4 154:5,9 155:3,4,5,7 155:24 156:2,21,22 156:23,25 157:1 chairperson 6:10 chairwoman 1:10 9:23 11:7 18:1 158:8 chance 106:18 change 7:1,11 13:21 14:3 36:18 56:14,15 56:20 69:6 92:23 94:1,3,12 125:3 135:14,25 changed 28:25 74:22 changes 29:7 40:22 91:3 93:15,21 114:25 150:9 channel 96:11,12,14 96:16,16,17,20 97:22 98:1 100:25 101:1,5 charles 30:3 cheaper 55:15 check 51:20 95:4 102:8 checked 102:5 checklist 41:7 151:1 151:7 chevrolet 20:24 chibani 77:14 78:7 78:11,14,22,25</p>	<p>82:17 86:9 87:2 97:1 98:7 100:4,10 100:12 107:15,20 chief 126:19 child 63:19,20,21 65:7 children 42:19 60:7 60:24 63:17 71:4,8 71:10 75:20 115:25 137:2 choffo 1:10 2:1,23 2:24 3:2,11,17 5:1,2 5:5,23 6:6 20:4 25:23 28:16 29:19 30:1,5 32:6 34:7,10 34:17 36:4 46:3 50:18,24 51:22 53:6 53:10,13 56:3,24 57:21 59:5 61:11,18 62:6,10,21 64:25 67:23 68:22 69:19 70:18 73:4,24 74:7 76:1,24,25 79:12 83:2,6,10,17,25 84:4,12,18,21 85:6 86:18,21 88:20,25 89:11 91:23 92:21 94:5,13 103:6,21 109:23 110:5 111:13 112:2,4 113:1,8 114:6,7 116:20 117:6,10 120:7 123:24 124:4 125:19 126:1,4,9 127:13 130:13 132:20 141:7 142:24 143:15 144:12 146:2,8 147:11,20 148:1 150:22 151:15,18 151:20 152:23,24 154:5 155:3,4,24 156:21,22 157:1 chosen 74:9,15 148:5</p>
--	---	---	---

<p>ciammaruconi 1:17 cingular 153:7,11 153:15,19 154:2 155:9,13,17,20 circle 69:4,24 70:2 70:14 circles 40:5 circulation 123:14 circumstances 8:12 29:18 city 1:7 11:25 18:19 18:19 19:23,25 28:17,18,21,21 29:2 29:3,6,8,12,16 31:15 32:12,21,21 33:12,13 43:14 44:12 50:6 52:6 71:19 114:13 120:6 120:12 122:11 124:3 129:14 149:3 149:7,11 150:1,5,8 151:12 153:9,9 155:11,14,19 civil 35:24 43:25 57:13 78:15,17 clapboard 129:6 clapboards 129:23 clarified 56:1 66:8 clarify 130:21 131:21 clean 80:1 103:11 cleaned 102:16 105:15 cleaner 129:21 cleaning 102:18 106:5 110:24 clear 91:9 101:4 116:4 144:6 149:9 clearance 46:23 clerk 3:9 client 8:14 25:5 32:12 53:7 124:22 close 46:14 51:8 91:16 139:16</p>	<p>closed 42:6 closely 87:3 closer 15:23 60:1 61:7 120:7 133:21 134:15 code 39:20 120:2 122:19 128:10 color 67:3 column 116:18,24 134:14 combination 129:1 combined 88:12 come 14:24 24:19 29:10 34:4 40:21 43:3,24 54:22 55:17 60:7 61:6 68:2,14 68:15 72:4 88:6 91:19 108:18 121:2 126:14 134:21 137:19 149:7,15 comes 98:9 109:14 110:8 comfort 59:19 comfortable 30:7 151:15 coming 31:19 41:11 44:19 71:9,17,18,20 72:1 92:1 104:7,8 commence 73:15 commencing 1:8 comment 3:22 13:19 70:25 82:5,18 85:17 85:17 86:4 90:17 111:16 comments 7:13 43:22 44:21 71:14 81:19 82:4 85:15 86:7 89:24 94:17 111:12 commission 85:12 87:6 92:6,15 109:3 109:19 117:20 119:6 120:5,11,17 122:16,17 125:23 125:25 127:16</p>	<p>132:12 150:7 commissioner 1:11 1:12,13 2:5,6,7,8,9 2:10,11,13,14,16,17 2:18,19,20,21,22 3:18,20,21 4:2,6,9 4:10,11,12,13,14,15 4:16,17,19,20,22,23 4:24 8:20,22 9:1,1,3 9:4,5,6,7,8,10,11,13 9:14,16,17,18,20,21 9:22,25 10:8,12,15 10:16,17,18,19,20 10:21,23,24 11:1,2 11:3,5,6,9 13:18,20 14:2,5,12 15:3,9 16:7 17:1,4,5,8,11 17:12,13,14,15,16 17:18,19,21,22,23 17:24,25 18:3 19:23 23:24 24:15,18 25:8 25:15,20 26:10 27:3 27:17,21 28:2,12,14 28:17,20,24 29:6 31:5,22 32:7,19,25 33:4,18,21,23 34:9 34:12,22 35:3,7,8 37:3,9,13,19,23,25 38:11,17,20 41:11 42:17 43:6,18,25 44:20 45:19 46:8,13 47:6,10,13,22 48:11 48:13,19,23 49:5,12 50:8,19,20 51:10 52:5,12,16,19,23 53:1,14,23 54:4,7 54:18,21 55:1,8,14 56:3,4,12,19,25 60:5,16,20,21,23,25 61:2 62:12,16,18,24 63:16,24 64:5,9,13 64:19 65:2,4,11,14 65:19,22,24 66:3,13 67:11,17 69:20 70:12 71:15 72:14</p>	<p>72:22 73:9,14,22 74:1 75:10,25 76:2 76:6,7,8,9,10,11,12 76:13,14,16,17,19 76:20,21,22,23 80:2 80:6,12,18 84:5 87:4,9,10 88:10 92:3,12 94:15,25 95:3,9,12,14,17 96:5,19 97:5,9,12 97:21 98:12,16,23 99:1,7,12,16,21 100:1,11,15 101:3 101:18,22 102:1,12 102:20,25 103:4,10 104:2,6,10,13,18,25 105:4,9,23 106:1,25 107:6,12 108:1,9,14 108:19 109:13,25 110:12,15,17,23 111:2,4 112:5,6 113:8,9,13,14,15,16 113:17,18,19,20,21 113:23,24 114:1,2,3 114:4,5 117:15,24 118:1,4,12,16,22 119:1,3,13,20 120:15,20,24 121:7 126:18,24 127:2,7 127:10,11,14 128:1 128:5,9,12,14,20,23 129:8,12,21,25 130:11,14,18,22,25 131:18 132:2,20,22 133:4,9,14,22 134:6 134:9,18 135:1,8,11 135:19 136:2,9,13 136:19 137:3,10,13 137:24 138:2,5,9,15 139:6,12,15,19,22 139:25 140:4,16,24 141:7,9 142:1,5,10 142:14,17 143:2,5,8 144:22 145:3,8,12 145:17,22 147:12</p>
--	--	---	---

<p>147:23,25 148:17 149:2 150:4,17,23 151:17,19 152:3,4,6 152:7,8,9,10,11,12 152:13,15,16,18,19 152:20,21,22 154:6 154:8,10,11,12,13 154:14,15,16,17,18 154:20,21,23,24,25 155:1,25 156:1,3,4 156:5,6,7,8,9,10,11 156:13,14,16,17,18 156:19 157:5,13,15 157:17,18,19,20,21 157:22,23,25 158:1 158:3,4,5,6,9,16,21 158:23 commissioner's 34:18 commissioners 78:14 87:20 89:8 94:14 123:10 commitment 25:17 committee 36:14 68:6 90:12 91:2 119:6 125:13 company 16:19 131:7 compared 110:7 complete 16:20 31:24 completion 73:11 compliance 151:4,6 151:9,23 complies 39:20 comply 47:23 67:21 103:25 112:15 concave 75:22 concern 42:20 43:1 45:19 46:10,15 52:4 55:20 59:2 60:6,8 63:17,25 66:4 102:14 109:21 123:9</p>	<p>concerning 143:23 148:22 concerns 63:10 concludes 73:7 concrete 129:3 134:2 145:4,12,14 145:18,20 condemnation 13:8 condition 31:17 32:1 33:7 43:13 67:13 72:8,10 74:17 74:19,21,24 75:2,18 75:21 101:12,13 102:14,17 103:10 103:14 104:21,23 110:18 112:11 131:8 146:16,17 147:13 148:8,10,18 conditionally 76:5 113:12 152:2 conditioned 31:19 conditions 42:5 74:5 79:21 112:8 148:2,3 condo 24:22 25:2 61:9 condominium 24:25 conducted 57:23 confirmation 148:18 conflict 6:5 30:10 43:15 74:18 75:2 90:8,15,18 108:2,6 conform 128:17,21 conformance 44:12 confusion 11:16 conjunction 6:20 connected 40:18 connections 44:3 connell 30:4 conrail 80:11 consent 49:9 73:2 122:1,7 consented 110:20 conservation 86:22 86:25</p>	<p>consider 7:25 119:19 consideration 7:4 consistent 122:25 126:23 constituted 90:7 constructed 13:4 59:22 construction 70:13 73:19 122:19,21 128:10 131:7 139:3 148:24 consultant 43:20 69:3 consulting 90:13,21 90:21 94:16 108:4,5 108:10 contact 56:5,18 container 131:14 contamination 79:24 contemporary 23:2 continue 56:10 94:9 continuing 92:10 continuous 148:15 contract 157:9 contractor 147:16 control 47:24 convenient 65:18 conversations 69:1 conversion 143:11 convert 114:19 converted 143:5 converting 115:12 convex 72:15 conveying 32:12 cook 142:13 copies 15:14 copy 69:5 core 22:23 corner 42:19 45:6 129:5,10,14,18 cornucopia 20:18 corps 86:12,15,17</p>	<p>correct 8:19 17:8 28:3,23 29:4 32:5 38:3 58:1 62:9 84:16 85:10 92:1 97:3,15 107:3 108:13 109:12 117:20 122:15 128:7,10 133:8 134:8 138:1,1,20 139:18,21 140:6 146:20 148:14 150:22 corrective 116:18,24 correctly 83:15 correspondence 26:11 corresponding 52:21 cost 55:9,20,23 56:14 75:15 94:6 costs 54:23 council 150:1,5 151:12 counsel 8:14 77:11 77:12 119:14 157:10 counselor 33:1,22 51:11 counts 59:4,9 county 1:1,3,6 2:2 3:9 16:19 26:16,18 26:20,25 29:8,8,10 31:4,18 41:7,24 44:3 47:22 48:5 49:3,8 50:10,11,14 50:22 51:1,5,12,15 51:16 52:3,9,13,24 53:4,5 54:8,19 55:24 74:10 75:1,16 82:5 85:8 86:8 91:4 93:15,16 94:2 101:23 102:2 103:12 109:21 110:13 111:20 112:12 114:22</p>
---	---	---	--

<p>115:16,18 116:16 117:2 118:21 121:1 121:2,6,8,10,15,21 121:25 122:5,10 123:2,3 124:19 147:14 148:6,11 149:16,21 151:13 county's 44:23 45:1 49:17 93:19 133:5 133:15 146:1 147:15,18 couple 30:15 79:3 81:19 89:13 90:16 139:24 142:7 course 27:20 58:20 court 160:5 courtesies 18:7 cover 53:15 covered 33:19,20 67:18 craig 19:4 57:4 61:11 created 125:2 creating 85:20 creek 77:18 78:1 79:9,19,22,23,24 80:1,25 81:2,4,9,10 82:8,14 83:3,24 84:6,8,10,25 87:7 92:25 93:4,8,8,10 93:11,12,25 94:2,4 95:22 96:3,6,7,9 97:2 98:4,9,20 99:7 109:8,17 110:8 creeks 87:7 crossing 12:3 60:17 61:1 91:18 crux 58:19 cubic 97:25 98:21 culvert 94:20,21 95:18 97:10,14,18 98:8,13 101:9,10,14 101:19 102:15,18 102:21 103:11 105:7,14,21 106:9</p>	<p>106:13 107:7 108:24 109:22 110:24 112:14,17 culvert's 103:20 curb 46:11,19,23,24 46:25,25 47:7,14,16 47:16,17,21,25 48:8 49:4 74:23 75:5 98:3 133:17 147:18 curbline 46:10 54:5 curbs 45:6 66:11,23 67:2 144:15,18 148:9 curious 128:13 curley 1:15 3:3,5 5:19 18:13 19:11 23:7,13,19,23 25:13 25:19,22 26:16 30:13,21,24 31:6 33:6,20 51:14 74:5 74:8 75:18 90:7,7 108:6 112:8,9,11 115:4 119:17 120:1 120:10,19,21 123:22 124:9,15 148:2,3,14,20 150:10,13 151:8 158:11 curly 157:10 current 13:11 29:20 29:21 32:15 37:6,7 46:3 79:9 currently 54:16 56:20 58:13 62:7 66:11 77:21 83:3 87:16,21 109:5 135:16 136:12 140:20 146:24 curve 22:24 curving 22:25 cut 28:3</p>	<p>dad 65:16 damage 46:19 49:7 124:24 130:7,16 damaged 46:16 55:17 daniel 1:10 daniela 1:17 dark 38:5 date 23:20,21 31:2 36:17 dated 6:25 36:17 79:1 80:21 143:19 146:10 datewise 25:25 day 14:25 43:7 days 90:16 111:19 de 7:1 8:8 13:2 50:1 dead 77:18 deal 66:4 139:23 dealership 20:24 21:11 dealing 86:4 96:3 deals 82:6 dear 132:14 decided 64:14 68:7 decides 32:20 decision 81:3 123:10 decisions 123:15 deck 6:21 13:4,11 14:1,24 15:1 16:6 39:1,5 declared 155:8 decoration 117:1 decorative 53:16,18 54:24 55:4,8,15,16 74:13 deemed 8:9 deep 116:21 136:9 deeper 97:3 defer 33:5 43:20 49:2 definite 66:16 definitely 24:15 120:20 144:19</p>	<p>definitively 56:22 degree 35:24 57:12 78:15 124:12 deliveries 24:5 43:12,14 74:18 demetrio 1:11 56:6 66:11 69:7 109:23 151:18 demolition 149:16 demonstrate 83:18 84:24 denise 141:4 dep 81:2,3 84:24 85:3,5 86:15,18,20 95:21 98:19 100:23 100:24 109:3 department 146:6 148:23 dependent 73:12 109:15 depending 29:17 deplorable 105:16 depth 93:5 describe 20:10 36:16 37:4 38:14 41:21 44:6 49:24 described 16:17 39:21 describing 33:23 124:6 description 146:5 design 46:9,10 74:21 124:12 140:5 145:2 designing 96:11 desirable 88:1 detail 5:12 45:5 detailed 132:3 detailing 145:24 details 58:21 116:11 detention 44:9 103:1 determination 119:25</p>
	d		
	d 1:18 16:14 19:13 155:7		

<p>determine 122:20 determined 120:2 deterrent 45:13 detrimental 108:23 108:23 develop 37:8 development 6:22 24:20 25:1 32:17 40:8 92:14,16 128:16,20 129:16 deviations 28:9 devices 47:24 didomenico 1:12 2:12,13 4:18,19 9:12,13 10:22,23 17:17,18 76:15,16 112:5 113:9,13,22 113:23 140:16,24 152:14,15 154:19 154:20 156:12,13 157:24,25 differ 83:16 difference 14:2,13 40:23 82:23 97:22 105:18,19 106:17 107:1 different 31:8 36:19 36:21 69:12 123:9 138:25 140:2 150:3 differently 96:12 difficult 126:10 dino 114:17 direct 19:18 35:21 57:9 64:17 78:10 direction 70:8 83:11 83:13 directions 72:12 directly 13:10,25 15:1,20 16:5 74:15 137:19 139:1 director 1:16 2:5,7,9 2:11,14,17,20,25 3:14 4:1,5,8,13,15 4:17,20,23,25 5:3 6:1 7:14 8:18,23 9:5</p>	<p>9:7,9,11,14,17,19,23 10:2,13,19,21,24 11:2,4,7,12,15 12:13 15:11 17:6,10 17:14,16,19,22,24 18:1,4,9,15 19:17 26:1,15 27:5 28:7 29:13 51:3 61:19 66:10,20 67:1,24 70:20 74:4 76:4,10 76:12,14,17,20,22 76:24 77:2 89:12,16 89:20 90:1 91:13 93:13 108:4 111:15 112:7,20 113:5,11 113:17,19,21,24 114:2,4,6,8 121:12 135:22 143:17 146:9,19,21 147:1 147:10 152:1,7,9,11 152:13,16,19,21,23 152:25 153:4 154:9 154:14,16,18,21,24 155:1,5 156:2,7,9 156:11,14,17,19,23 157:3,7,16,21,23 158:1,4,6,12,20 disagree 26:16 disassembled 131:9 discharge 44:10 discharging 62:2 disclose 111:10 disconnected 40:19 discourage 62:1 67:4 discuss 52:8 126:5 discussion 98:18 152:5 discussions 54:17 56:8 92:10 95:20 106:19 111:11 dispute 105:13 disrepair 144:16 disruptive 66:7</p>	<p>dissent 125:24 distance 61:12 71:17 72:25 distinction 52:17 distribute 90:19 distributed 13:15 district 127:25,25 district's 86:25 districts 120:3 divided 25:10 division 112:22,23 dmr 19:24 dock 39:21 doctor's 139:5 dog 107:17 doing 28:25 44:11 49:9 65:13 82:23 93:18 108:22 110:15 116:21 129:4 132:18 141:15 door 62:5 126:17 134:25 135:15,19 136:17 139:13 140:12 doors 45:12 126:16 140:6 doorway 125:8 139:16 doreen 1:12 dot 69:3,15 75:8 double 63:8 dr 139:7,7 dragged 32:22 drainage 44:1,5 91:4 92:22,23 93:15 121:1,11,14,15 123:7,12,16 drains 84:10 98:20 dramatic 130:9 drawing 20:8,12,21 20:22 22:17 23:15 23:16,17 36:8,11,11 45:3 73:18 80:3,21 94:24 95:1 126:11</p>	<p>138:9 drawings 23:22 36:12,19 73:13 151:21 dresdner 19:3 35:17 drive 21:9 24:8 61:20 87:23 driver 72:15 drivers 75:23 driveway 21:5 39:23 42:6,12 59:13,15,16 59:18,20,20,21 60:4 60:13 61:15 66:6 67:6,9 71:4,17 driveways 42:4 125:15 driving 50:16,17 71:23 88:17 drop 24:12 61:5,7 61:21 75:3 dropping 84:20 dry 24:3 129:21 due 40:22 107:22 108:15 duly 16:14 19:13 35:19 57:7 78:8 115:8 123:20 dumpster 40:15 duty 110:3 dwelling 118:7 dwellings 141:11</p>
e			
<p>e 1:9,9,14,14 12:16 16:14 19:13 35:19 35:19,19,19,19 57:7 57:7 115:8 123:20 123:20,20 124:2,2 160:1,1 earlier 82:1 91:16 149:6,20 ease 136:22 easement 21:14 151:12</p>			

<p>easier 137:8 easily 131:9 east 84:1,2,3,13 eastbound 91:25 eastern 84:20 economically 25:3 edge 20:25 edification 26:4 education 78:12 educational 19:10 19:20 35:23 57:11 effect 13:8 33:15 109:16 120:25 effective 8:10 efficient 84:25 100:25 effort 63:9 egress 63:13 118:6 141:19,21 142:6 144:7 eight 53:2 82:24,25 either 30:8 50:3 51:8 52:10 67:8 74:15 90:12 100:8 107:11 122:7,12 130:9,19 elaborate 30:14 69:1,7 71:16 electronic 15:14 elements 41:4,6 74:12 129:7 131:12 elevated 16:8 21:4 elevation 20:16 40:23 126:7,7,8 135:14 elevator 22:5,23 elevators 22:9 empties 109:9 enclosure 40:15 encompassed 58:3 encroachment 121:16,24 122:2 145:24 encroachments 148:6</p>	<p>energy 110:8 enforce 66:18 enforcement 63:3,5 63:8,15 64:15,16 66:9 engaging 32:24 engineer 19:5 35:17 35:25 43:10 57:5,14 68:2 78:18 90:13,13 90:21,25 94:16 95:20 101:17 102:2 103:12 106:17,20 106:20 107:7,16,19 108:2,5,10,15,17,22 110:13 111:6,20 112:12 130:6 131:7 131:18,19,22 engineer's 103:19 130:15 147:14 engineering 35:25 43:20 44:1 57:13 78:16,17,19 112:16 112:23 engineers 19:4,5 41:24 57:6 86:13,15 86:17 90:14 102:10 105:24 108:5 112:17 enhancing 81:10,11 enlighten 150:25 enter 125:1,5,7 126:16 134:22 entering 137:7 entire 16:2 37:1 45:8 120:6,12 137:14 entities 81:7 entrance 36:15,20 40:20 42:9,12,22 75:19,22 115:24 116:6 118:5,6,9 136:10 140:13 entrances 51:9 115:1</p>	<p>entries 115:22 entry 116:8 136:6,7 environmental 78:15 erosion 96:14 esq 1:15 essence 32:14 essentially 8:8 evening 2:3 6:17 12:24 18:20,25 19:1 27:9 58:10 59:4,4,9 59:10 77:9 78:13 114:14 123:11,16 124:1 event 98:17,24 99:3 99:9,17 107:24 events 99:22 100:16 100:18 eventually 13:9 70:16 everybody 158:23 everyday 61:22 evidence 15:8 79:15 80:23 150:15 exact 14:7 exactly 31:23 32:10 38:20 96:10 124:6 132:24 134:11 138:21 examination 19:18 35:21 57:9 78:10 examples 132:16,17 excellent 116:22 exception 44:16 excuse 18:12 150:4 executive 30:18,22 exempt 155:8 exhibit 15:4,7 18:10 79:14,17 80:19,20 80:22 150:14 151:22,23,24 exhibits 87:3 93:6 exist 33:17 90:18 existing 6:8 13:5 15:21 20:23 21:8</p>	<p>22:19 25:6 35:9,10 35:12 38:6 42:5,7 44:17 53:24 64:22 66:22 72:4 79:21 82:22 83:9,16,20 93:8 96:18 98:1,2 98:13 101:1 105:14 122:2 124:7,19 131:8 135:17 146:16 exists 52:11 54:16 exit 40:20 41:18 42:22 75:19,23 exiting 67:10 71:3,6 72:9 exits 42:12 51:9 expand 20:25 21:13 23:1 expanded 21:15 22:15,22 expanding 35:13 expect 51:16,16 60:2 107:3 expensive 55:18 94:8 experience 137:6 expert 20:6 32:8 43:24 57:18,20 experts 106:20,22 expire 26:18 27:15 77:25 expired 30:22 explain 5:11 49:13 49:16 79:5 explained 12:25 88:16 110:10 explanation 115:4 extend 59:14 extended 30:19 extension 30:25 extent 105:6 112:18 extra 59:19</p>
---	--	--	---

<p style="text-align: center;">f</p> <p>f 1:9 35:19,19 123:20 124:2 160:1</p> <p>facade 23:3 124:18 124:23,24 126:12 126:12,13 129:17 130:8,8,17,19,21 132:19 133:7 151:10</p> <p>face 46:23 47:8,10 47:21,21,25 48:8,8 74:23 107:17</p> <p>facilities 93:20 121:9,15</p> <p>fact 42:20 104:16 106:7 107:22 128:6</p> <p>factor 97:19</p> <p>factors 44:11</p> <p>factual 100:21</p> <p>fagan 77:9,10 78:10 78:21,24 79:16 80:19 81:21 83:9,14 83:18 84:16,19 85:9 85:23 86:22 87:1,20 88:7,16,22 89:2 91:9 92:1,8 93:2,22 94:7 95:7 97:1 98:5 100:3,17,21 103:8 103:17,23 104:5,8 104:12,16,22 105:3 105:6,11,25 106:10 107:3,8,14 108:13 109:12 110:20 111:10 112:3 113:3</p> <p>faith 62:22</p> <p>fall 117:22 119:7,9 125:12,22 142:7 144:2,11</p> <p>falling 144:3</p> <p>falls 119:4</p> <p>familiar 22:24 38:18 70:14 87:21 95:25 107:21</p>	<p>family 114:18,19 115:11,13 118:2 132:7 136:24 141:12 143:1,1,3,6 143:11,12</p> <p>far 42:24 43:4 48:19 59:13,14 60:1 61:9 62:2 81:8 82:4 90:10 103:11 118:18 133:9 150:17</p> <p>fast 50:16</p> <p>feasible 25:3 53:11</p> <p>february 3:16,25</p> <p>federally 104:4</p> <p>feedback 86:14</p> <p>feel 30:7 82:15 132:18</p> <p>feeling 62:11</p> <p>feet 13:3,23,24,25 14:8,9,9,11 15:18 15:18,19 16:1,1 20:19 34:24 37:7,18 37:22 42:10 46:6,6 46:7 47:25 61:14 81:14 82:2 87:16,18 95:9,10,12,14,16,17 97:25 98:21 110:7 133:12,13,14,15,16 133:21,21 134:5,7 134:19 137:21,22 137:23,25 142:7</p> <p>feinstein 116:9 117:9 123:19,25 124:2,9 147:21</p> <p>felt 45:25 47:1,5 50:4</p> <p>fence 44:25 45:7 46:16 48:20,25 60:8 60:9,14 61:4,6 62:10,15,22 74:22 133:10,11,25 134:2 134:3,4 138:18 151:11</p>	<p>fencing 45:16 62:1</p> <p>fifth 75:2</p> <p>file 112:12 149:25 150:2</p> <p>fill 84:9 107:23</p> <p>filling 107:15</p> <p>final 29:14 73:13 154:1</p> <p>finally 12:6 153:22</p> <p>find 43:21 68:14,15 118:23 119:12 128:12 132:23</p> <p>findings 102:3</p> <p>fine 6:11 35:4,5 37:4 48:14 72:24 106:6 111:8</p> <p>finish 32:11 100:9</p> <p>finished 158:25</p> <p>fire 22:21</p> <p>firm 6:14 12:21 35:17 79:3</p> <p>first 3:14 5:25 7:24 20:13,16,25 21:4 22:9 25:24 35:18 43:19 82:5 87:5 115:23,25 126:11 136:24 141:12 146:14,14 148:25 151:3,6,9,22</p> <p>fit 61:15,16</p> <p>fitzgibbons 1:11 2:15,16 3:18 4:9,21 4:22 8:20 9:1,15,16 10:8,15,25 11:1 15:9 16:7 17:20,21 28:14,17,20,24 29:6 35:7 41:11 52:5,12 52:16,19 60:16,21 60:25 64:19 69:20 74:1 76:6,18,19 84:5 87:4 92:3,12 108:1,9,14 110:12 110:17 111:2 113:25 114:1 118:1 118:4,12,16,22</p>	<p>119:3 126:18,24 127:2,7,11 128:14 130:11 141:8,9 142:1,5,10,14,17 143:2,5 147:23 150:4 152:3,6,17,18 154:6,10,22,23 156:15,16 157:13 157:17 158:2,3,16 158:21</p> <p>five 13:2,23 26:1 41:3 45:15</p> <p>fixture 53:21</p> <p>fixtures 53:24,25 74:13</p> <p>flag 3:12,13</p> <p>flat 125:6 126:14 134:22,23,24 136:16 137:18,20 137:21,22</p> <p>flood 81:6 85:4 95:23 96:1 99:11,14 100:4 101:2 147:4,5</p> <p>flooding 97:20 99:12,15,17,19,22 99:23,25 100:5,18 109:6</p> <p>floodplain 146:12 147:4</p> <p>floods 109:5</p> <p>floor 1:7 20:14,16 20:17,25 21:1,4,4 21:17,18 22:6,9,10 22:11 23:5,6 37:19 37:22 115:23,25 116:14 121:17 141:12 146:14,15</p> <p>floors 37:18 38:4 39:8 141:13</p> <p>flow 97:7,14,15,17 97:25 98:1,9,14,20 98:22 99:6,9 105:8 105:22 109:14,15 110:8 112:19</p>
--	--	---	---

<p>flowing 68:20 flows 93:5 97:22 105:14 106:13 flush 46:24 47:16,16 foley 30:4 following 18:25 follows 16:15 19:14 35:20 57:8 78:9 115:9 123:21 foot 34:1,14 37:10 40:22 42:7,7,9,11 45:6,23,23,25 48:3 footage 14:8 37:1,12 37:17 footprint 22:15 force 68:9 88:17 forces 55:5 foregoing 160:6 former 19:22 20:23 33:8 126:19 forth 51:2 91:18 137:16 forward 65:6 146:5 forwarded 85:8 found 58:13 69:15 79:23 124:25 four 114:18 115:11 124:7,16 126:20 140:10 143:1,3,6,11 fourteen 39:2,4 fourth 74:24 116:14 121:17 foushee 108:7 franchise 48:24 49:10 51:17 54:11 74:9 121:23 138:12 145:23 146:6 148:4 franchises 51:19 frank 12:16 frank's 77:17 78:1 79:9 92:25 93:25 94:2,4 95:22 96:3,6 96:7 97:2 98:9,20 99:7 110:8</p>	<p>frankly 136:21 freeholder 1:12,13 30:6 54:22 55:22 75:11 119:4 121:18 122:15 141:17 151:16 freeholders 50:13 55:24 56:16 74:9,15 148:5 frequent 99:13 friendly 13:8 front 20:25 22:23 34:4 40:7 45:11,17 46:1 49:20 52:9 53:9 54:3 56:9 66:1 66:17 67:4 75:5 79:8,20 117:12 124:18 126:7,12,17 130:8,17 136:4 151:10,10 frontage 45:8,24 fronts 20:14 fruit 129:19 full 142:22 funded 104:4 funds 104:7,8 further 5:12,14 26:4 43:5 46:19 61:24 62:14 67:4 68:20 79:19 152:4 future 34:4 58:16 69:14</p>	<p>gates 109:11 general 24:2 77:12 77:17 89:5 99:8 generate 99:5 generated 58:15 gentleman 32:11 gentlemen 18:21 35:16 gestures 136:18 getting 31:20 33:7 46:16 75:13 136:23 give 19:9,19 25:12 33:25 35:22 42:7 43:24 53:3 57:10 58:2,4 73:19 86:10 89:6 110:14 147:9 157:1 given 90:12,17 giving 25:18 glass 22:25 129:2 glazing 129:2 go 20:13 24:7 27:2 28:10,16 29:2,8,11 42:24 50:3 54:10 55:22 56:15 61:18 65:17 66:1 69:10,12 69:12 70:4,7,18 83:23 87:7 97:10 102:8 107:19 116:7 116:11 117:10 118:9 119:18,20 131:4 133:10 135:5 135:12,15,22 136:10,25 137:4,15 149:11 goes 33:16 45:8 55:6 55:16 60:13 65:5 69:11 83:21 94:4,20 101:8 102:21,24,25 103:1 121:25 135:15 going 6:7,9 18:12 21:2,13 22:21 23:1 24:4 35:10,10 36:8 36:15 38:1,9,12</p>	<p>39:10 42:4,6,24 43:3,12 45:20 48:20 49:8,16 54:12 56:2 60:8,10,15,15 61:8 61:23 63:4 66:7 68:4,13 69:10,17 70:3,3,5,6,8,9,13 71:9,18,24,25 73:1 73:10,16 75:14,16 81:8 83:10,16 87:16 89:24 91:24 92:13 92:14,15 97:10,13 99:3 105:19 106:23 108:11 109:25 111:2,7 115:5,24 116:11,17 118:5,8 118:10,14,17 119:9 125:3 126:4 128:24 128:25 130:1 131:13,15 132:24 133:20,23,24,25 134:2,3,6,10,10 135:4,12 136:2 137:8,10,14 138:3 138:11 139:15 140:19 142:11 144:23 145:18,19 good 18:20 26:22 53:12 62:22 75:25 76:25 77:9 78:13 114:14 124:1,5 128:15 130:10 140:22 goods 24:12 gotten 33:14 gourmet 25:7 government 150:20 governor 30:18 governor's 30:22 grade 22:2,3,6 39:16 40:22,23 gradual 136:15 137:11 gradually 134:23,25</p>
	<p>g</p>		
	<p>g 57:7,7 115:8 gain 134:5 gap 59:17 gaps 107:22,25 garage 72:9,9,10,17 garages 71:20,21 garbage 47:3 garden 120:17 gate 124:18 125:2,3 125:4 134:22 135:2 137:20</p>		

<p>graduated 19:21 grand 114:16 granted 30:11 33:11 51:20 great 125:15 132:16 147:10 greatest 132:17 greatly 18:7 green 41:4,6 85:18 greenery 40:4 134:16,16 grew 140:9 gritty 132:23 group 14:19 guard 60:17 61:1 guess 5:12 35:18 51:25 61:21 108:25 115:18 116:15 140:17 guessing 133:20 guesstimate 73:16 guidance 25:12 guys 131:22 134:20 141:1 149:22</p>	<p>half 25:18 27:23 28:3 48:3 hall 129:14 hand 7:15 42:8 62:19 88:7 91:20,20 128:18 138:23 handicap 86:6 handicapped 21:2 22:4,7 40:16 42:19 60:24 63:17,19 64:11 handle 93:5 96:17 96:18 98:8,11 105:14,22 106:13 109:24 110:2 112:18 handling 99:8 handrail 143:24 happen 45:14 51:12 133:23 happened 131:2 happening 62:23 happens 55:4 125:23 happy 50:6 58:20 hard 120:8 harm 132:18 harrington 30:4 harrison 6:23 7:5 12:19 77:6,19 78:4 80:9 82:7 86:5 87:24 91:7,24 94:20 97:12 102:21 109:22 112:14 hazard 85:4 95:23 hcc 150:6,7 hcpb 115:19 head 50:25 56:23 94:23 133:18 hear 58:22 59:7 78:22 119:18 120:9 heard 5:7,10 7:20 27:11 106:12 hearing 18:17 77:5 114:11</p>	<p>heavy 110:3 hedging 107:10 held 111:24 hesitant 107:9 high 45:7 72:5 95:10 96:14 135:15 139:11 144:8 highest 20:14,16 139:2 highlighting 14:20 highrise 25:1,2 32:16 highway 20:15 50:15 55:12 65:20 92:2 hire 131:22 historic 19:23 117:19 119:24 120:3,4,11,17 121:24 122:16,17 123:8,11,17 125:13 125:22,25 127:16 127:21,25 132:12 148:18,19,25 151:2 historical 100:4,18 117:22 119:5,10 hit 47:4 134:24 hoboken 50:12 87:7 114:13,16,20 115:14 117:4 118:25 119:6,8,10 120:2,4,11 121:2 122:9,11,16 125:17 127:3,18,18 132:8 137:1 143:10 149:25 150:5,25 155:11,15,19 hold 15:12,22 49:25 73:21 116:20 130:13 149:1 holding 116:19,25 holiday 89:4,9 hollenbeck 6:14 12:22</p>	<p>holloway 2:17 home 114:18,18,21 115:2,11,11,13,15 115:22 116:8 118:2 124:25 130:7 131:21,23,24 132:1 134:15 136:8,23 137:7 141:5 homeowner's 141:2 hon 1:12,13 honestly 89:2 107:10 honesty 94:7 hope 7:5 hopefully 27:23 horse 77:18 hospital 107:17 hours 43:11,11,13 43:15,16 61:22 71:5 71:9 75:20 house 20:17 22:22 77:10 131:2 140:17 housing 126:19 129:15 hudson 1:1,3 2:2 120:18 151:13 huh 151:17 hundred 13:3,23 54:1 55:10 57:16 hung 131:3 hurricane 77:5,11 90:4 104:12,13,20 husband 114:17 hydraulic 100:12 hydraulically 84:25 hydraulics 81:4,9 83:24 96:13 109:4</p>
h			
<p>h 16:14 78:8,8 hackensack 12:8 hadley 18:20,21 19:18 20:5,7 23:9 23:11 24:23 26:3 28:5,19,23 29:4,20 29:24 30:2,12 31:11 32:10,23 33:2 34:18 34:20 35:1,5,12,21 36:5,6 37:14 38:3 38:13,19,21 41:22 42:23 43:9 48:22 49:9 51:22 52:2,7 52:15,21 53:6,8,12 57:2,4,9,19,22 62:9 63:2,22 64:1,8 65:8 65:13 66:24 67:16 67:20 71:7,12 72:6 73:2,5,12,23</p>			
			i
			<p>idea 14:25 52:13,14 141:16 identification 23:14 151:25 identify 36:8 40:24 126:5</p>

<p>illegal 67:4 illegally 67:8 illinois 78:18 imagine 54:11 64:1 122:1 immediate 22:3 immediately 38:25 impact 58:17,20 91:5,6,14 92:22 93:14 121:9,14 impacts 123:16 impervious 40:2,3 81:15,22 82:3 109:1 110:7 imposed 43:14 improve 78:3 81:2,4 88:4 91:17 95:22 96:3 101:7 improvement 16:20 82:8 83:24 93:10 96:6,10 97:23 improvements 6:20 16:20 69:16 74:10 74:14 91:21 146:1 improving 81:9 87:12,12 96:12,15 96:23,24 inch 47:4 inches 46:23 47:1,11 47:12,14,17,18,19 47:20,20 48:9 50:2 74:23 136:11 137:4 137:16 139:19 include 100:16 103:15 110:24 147:17 included 93:7 including 74:11 75:4 84:10 inconvenience 7:10 incorporate 131:11 incorporated 142:8 incorporates 26:7 increase 14:4 21:1 54:23</p>	<p>increasing 81:10,12 97:6,6 100:2 101:6 108:25 indicating 15:17 16:6 20:22 38:24 43:5 45:25 64:10 75:6 80:9,17 82:12 individuals 18:25 indulgence 7:10 18:8 inform 65:5 information 111:17 infrastructure 85:18 initial 13:1 15:16 16:3 inlets 93:16 inside 24:8,12 39:25 72:10 inspect 95:18 107:7 111:3,7 inspected 70:21 95:19 101:11,14,16 143:18 inspection 101:19 103:12,19 104:23 107:2 110:2,19,25 111:5,18 112:13,13 131:21,23 inspector 1:17 70:23 126:20 131:25 install 48:5 49:15 53:21 54:9 56:11 72:17,19 133:25 installation 47:24 installed 55:5 installing 71:5 73:2 144:23 installs 55:6 institute 19:21 instructed 117:4 121:2 149:7 insurance 147:5,5 integral 6:22</p>	<p>integrated 16:5 interconnected 13:10 interest 90:8,18 interfere 45:21 48:4 interferes 67:6 internals 73:17 intersection 12:16 67:15 68:19 intersections 58:7 58:13 interwoven 45:18 introduce 19:6 investigate 56:23 investigation 120:23 investment 94:12 involving 93:15 inward 135:3 island 40:7 42:11,13 45:5 46:5 48:17 49:21,22 68:9 124:12 issue 42:25 63:3,8 64:15 65:10 72:20 72:21,23,25 97:20 99:15 106:23 119:16 121:3 122:20,21 123:9 144:2,2 148:24 issued 92:7,19 122:22 issues 67:25 100:24 111:21,22,25 119:19 item 7:15,19,24 8:1 50:5 85:14,15 146:9 151:2 items 7:21,25 10:4 10:14 11:17 12:10 53:15 79:3,5,6,6</p>	<p>jacqueline 108:7 janega 11:24 jasek 3:24 jeff 42:2 57:2 jefferson 120:16 155:17 jeffrey 19:3 35:16 jersey 1:7,7 3:7 11:18 18:19 19:22 19:23,25 26:17 28:18,21 29:3,14,16 31:15 32:12,21 33:12,13 36:1,2 43:14 44:12 50:6 52:6 57:15,18 77:23 78:18,20 80:10 85:12 90:6 114:16 124:3 160:6 joanne 160:4,13 job 1:25 107:8 116:22 124:5 joe 19:5 57:5 john 1:15 157:10 jon 5:21 journal 11:18 26:5 32:13 63:7 jude 1:11 28:16 julietta 114:11,15 july 27:10 jump 149:19 june 31:15 jurisdiction 26:17 26:25 92:6 109:3 117:22 118:20 119:5 120:6,12,13 120:25 121:13 122:13,17 123:4,7 125:22 148:21 150:18</p>
			k
		j	<p>kearny 12:5,9 77:8 77:22,24 88:21,22 92:4 94:11</p>
		<p>j 1:15 35:19 115:8 157:10</p>	

<p>keep 42:15 122:8 keeping 35:12 kennedy 11:24 18:18 20:14 21:6,24 21:25 22:9,12 23:2 23:3 24:6 34:3 36:20 38:22,25 39:8 39:17 40:19,20 41:2 41:12,16,17 42:4 44:17,19,23 50:14 53:19,20 58:9 64:6 64:8 68:3,8,8 72:12 74:22 75:5,19,22 153:8,15,19 154:3</p>	<p>123:3,5,13 124:6,7 124:20 126:10,18 126:20,25 127:12 127:20,24 128:17 131:7,11 132:6,9,10 132:14 134:1 137:6 137:19,21 141:16 142:6,14,15 145:23 150:2,8 knowing 30:7 knowledge 30:21 81:23 107:22 122:24 known 12:5,7 18:19</p>	<p>leaves 97:10 ledger 11:18 lee 1:18 67:24 108:7 left 41:15,17,19,20 42:14 58:8 68:5,11 68:18,20,24 69:8,9 69:18,23 70:2,10 88:8 91:20 128:16 128:18 138:22,23 140:9 143:24 legal 32:8,21 33:5,5 legislature 30:25 lends 26:20 letter 32:1 33:1,3,8 65:14 79:1,4 82:19 89:24,25 90:17 110:19 146:10 150:11 letting 45:12 level 20:14 21:8,9,17 21:18,21,23 22:3 23:16,17,18 38:23 68:15,17 93:11 125:1 134:22 135:16,17,24 136:3 136:6 levels 37:16 39:11 58:14,16 liability 51:15 52:22 license 111:6 160:13 licensed 20:1,1 35:25 57:14 111:5 life 128:14 light 44:25 53:16,18 54:5 55:9,12,19 80:14 144:11 lighting 53:20 54:2 54:19 74:13 lights 54:10,13 55:4 55:5 limitation 74:11 limited 26:17 34:3 120:13 limiting 97:19</p>	<p>line 43:7 59:17 61:7 61:10 71:23 97:2 100:9 111:7 124:18 125:2,4 133:25 134:3,22 143:9 151:2 lined 42:21 lines 67:7 listed 3:24 literally 140:12 little 5:11 21:12 42:8 45:3 48:3,9 50:4 58:17 59:10 68:9 83:22 87:17 99:11 99:24 109:1 129:3 138:24 146:24 live 60:1 114:15 lives 140:11 living 124:23 142:20 146:17,19 llata 11:24 llc 12:3,7 18:17,22 153:8,11,15,19 154:2 155:10,13,17 155:21 157:10 loading 39:21 local 44:4 66:8 91:14 150:19,20,20 locate 79:19 located 11:20,24 12:3,16 18:17 51:6 51:7 77:6,19 112:14 114:12 153:8,11,15 153:19 154:2 155:10,13,17,21,22 location 79:9 83:15 83:16,20,23 125:3 126:14 133:19 146:21 logos 87:25 long 14:8 15:18 53:2 64:13 70:10 105:12 137:23,25 longer 22:19 33:9 100:19</p>
<p>kertes 79:2 key 20:22 22:17 kids 60:9 64:2 66:19 kind 61:9 89:3 116:14,18 129:18 138:10 144:22 king 14:19 kitchen 142:11,12 142:18,21,23 klein 1:18 43:23 44:2 67:24 68:1,25 108:7 knew 108:7 know 14:5,7 25:12 25:24 30:12,18 36:25 37:2 42:20 43:6 49:2,24 50:24 54:2 59:6 63:24 64:3,12,23 66:13 69:1,22 71:19,22 72:24 75:7,13 81:5 81:6,7,25 83:21 85:14 91:15 92:24 93:8 94:8,22 95:6 95:21 96:10 97:19 97:19 98:19,20 100:3,23 101:15 103:7 105:24 106:7 106:22 107:7 109:7 110:17 117:19 118:23 119:4,8,10</p>	<p style="text-align: center;">I</p> <p>I 1:14 16:14,14 19:13,13,13 78:8 115:8 ladies 18:20 35:16 lady 140:9 lahbib 77:14 78:14 land 13:2 27:6,11 29:1,15 34:6 85:3 landfills 84:11 landscape 131:12 landscaped 40:7 landscaping 40:5 45:7,16 48:18 74:12 89:17 lane 61:16 62:20 66:14,16 68:21 69:23 70:11 large 84:10 98:21 124:17 131:8 larger 48:8 95:24 96:2,20 99:2 law 6:14 12:21 26:19 27:6,12 29:15 62:25 64:16 141:19 141:20 146:6 lease 104:14,16 leases 54:8 leave 67:7 116:6</p>		

<p>look 58:6 72:11 75:9 92:13,14,15 94:23 103:16 108:10 110:1 116:4 120:1 120:14 129:4,6 looked 25:4 58:9 102:6 looking 20:12 22:16 54:19 61:14 102:10 124:22 135:1 137:14 140:8,17 looks 72:3 100:23 106:4 129:3 140:15 lot 11:21,25 12:4,8 21:19 32:24 38:8 39:13 40:3,16,19 41:15,16 44:10 51:8 62:5 70:9 71:19 77:7 84:9 87:7 114:13 132:9 140:10 153:9,12,16 153:20 155:11,22 lots 12:18 18:18 21:6 40:17,18 68:13 129:2 154:3 155:14 155:18 lovely 126:21,22 low 125:2 140:14 146:24 lower 23:16,17 125:1 135:16,17 139:2 140:6 lowest 21:23 136:6 luck 77:1 lwdmr 19:2</p>	<p>12:14,20 17:6 18:4 18:9 157:7,16 158:12 main 27:17 42:10 44:17,17 68:17 115:24 117:3 140:13 maintain 48:20 53:22 54:14 55:7 74:14 134:1,3 maintenance 54:12 54:15 55:6 56:11 74:16 145:25 major 50:15,15 99:21 majority 91:23 making 6:20 7:10 41:12 44:2 68:23 70:10 86:23 91:20 96:20 110:24 118:1 management 85:24 95:23 manmade 84:6,8 manual 47:23 map 13:17 69:16 127:24 march 1:5 2:3 7:1 14:20 41:24 79:1 143:19 146:11 mario 1:17 70:23 117:20 mark 14:17 64:21 79:13 150:13 151:21 marked 15:4,7 23:8 79:14,16 80:19,22 150:14 151:24 market 20:18 21:3 24:3 25:3 26:7 58:12 63:6 65:17 marks 1:16 2:4,5,7,9 2:11,14,17,20,25 3:14 4:1,5,8,13,15 4:17,20,23,25 5:3 6:1,12,24 7:12,14</p>	<p>8:18,23 9:5,7,9,11 9:14,17,19,23 10:2 10:13,19,21,24 11:2 11:4,7,12,15 12:13 13:14 15:11 17:6,10 17:14,16,19,22,24 18:1,4,9,15 19:17 26:1,15 27:5 28:7 29:13 31:3 51:3 61:19 66:10,20 67:1 67:23,24 70:20 74:4 76:4,10,12,14,17,20 76:22,24 77:2 89:11 89:12,16,20 90:1 91:13 93:13,23 108:4 111:15 112:7 112:20 113:5,11,17 113:19,21,24 114:2 114:4,6,8,15 121:12 135:22 143:17 146:8,9,19,21 147:1 147:10 152:1,7,9,11 152:13,16,19,21,23 152:25 153:4 154:9 154:14,16,18,21,24 155:1,5 156:2,7,9 156:11,14,17,19,23 157:3,7,16,21,23 158:1,4,6,12,20 mart 77:22,25 78:4 80:15 87:24 88:9,18 103:2 mary 1:12 masonry 130:8 134:14 145:21 massey 1:16 70:22 71:14 89:21,23 146:2,3 massey's 146:10 master's 78:15 material 91:16 materials 41:9,10 129:2 145:5 matter 7:15 8:5 12:14 67:5 111:18</p>	<p>122:6 123:5 mcnamara 6:12,13 8:7,11,13 12:20,21 13:22 14:4,7,14,16 14:18 15:5,11,13,24 16:12,16,23 18:6,10 mcpk 18:17,22,24 meadowlands 85:10 85:12 92:5,9,10,14 92:17 108:12 109:2 109:19 mean 23:9 25:10 26:15 27:4,22,24 29:7 50:6 59:18 97:21 99:15 106:10 110:6 111:8 122:12 132:5 139:10 meandering 83:22 means 26:10 132:9 136:5 144:7 measure 59:19 measures 75:3 medical 11:20 meeting 1:3 2:2 3:3 3:6,8,16,25,25 4:3,4 5:8,11 6:9 7:17 41:23,25 43:1 68:6 86:2 meetings 3:7 megan 1:16 70:22 89:21,22 mehta 1:13 2:18,19 4:23,24 9:17,18 11:2,3 17:1,5,11,22 17:23 33:23 34:9,12 34:22 35:3,8 37:3,9 37:13,19,23 50:8,20 53:1 76:20,21 87:10 88:10 110:15 112:6 113:9,14 114:2,3 143:8 150:17,23 152:19,20 154:24 154:25 156:1,4,17 156:18 158:4,5,23</p>
<p>m</p>			
<p>m 1:18 16:14 67:25 90:2,2,5,9,10,13,14 90:16 101:23 108:6 108:21 110:1 160:4 160:13 machines 46:17 madam 6:13 7:14 8:15,23 9:19 10:13</p>			

mehta's 36:23 member 100:6 members 6:13 20:11 58:23 59:7 69:20,21 77:9 memorialization 5:7 7:16 8:6 157:8 memorialize 5:25 10:3,9,14 111:23 memorialized 12:11 memorializing 5:16 11:11 mention 34:13,24 107:15 142:4 mentioned 4:7 74:20 75:14 87:11 109:9,18 114:15 118:19 134:14 149:23 mentioning 115:10 met 36:13 68:5 85:25 metal 45:7 145:2 metalwork 129:2 metes 146:5 michael 14:19 77:10 microphone 59:6 103:22 123:25 126:10 mid 21:8,18,21 midday 58:10 middle 39:25 42:11 42:13 middlesex 12:17 miller 7:19 12:15,25 16:13,16,22 million 70:15 mind 30:17 104:7 148:22 minimal 110:11 minimis 7:1 8:8 13:2 50:1 minimize 138:15 minor 14:18 106:5	minus 47:1 73:20 minute 107:23 minutes 3:16 minutia 58:22 mirrors 72:15,18,20 73:1,3 75:22 mishmash 125:14 misrepresent 106:11 missed 113:6 misunderstood 93:2 mixing 129:7 mlul 148:22 model 98:1 modeling 97:18 102:5 modern 124:23 144:25 modernized 125:9 modestly 100:1 101:6 modifications 98:10 modify 35:10 modifying 35:9 mom 65:16 moment 98:5 money 55:9 monitor 64:17 month 5:14 111:24 months 73:18,18,19 73:20 mortgage 147:8,9 motion 3:17,19 4:9 5:4 6:3 8:17,18,21 8:24,25 10:5,7,9,14 17:3,4,7 18:4 73:25 74:2 76:3,5 77:3 112:4,5 113:6,9,12 114:9 147:23 152:2 153:1 154:5,7,10 155:6,24,25 156:3 156:24 157:12,14 157:17 158:12,17 158:22	move 48:16 53:7 74:22 78:2 80:3,25 88:5 98:2 moved 77:23 83:10 84:12 movement 87:6 91:16 movements 69:9 91:11 moves 109:16 moving 52:3 83:25 84:2 91:5 146:7 muctd 67:3 multilevels 38:2 multiple 118:6 141:11 municipal 27:6,7,11 27:13 29:15,16 44:13 74:20 122:11 122:19,21,25,25 123:1,9 municipality 29:14 31:7,10 63:4 122:13 mutually 42:1	121:7,23 122:1,3 131:20 136:20 137:17 138:12 140:19 149:11 150:8,9 needed 14:23 16:4 22:20 105:7 115:19 118:20 131:25 138:16 147:8 needs 5:15 16:18 49:6 65:12 102:16 103:12 105:14,17 121:17 122:7 neglia 96:1 negligible 110:9 neighbor 143:25 144:5,9 148:16 neighborhood 38:18 neighboring 29:22 neither 108:6 nervous 116:21 network 58:18 never 33:15 127:7 new 1:7 3:7 14:23 15:20 16:21 19:22 22:21,22 23:2 25:13 26:5,17 27:23 29:3 29:14 32:4 33:14,25 35:11 36:1,2 40:5,9 44:19 53:24 54:2 57:14,18 71:19 77:22 78:18,20 80:10 83:15,22 84:24 85:12 93:11 96:17 98:4 114:16 118:24 124:3 127:20 128:6 129:7 134:12 139:16 144:18 153:7,10,14 153:18 154:1 155:9 155:12,16,20 158:15,18 160:5 newark 70:7 129:5 129:5,8,13,17
		n n 1:14 19:13 78:8 123:20,20 124:2,2 name 18:21 77:10 78:14 114:15 123:22 narrow 13:3,6,12 15:18 21:12 national 147:5 native 41:9 85:21 89:14,16,19 near 65:25 132:14 nearby 38:19 necessary 30:13 32:8,9 111:12 need 11:10,13 16:10 29:16 33:21 48:24 49:1,12 63:19 73:1 78:1 106:19,20,23 108:10 114:24	

<p>newer 139:3 ng 2:20 nice 141:16 nine 53:2 61:17 nitty 132:23 nj308680 1:25 noise 120:8 nominal 106:5 nonconforming 143:25 144:5 normally 48:1 49:13 49:14 51:5,7 90:11 north 11:22 22:18 69:10 70:1 83:21,23 139:1 153:13,17,21 154:4 155:23 northbound 70:4,16 notary 160:5 note 84:19 151:8 noted 4:3 79:3 142:25 148:3 159:1 notes 112:8 160:7 notice 3:7 8:9 128:18 144:15 noticed 8:5 71:2 notification 71:11 notifications 64:16 notify 63:12 65:8,15 notifying 71:3,6 noting 74:5 null 25:16 26:13 150:21 nullified 25:11 number 57:15 82:6 82:18</p>	<p>obtain 147:17 149:4 obtained 29:25 obtaining 147:13 obtains 149:4 obvious 88:1 obviously 47:2 60:11,14 78:3 89:4 89:9 92:2 106:21,24 115:25 occasions 57:16 59:12 occupied 141:13 occur 106:19 occurred 30:15 41:24 occurring 61:6 odd 139:11 offer 20:5 57:19 offhand 25:25 office 3:9 56:18 57:23 69:2 87:21,25 89:3 101:21 104:3 104:15,17 109:24 147:14 officer 1:18 114:20 115:14 117:4 118:19,24 122:9,19 122:23 125:24 127:5,6,19 143:10 148:25 149:15 officer's 118:24 offices 112:25 official 122:20 128:6 128:10 150:11 officials 63:11 oftentimes 72:14 oh 11:15 62:4 157:3 okay 9:10 10:2 12:13 15:3 31:25 33:18 35:2,3,14 40:13,14 48:6,12,15 52:15,16 53:9 54:25 55:13 57:2 71:13 80:12,18 95:16 97:5 102:12 104:14</p>	<p>105:10 113:1 old 21:1 22:20 25:14 38:16 85:1 93:11 117:16,17 125:8 127:2 129:7,19 130:3 131:1 156:25 157:7 older 129:4 once 25:15 26:20 31:1 56:15 69:9 86:15 99:18 140:18 144:12,14 149:23 ones 139:25 ongoing 63:5 open 3:7 48:7 62:5 opening 45:12 147:13,17 148:11 openings 72:16 opens 135:3 operate 58:14 operation 43:15,16 66:5,6 opinion 8:7 105:18 106:17 107:2 oppermann 160:4 160:13 opposed 88:8 opposition 31:24 option 53:11 75:15 order 2:2 3:15 5:6 8:4 30:18,22 51:17 71:10 96:7 114:25 115:20 ordinance 75:11 120:14 123:1 originally 13:13 14:21 68:4 90:2 oswin 18:21 ought 46:18 outfall 109:11 outfalls 93:16,17 outside 90:21 108:5 108:10,15,17 157:10</p>	<p>oversight 7:7 overview 58:5 owned 93:16 94:1 owner 25:1 26:12 27:22 29:20,22,22 32:2,20 34:7,8,11 48:20 49:8 54:9 104:9 141:5,13 owners 30:8</p> <hr/> <p style="text-align: center;">p</p> <p>p 1:14 57:7 p.m. 1:8 159:1 package 138:10 packet 36:20,21 44:22 packets 27:9 page 58:8 112:10 paint 67:3 painted 66:11,14 painting 75:4 palisades 11:20 paragraph 146:10 parallel 83:3 parallels 21:25 parcel 29:1 30:11 park 24:9 62:20 64:24 114:12,22 115:16 120:17 125:18 parked 21:10,11 61:23 63:8 67:8 77:21 parking 6:21 13:4 13:11 14:1,24 16:6 21:6,19,20,21 22:2 22:2,4,4,7,13 38:8,9 38:12 39:1,4,13,13 39:18 40:1,16,17,17 40:18,19,21 41:15 41:16 42:22 44:10 45:11 46:14,15 51:8 62:17,19 63:1,1,18 64:21 65:3,20,21 66:2,15,15 67:4</p>
<p style="text-align: center;">o</p> <p>o 1:9,14 19:13 57:7 123:20 o'dea 2:21 object 71:5 objection 71:7 103:17,23 objective 79:10,18 96:4 101:1,4</p>			

<p>68:13,14 71:20,21 77:20,24 78:5 87:13 87:18 88:11,14 91:7 94:10 96:8,9 101:5 109:7</p> <p>part 6:22 23:12 32:3 33:10 34:20 51:15 52:7 53:19 54:15 66:21 82:8 84:23 91:10 92:17 95:18 95:20 98:18 100:20 100:22 102:5,17 103:16 116:16 125:17 137:6</p> <p>participate 147:5</p> <p>particular 5:20 24:20,20 34:5 58:24</p> <p>parts 133:21</p> <p>passaic 109:10,15</p> <p>passed 5:4 30:18,25 60:13 61:20 155:6 156:24</p> <p>passenger's 62:5</p> <p>passes 18:5 77:3 114:9 153:1 158:13</p> <p>passing 86:12</p> <p>patel 18:23</p> <p>path 6:21 13:5 14:1 16:21</p> <p>patience 153:3</p> <p>patrick 6:13 12:21</p> <p>paul's 21:25 58:7 64:6 67:15 68:17 70:7</p> <p>pause 14:15 94:18 98:6</p> <p>paved 82:1</p> <p>pavement 44:8 87:18,19</p> <p>paver 145:20</p> <p>pavonia 1:6</p> <p>pay 56:9 141:5</p> <p>paying 56:2,20 104:3</p>	<p>pays 55:5</p> <p>pcs 153:8,11,15,19 154:2 155:10,13,17 155:21</p> <p>peak 58:10</p> <p>pedestrian 123:14</p> <p>pedestrians 45:21 45:24 62:3 75:24</p> <p>peel 70:3</p> <p>pending 85:10 86:13 92:8 151:12</p> <p>pennsylvania 12:7</p> <p>people 14:25 45:12 50:16,16 60:9,10 62:2,14,25 63:18 68:13 71:20,21 72:1</p> <p>perceive 75:23</p> <p>percent 40:3,4 44:7 54:1 55:11 81:12,13 125:12,20,21 127:15</p> <p>peregoy 19:4 57:5 57:10,23 61:25</p> <p>performance 108:24</p> <p>period 30:16,19 59:11</p> <p>periods 58:11</p> <p>permission 44:4 50:13 53:3</p> <p>permit 30:25 52:9 85:4,4 122:14 147:14,17 148:11</p> <p>permits 85:3 92:19 92:20 122:21 148:24 149:1</p> <p>permitted 68:5 148:24</p> <p>perpetuity 26:22 28:8 31:4,25 33:16</p> <p>person 27:23 71:23 131:21</p> <p>personal 62:11</p> <p>perspective 86:10</p> <p>pertains 120:25</p>	<p>ph.d. 78:17</p> <p>photo 80:7</p> <p>pick 59:23 61:7 63:19,20 65:6</p> <p>picked 45:13</p> <p>picking 62:3 66:18</p> <p>pickup 61:5,21 65:12</p> <p>picture 133:2</p> <p>pictures 116:3 117:11 133:5</p> <p>piece 13:6 34:6 131:16,16</p> <p>pieces 131:8</p> <p>pitched 133:19</p> <p>place 5:13 22:8 88:6 102:8 128:10</p> <p>placed 33:24 48:1 74:10</p> <p>plan 7:3 20:9,22 22:17 23:16,17,18 23:18 26:5,6,8 27:22 32:13,15,16 33:25 34:15 36:10 36:13 44:21,22 69:21 90:11 91:1 134:21 135:2</p> <p>planner 1:16 70:22 89:22</p> <p>planning 1:1,3,16 1:17 2:2 7:6 26:16 26:18,20,25 29:17 57:17 82:22 112:23 123:4 151:13</p> <p>plans 13:12 23:5,6,7 23:14 25:10 26:22 28:7,10,18,21 43:21 71:2 107:21 108:18 111:18 112:21,24 114:20,21 123:1,2 125:7 126:2 134:21 142:22</p> <p>plant 82:25 134:15</p> <p>planters 51:2</p>	<p>planting 41:9,9 82:9 82:11,13,24 85:20</p> <p>platform 13:9 14:24 15:2,20 16:5,9 21:1</p> <p>play 125:10 129:24</p> <p>please 2:4 3:12 14:17 16:12 19:12 19:19 20:11 35:23 57:11 72:7 95:4 123:22 148:2 153:24</p> <p>plus 37:20 47:1 73:20</p> <p>pm 61:21 64:21,21 64:21</p> <p>point 6:6 8:4 31:7 31:23 33:9 34:13 42:2 53:11 59:17 71:10 80:7 131:10 140:22</p> <p>pole 55:16,18,19,19</p> <p>poles 44:25 47:3 53:16,17,19 54:5,8 54:24 55:9,10,12,15</p> <p>police 66:9,18</p> <p>policy 49:15</p> <p>porch 144:3,8</p> <p>port 6:19 13:5 14:1 14:21 16:3,19</p> <p>portion 25:2,4 28:4 28:5 29:5 130:10</p> <p>portions 34:2 137:19</p> <p>position 125:5</p> <p>positive 92:22</p> <p>possible 36:23 52:22 56:13 60:3 102:13</p> <p>possibly 68:13</p> <p>post 50:2 87:21,25 89:3 104:3,14,17</p> <p>posted 3:8 67:14</p> <p>posts 47:25 49:25</p> <p>potential 51:14 99:19</p>
---	--	--	--

<p>poured 134:1 power 12:7 33:7 pp 1:16 practicality 33:17 practice 127:18 132:8 practiced 78:19 practices 85:24 practicing 19:25 36:1 124:13 pratt 19:21 prepared 8:11,14 14:19 27:10,15 90:17 111:9 112:16 prepped 107:19 present 3:24 4:4,5 9:20 18:24 40:4 42:3 46:22 71:4,8 75:12,20 78:6 107:20 155:2 156:20 158:7 presentation 19:8 73:8 presently 48:5 77:25 preservation 19:23 119:5,10 120:5 123:8,11,17 125:13 132:12 148:25 151:2 president 77:12 pretending 116:18 116:25 pretty 59:15 63:11 70:10 90:10 130:9 131:9 prevent 45:10 previous 25:11,17 26:12,13 27:1,10 29:22,24 32:2,20 34:8,9,11,15 93:3 125:10 previously 24:21,24 25:9 26:24 27:14,22 28:9 31:14</p>	<p>primary 107:16 principal 1:16 18:24 19:24 70:22 89:21 principals 90:4 prior 28:21 30:8,11 33:12,13 127:22 130:6 private 60:22 pro 1:11 probably 6:3 26:1 61:14,15 71:10 87:23 119:17 131:10 137:13 139:3,4 144:25 problem 49:11 63:12,13 65:1 71:12 72:23 107:9 110:21 141:4,15 142:4 problems 63:7,10 99:3 procedure 7:15 proceed 8:12,14 20:4 36:4,22 55:25 72:11 115:20 124:4 124:10 126:1 proceeding 72:12 92:11 proceedings 1:4 3:23 160:8 process 90:10 product 134:14 professional 35:25 57:14 78:18 111:6 157:9 program 53:20 54:15,16 74:16 147:6 project 6:22 19:4 24:24 31:6 33:15,17 33:24 34:2,3,16 37:4,6 65:5,9 66:21 70:15 73:10,15 79:10,19,25 81:8 90:5 92:6 94:8 96:4 96:6 101:1 104:4,4</p>	<p>107:16,21 112:19 116:10 121:8 124:6 125:1 130:6 proper 64:15,16 71:11 properly 3:4,6 67:9 144:1 properties 138:18 139:1,23 property 6:19 13:5 13:6 14:1 16:18 21:14 29:21,23 31:18 32:3 33:10 34:1,14,21 37:8 43:8 45:9 49:15 50:10,12,14,21 51:6 52:14 53:5 54:9 62:7,23 68:24 77:18 77:20 78:5 80:10 87:12 114:23 115:17,18 116:16 122:18 138:24 139:5 140:8 144:1,7 146:11 147:3 150:3 propose 38:9 62:1 143:25 144:17 proposed 20:9,23 26:9 39:18,22 40:3 40:7,13 42:6 44:24 44:24,25,25 58:12 70:1 80:24 89:14 91:22 93:9 94:3 97:17 122:24 146:13,17 148:5 proposes 25:5 122:6 proposing 20:24 37:8 40:1,10 41:1 42:5 44:7,9,18 49:18,19 51:4,24 53:17 54:2 66:22 93:14,20 protect 49:22 108:16 protected 27:19 49:21</p>	<p>protection 26:14 144:11 protrude 46:21 134:4 provide 21:2 47:4 48:7 51:25 56:11 77:15 78:11 81:23 86:6 100:24 111:11 111:17 provided 6:24 15:15 40:17 79:1 106:16 117:11 provides 32:17 45:23 69:24 providing 13:7 82:15 86:5 provision 148:22 provisions 27:6,12 pry 71:25 pse&g 12:7 53:18,21 54:8,14,17 55:5,17 55:23 56:5,8,10,13 74:16 75:13,15 public 3:7 18:16 77:5 114:11 160:5 pulaski 69:25 70:5 pull 24:12 39:24 41:18 100:7 pulled 105:17 pulling 42:10 purpose 34:23 41:23 59:18 79:25 88:17 95:21 purposes 151:20 purview 125:13 put 15:20 22:21 30:9 35:3 51:4,23 52:14 54:15 59:19 72:15 111:24 128:16 141:1,3 143:20 144:10,17 145:15,19 149:22 putting 62:22 110:10 111:6 116:7 119:21</p>
---	--	--	---

q	<p>rack 45:1 46:9 49:13 49:25 50:10,21</p> <p>racks 40:24 41:2,2,8 45:17,20 49:14,20 49:23 51:1,4,7,23 52:3,6,13,20,25 53:9 74:25</p> <p>rail 45:7 47:11 141:1,3 142:2 148:14</p> <p>railing 44:25 46:9 46:11,20 47:9,18,21 48:9 49:4,7 133:1,5 134:10,12 140:19 141:6,18,20,21,24 144:4,23 145:2 148:13</p> <p>railings 45:16 74:12</p> <p>ramp 21:2,8,12,13 21:14 38:22 39:17 43:4 70:2,6,16 116:7 125:2,6 126:15 134:13,13 134:18,24 135:4,4,7 135:9,11,22 136:14 136:20 137:4,11,15 137:23 138:2 145:7 145:17</p> <p>ramps 137:24</p> <p>randy 79:2</p> <p>rate 55:15</p> <p>reach 69:2</p> <p>reacted 107:18</p> <p>read 11:10,14 23:13 74:6 106:4 112:9 148:2</p> <p>ready 85:1 107:19 157:6</p> <p>reality 62:13</p> <p>really 47:13 52:24 56:1 60:12 66:8 71:21 96:7,10 101:10 108:22 109:6,7 122:18 125:15 137:5,17</p>	<p>141:16 145:10 149:10</p> <p>realty 18:17,22,24</p> <p>reapprove 17:7</p> <p>rear 22:18 39:11 40:16 52:11 78:2 126:7,12,13</p> <p>rearyard 131:12</p> <p>reason 6:16 31:17 45:10 62:6 121:5 140:7 141:11</p> <p>reasons 88:1</p> <p>rebuilt 75:6 125:9</p> <p>recall 51:3 102:3</p> <p>receive 151:3</p> <p>received 15:7 44:14 79:14 80:22 82:4 150:14 151:5,24</p> <p>recipient 132:12</p> <p>recommend 7:17,23 51:7 74:6 147:2</p> <p>recommendation 147:2</p> <p>recommendations 103:13,19,25 112:16 143:19,21</p> <p>recommended 110:25</p> <p>reconfiguration 70:1</p> <p>record 7:2,11 8:10 11:14 13:16 14:17 33:24 34:23 35:4 70:24 74:6 112:10 143:12,21 151:21 153:24</p> <p>recuse 6:5,7</p> <p>recused 90:9 108:16</p> <p>recusing 5:20</p> <p>redesign 16:5</p> <p>redesigned 13:10</p> <p>redevelopment 26:5 32:13,15</p> <p>redo 66:22</p>	<p>reduced 69:8</p> <p>reducing 44:7</p> <p>reduction 44:11</p> <p>reeves 19:3 35:2,15 35:17,22 39:14 46:4 72:6,8,19 75:14</p> <p>refer 90:24</p> <p>reference 36:9 80:3</p> <p>referencing 39:14</p> <p>referral 148:25</p> <p>referred 122:9 149:15</p> <p>referring 31:3 64:4 64:5</p> <p>refining 145:1</p> <p>reflect 7:3 151:14 153:24</p> <p>reflected 13:16</p> <p>refrigerated 24:1,3</p> <p>regard 30:16 41:5 58:24 68:23 121:19</p> <p>regarding 103:20</p> <p>regardless 138:11</p> <p>regards 125:11</p> <p>regional 97:20 99:4</p> <p>register 3:10</p> <p>registered 19:22</p> <p>regret 7:7</p> <p>regular 64:12</p> <p>regularly 61:22,23</p> <p>rehabbing 38:7</p> <p>rehear 8:1</p> <p>reheard 5:18</p> <p>rehearing 12:15</p> <p>reiterate 143:23 145:23</p> <p>relates 77:17</p> <p>relationship 6:8 90:3</p> <p>relative 14:13</p> <p>relinquished 32:2</p> <p>relocate 52:10 53:8 146:24</p> <p>relocated 74:25</p>
r	<p>r 1:9,14 16:14,14,14 19:13,13 35:19,19 57:7,7 123:20,20 127:24 160:1</p>		

relocating 78:1 96:7 96:8 101:5 109:8 relocation 77:17 remain 28:8 58:16 70:3 148:6 remaining 7:22 10:14 11:17 remains 31:4 111:22 146:17 remember 46:15 53:3 61:3 reminded 27:8 removal 119:16 123:6 131:3 149:5,7 149:10 remove 5:24 7:24 8:19,24 30:8 79:25 116:2,5 117:13,18 117:24 121:3 122:4 122:8 130:10 131:16 134:3 139:16 141:19 142:5 143:25 149:21 removed 7:19 121:20 124:23 140:18 144:13,15 removing 130:25 132:18,24 133:22 138:17 139:13 render 111:11 rendering 138:6 renee 1:10 6:10 157:4 rent 140:11 150:10 renters 141:14 repair 49:8 144:17 repairs 103:13 105:1,7,8,22 106:5 110:25 112:18 replace 53:24 55:18 66:22 134:11 142:4 144:17 replaced 141:18	replacement 106:3,9 148:8,15 replaces 67:2 report 27:9 93:7 94:16 95:25 101:19 102:3,14 103:13,18 103:20,24 104:23 105:12,13 106:2,4 106:15,18 107:2,10 110:2,19,19 111:1,5 111:9,11,18 112:13 112:16 130:5,5,15 131:19 132:3 143:19 reporter 160:5 reports 69:5 represent 29:21 89:7 105:1 representations 125:16 representing 34:10 request 5:9 6:4 127:24 requested 5:14 44:4 requesting 5:17 require 49:3 75:8,10 145:24 required 50:12 52:6 82:16 112:18 requirement 84:23 147:3 requirements 128:21 151:1,5 requires 33:3 49:10 67:21 requiring 88:23 reside 38:19 91:12 resolution 8:6 31:9 31:9,11,12 111:23 151:14 157:9 resolve 105:20 106:21,22,23 resolved 112:1 respect 33:8 57:24 59:1 77:16 78:22	82:23 91:10 108:15 111:12 121:10 response 79:6 107:5 responsibility 27:18 49:6 141:1 responsible 51:11 54:12 rest 7:25 10:3 69:19 133:16 restored 139:7,9 143:1 restrictive 60:10 result 77:21 78:4 81:3 99:13 101:6 103:25 retail 20:19 return 18:13 reuse 25:6 44:18 review 3:15 36:14 68:6 79:4 82:19 90:11,21 91:2 92:9 103:12 105:15 106:18 108:18 110:4 111:20 121:9 124:10 148:21 reviewed 43:20 70:21 89:21 90:2 91:1 103:24 110:1 130:6 150:25 reviewing 71:2 109:24 revised 7:3 13:14,17 36:13,15 111:17 revision 5:15 23:19 23:21 36:17 rhode 124:12 richard 7:18 12:15 12:25 rid 33:1 right 4:1 5:23 14:24 15:4 16:7 22:17 29:11 31:5,22 32:6 37:23 38:24 39:14 39:24 41:12,14,19 42:8,15 44:23 45:1	45:5,11 46:9,11,13 49:14,17 50:9,11,22 51:1,5,18 52:3,25 53:4 54:5 55:12 57:21 61:16 62:8,18 62:19 63:3 64:8 66:14,16,17 68:7,8 68:10,16 70:4,13,18 72:16 74:10 75:1 80:13 82:21 83:8 84:4,15,18 86:2,21 87:9,13 88:7 91:13 91:20 97:4,8,11 98:14 99:10 102:19 102:25 103:1,2,6 105:9,25 106:1 107:8 108:3 109:17 110:5 112:2 119:1,7 120:15 121:22,25 122:5,10,11 124:20 127:1 128:9,22 131:24 132:25 133:6,6,6,15 134:1 134:7,8,23 135:21 135:21,25 136:16 137:12 138:10,12 139:13 140:1,14,23 141:23 145:13,14 145:16 146:1 147:15,19,20 148:6 149:1,17 riparian 82:9 85:20 river 11:21 109:10 109:16 119:9 153:11 road 11:21 30:10 31:19 42:10 46:17 47:3 54:16 80:13 114:22 115:16 118:21 121:6,8,10 147:13,17 148:11 148:11 153:12 roads 121:1,15 roadway 58:11,18 91:4,14
--	--	---	---

<p>rob 116:9 123:18 robert 117:8 124:1 robin 19:3 35:18 rodgers 12:17 roll 2:4 romano 1:13 2:22 9:20,21,22 11:5,6 17:4,8,24,25 23:24 24:15 25:8,15,20 26:10 27:3,17,21 28:2,12 30:6 31:5 31:22 32:7,19,25 33:4,18,21 56:3,4 62:16 64:13 76:22 76:23 87:9 114:4,5 117:15,24 119:1,4 119:20 120:15,20 122:16 127:10,14 128:1,5,9,12,20,23 129:8,12,21,25 130:14,18,22,25 131:18 132:2 139:4 139:6,25 151:17 152:21,22 155:1 156:19 158:6 ron 19:2 37:14 73:14 room 42:8 66:15 137:17 roughly 14:10 47:17 route 69:25 70:6 routinely 51:20 rowhouse 125:16 ruled 90:7 108:6 run 77:18 running 87:8 runs 13:24,25 16:1 79:9 83:3 rushabh 1:13 russell 19:3,7,9,11 20:5 37:16,21 39:22 73:16 rutgers 78:16</p>	<p style="text-align: center;">s</p> <p>s 1:14,14 19:13,13 35:19 123:20 124:2 sadat 77:15 79:2 80:20 safety 59:18 sales 20:17 21:1 22:5,11 salesroom 20:17 23:1 salute 3:12,13 salvage 132:11 sample 79:23 satisfaction 74:14 112:25 satisfactory 78:21 satisfied 43:21 saturday 58:10 save 132:11 saw 98:2 saying 4:6 30:6 32:7 99:8 105:1 106:11 107:1 117:12 130:15,18 139:22 142:15,15 says 42:15 59:20 64:12 105:13,16 114:24 130:7 scale 95:24 scarinci 6:14 12:22 schedule 43:12 scheduled 18:16 74:18 77:4 114:11 scheme 129:23 school 42:18,19 43:5 43:13,16 58:25 59:11,12,24 60:22 60:24 61:8 63:6,18 64:3,4,6,11,12,20,23 64:24 65:5,9,11,21 65:25,25 66:1,17 71:9 74:19 75:3,20 87:9 124:12</p>	<p>school's 64:25 schuyler 12:3,4 scope 96:2 sd 7:18 8:24 12:3,15 17:7 sealed 146:4 season 89:4,9 second 3:20 8:22 10:11,12 17:5 21:17 25:23 39:4 74:17 76:1,2 79:12 85:17 91:10,10 97:25 98:22 112:6 147:25 148:8 154:8 156:1 157:2,15 seconded 4:9 9:1 10:16 17:10 76:7 113:7,10,14 152:4 154:10 156:3 157:17 section 7:20 8:19,25 10:4,14 126:13 153:5 secure 6:19 7:5 sediment 80:1 sediments 79:23 see 15:9 39:9,11 50:6 59:16 60:3 67:9 70:9 71:21 72:1,16,21 79:20 87:2 91:21 92:24 93:9,9,10 94:17 101:11 110:18 126:16 133:3 134:21 138:7,11 141:8,15,16 seeing 61:3 seek 114:24 117:4 149:20 seen 59:12,13,25 60:1,19 61:3 87:5 87:23 102:13 107:10 selling 32:11</p>	<p>semi 109:14 send 68:16 132:4 sent 65:14 separate 7:24 10:3 separation 68:12 serious 106:3,8 service 24:10,11 58:14,16 serviced 44:15 services 6:25 14:19 157:9 set 20:3 26:21 28:7 28:10 36:12 56:9 setback 46:19 setup 138:19 seventh 75:21 sewers 93:17 shade 112:22 shaded 38:5 shape 38:6 105:16 share 141:20 sheet 36:11 44:22 45:4 shelves 24:4 shift 130:2 131:1 shifting 131:17 shopping 22:8,10 shorter 69:13 show 14:14 45:15 93:8 125:7 142:22 showing 62:22 shrubs 82:14 85:21 89:13,14,19 side 47:2 50:3 62:5 65:25 67:8,18 68:4 79:20 80:11,11,16 80:25 84:13,20 88:5 91:7,20,20 103:2 126:8,16 128:18 138:23 140:18,20 142:6 143:24 144:3 sidewalk 45:20,21 45:24 46:1,4,7 49:24 50:23 51:1 53:17 71:22 72:1,2</p>
--	--	---	---

72:4,11 75:24 86:5 124:21 133:16 140:12 145:4,6,10 147:18 sidewalks 51:13 66:22 112:22 144:16,17 148:9 siding 129:3 sight 67:7 71:16,23 72:23,25 sign 42:13 59:19 66:14 71:5 75:19 107:20 111:20 signage 64:14,18,23 67:20 71:3 74:7 75:6 signed 111:5 146:4 significant 105:17 111:21,22 signs 42:14 47:3,24 48:4 64:22 67:13,14 similar 31:20 140:5 144:23 similarly 71:24 simple 32:25 81:19 sir 20:8 23:25 28:3 36:7 37:2 48:21 118:3,18 127:9 142:12 143:16 sit 59:15,22 site 20:9 24:24 25:2 25:5,7 26:4,7 28:5,7 28:10 30:16 32:12 32:17,18 34:21 36:10,13 37:1 38:14 38:16 40:2,23 42:25 44:21 52:1,10 57:24 58:8,15 59:1 60:17 61:20,24 63:10,13 67:5 68:3,5 69:16 69:21 71:2 77:22,23 77:25 78:3,4 79:20 81:1,15,17,24,25 82:1,3 84:9 87:21 87:22,24 88:2,8,9	88:18,19 90:11 91:1 91:12,17 92:24 97:10,18 98:15 99:5 99:5,23,25 100:5,19 102:5 143:17 sits 26:5 sitting 49:23 60:3 situation 64:17 90:17 101:7 109:6 139:11 six 13:3,23 size 34:15,25 93:4 94:21 141:10 skillman 21:24 22:6 23:18 24:5,7,13 38:10 39:7,10,12,16 39:22,24 40:8,22 41:3 44:10,16 51:25 58:8 64:4 68:17 skyway 69:18,25 70:6 slate 131:9 slide 134:24 135:7 slight 14:4 slightly 36:21 48:7 48:17 83:12 slip 134:25 135:17 slope 39:10 slopes 39:6 sloping 134:19 slot 41:17 68:19 slowly 72:11 small 6:18 7:1 20:18 49:25 smaller 48:17 sobsey's 129:11 soil 86:22,25 sold 25:1,4 28:4,5 33:10 solution 41:25 solve 101:2 somebody 59:14 66:5 son 107:16 114:17 137:9	sorry 8:24 9:9 11:12 11:15 63:22 94:19 116:23 127:21 148:13 153:23 sort 125:10,14 129:4 129:24 134:13 144:11 145:1,2,19 145:20 sound 129:25 130:23 sounds 75:25 south 20:15 21:7 58:7,25 69:12 83:12 83:21,23 90:5 140:18 sp 11:20,23 12:6 18:17 76:6 77:5 113:13 114:11 152:3 153:7,10,14 153:18,23,25,25 154:1 155:9,12,16 155:20 space 13:3 22:4 24:8 24:9 50:4 134:24 146:17,19 spaces 21:20 38:9,12 39:4,18 40:2,17,21 87:13 88:11 speak 39:1 59:5 89:24 91:3 103:21 120:7 126:9 127:15 149:13 speaking 100:17,18 specifically 26:6,8 43:15 79:4 93:13 100:8 speculation 32:24 33:1 spell 123:23 split 46:25 spoken 8:6 128:1 spot 68:14 88:14 146:25 spots 39:3	square 13:3,23 14:8 14:10 20:19 26:5 32:13 34:1,14,24 37:1,7,10,11,17,18 37:22 63:7 81:14 82:2 87:16,18 110:7 st 21:25 58:6 64:6 67:15 68:17 70:7 stacking 59:12 staff 41:23 82:5 85:16 staigar 19:5 57:5 69:2 stair 22:20,21 stairs 21:3 117:12 140:20 144:12,14 stand 3:12,13 78:7 94:9 129:20 standard 55:9,11,19 standing 67:12,14 67:19 75:7 star 11:18 start 36:7 73:11,17 74:8 starts 15:25 state 20:15 36:1,1 57:14,17 70:15 92:19 106:11 123:22 160:5,6 stated 28:4 stating 26:12 32:2 station 6:21 14:23 16:9,21 statute 26:19 stay 62:11 87:17 88:6 97:1 121:23 125:5 staying 82:17 stays 121:20,22 steep 116:5 stefan 11:23 stenographic 160:7 step 63:4 123:24 140:1,3
---	---	---	---

<p>stephen 1:16 31:24 stepping 63:14 steps 124:20 133:12 134:4 136:12,17,25 138:24 139:24 140:12 steve 5:24 25:9,23 26:10 50:18 61:18 70:19 74:3 111:14 stick 124:20 sticking 116:14 sticks 124:17 stoop 115:25 116:2 116:5 117:25 119:16,22 121:3,19 121:20,20,21 122:4 122:14 123:6 124:17 125:9 128:24 130:1,19,23 130:23 131:1,4,8,12 131:16 132:24,25 133:10,12,19,23 134:11 135:15,20 136:3 137:9 138:17 139:2,2,11,17 140:18,21,25 141:20,25 149:5,8 149:11,16 151:10 stoops 125:15 138:19 141:10 stop 72:8,10 122:12 122:12 stopping 67:12,14 67:19 75:7 storage 21:18,19,21 22:1,10,13 23:25,25 24:2,4,9,11 40:16 store 20:20 24:10 45:11 129:19 stories 20:13 39:7 storm 44:12 93:17 98:17,24 99:9,16,22 100:16,18 stormwater 85:19 93:7,25 94:2 100:23</p>	<p>story 39:9 124:7,16 straight 135:5 street 12:17 46:20 77:22 80:14,15 83:4 83:7 84:14 94:10 114:16 119:9 128:18 129:6,9,14 129:15,18 131:2 139:5 155:10,14,18 streets 46:20 stretch 16:4 strip 15:18 stroller 136:23 137:2,9 strollers 116:1 118:15 structural 124:24 130:16 structurally 130:1 130:23 structure 22:19 35:9 35:10,13 51:17 87:14 102:6 124:8 124:17,19 125:8 structures 49:4 102:11 stubborn 62:14 studio 116:9 124:2 124:13 stuff 84:11 subdividing 34:15 subdivision 5:13 13:17 14:18,21 15:16 90:11 91:2 subject 47:3 146:11 150:19 submit 18:10 34:21 112:21 125:24 127:19,20 146:4 submitted 13:13,14 23:8,10,11 36:12 101:23,25 102:2 114:19 115:13 126:2 127:23 131:19 142:22</p>	<p>149:14 submitting 103:18 103:24 104:23 subsequent 32:11 sufficient 111:19 suggest 56:4 110:13 summarize 116:11 sunset 27:6,12 supersede 25:14 26:24 supermarket 20:19 25:7 32:18 38:1,12 supersedes 32:15 superseding 31:8 supplement 52:11 support 98:13 115:5 suppose 48:24 133:6 supposed 63:20 sure 4:3 8:10 15:24 27:16,18 30:13 36:24 43:3 49:1 53:15 54:2 56:7 57:12 58:4,21 59:3 59:8 60:1 62:4 64:3 66:9 67:18 69:23 72:4 92:13 95:25 96:13 117:21,23 122:24 125:12,21 126:6 127:15 131:5 142:3,9 144:20 157:3,5 surge 89:3,10 surrounded 80:10 survey 6:25 34:21 102:9 145:24 146:4 surveyor 102:8 swear 16:11,13 35:18 57:6 sweepers 46:21 sweeping 46:17 sworn 16:14 19:12 19:13 35:19 57:7 78:7,8 100:8 115:6 115:7,8 123:21</p>	<p>sycamore 85:21 sycamores 82:10 synopsis 19:20 system 22:20 44:3 91:4,14 93:15 125:2 137:4,15,16</p> <hr/> <p style="text-align: center;">t</p> <hr/> <p>t 1:14,18 50:2 67:25 90:2,2,2,5,9,10,13 90:14,16 101:23 108:5,21 110:1 115:8,8 123:20,20 124:2 160:1,1 take 7:23 10:3 21:3 22:8 32:21 50:4 73:19 89:7 115:18 116:21 119:22 128:24 130:1 134:10 147:4 148:1 157:4 taken 75:4 takes 21:8 92:16 talk 141:4 145:10 talking 14:10 61:12 81:2 89:5 91:11 102:20 103:7 104:22 130:20 taxpayer 75:17 taxpayers 55:21 team 100:6 tech 57:13 technical 36:14 68:6 82:5 85:16 technically 33:16 tell 33:24 116:20 tempore 1:11 ten 19:24 44:11 61:17 111:19 tenant 87:22 terminal 14:23 terms 26:25 49:7 77:17 81:22 93:4,19 97:20 100:19 103:13 109:4 123:6</p>
---	--	--	--

<p>138:16 testified 151:21 testifies 16:15 19:14 35:20 57:8 78:9 115:9 123:21 testify 101:10 106:2 106:7 115:5 testifying 86:10 121:1 149:6 testimony 19:1 35:2 43:24 77:15 93:3 106:12,16 107:25 108:21 109:5 119:19,21 thank 3:2,11 5:5 6:12 8:15 12:20 18:6,11,14 23:23 28:12 36:5 37:24 57:3 73:4,22 104:2 124:15 148:16 153:2 158:11 thanks 57:2 theory 62:13 theresa 128:2 thickness 47:18 thing 89:3 98:3 107:14 116:13,17 116:24 119:24 things 30:15 102:15 114:23 115:17,20 115:21 116:12 117:3 125:23 150:3 think 30:5,7,13 33:4 33:6 44:21 46:18 49:5 50:11,14 59:16 59:22 61:6,8,9 62:10 63:2,9 64:13 65:4 66:17 69:3 72:19,21,25 75:14 84:7 85:7 89:6 94:23 98:22 103:1 105:23 108:14,16 108:20 119:8,15,17 119:24 120:21 131:16,25 132:15</p>	<p>132:16,17 134:21 141:23 148:20 150:6,7 151:13 third 41:8 74:21 116:14,23 121:16 148:10 153:24 thirty 39:19 thought 15:14 31:12 68:18 three 20:13 37:16,18 38:4 39:6,8,11 41:1 41:6 49:19 81:16 86:7 114:22 115:17 115:20 117:3 139:9 141:12 148:3 throw 131:13 132:5 tidal 92:25 93:1 109:14,14 tide 109:11 tied 94:9 tighter 62:5 time 27:15 30:16,19 50:10,12 58:10 59:11 78:6 87:5 90:15,24 106:15 108:8 111:19 139:1 151:11 153:2 159:1 times 36:3 60:2 89:5 title 20:22 77:12 today 68:21 69:11 77:14 today's 25:3 tomorrow 73:17 tonight 11:19 111:21 149:4 tonnelle 69:24,25 70:2,4,14 top 39:9 50:25 56:23 94:22 133:18 139:8 toss 131:13 total 13:23 37:11 39:18 40:2 41:3 46:4 81:23,25 totally 117:13 123:8</p>	<p>touch 22:14 41:4 56:6 63:11 touching 34:3 tough 138:10 tourists 91:19 town 7:4 12:5,9,18 63:14 77:7,24 94:10 132:9,14 townhouse 118:17 township 11:21 92:3 153:12,16,20 154:4 155:22 track 44:8 traffic 19:5 43:10,23 46:14 47:23 49:22 49:23 57:5,18,19,24 58:15,20 60:6 68:2 68:10,20 69:6,11 70:10,17 71:6 74:19 75:3 80:14 88:4 91:5,14,17 120:25 121:10,14 123:7,12 123:13,13,14,16 traffics 91:19 trailer 91:6 trailers 77:21 78:2 87:22 88:4,18,25 89:6 91:5,11 94:10 train 15:1 transcript 1:3 3:22 4:7 160:7 transit 80:10 trc 42:16 trees 40:5,9,13 41:8 44:24 45:15,18,23 48:18 74:12 82:6,7 82:10,11,18,19,24 83:1 85:21 112:22 tridente 1:17 27:8 70:23 71:1,8,13 117:11,21 143:18 143:20,22 144:14 144:21 150:16,24 tried 69:2</p>	<p>trucks 24:7,9,11 88:11,12,13 91:24 true 30:24 103:4 160:6 try 68:14 138:15 149:25 trying 67:7 84:21 turn 6:9 41:17 42:8 42:14 61:16 62:20 66:14,16 68:10,19 68:21,24 69:8,9,23 70:2,10 72:25 88:8 134:23 137:22 turns 68:5,7,8,11 72:20 138:4 two 21:6,15 22:12 22:13 41:2 42:3,12 42:14 44:11 45:6 49:25 51:24 68:12 73:18 86:2 91:19 93:6 115:1,22 124:20 133:12 134:4 136:12,17,25 137:18 138:24 140:12 141:13 twofold 136:22 tying 94:19 type 20:19 49:6 53:21 55:12 75:8 98:16 109:14 110:3 typically 49:3 54:7 55:3 127:17,21</p>
u			
<p>u 19:13 115:8,8 ugaz 114:12,14,15 115:7 131:24 132:3 133:2 134:5,8 135:24 136:7,11,16 137:1,8 138:13,22 140:7,23 141:3,23 142:3,9,12,16,20,25 143:4,7 144:19 145:15 147:7 148:12 149:23</p>			

<p>150:6,12 153:2 uh 151:17 ultimate 109:20 ultimately 109:2,9 109:18 unanimously 31:16 unchanged 28:8 underground 44:9 undermining 131:17 underneath 94:20 102:21 135:20 139:17 understand 8:5 31:23 32:23 34:12 34:17,18,22 50:9 54:25 56:22 83:15 93:18 96:5 106:25 128:23 137:3 138:13 understanding 16:17 27:1 31:13 32:4 120:4 121:21 150:18 understands 149:3 understood 8:11 106:12 128:11 undertaking 70:15 unfortunate 107:24 unfortunately 7:7 90:23 125:14 uniform 47:23 union 124:3 153:9 unit 24:25 142:18 units 126:20 university 78:16,17 unlicensed 20:1 unload 39:25 unobstructed 46:1 unusual 54:9 update 125:4 updated 6:24 upper 68:15 71:4 136:3</p>	<p>upstream 84:11 usage 146:14 use 21:13 26:7,9 27:6,11 29:15 36:8 53:4 85:3 135:4,4,6 135:9 144:1,9 usually 141:12 utilities 44:15,19 146:22 utility 44:13 utilized 70:11</p> <hr/> <p style="text-align: center;">v</p> <hr/> <p>v 35:19 vacant 62:8 143:3 vague 73:21 valbar 114:17 varies 14:9 89:2 various 81:7 vary 89:8 vegetation 85:25 vehicles 61:23 67:8 71:3 velocity 96:14 verify 56:17 version 58:4 vice 1:10 6:9 77:12 view 31:7 83:9 100:19 virginia 57:13 visual 84:22 voiced 43:1 void 25:16 26:13 150:21 volkswagen 20:24 38:16 vote 5:2 7:21,24 9:25 10:3 12:12 18:3 76:25 114:7 148:1 152:24 158:9</p> <hr/> <p style="text-align: center;">w</p> <hr/> <p>waiting 59:23 60:6,9 66:5 wal 77:22,25 78:4 80:15 87:24 88:9,18</p>	<p>103:2 walk 15:1 walking 71:10 wall 72:3 140:21 141:24 want 5:24 6:5 30:10 34:5 53:15 55:23 58:21 62:14 67:13 73:24 100:7 110:18 114:18 116:5 117:12 124:7 132:23 133:2 145:23 149:2,22 157:4 wanted 8:10 14:12 88:21 104:18 107:4 124:25 127:12 135:16 149:9,19 wants 13:6 30:8 52:20 141:5 warranted 71:11 wash 56:21 washington 120:18 water 44:16,17 79:21 81:13 93:9,11 96:24 102:23 waterfront 85:3 92:20 way 13:8 21:15,16 44:23 45:1 49:14,17 50:11,11,22 51:1,5 51:18 52:3,25 53:4 53:4 56:12,13 67:14 69:13 74:11 75:1 85:2 102:24 117:16 117:17 118:14 121:22,25 122:5,10 122:11 124:20 125:6 126:15,24 133:6,6,15 134:13 134:13 140:13 144:8,9,9 146:1 147:15,19 148:7 149:18</p>	<p>ways 21:15 145:7 we've 105:17 web 69:15 wednesday 2:3 week 7:6 66:2 weekday 58:10 weekdays 59:10 weeks 36:14 welcome 18:15 73:23 158:10 went 27:23 102:4 127:8 west 38:8 83:7 84:13 westbound 91:24 wetland 92:19 wetlands 79:22 81:11,12 85:3 93:19 96:23 whatsoever 65:24 white 82:10 129:23 wholly 123:9 wide 16:2 42:7,9,10 45:23,23,24,25 46:6 46:7 50:2 95:12,14 95:16 133:16 widening 97:3 wider 96:20 140:10 width 13:25 14:9 42:7 46:24 50:1 137:14 willing 53:7 72:17 86:6 111:10 wind 55:21 window 122:14 windows 121:16 122:5 wireless 153:8,11,15 153:19 154:2 155:10,13,17,21 wise 56:6 wish 104:5 wishes 6:19 witness 16:8 19:7,15 23:10,15,21 24:2,17 27:20 28:1 35:6</p>
--	---	--	--

<p>37:6,11,24 38:4 41:14 42:3 43:17 44:6 45:4,22 46:5 46:12,22 47:8,12,15 48:6,12,15,21 49:1 49:19 51:24 52:17 53:18 54:1,6,14,20 54:25 55:3,13 56:7 56:17,21 57:3,4 59:8 60:18 61:4,13 62:4 65:16 66:25 67:22 69:15,23 72:3 73:6 79:18 80:5,8 80:16,24 83:5,8,12 83:20 84:2,7,15,17 84:23 85:7,11 86:19 86:24 87:15 88:3,13 89:15,18 91:15 92:5 92:18,23 93:6,24 94:22 95:2,5,8,10 95:13,15,19 96:15 96:22 97:4,8,11,16 97:24 98:11,15,18 98:25 99:4,10,14,19 99:24 100:5,14,20 100:22 101:9,16,20 101:24 102:4,19,23 103:3,8 105:10 110:6,22 115:10 116:23 117:8,14 118:3,9,13,18 119:2 119:12 121:5 123:18 124:1,5,11 124:16 125:21 126:3,6,11,22 127:1 127:6,9,17 128:3,8 128:11,19,22 129:1 129:10,17,22 130:4 130:17,20,24 131:6 131:20 132:5 133:8 133:11,18,24 134:12,20 135:6,10 135:13,21,25 136:5 136:15,21 137:5,12 137:18 138:1,4,8,14</p>	<p>138:20,23 139:10 139:14,18,21 140:2 140:6,22 143:13,16 144:20,25 145:6,9 145:14,16,19 146:16,20,23 147:22 149:13 woman 127:20 wondering 117:16 117:17 148:13 wood 129:3 words 28:2 88:7 128:24 130:14 work 49:16 55:25 62:13 71:5 75:15 95:18 108:20 116:1 125:6 126:15 130:8 135:2 138:17 145:4 145:25 147:15,18 149:17 worked 42:15 68:1 90:5 127:18 working 69:4 works 65:9 worried 61:5 wraps 22:11 writing 30:9 wrong 32:5 52:13 55:16 141:17</p>	<p>141:23,24 142:3 149:20 year 7:1 36:18 44:12 78:1 88:24 98:22,24 99:2,9,16,17,18 131:3,3 146:12 years 19:24 20:1,2 26:2 36:2 53:2,2 57:16 78:20 124:13 127:19 128:13,17 129:16 132:8,10,13 139:4 yellow 66:11,14 67:2 75:4 129:23 yep 144:19 yesterday 107:18 york 71:19</p>
	x	z
	xi01435 160:13	<p>z 115:8 z3 45:4 zones 120:13 zoning 1:17 29:17 31:15 32:15 57:17 114:20 115:14 117:4 118:19,24,24 120:2 122:9,19,23 122:25 125:24 127:5,5,6,8,19,21,22 128:6 143:10 149:14 150:11 151:3,6,9,22</p>
	y	
	<p>y 35:19 57:7 yeah 37:3 41:22 44:2 46:6 48:11 63:2 67:16,16 80:16 82:25 83:6 84:2,7 84:17 85:7,11 86:24 89:19 93:24 95:2,15 96:22 97:4 98:11,25 99:11,14,20,24 100:14 101:16,17 102:23 103:3 105:6 110:22 131:6</p>	