

BOROUGH OF POINT PLEASANT
ZONING BOARD OF ADJUSTMENT

-----x

IN THE MATTER OF:

Case No. 20-07
R2T2, LLC
2613 Lakewood Road
Block 45, Lot 1
Site Plan

TRANSCRIPT
OF
PROCEEDINGS

-----x

Wednesday, February 24, 2021
Point Pleasant, New Jersey
Commencing at 8:14 p.m.

BOARD MEMBERS PRESENT:

CORTLAND COLEMAN, Chairman
ELAINE PETRILLO, Vice Chair
ROBERT NIKOLA
PAMELA MASTERSON
JAMES GIORDANO
ADAM HUTCHINSON
JAMES SHREWSBERRY
JOSEPH VENI
VALERIE COULSON

A P P E A R A N C E S

SEAN GERTNER, ESQUIRE
Attorney for the Board

MARKS & KLEIN, LLP
BY: MATTHEW J. CERES, ESQUIRE
Attorneys for the Applicant

PRECISION REPORTING SERVICE
(908) 642-4299

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

2

SHARON MORGAN, Secretary

3

RAY SAVACOOOL, T & M Associates

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

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

TABLE OF CONTENTS

WITNESS:

MICHAEL DIPPLE

Examination by Mr. Ceres	Page 7
Examination by the Board	(Throughout)
Examination by the Public	Page 79

SCOTT KENNEL

Examination by Mr. Ceres	Page 62
Examination by the Board	Page 66
Examination by the Public	Page 79

ANDREW JANIW

Examination by Mr. Ceres	Page 105
Examination by the Board	(Throughout)

EXHIBITS

A-7	Full Site Plan	Page 8
A-8	Colored Site Plan	Page 9
A-9	Ryan Carney E-Mail	Page 22
A-10	Aerial Photograph	Page 109
A-11	Photo Board	Page 110

1 CHAIRMAN COLEMAN: Okay. We're
2 going to go ahead and call the meeting
3 back to order. Okay. Let's go ahead and
4 call the meeting back to order. Thank
5 you, Ms. Morgan, with our applicant, our
6 staff, our residents.

7 So next up we have 20-07, R2T2,
8 LLC, block 45, lot 1 at 2613 Lakewood
9 Road for a use variance, site plan and
10 bulk variances.

11 Counselor, take it away.

12 MR. CERES: Thank you,
13 Mr. Chairman, and Board members. Just as
14 a quick recap, we've been here a couple
15 of times. We've -- my client has heard
16 the Board and the public's comments.
17 We've revised the plans once again to try
18 to alleviate some of your concerns and
19 hopefully come to a compromise that
20 everybody can live with.

21 Just as a brief recap, we are
22 still proposing a 24-unit multifamily
23 development with associated parking and
24 site improvements. The proposed physical
25 improvements for the site include the

1 removal of the existing buildings and
2 swimming pool, the construction of an
3 approximately 33,650-gross-square-foot
4 building containing 24 units that will
5 consist of four one-bedroom and twenty
6 two-bedroom units, ancillary stormwater
7 management improvements, landscaping,
8 lighting, parking, and other associated
9 site improvements on the property located
10 at 2613-2615 Route 88, block 45, lot 1,
11 which is in the general commercial zone.
12 It's the underlying zone consisting of
13 0.9 acres and the property is also
14 located in the affordable housing overlay
15 zone.

16 With that, going forward, we are
17 seeking a few variances. There's a use
18 variance and then multiple design
19 waivers, which my professionals will go
20 into further detail as I call them up.

21 Right now I would like to call
22 Mike Dipple, who is our engineer for the
23 project.

24 CHAIRMAN COLEMAN: Very good.

25 MR. GERTNER: Mr. Dipple.

1 M I C H A E L D I P P L E,
2 having been duly sworn, was examined and
3 testified as follows:

4 MR. GERTNER: Can you give us
5 your full name, spell your last, and your
6 affiliation. You've previously been
7 sworn?

8 THE WITNESS: No, I haven't.

9 MR. CERES: No, it's a different
10 engineer.

11 MR. GERTNER: I'm recognizing
12 you from another place then. I
13 apologize.

14 So then the Chairman will voir
15 dire you regarding your qualification.

16 THE WITNESS: Yes. Okay. My
17 name is Michael Dipple, D-I-P-P-L-E.
18 Excuse me. I'm affiliated with L2A Land
19 Design LLC. We have offices at 60 Grand
20 Avenue in Englewood, New Jersey.

21 I'm a licensed civil engineer
22 with a bachelor of science in civil
23 engineering from Rutgers University.
24 I've been doing this for almost 30 years.
25 I have testified in hundreds of

1 municipalities. I have not yet had the
2 privilege to be here.

3 MR. GERTNER: Welcome.

4 THE WITNESS: Thank you very
5 much.

6 CHAIRMAN COLEMAN: Board
7 members, do we accept his professional
8 credentials?

9 COMMISSIONER MASTERSON: Yes.

10 CHAIRMAN COLEMAN: Yes.

11 THE WITNESS: Thank you, Mr.
12 Chairman.

13 DIRECT-EXAMINATION

14 BY MR. CERES:

15 Q. Mr. Dipple, to try to put this in two
16 ways, you have -- is it correct that you've
17 reviewed the previously submitted plans?

18 A. I have, yes. They were prepared by
19 InSite and I've taken a good look at those.

20 Q. And you have made a revision to those
21 plans which is the plan that we have before the
22 Board that was submitted to them about 12 days
23 ago?

24 A. That is correct. The applicant
25 engaged in new architecture and we have now

1 engineered a new plan based upon the new
2 architectural layout, site layout.

3 Q. Is it correct that you've reviewed the
4 township ordinance?

5 A. I have, correct.

6 Q. Without any further ado, please take
7 it away describing what we have changed and how
8 we have tried to accommodate the Board's and
9 public's concerns and questions.

10 A. All right. So I have --

11 THE WITNESS: Can I speak
12 without the mic? Is that okay?

13 MR. GERTNER: Well, no, because
14 it has to carry outside.

15 THE WITNESS: Oh, you're right.
16 Okay.

17 A. So on the board I have my full site
18 plan, preliminary and final major site plan,
19 Whalers Point proposed multifamily building. I
20 think you've heard a lot of testimony about
21 this.

22 MR. GERTNER: Mark that.

23 THE WITNESS: Do you want to
24 mark it?

25 MR. CERES: What are we up to?

1 SECRETARY MORGAN: A-7.

2 MR. GERTNER: A-7 and let's use
3 today's date.

4 THE WITNESS: Today is February
5 24th.

6 MR. GERTNER: Thank you.

7 THE WITNESS: 2021.

8 A. So it's a full set of plan. It
9 consists of 13 sheets: C-01 through C-13.

10 Again, I don't believe I need to give
11 the background. I think this is a few hearings
12 in and we have a new plan of where the site is
13 and what the neighborhood is like. Obviously we
14 front on Route 88, Curtis, and Austin to the
15 rear.

16 So I'm going to bring up -- I guess it
17 will be Exhibit A-8. And I'll skip all the
18 details and go right to the colored. So I will
19 mark this A-8. And it is a colored version of
20 the site plan, and I'm going to date that
21 2/24/21. It's a colored version of the site
22 plan, sheet C-04. It is dated February 8th,
23 2021. And I have added the landscaping from the
24 landscaping sheet. And, of course, we added the
25 color just to make it easy for the Board to see

1 from a distance.

2 So on this sheet you can see Route 88
3 on the bottom. It's oriented the same way the
4 prior site plan was. North is to the top. You
5 have Curtis coming up here in kind of a
6 northeasterly direction; Austin in the rear.

7 So the proposal now is to have this
8 single building with three -- three-story
9 building, 24 units. Again, four one-bedroom,
10 twenty two-bedroom. And parking underneath part
11 of the ground floor. We have 23 parking spaces
12 proposed beneath the ground floor. Seven of
13 those are what I'll refer to as "tandem spaces,"
14 and I'll get into that a little bit more. So
15 there's parking essentially for 16 of the units
16 below. There are 23 parking spaces.

17 There's a drive aisle that comes in
18 off of Austin Avenue. Per my review of the
19 prior application -- or the prior site plan, I
20 should say, there were driveways, if you'll
21 recall, coming in off of Curtis. So they have
22 been entirely eliminated.

23 We still have access coming in off of
24 Route 88. It's one way in, coming into the
25 parking lot. We have parallel -- or, I'm sorry,

1 perpendicular spaces. As you move in a westerly
2 direction, and then you take a slight turn and
3 you head towards Curtis where we have
4 perpendicular spaces, and then you have a
5 full-movement driveway out onto Curtis.

6 We have a trash enclosure, kind of to
7 what we're calling the rear or side, depending
8 on how you look at it, but it's the side yard
9 here next to lot 4. Then we have a few parking
10 spaces; the ADA-accessible spaces and a couple
11 more. We're proposing a total of 47 parking
12 spaces. We require 47 parking spaces by your
13 ordinance. That is 1.8 per unit for a
14 one-bedroom and 2.0 for a two-bedroom. Total
15 that up and you get 47.2. By your ordinance I'm
16 allowed to round down, so we have 47 proposed
17 parking spaces on the site.

18 There is some sidewalk access around
19 the site: Sidewalks along Route 88, sidewalks
20 along Curtis, along Austin connecting to the
21 existing sidewalks, some internal sidewalks. We
22 have, you know -- I'm going to -- you're going
23 to hear more from the architect about the
24 building, but I can just give you some of the
25 highlights.

1 There are a number of stairways in the
2 building that you would access, you know, some
3 of the upper floors. And he can give you a
4 little more flavor on the building itself, but
5 we have a few access points coming in off of
6 Curtis where pedestrian access could access the
7 upper floors above the parking and the upper
8 floor above the residential that is on the
9 ground floor.

10 So I think that is a good picture of
11 the overall site. Obviously the green area is
12 the landscaping and, you know, the brown
13 represents the building. We have landscaping
14 along Curtis Avenue. We kind of changed that a
15 bit, tried to make it more interesting with some
16 birch trees and whatnot.

17 But if you'd like, I can go through
18 our zoning compliance table. Is that what you
19 think we're up to?

20 Q. Yeah. Well, let's start -- let's go
21 back and forth with it.

22 Have you reviewed the review letter
23 prepared by Mr. Savacool?

24 A. I have, yes.

25 Q. Are there specific comments in the

1 letter that you would like to address?

2 A. There are a number of comments. I
3 think, as my testimony continues, I can get to
4 that. I think we will hit on a few issues when
5 we go through the zoning. But Mr. Savacool has
6 some comments regarding lighting and landscaping
7 and drainage and we'll get to those.

8 Q. What I'm trying to get to specifically
9 is the frontage calculation that will tie into
10 our zoning so that we can --

11 A. Okay.

12 Q. -- patch it out and move forward.

13 A. So Mr. Savacool has brought up lot
14 frontage being 150 feet required, where we have
15 249 feet along Route 88 and that is compliant.
16 We have 291 feet along Curtis and that is
17 compliant. We have only 134.2 feet along Austin
18 and that is an existing nonconformity.

19 So that is outlined in Mr. Savacool's
20 table which appears on sheet 3 of his letter as
21 we go down that zoning table. None of those
22 change, obviously, but that is a summary of the
23 proposed lot frontage.

24 Q. Would you please discuss further which
25 is considered a front yard, which is a side yard

1 and which is a rear yard?

2 A. So we've had -- I know this Board
3 perhaps has had some debate and reading the
4 ordinance it may not be entirely clear, but I'm
5 going to try to describe front yards, side yards
6 and rear yards.

7 So your ordinance has a section for
8 corner lots and also has a section for through
9 lots. If you have a -- if you call this a
10 corner lot, we see a 50-foot setback along Route
11 88. We're calling that the frontage. I don't
12 think anyone argues that point that Route 88
13 would be a front yard.

14 Your ordinance gets a little bit
15 confusing when it comes to the other yard that's
16 on -- or the other street that's on a corner lot
17 where they allow the 15-foot setback.

18 Mr. Savacool has said that that would be a --
19 I'm going to get it right. He also calls it a
20 50-foot setback, but I think we've agreed to a
21 30-foot setback as a side yard. And I'll get to
22 that reason.

23 And then Austin Avenue, which I
24 believe has been called out as a front yard,
25 too, at 50, we believe would really be a rear

1 yard. And no matter if it's a through lot or a
2 corner lot, that would be a rear yard which
3 would be a 30-foot setback.

4 So we have shown a 50-foot setback, a
5 15-foot setback for the corner lot, and a
6 30-foot setback at the rear. And, of course,
7 this yard over here, to the east along lot 4,
8 was always a side and we show it as a side.

9 So --

10 Q. Mr. Dipple, let me ask you this: The
11 way we showed it, was that based on any
12 conversations that you or someone in your employ
13 had with a member of the township?

14 A. Yeah. We spoke to Mr. Kevin Burke
15 because we were a little bit confused about it.
16 We had the prior plans. We weren't quite
17 getting the same calculation. So Mr. Burke
18 indicated that, yes, ADA is -- in Point Pleasant
19 there is only one front yard and that would be
20 Route 88. So we always had it as a 50-foot
21 front yard.

22 And then he said that the other yard
23 would be a rear yard. And I'm reading an e-mail
24 that he sent to someone who's employed by my
25 firm, or at least was. He just left. But the

1 rear yard would be to Austin and we show that as
2 a 30-foot rear yard.

3 And then there was a question about
4 Curtis, as to whether that's 15 or whether
5 that's 30. And I think he agreed that we should
6 show it as a 15 because of the corner lot. So I
7 think we're kind of caught up between corner lot
8 and through lot. And I see Mr. Savacool's
9 letter and he explains exactly that. I have
10 that section of the ordinance with me.

11 And I fully understand, but the
12 question is I think the way I see it is, is this
13 a corner lot or is this a through-lot? A
14 through lot to me has always been one with
15 frontage here and frontage there and the lot
16 goes all the way through. And then what do you
17 do with the two front yards? Because, let's
18 face it, someone's home would likely face one of
19 the houses and they would have a rear yard in
20 the back. So that's a typical through lot. We
21 see that all the time, especially in residential
22 situations.

23 I think you could argue this is a
24 corner lot and that should be a 15-foot setback.
25 We do comply with 15. We show -- we do show a

1 15-foot setback from Curtis and that occurs
2 right here. There's a little awning over the
3 top of the set of stairs and we show a 15-foot
4 setback. I think that's where we are on it.

5 MR. GERTNER: So, if I may, and
6 then I'll -- so you indicated, and
7 Mr. Savacool raises the point, I perceive
8 at point 5 of his -- I think that's page
9 4 of his letter, number 5.

10 THE WITNESS: Yes.

11 MR. GERTNER: Do you feel like,
12 at least at this point, until
13 Mr. Savacool starts to opine, that you
14 addressed his point?

15 THE WITNESS: Yeah, I think
16 we've -- I think I've presented the --
17 maybe the ambiguity that's there. I
18 think that -- I can say, though, maybe --
19 I can say that we comply with the 50, so
20 in terms of compliance and how we
21 interpret it. We also comply with the 15
22 if that was considered the corner lot.

23 And, again, if I -- if you don't
24 mind, if I read the corner lot. "In the
25 case of a corner lot, the setback of one

1 portion of the building must conform to
2 the front setback of one of the adjacent
3 streets." And the other side -- other
4 side of the building adjacent to the
5 other street must be 15 feet from the
6 property line. That's your ordinance.

7 It does go on in section 2A, I
8 think it's -- I'm sorry, C-2A, possibly,
9 to talk about a through-lot and in that
10 case both should be sides and that should
11 be a rear.

12 So I fully understand that. I
13 just can't ignore Curtis and the fact
14 that it is on a corner.

15 So that's my take.

16 COMMISSIONER GIORDANO: I know
17 it's confusing because I'm confused too.
18 But can you help me with this? On what
19 section is the 15-foot alternative side
20 yard -- alternative front yard setback?
21 Is that in the GC zone or is that in the
22 overlay zone?

23 THE WITNESS: So that's in the
24 general district regulations. That is in
25 Section 19 -- 19-3 -- 19-5.3 --

1 MR. CERES: It applies to all
2 property in the town, not to a specific
3 zone. It's your definition of how you
4 define a corner and a through lot.

5 COMMISSIONER GIORDANO: Would
6 you agree with that?

7 MR. SAVACOO: Yes. So there is
8 some ambiguity there and I kind of
9 lengthily spelled it out there in item 5
10 of my letter and, certainly as provided
11 by Mr. Dipple, it is in the general
12 district regulations. So that indicates
13 that, you know, a major street or the --
14 there's another criteria, would be the
15 front. The applicant indicates that
16 that's the case and then the other side
17 yard would be 15.

18 My question is when I go to the
19 affordable housing overlay zone, the
20 affordable housing overlay zone lays out
21 the yard, the area, yard, and building
22 requirements for multifamily developments
23 as to -- as to all bulk criteria. Their
24 minimum front yard setback is 50 feet in
25 the multifamily affordable housing

1 overlay zone.

2 THE WITNESS: Right.

3 MR. SAVACOO: So my thought on
4 that is, does that actually -- is that
5 more specific to the overlay zone and to
6 a proposed multifamily dwelling in that
7 overlay zone and, therefore, it
8 supersedes any general district
9 regulation that might be in another part
10 of the ordinance?

11 MR. GERTNER: And if I may add
12 to that. And, obviously, if anyone,
13 including our own professional,
14 disagrees, but arguably the var -- the
15 variance that's being requested, right,
16 would -- any bulk variances or waivers
17 that come along with that are basically
18 intertwined in the "D" variance in any
19 event.

20 So what I'm -- that's a
21 backwards way to get to where I
22 respectfully agree with Mr. Savacool, is
23 that if your -- if your base -- if the
24 app -- my opinion. If the applicant is
25 basing their request -- and, quite

1 approach, but this way if the proofs are
2 on the record, there is no ambiguity at
3 that point because the applicant rests on
4 its proofs to support the criterion.

5 THE WITNESS: I -- I appreciate
6 that. I will say we, again, reached out
7 to your zoning officer, Mr. Burke, and
8 that this is the way that it was
9 interpreted. And we brought that up and
10 we said -- and I think Mr. Burke was
11 aware of this confusion. I didn't speak
12 to him directly, but I have a summary
13 e-mail from my former employee, so...

14 MR. GERTNER: Why don't you
15 submit that because I don't know if we
16 have it. You're referring to it.

17 THE WITNESS: Okay.

18 MR. GERTNER: It would be a
19 government record.

20 THE WITNESS: Okay. Yeah.

21 MR. GERTNER: So why don't you
22 mark that A-9.

23 THE WITNESS: All right. I have
24 a copy of it.

25 MR. GERTNER: Please.

1 THE WITNESS: Can I just read
2 the rest of it? It's, like, Hey, Mike,
3 how's the kids? You know, it's -- I'm
4 joking. Yeah. No, there's just one
5 paragraph and the rest just talks about
6 the project itself and what we're doing.
7 The gentleman's name is Ryan Carney. He
8 literally just left my office.

9 MR. GERTNER: It's a business
10 record from your perspective; it's a
11 government record from ours.

12 THE WITNESS: Yes.

13 MR. GERTNER: It's been marked.
14 It's not hearsay.

15 SECRETARY MORGAN: Do you need a
16 copy?

17 THE WITNESS: No, I don't think
18 so.

19 MR. CERES: You can send me one
20 tomorrow. If you need me to drop off
21 copies tomorrow, I can.

22 SECRETARY MORGAN: I can make
23 copies.

24 MR. CERES: Okay.

25 SECRETARY MORGAN: Do you want

1 this, Sean? Do you want to see it?

2 MR. GERTNER: Sure.

3 MR. CERES: Here.

4 SECRETARY MORGAN: Thank you.

5 A. So I think, Matt, maybe I continue
6 through the zoning table?

7 Q. Yes, please.

8 A. So I'll just continue through the
9 zoning table since we have the exhibit up and
10 I'll just show compliance. So I'm just going to
11 go back a little bit. I'm sure you've heard
12 this before. Municipal lot area, we comply.
13 Lot width, we comply. And we have the --

14 MR. GERTNER: Whoa. Hold on.

15 Hang on. Hold on. See, this is why I
16 like to see what we're talking about
17 here. So I just want to make sure what
18 we have is clear. And I'm not doubting
19 what you're say --

20 THE WITNESS: I understand. I
21 know what you're going to say.

22 MR. GERTNER: So this is really
23 a confirmation e-mail of the
24 discussion --

25 THE WITNESS: Yes.

1 MR. GERTNER: -- that was had.

2 MR. CERES: Correct.

3 MR. GERTNER: So it's a business
4 record, but it's not quite at the same --
5 it's not Mr. Burke saying X.

6 Let me show it to Mr. Savacool
7 because he'll do a far better job than I
8 to determine that -- to determine that.
9 Thanks.

10 MR. CERES: So --

11 MR. GERTNER: Hang on.

12 MR. CERES: Sorry.

13 MR. GERTNER: Because I want to
14 make the record clear.

15 MR. CERES: Sure.

16 MR. GERTNER: No one's
17 questioning -- and I want to make
18 that clear. It's not an issue -- it's an
19 issue of presentation, not credibility.
20 I just want to make the Board aware of
21 that as well. Because it is admitted by
22 our own professional that there's
23 ambiguity to this. So I don't want
24 people to take anything the wrong way,
25 but it's an -- it's an important issue to

1 articulate because -- because of the
2 ambiguity.

3 So I would respectfully suggest,
4 as well, that -- your argument is made; I
5 hear what you're saying. But why
6 don't -- you can do what you want. It's
7 your case. But if you just talk about if
8 there are any detriments and how they're
9 otherwise related to design. That way
10 you're covered on the record, too, as
11 well.

12 THE WITNESS: I will do my best
13 with that, Mr. Gertner. We do have a
14 planner on the team.

15 MR. SAVACOOOL: I'll give this to
16 Sharon.

17 SECRETARY MORGAN: Thank you.

18 MR. SAVACOOOL: Yeah. So
19 essentially that's a former engineer in
20 his office indicating what Mr. Burke
21 indicated or said.

22 THE WITNESS: Yes.

23 MR. SAVACOOOL: It's not
24 Mr. Burke saying -- you know, it's not
25 directly from the horse's mouth so...

1 THE WITNESS: I agree.

2 MR. SAVACOO: But that's the
3 indication.

4 MR. GERTNER: But do you take
5 any exception to the facts on the ground,
6 of what it -- so to speak, of what it's
7 reiterating?

8 MR. SAVACOO: So, in essence,
9 what it says is a lot can only have one
10 front and a side and a rear. I would
11 have to -- I would have to find some
12 specificity in the office, in the -- in
13 the ordinance to substantiate that.

14 Generally speaking, when I look
15 at any lot, even one that admittedly is
16 encumbered like this with three fronts, I
17 generally look at that. And most
18 ordinances -- and certainly I work in
19 several towns, so I'd rather find it in
20 the ordinance and say I know the
21 ordinance by heart -- that the setback
22 generally applies to all your front
23 yards.

24 Now, certainly we've already
25 been pointed out that there is a front

1 yard on a corner lot, there's a front
2 yard, and then there's the other than the
3 front yard which has a lesser
4 requirement. And that's in the -- that's
5 in the general -- general district
6 regulations which then applies to all the
7 zones.

8 And this is a -- is a corner lot
9 and it's a little bit more than a corner
10 lot. So does it apply also to Austin?
11 And you can say, ah, well, Austin's
12 really a rear. Well then why -- we
13 understand why Austin's not a front or
14 front by the ordinance, so I don't know.

15 MR. GERTNER: So we admit that
16 it's a --

17 MR. SAVACOO: It's -- correct.

18 MR. GERTNER: There's an
19 ambiguity. There's no doubt about that.

20 THE WITNESS: And.

21 MR. SAVACOO: And I think
22 really the reason I brought it up is I
23 think it's more for the Board to consider
24 and to mull over and to take into
25 consideration as part of the overall

1 fabric of the application.

2 MR. GERTNER: Which is why I'm
3 trying to draw out from you some of the
4 additional proofs. That's all.

5 COMMISSIONER GIORDANO: Ray,
6 what is the maximum height, if you have
7 the ordinance there, in all the
8 general -- in all the -- maximum height
9 in all of the districts we have? I mean,
10 we have residential. We have GC. I
11 think it's 35 feet, right?

12 MR. SAVACOOOL: Yeah, I believe
13 so. Yes, 35 in the commercial,
14 multifamily, town center, waterfront,
15 neighborhood commercial and general
16 commercial is 35.

17 COMMISSIONER GIORDANO: Okay.
18 That's all the districts. But this is an
19 overlay.

20 MR. SAVACOOOL: Correct.

21 COMMISSIONER GIORDANO: And in
22 the overlay zone, the council
23 specifically granted a higher height: 41
24 feet.

25 MR. SAVACOOOL: Forty-two, yes.

1 COMMISSIONER GIORDANO: Forty-
2 two feet.

3 So, and what it specifically
4 said -- and I agree with your
5 interpretation because there's a lot of
6 ambiguity here. But, in my view, because
7 of the higher height, there was no
8 intention to use the 50-foot and the
9 other front yard being 15 foot that you
10 find in the general district regulations.
11 Because the alternate height in all the
12 other districts is 35. Now we're up to
13 42 and we have a 15-foot side yard --
14 front yard setback with a 42-foot-high
15 building.

16 MR. CERES: I would like to
17 address that for part of this, too. If
18 you guys remember -- and I understand
19 that we're trying to interpret what the
20 council meant when they did this, but you
21 have to bear in fact that the main part
22 of the overlay zone was to permit
23 residential use in a commercial zone. It
24 wasn't to make more stringent setback
25 requirements. The main goal of the

1 overlay zone was to permit residential in
2 a commercial.

3 COMMISSIONER GIORDANO: The
4 overlay zone said 50-foot setback. It
5 only mentions a 50-foot yard setback.

6 MR. CERES: Right, but it
7 doesn't say -- it doesn't say, oh, we
8 ignore the whole rest of your ordinance
9 that has definitions.

10 COMMISSIONER GIORDANO: Yes,
11 understood.

12 MR. CERES: Thank you.

13 A. Okay. Well, I think what I can do is
14 I can explain where we are with Curtis Avenue.
15 So we are actually set back 15 feet, but, again,
16 that is to an overhang, but we've measured it to
17 the 15 feet. The bulk of the building is either
18 20 or 25 feet back from Curtis with some of it
19 being further. I don't have it measured here,
20 but looking at that, I would say it's probably
21 about 28 feet back.

22 So this line back here, because
23 there's fenestration in the building and it kind
24 of weaves back and forth, at its closest 15,
25 just for an overhang, the bulk of it is no

1 closer than 20.

2 And what we were able to do is provide
3 a pretty substantial green area here and then
4 we've created an interesting landscaped area
5 with some tall birch trees and whatnot. And we
6 had some assistance from a landscape architect
7 who kind of designed something there with small,
8 little retaining walls to bring up the grade a
9 little bit and kind of create that buffer to
10 Curtis.

11 So that's really -- these tall trees
12 are meant to shield not only the parking and, as
13 the grade comes up, to shield the parking below,
14 because the grade will be higher. So the
15 grade's actually up a few feet above the parking
16 level the way I have it designed. I haven't
17 gotten to the grading yet. But that allows us
18 to kind of hide the parking and soften the
19 building.

20 This site has -- or this portion of
21 the building, rather, has three stories so that
22 is lower. But as you work your way back to
23 Curtis, you're actually transitioning the
24 building. It could have the appearance of
25 getting slightly smaller because of the raised

1 grade, the tall trees in front.

2 So we have tried to mitigate that
3 building and its distance from Curtis and its
4 height. Even though we comply with the height,
5 we are -- we are somewhat aware of that as we go
6 down Curtis Avenue and we're trying to mitigate
7 that somewhat.

8 So regardless of, I think, the way we
9 identify the 50 feet, the proposal is 15
10 minimum, really 20 to 28, let's say, and then --
11 and then with the opportunity to put that green
12 space in, where right now you have this odd,
13 crazy parking area that you can just pull in off
14 of Curtis and you have this stone area across
15 the whole frontage of Curtis where the -- where
16 the little bungalows are.

17 So I think we're really trying to
18 improve this frontage along Curtis. I think the
19 applicant heard the concerns of the Board, at
20 least with the driveways and the parking and
21 tried and improved the situation. And I think
22 we've really done a substantial job in order to
23 do that and move the building back. Because
24 those buildings right now are 5.5-ish feet from
25 the right-of-way line. So now we're back -- in

1 a much smaller, obviously, but now we're back,
2 again, 20 to 28 with an overhang that hits a
3 setback of 15.

4 Continuing down the zoning table, we
5 have a side yard setback -- or we're identifying
6 a side yard; I've already talked about that --
7 15 on Curtis. And in the rear yard, rear or
8 front, Austin, it's this corner here of the
9 building which gets to be 8.24 feet from the
10 right-of-way. It's set back a significant
11 amount from the curb, but it is 8.24 feet by
12 your ordinance to the right-of-way line.

13 Maximum lot coverage, we comply. It's
14 70 percent permitted; we're at 66.13 percent.
15 So, again, we have an opportunity for some green
16 space. And I think you can see that from
17 this -- from this aerial versus today it's
18 really kind of a mix of asphalt and gravel and,
19 you know, a lot of building, a pool and a big
20 wall in the front and things like that.

21 Building height, you're absolutely
22 right. Three stories, 42 feet is permitted. By
23 the calculation -- and we do show that on the
24 plan -- we're at 41.46 feet so we comply with
25 the allowable height in the overlay zone.

1 And then maximum units per acre,
2 obviously I can introduce this, you're going to
3 hear more about this, 8 units to an acre.
4 That's 8.0, I'm sorry. And we are at 26.7 units
5 to an acre by the calculation. We have just
6 under an acre, 24 units. Just under an acre
7 gets us to 26.7.

8 Parking, I mentioned: 47, 47. And
9 then we have some design waivers for a little
10 sign we have in the front identifying the
11 Whalers Point project. And that's --

12 COMMISSIONER GIORDANO: Can you
13 talk about the tandem parking and why you
14 believe that's acceptable?

15 THE WITNESS: The, I'm sorry,
16 what parking?

17 COMMISSIONER GIORDANO: Tandem
18 parking.

19 THE WITNESS: Yeah, I meant to
20 circle back. So actually this tandem
21 parking is commonly done. I do a lot of
22 projects where the parking is underneath.
23 And because a building is typically about
24 60, 70 feet in width, you have an
25 opportunity to do an extra space. You

1 have that dead space ahead.

2 So a unit because -- and it
3 actually works very well for this
4 building because you have a lot of
5 two-bedroom units. So those are the
6 units that may have the two cars. A
7 one-bedroom could, but it's only -- it's
8 only seven of the units would have the
9 tandem space.

10 So if you have two cars, one car
11 is in front, one car is behind. Not
12 dissimilar to someone's driveway, like my
13 own at home, where if I park behind my
14 wife, I get a tap on the shoulder, Go
15 move your car. I got to get out and then
16 I have to move my car out. Not
17 dissimilar to that.

18 This is very commonly done with
19 multifamily apartments. It gives an
20 opportunity to provide the parking and we
21 don't have to have multiple spaces and
22 everything, use up multiple spaces. So
23 we are looking for the room and that's
24 how we achieve that.

25 COMMISSIONER GIORDANO: Yeah,

1 but it gives it an opportunity to provide
2 the parking if there's no other available
3 space. To me, you have half the building
4 that could also be utilized for
5 additional parking. That would alleviate
6 the need for the tandem parking.

7 And you'd have to agree that,
8 especially in the parking lot scenario,
9 it's not a good thing to have people
10 backing out into a parking lot to move
11 cars. You're creating more turnover.
12 You're creating more movement. Because
13 every time someone has to go to the
14 grocery store, Hey, honey, can you move
15 my car? Because I have to get out.

16 It's utilized when there's no
17 other opportunity. To me, you have an
18 opportunity because you have half the
19 first floor, ground floor, of the
20 building can be further utilized for
21 parking, which would also reduce the need
22 for the parking along Route 88 and
23 provide additional green space in that
24 location.

25 THE WITNESS: Well, I think

1 we're kind of redesigning the site and
2 the number of units, the size of the
3 building, the limitations we have.

4 COMMISSIONER GIORDANO: I think
5 you hit the nail on the head: The number
6 of units. Because of the number of
7 units, because of the density, that
8 you've decided or the applicant decided
9 to put in tandem parking, which is not
10 optimal, which is really not an optimum
11 parking arrangement in any scenario. I
12 don't care where it is. If it's in an
13 urban area, potentially, but not here.

14 THE WITNESS: Yeah, I have to --
15 I respectfully -- I'd say I respectfully
16 disagree, but this is very commonly used.
17 This is accepted under the RSIS standard
18 as a way to provide the parking.

19 COMMISSIONER GIORDANO: Commonly
20 used. Can you give me an example of
21 where you've employed this?

22 THE WITNESS: I did a -- I did a
23 large development in Cranford, which is
24 very suburban, and there were three
25 buildings and we had a lot of site area.

1 We could have used the site area. And
2 the developer chose to do the tandem
3 parking. He had a series of two-bedroom
4 buildings -- units in his building. And
5 it was done -- I would probably -- I
6 would probably guess that there were over
7 a hundred units that had the tandem
8 space. So if you rented the unit, you
9 would get the tandem space.

10 Now, they obviously work in more
11 urban areas. Without a doubt. We're not
12 an urban area. I don't want to bring --
13 but in Cranford, you know, we had a very
14 big lot. We had a lot of green space.
15 We reduced the impervious significantly
16 on that site and we chose to do the
17 tandem because they work.

18 So I don't -- I don't really
19 think the seven spaces -- and I will say,
20 if I can just address that part of your
21 comment. I don't think that the seven
22 spaces creates such a problem. Because
23 like I do when I back out of my driveway,
24 and I'm sure other people maybe on the
25 Board do, I wait in the car. I back up,

1 I wait till my wife's ready to go, she
2 pulls the car back out, we leave, I pull
3 back in, I'm forward. Hey, are you going
4 to be late? Okay. Then I'll move in
5 forward. I'll come in the front of the
6 driveway. So --

7 COMMISSIONER MASTERSON: Excuse
8 me. Are you in an apartment building or
9 in a private home?

10 THE WITNESS: No, I'm in a
11 private home. Yeah, I'm --

12 COMMISSIONER MASTERSON: It's a
13 lot easier when you're not coming down an
14 elevator from the third floor.

15 THE WITNESS: Okay. I don't --
16 I don't know -- I don't know. I'm just
17 doing the movement with the car. I'm
18 just -- I have to leave my house and go
19 out to my driveway in the cold so maybe
20 there's -- it's debatable, but I
21 understand.

22 COMMISSIONER PETRILLO: I have
23 two questions. The tandem spaces you did
24 up in Cranford, were they under a
25 building?

1 THE WITNESS: Yes, they were.

2 COMMISSIONER PETRILLO: They
3 were. And if you had to pull your car
4 out and your significant other needed to
5 get their car --

6 THE WITNESS: Yes.

7 COMMISSIONER PETRILLO: -- but
8 you needed your car and you didn't want
9 to wait for that person to come back or
10 have to jockey them, where are you going
11 to park then? In the first available
12 space, out on the street or just leave it
13 right in the middle of the parking area?

14 MR. CERES: I'm sorry, my
15 professional can't speculate to answer
16 that. It would be pure speculation on
17 his part.

18 COMMISSIONER PETRILLO: I
19 understand.

20 COMMISSIONER GIORDANO: Can you
21 answer the question as to why the
22 applicant -- and I'm not going to blame a
23 professional, but the applicant didn't
24 choose to provide typical parking
25 underneath the building, you know,

1 without the tandem parking?

2 MR. CERES: Because we went --
3 the applicant, in conjunction with its
4 professionals, reviewed the Residential
5 Site Improvement Standards, reviewed your
6 ordinance for the requirements for
7 parking, and this is the plan they came
8 up with to meet the requirements and
9 provide more open space.

10 Don't forget, we're lowering the
11 impervious coverage from what's even
12 existing. But even with this building,
13 we're still lower than what is currently
14 there today and that's part of the reason
15 of why.

16 COMMISSIONER GIORDANO: That's
17 debatable. You know, you keep bringing
18 that up.

19 MR. CERES: Well, okay.

20 COMMISSIONER GIORDANO: That's
21 very debatable. I looked at the survey.
22 The existing impervious surface, there's
23 a debate as to whether gravel, compacted
24 gravel, is open -- is impervious or not.
25 So that's a very debatable point you're

1 making, but we'll move on from it.

2 MR. CERES: Well, I would just
3 say that's every -- no review letter has
4 challenged our assertion of what it is.

5 MR. GERTNER: Mr. Dipple, if I
6 may follow up on the Cranford example.

7 THE WITNESS: Yes.

8 MR. GERTNER: Was the Cranford
9 site a permitted use at a permitted
10 density?

11 THE WITNESS: It was.

12 MR. GERTNER: So it was a
13 Planning Board app --

14 THE WITNESS: It was a
15 redevelopment very similar to this. And
16 it was planned, but it was a choice.
17 There's no question it was a choice. And
18 I guess -- I guess, Mr. Gertner, my
19 testimony is maybe this Board hasn't seen
20 it or it hasn't seen it often, but it is
21 very common. It is my testimony that it
22 is quite, quite common and we do find
23 that it works.

24 And I should remind the Board
25 that this is 7 of the 24 units have this.

1 It's not everyone who gets this. And you
2 can choose. And that resident is aware
3 of what they're getting. They're not
4 getting this by surprise. They are
5 getting this space and they are likely
6 assigned that space. And Mr. and
7 Mrs. So-and-So, or whoever it is, you
8 have these spaces and they work it out
9 just like I work it out. I mean, we do
10 work it out.

11 MR. CERES: Yes, they would be
12 assigned as part of the lease for the
13 space.

14 THE WITNESS: Yeah. And it's
15 only 7 of the 20 -- 24, rather. It's not
16 everybody. But it works with everybody.
17 The one in Cranford, everybody -- well, I
18 shouldn't say that. The two-bedrooms
19 have that, not everybody. Because there
20 are one-bedrooms that get one space and,
21 you know.

22 CHAIRMAN COLEMAN: I don't want
23 to belabor the point, especially on this
24 tandem parking, but are you aware of any
25 projects in Monmouth or Ocean County that

1 deploy this?

2 THE WITNESS: I'm sure there
3 are. I haven't worked on any
4 personally --

5 CHAIRMAN COLEMAN: Sure.

6 THE WITNESS: -- that are
7 multifamily that have that, but I would
8 be absolutely certain that there are.

9 CHAIRMAN COLEMAN: Okay.

10 THE WITNESS: Because,
11 Mr. Chairman, it is very common.

12 CHAIRMAN COLEMAN: All right.

13 MR. CERES: Mr. Chairman, if we
14 want to circle back to it later, my
15 planner is aware of it. So we can ask
16 him to touch back on it.

17 CHAIRMAN COLEMAN: Okay. That's
18 fine. I appreciate it. Thank you.

19 A. Okay. So that was the -- that was the
20 zoning. I think that's where we left off.

21 And then, if I could, I'd go back to
22 A-7, my site plan. And I'll just give you a
23 little kind of update on the engineering and
24 some of the other aspects of the plan. And I'm
25 going to refer to sheet C-05. And we still have

1 a stormwater collection system and it's very
2 similar to the past one. And we have some
3 perforated pipe. And your engineer has some
4 comments. And we fully plan to address all of
5 his comments and agree to any conditions that
6 would be put on us regarding analysis or
7 anything further for the stormwater management,
8 but I think you've heard significant testimony
9 regarding that.

10 Utilities are proposed to come in off
11 of Curtis Avenue. We have a mechanical room
12 along the west side of the building. And right
13 now we're showing the utilities, sanitary and
14 water, coming straight in. We have a
15 transformer that is proposed in the back of the
16 building. We have the electric coming in off of
17 one of the utility poles. And I think, you
18 know, the existing site has a number of feeds so
19 we're going to probably reuse one of those
20 feeds.

21 Excuse me.

22 I touched briefly on the landscaping,
23 but we have proposed low-level landscaping along
24 the parking along 88. We have the birch trees
25 in the back and kind of scattered around the

1 front, some hollies, some other landscaping. We
2 have that green space in the rear. So I have a
3 landscape list with a number of plants listed on
4 it and a number of bushes and shade trees.

5 And then the lighting, we're getting
6 very good lighting here. Not a lot of spillage
7 we have. We're very careful about Route 88.
8 And we have, I think, four post-top lights which
9 would look like that, the pole-mounted light.
10 Traditional colonial-style light. And then we
11 have some wall-mounted lights around the
12 building just to give a little bit of light at
13 some of the areas where the building entries
14 are.

15 So we have four of these, I believe,
16 and five of these -- six, sorry. Yeah. And
17 then lights underneath -- four and five. And
18 then we have lights underneath the garage to
19 illuminate that to the accepted standard.

20 And then the rest of my plan is really
21 kind of soil erosion and sediment control
22 details.

23 So I think that's a description of my
24 plan.

25 Q. You had previously mentioned that you

1 reviewed Mr. Savacool's letter. We are in
2 agreement with anything that he would like to
3 see us fix.

4 Is there anything specific that you
5 need to touch on?

6 A. I had a couple of notes. I don't
7 believe so. I think it was really just the
8 yards. I will say that we have a trash
9 enclosure and that has access coming in off the
10 stairway. Trash enclosure. So that was
11 relocated. I think I alluded to it earlier, and
12 that's on the east side of the building and it's
13 pushed back.

14 MR. GERTNER: So, Mr. Dipple,
15 because I know -- I can recall a couple
16 members of the public just wanted to
17 touch on that.

18 Can you go into just a little
19 bit more detail? You knew exactly where
20 I was going.

21 THE WITNESS: Yeah.

22 MR. GERTNER: Just how it's
23 shielded from neighbors, that kind of
24 thing. Light, et cetera.

25 THE WITNESS: Right. So I

1 believe it was a little bit closer to the
2 property line. I don't have a
3 measurement on this drawing here, but I'm
4 going to guess that that's probably about
5 6, 6 and 1/2 feet from the property line.
6 There is some vegetation over here.
7 There's trees. There's a hedgerow a
8 little bit to the north. But we are
9 proposing some arborvitae around that
10 trash enclosure to help screen that.

11 A truck would come in. If it's
12 a front load, it could come in, back up,
13 and then continue on its way. If it's a
14 rear load, he could come in, back up, and
15 then continue. So it's a pretty quick
16 movement. And, you know, we know the
17 trash is typically picked up in off hours
18 or early morning or later so...

19 COMMISSIONER GIORDANO: Would
20 the lawn areas and vegetation be
21 sprinklered?

22 THE WITNESS: Yeah.

23 MR. CERES: Brian, you're
24 putting in sprinklers, right?

25 Yes.

1 THE WITNESS: Yes, they would be
2 sprinklered. This is proposed lawn, some
3 of this front lawn. Yes.

4 COMMISSIONER GIORDANO: There's
5 also a comment from the fire marshal
6 about moving the fire hydrant off Route
7 88. Is that acceptable?

8 MR. CERES: Yes.

9 THE WITNESS: Yes. I don't
10 think I have anything further on
11 Mr. Savacool's letter.

12 CHAIRMAN COLEMAN: Board
13 members, any questions at this time?

14 COMMISSIONER GIORDANO: Just one
15 more. If you had a choice in this
16 development and if you could put the
17 parking under the -- on the ground floor
18 where there are currently apartments,
19 would you have done that?

20 THE WITNESS: I don't think so.
21 I don't know. I mean, that's not really
22 a question for me. The building was --
23 it was a team effort. We designed the
24 building. Would I automatically put them
25 there? I mean, you need -- you need a

1 lobby. You need things. You know, that
2 would be a -- that would probably drive
3 all the way through the front and then
4 create an odd circulation pattern. This
5 is a smaller, kind of dead-end lot. I'm
6 not entirely sure if that was ever on the
7 table.

8 COMMISSIONER GIORDANO: It was
9 an unfair question. I apologize.

10 By the way, your plans are
11 beautiful, just so you know. Your site
12 plan documentation was very nice.

13 THE WITNESS: Oh, thank you.
14 Thank you.

15 COMMISSIONER NIKOLA: Excuse me.
16 What would be the address of the
17 residents?

18 THE WITNESS: The address?

19 COMMISSIONER NIKOLA: The
20 address of the building. The residents
21 that live there, what would be their
22 address?

23 THE WITNESS: Well, right now
24 it's 2613. I don't know what it would
25 be. The post office --

1 MR. CERES: The post office --
2 the post office would set that.

3 COMMISSIONER NIKOLA: So it
4 would be Route 88 or Curtis?

5 MR. CERES: I can't answer what
6 the post office would do, but I can't
7 even get there without an approval.

8 COMMISSIONER SHREWSBERRY: Then
9 I'm confused because you're saying the
10 front of the house, the front of the
11 building, is Route 88.

12 MR. CERES: I would, yes. I
13 would, yes. I would say that -- I don't
14 think --

15 COMMISSIONER SHREWSBERRY: Well,
16 you know the post office --

17 (Indiscernible cross talk;
18 reporter requests one speaker).

19 MR. CERES: I don't get to pick
20 how it's addressed, but my client does.
21 The post office --

22 COMMISSIONER SHREWSBERRY: You
23 do get to pick the address. I --

24 (Indiscernible cross talk;
25 reporter requests one speaker)

1 MR. CERES: The post office
2 would determine what the address is.

3 COMMISSIONER SHREWSBERRY: I
4 build my house; I pick my address.

5 MR. GERTNER: Well, in any
6 event, it's your -- let me clear this up.

7 It's your perception that Route
8 88 is the front, right? That's been
9 testified to?

10 MR. CERES: Correct.

11 MR. GERTNER: And that there's
12 at least a commercial component, quasi,
13 with the garbage pickup off of Route 88,
14 because that's the testimony. So the
15 odds are that it would be a Route 88
16 street address.

17 MR. CERES: I would believe so.

18 MR. GERTNER: And you have no
19 objection to make that recommendation to
20 the post office?

21 MR. CERES: None whatsoever.

22 MR. GERTNER: All right.

23 MR. SAVACOO: Well, I can't
24 imagine you would prefer to have an
25 address on Route 88 versus having an

1 address on Curtis Avenue. So I would
2 think the preference would be that the
3 addresses would be on Curtis Avenue,
4 correct?

5 MR. CERES: In a perfect world
6 to somebody, yes, it may. To us, it's
7 not that big a deal.

8 COMMISSIONER SHREWSBERRY: Where
9 is the main entrance?

10 MR. CERES: Well, I don't know
11 how you want to define "main."

12 COMMISSIONER SHREWSBERRY: Where
13 you walk into the building.

14 MR. GERTNER: Hang on. Here's
15 the thing. You made a representation
16 that in any application to the post
17 office, you're going to use Route 88,
18 right?

19 MR. CERES: We can ask.

20 MR. GERTNER: That's what I
21 mean.

22 MR. CERES: Yes. Yes. I can't
23 guarantee it.

24 MR. GERTNER: That's the
25 representation you made. Done. They're

1 going to do it. That will be a
2 condition. If the Board approves it,
3 that will be a condition, that that's
4 going to be -- that's going to be the
5 preference that you're going to relate to
6 the post office. Appreciate it.

7 MR. CERES: Correct.

8 CHAIRMAN COLEMAN: Let's
9 continue.

10 Oh, I'm sorry. Mr. Hutchinson.
11 Yes, by all means.

12 COMMISSIONER HUTCHINSON: Just
13 out of curiosity, not to belabor the
14 parking issue, but going back to the
15 tandem spaces, I'm just curious.
16 Speculation aside. Are there any
17 contingencies? Because I feel like the
18 public has spoken previously --

19 THE REPORTER: I'm sorry. Would
20 you slow down, please? Sure.

21 COMMISSIONER HUTCHINSON: Are
22 there any other contingencies for the
23 tandem spaces? The community has spoken
24 pretty clearly about the concerns for
25 additions to parking and traffic flow.

1 And while it's only seven spaces, I think
2 that the probability certainly is there
3 that you -- people won't be utilizing
4 that to their full capacity. They'll be
5 putting one car there and then that kind
6 of furthers the public's concern about
7 putting additional cars on the streets,
8 parking flow.

9 And, again, I know it's not a
10 huge magnitude, but is there any -- has
11 there been any other possibility aside
12 from the tandem spaces? Is there
13 anything else you could do?

14 THE WITNESS: No, I don't -- I
15 don't -- I mean, we started with this
16 building, I mean, because we were -- you
17 know, it kind of doesn't always progress,
18 like, okay, let's start with the parking
19 and then go to the building.

20 In this case it started with the
21 building and then we looked at where the
22 building would fit and how the site would
23 work. And it was recommended, you know,
24 that we consider this. So it was kind of
25 a group effort to come up with this. I

1 mean, I really feel strongly that it
2 works very well.

3 And -- but I should say that
4 your parking requirement is consistent
5 with the RSIS which, you know, in my
6 experience is pretty high. I mean, it's
7 very, very adequate, if not well above
8 adequate, because it includes that half a
9 space for a guest. So if you have
10 someone who rents one of these and has
11 that and has really only one car, so
12 there's the guest space. The other guest
13 spaces would be scattered.

14 But in my opinion and in my
15 professional experience, parking of 47
16 for 24 units is more than adequate. It's
17 definitely more than adequate.

18 COMMISSIONER HUTCHINSON: I
19 appreciate you indulging the question. I
20 recognize it was more than, you know,
21 hypothetical but I was curious. Thank
22 you.

23 COMMISSIONER PETRILLO: You
24 mentioned that you designed the building
25 first. Why 24 units when eight are

1 allowed?

2 THE WITNESS: Well, that wasn't
3 my choice, but the applicant is --

4 COMMISSIONER PETRILLO: Maxi-
5 mizing --

6 THE WITNESS: -- asking for 24
7 units. I think there was prior testimony
8 regarding the number of units that are
9 there today and this is kind of
10 consistent with that. But obviously we
11 feel strongly that 24 units fit here and
12 we can park them and that's what the
13 application is.

14 COMMISSIONER PETRILLO: And how
15 many are designated as affordable housing
16 units?

17 THE WITNESS: Six. Five, I'm
18 sorry. Five. Five, I'm sorry. Five
19 affordable units.

20 COMMISSIONER GIORDANO: Just to
21 clarify the previous testimony, there's
22 24 units on the existing site and it
23 keeps being brought up and I know I'm
24 hounding this. I know you don't like me
25 for doing it. There's 20-foot (sic)

1 bedrooms on the existing site. We're
2 going to 44 bedrooms on the proposed
3 site. It's not comparable. It's apples
4 and oranges.

5 Not that even -- the existing
6 site considerations, which are one-story
7 buildings, not that they don't -- or they
8 should apply here, because it's a new
9 development on a lot that has new zoning
10 criteria which you have not met,
11 especially when it comes to density.

12 And I have not heard one -- you
13 have the engineer. You have the
14 architect. We're still waiting for the
15 planner to justify the density here.

16 MR. CERES: And we will get to
17 him, but I have to put my other
18 professionals on first to lay the
19 ground --

20 COMMISSIONER GIORDANO: Yeah,
21 but you have -- all these problems that
22 he's trying to overcome is because of the
23 density issue.

24 MR. CERES: Well, Mr. Giordano,
25 respectfully, I have to put my other

1 professionals on first to lay the
2 groundwork for the planner's testimony --

3 COMMISSIONER GIORDANO: You're
4 making it difficult.

5 MR. CERES: Otherwise, he'd be
6 speaking without a groundwork for what
7 you're about to hear from him.

8 COMMISSIONER GIORDANO: Okay.

9 CHAIRMAN COLEMAN: Certainly
10 relevant concerns, though, Mr. Giordano.
11 You know, a lot of the issues that are
12 being brought up are seemingly a
13 byproduct of the density, but we'll talk
14 more about that.

15 Members, any other questions at
16 this time?

17 Mr. Ceres, do you want to
18 continue?

19 MR. CERES: Are we going to open
20 him up to the public?

21 MR. GERTNER: No. I think -- I
22 think -- I think, Mr. Ceres, the better
23 way to approach this at this point, you
24 have your professionals. You heard
25 Mr. Giordano, quite frankly. All the

1 questions are so subsumed into the
2 request for the variance that it may be a
3 perfect segue to the planner right now.

4 CHAIRMAN COLEMAN: And let me
5 just add, if I could, Mr. Gertner, that
6 that doesn't mean we are in any way --

7 MR. GERTNER: That's right.

8 CHAIRMAN COLEMAN: --
9 short-circuiting or discounting public
10 input and comment, which we will get to,
11 but we think it would be better for
12 everybody, Board members and the public,
13 to hear the next piece of testimony and
14 then be able to have those questions and
15 those comments.

16 Thank you.

17 MR. CERES: Mr. Gertner, I
18 respect your opinion and I can move the
19 architect again, but I at least need the
20 traffic to come in --

21 MR. GERTNER: Okay.

22 MR. CERES: -- before I could
23 get to the planner.

24 MR. GERTNER: It's your call,
25 you know. The Board laid the segue out

1 for you, though.

2 MR. CERES: Thank you.

3 MR. GERTNER: We know

4 Mr. Kennel.

5 MR. CERES: Do you want to voir
6 dire him?

7 MR. GERTNER: I'm going to swear
8 him in again.

9 MR. CERES: Sounds good.

10 MR. GERTNER: Mr. Kennel, first
11 of all, good evening.

12 MR. KENNEL: Good evening.

13 MR. GERTNER: I just saw you two
14 days ago. You've raised your right hand.

15 S C O T T K E N N E L, having
16 been duly sworn, was examined and
17 testified as follows:

18 MR. GERTNER: Can you kindly
19 give us your full name, spell your last,
20 and, again, some credentials related to
21 your affiliation and experience?

22 THE WITNESS: Sure. Scott
23 Kennel, K-E-N-N-E-L, with McDonough & Rea
24 Associates, located at 1431 Manasquan. I
25 have over 35 years of transportation and

1 planning experience. I'm a principal
2 with McDonough & Rea Associates. I've
3 testified in over one thousand
4 applications in over 100 municipalities.

5 Point Pleasant is probably
6 about ten years ago since I've been here,
7 but --

8 CHAIRMAN COLEMAN: Welcome back.
9 Board members, do we accept his
10 professional credentials?

11 COMMISSIONER PETRILLO: Yes.

12 CHAIRMAN COLEMAN: I think we
13 do. Thank you, sir.

14 THE WITNESS: And I'd also like
15 to add I'm also a resident of Point
16 Pleasant since 1988. So I'm very
17 familiar with the roadways and I had
18 lived for five years on Hardenberg, which
19 wasn't too far from this subject site.
20 So I'm very familiar with Point Pleasant
21 over the years.

22 My office prepared a revised
23 traffic statement since my partner, John
24 Rea, testified last year. And it really
25 focuses on the change in the site plan as

1 far as traffic generation. We're still
2 24 units and the traffic projections
3 still -- are consistent with his prior
4 testimony where we would have during the
5 morning peak hour approximately 12 trips
6 and in the afternoon peak hour 17 trips,
7 and, on a 24-hour basis, 175 trips.

8 It's important to recognize that
9 the traffic generation from this
10 residential proposal is substantially
11 lower than other permitted uses on this
12 property such as a gas station, such as a
13 small retail center or medical office.
14 So I just want to qualify for the Board
15 that the residential proposal here
16 substantially generates less traffic than
17 the other permitted uses.

18 Mr. Dipple had spoken about the
19 site plan and the fact that the plan
20 before you tonight is RSIS compliant
21 relative to the parking provided.
22 Obviously with this plan we have reduced
23 the number of conflict points along
24 Curtis as compared to the prior plan,
25 where we only have one driveway out to

1 Curtis closest to Route 88. We have
2 great sightlines, sight -- for sight
3 distance. So it's my opinion that on
4 Austin and Curtis, the driveways can
5 operate safely and efficiently.

6 And, in addition, the layout
7 will accommodate the refuse vehicles that
8 will service the site. And I'll just
9 lastly speak to -- as far as tandem
10 parking, I know that's not prevalent in
11 Point Pleasant, but it's becoming more
12 prevalent on multifamily developments.
13 There's a project I'm working on in
14 Allenhurst on Main Street where they have
15 substantially more tandem parking than
16 what's proposed here.

17 So, again, as he described it,
18 it's no different than either two cars in
19 a 15-foot-wide driveway or a garage and a
20 parking space in the driveway behind it.
21 It's only seven of the spaces, or a total
22 of fourteen, but it would be for seven
23 units. It's not a transient activity
24 because it would be the residents of the
25 building. And there would -- it would

1 not create an unsafe condition as far as
2 the parking maneuvers that Mr. Dipple had
3 explained earlier.

4 Lastly, just let me say that as
5 far as the access onto Route 88, that
6 would require an NJDOT access
7 application. It would be a minor access,
8 that's a lower level, but then that's
9 attributed to the fact that this site has
10 a low traffic projection on an hourly and
11 daily basis.

12 That completes my testimony.

13 CHAIRMAN COLEMAN: Thank you.

14 Board members, questions?

15 COMMISSIONER PETRILLO: I just
16 have one really quick one and it may just
17 have been a typographical error. On your
18 trip generation section, it says "Table 1
19 Illustrates." It's labeled "Table 2."

20 Is there a different table?

21 THE WITNESS: No, it's just --
22 that's a typo.

23 COMMISSIONER PETRILLO: Okay.

24 COMMISSIONER GIORDANO: I just
25 have a minor question and comment. Both

1 you and the engineer bring up driveways.
2 The tandem parking is like the typical
3 driveway.

4 What's the width of a typical
5 road, local road?

6 THE WITNESS: Local roadway?

7 COMMISSIONER GIORDANO: Yeah.

8 THE WITNESS: It can range from
9 24 feet to 30.

10 COMMISSIONER GIORDANO: I don't
11 know of any roadway 24 feet. But you
12 have a 24-foot parking lot and you
13 have -- right opposite the tandem
14 parking, you have cars also pulling out
15 which is not a typical residential
16 situation. Does it occur in real life?
17 Infrequently, probably, yes. But no. In
18 most spaces -- in most places in the
19 Borough of Point Pleasant, that is not a
20 typical occurrence.

21 One other question. If you
22 provided a through-put from Austin Avenue
23 to the parking lot, expanded that parking
24 lot, you could potentially eliminate one
25 of the access drives, particularly the

1 one on Curtis Avenue.

2 THE WITNESS: Could you? I'd
3 have to look at it. You could possibly
4 do that. It's my opinion that having an
5 access out to Curtis makes it more
6 efficient as far as accessibility to the
7 site.

8 COMMISSIONER GIORDANO: Fair
9 enough. But the question is, could you
10 potentially eliminate that access drive
11 on Curtis? Which residents in the
12 neighborhood in the previous testimony
13 have indicated there's a lot of traffic
14 problems in that area. And they've
15 indicated that, at least according to
16 their opinion -- and I know they're only
17 residents -- that having movement outside
18 of that access drive on Curtis Avenue is
19 problematic.

20 THE WITNESS: Well, I
21 respectfully have to disagree. It's my
22 opinion -- and, again, I'm familiar, I'm
23 a resident of Point Pleasant, I'm
24 familiar with Route 88 and Curtis
25 Avenue -- that it would operate

1 efficiently and safely.

2 COMMISSIONER GIORDANO: Fair
3 enough. Okay.

4 CHAIRMAN COLEMAN: Board
5 members, other questions?

6 I have a question. I think you
7 mentioned that Austin outlet, Avenue
8 aisle drive aisle, driveway, that's 24
9 feet wide?

10 THE WITNESS: Correct.

11 CHAIRMAN COLEMAN: And that's
12 one of the design waivers you're seeking.
13 Why -- why aren't you able to just do it
14 at 30 to 36 feet wide per the standard?

15 THE WITNESS: Well, let me --
16 let me go back. And I apologize because
17 I wanted to respond to Mr. Giordano's
18 comment as far as the 24-foot-wide
19 roadway.

20 CHAIRMAN COLEMAN: Okay.

21 THE WITNESS: That is a standard
22 in the RSIS. So if you have a townhouse
23 development, the roadways -- one of the
24 roadway categories allows it for 24 feet.
25 And you can have a townhouse, for

1 example, with a driveway and a garage.
2 So they would be backing out into a
3 24-foot-wide roadway which is very
4 similar to a 24-foot-wide aisle.

5 So the plan we have before you
6 is consistent with the Residential Site
7 Improvement Standards which takes
8 precedence on residential developments
9 based on my experience. I'll defer to
10 legal counsel, but RSIS takes precedence
11 as far as the design criteria with drive
12 aisles, parking lot sizes, and the like.

13 CHAIRMAN COLEMAN: I mean,
14 according to the plans, it says "two-way
15 operation driveway width for ten or more
16 dwelling units should be 30 to 36 feet."
17 They're seeking a design waiver for 24
18 feet.

19 THE WITNESS: That is your
20 Borough ordinance, but that's not RSIS
21 standard and that's the one that we defer
22 to when we're looking at residential
23 developments.

24 MR. SAVACOO: But, Mr. Kennel,
25 if I had a townhouse development,

1 wouldn't I -- in a garage-driveway
2 combination. So driveway-garage
3 combination is tandem parking. So
4 would those -- in a townhouse
5 development, would the rear end of
6 the two outside vehicles be 24 feet
7 apart?

8 THE WITNESS: Generally it
9 wouldn't be because you'd have a
10 sidewalk.

11 MR. SAVACOO: You'd have a
12 sidewalk and a curb.

13 THE WITNESS: Right.

14 MR. SAVACOO: So you'd have
15 some -- you'd have some "gimme" room.
16 Whereas here, if I'm the first tandem
17 spot and that tandem spot is the spot
18 closest to Route 88 and I have to do the
19 shuffle, then I'm backing out. And I
20 guess I'm going to back out, but face in.
21 And then my wife is going to back out, or
22 whoever, girlfriend. You know, whatever.
23 I don't want to --

24 CHAIRMAN COLEMAN: Other driver.

25 MR. SAVACOO: And so you're --

1 I don't think that represents a townhouse
2 situation. I think it's a lot of
3 jockeying. There's only a 5-foot, you
4 know --

5 THE WITNESS: Well, then they
6 back up towards Austin. I mean, again,
7 if you take out the tandem, this design
8 is a standard parking module with a
9 parking space on either side of a 24-foot
10 aisle. So the only thing you're
11 introducing differently is that you have
12 to stage a vehicle in the drive aisle so
13 that another person can get out.

14 So it's very consistent with a
15 standard parking module and we're only
16 dealing with seven units, a low turnover,
17 and people who are familiar with it.
18 It's not a transient type of partner here
19 who's trying to figure out what to do.
20 They're going to become very skilled and
21 understand the process. And/or if
22 they're not comfortable with it, and
23 that's the only unit they have left, they
24 may not choose to rent here.

25 CHAIRMAN COLEMAN: I think you

1 mentioned, and please correct me if I'm
2 wrong -- not if I'm wrong, but when I'm
3 wrong -- that approximately 175 trips
4 over 24 hours was a basic measurement?

5 THE WITNESS: Correct. For 24
6 dwellings, right.

7 CHAIRMAN COLEMAN: Okay. Yes.

8 And that that was less trips
9 than the permitted uses such as a medical
10 office?

11 THE WITNESS: That's correct, or
12 a gas station. If you had a gas station
13 here, the traffic generation could be
14 anywheres close to a hundred trips per
15 hour and over a thousand trips for a
16 24-hour basis.

17 CHAIRMAN COLEMAN: What if you
18 had a medical office?

19 THE WITNESS: A medical
20 office -- and, again, we haven't laid one
21 out, but assume a 10,000-square-foot
22 medical office building. That would be
23 approximately 40 trips during the peak
24 hour and on a 24-hour basis, you're going
25 to be in the range of 250 to 300. And

1 then if you do a retail, which could have
2 a convenience store or something high
3 turnover rate, it's going to be much
4 greater than a medical office.

5 CHAIRMAN COLEMAN: Okay. Thank
6 you.

7 THE WITNESS: You're welcome.

8 MR. GERTNER: Mr. Chairman, may
9 I ask a question?

10 CHAIRMAN COLEMAN: Yes,
11 Mr. Gertner. Go right ahead.

12 MR. GERTNER: So this goes to
13 some of the enforcement questions that
14 Mr. Ceres has referred to. Ultimately if
15 the Board would act favorably, it would
16 be part of the leases and developer's
17 agreement, but I just want to make it
18 clear so I understand what I might have
19 to write one way or the other.

20 So the testimony, as I
21 understand it, is that 47 are required,
22 47 parking spaces are required; 47 are
23 provided.

24 THE WITNESS: Correct.

25 MR. GERTNER: Seven of those

1 parking spaces are the tandem?

2 THE WITNESS: Correct.

3 MR. GERTNER: So this goes
4 to enfor -- my context is enforcement.
5 So if it's not for you to answer it,
6 we'll put it out there. So let's take
7 the seven tandem units off the table for
8 a second for purposes of how I'm trying
9 to set up the question.

10 What's to stop the 40 nontandem
11 spaces to be filled first and then having
12 a guest of Unit 1 parking in that tandem
13 space, you know, who's the guest of unit
14 15? Like, how does that -- what's
15 that -- and how would that work from a
16 parking --

17 THE WITNESS: Well, again, I
18 haven't discussed this with my client,
19 but I would see this -- again, we talked
20 about the seven tandem spaces are for
21 seven of the two-bedroom units. And then
22 typically what you would do is you assign
23 one space to one of the other units so
24 then you have a balance that are for
25 visitors or kind of a free-for-all

1 available to whoever's visiting the
2 site.

3 So you could have -- so if we
4 take seven, that leaves us with 17 and 14
5 from the 47 gives us 33. So you have
6 about 17 open parking spaces. That's --
7 if you were going to get to that and have
8 some control, that's what I would
9 suggest. But, again, I haven't discussed
10 that with my client so...

11 MR. GERTNER: But, generally
12 speaking -- and you got to my global
13 point at least, which is, based on your
14 experience, that there is a manner, there
15 is a way, in which to enforce and protect
16 against that issue.

17 THE WITNESS: Correct.

18 MR. GERTNER: Okay. Thank you.

19 THE WITNESS: And one of the
20 things, too, would be to have the other
21 spaces on the Curtis side assigned. So,
22 again, everybody that's under the
23 building is familiar with the process,
24 instead of having a visitor or somebody
25 transient that's not aware. I mean,

1 that's another way to, again, enforce
2 or encourage the better use of that
3 space.

4 COMMISSIONER GIORDANO: But
5 wouldn't it just be easier, instead of
6 dealing with the process, to just park on
7 Curtis Avenue or Austin Avenue and not
8 deal with the tandem?

9 THE WITNESS: That's possible.
10 That's permitted. Parking is permitted
11 along the public streets in the area.
12 That's possible.

13 COMMISSIONER GIORDANO: Which
14 goes against the whole intent of the RSIS
15 standard in order to provide adequate
16 parking for the development that's being
17 proposed. Yes, even if you didn't have
18 the tandem, it could happen. I would
19 agree. But it's not going to happen to
20 the same extent.

21 We all know that nobody's going
22 to deal with the tandem parking. As one
23 of my fellow Board members said, they're
24 going to end up parking on Curtis Avenue
25 and Austin Avenue, which is not

1 preferable and all because the applicant
2 refuses to provide enough parking on-site
3 because he wants to maintain a 3-to-1
4 density on the site. So we're back to
5 the same spot.

6 THE WITNESS: But there is a
7 provision in the RSIS that allows for
8 local conditions where you could consider
9 the Curtis Avenue and Austin as part of
10 your parking count, but we haven't gone
11 there. We've shown where we can do it
12 totally on-site. But there is a
13 provisions in RSIS with local conditions
14 where that would be a permitted way to
15 provide the parking.

16 COMMISSIONER GIORDANO: All
17 right.

18 CHAIRMAN COLEMAN: Members, any
19 other questions at this time of this
20 expert?

21 Hearing none, I think that we
22 will go to the public now. They've been
23 here long.

24 MR. GERTNER: I really, again --
25 and we had talked about this. Is your

1 planner going to come up next?

2 MR. CERES: Yes.

3 MR. GERTNER: I think that would
4 assist everyone, quite frankly.

5 CHAIRMAN COLEMAN: I think it
6 may, but they've been here three hours
7 and he could have just come up now and
8 they chose not to so. We're going to
9 have him come up. And we'll have the
10 planner come up, but we've had now two
11 people to testify and it's time for the
12 public to have their questions heard.

13 So are there any members of the
14 public with questions about the testimony
15 they heard? I have to urge you, this is
16 not the time for your opinion on the
17 whole application. That will come. But
18 if you have questions about the testimony
19 that you heard from the two experts so
20 far, just raise your hand. I'll call on
21 you and you can come on up.

22 Ma'am.

23 C H R I S T I N E M A R T I N,
24 having been duly sworn, was examined and
25 testified as follows:

1 MR. GERTNER: Can you give us
2 your full name, spell your last, and your
3 address, please?

4 MS. MARTIN: My name is
5 Christine Martin, M-A-R-T-I-N. My
6 address is 1009 Route 88 in the Borough.

7 So my first question is I just
8 want to confirm that there are public
9 sidewalks on Route 88, on Curtis Avenue
10 and on Austin for this project. Public
11 sidewalks, not sidewalks for the
12 residents of the proposed community.

13 MR. SAVACOO: That is correct.

14 MS. MARTIN: Okay.

15 MR. SAVACOO: I'll just answer
16 it.

17 MS. MARTIN: Thank you.

18 CHAIRMAN COLEMAN: Thanks, Ray.

19 MS. MARTIN: All right. So the
20 second -- the next thing I wanted to know
21 is colonial lights were mentioned as
22 being on the building. So my question
23 is, could you classify the design type
24 for this particular building? Is it
25 colonial?

1 MR. CERES: It's more of a
2 question for our architect.

3 MR. GERTNER: Well, to the
4 extent that we've had testimony, he can
5 try. If you can't, you can supplement.

6 MR. DIPPLE: I can just address
7 that. The colonial lights are not
8 mounted on the building.

9 MS. MARTIN: Okay.

10 MR. DIPPLE: The colonial lights
11 are post-top lights and there are four of
12 them proposed. I'm just going to point
13 to them: One, two, three, four.

14 MS. MARTIN: So was the choice
15 of colonial lights based upon the design
16 of the building, the design type of the
17 building?

18 MR. DIPPLE: Yeah. It was a
19 collaborative effort of the project team.
20 I think you're going to hear more about
21 the architecture, but I think personally
22 it fits, so, yes.

23 MS. MARTIN: Oh, I'm not
24 questioning the fit. I'm questioning the
25 design. That's what I'm asking.

1 MR. DIPPLE: Yes.

2 MS. MARTIN: Okay. And so we
3 had a lot of conversation about tandem
4 parking. And the gentleman who spoke is
5 a Borough resident so he knows that in
6 our Borough, when you go down the
7 streets, there's lots of the houses that
8 have single garages. So here's a garage
9 and here's a driveway.

10 So those individuals effectively
11 have tandem parking. Because if you park
12 in your garage -- for those of us that
13 don't have things in the garage other
14 than a car -- then someone has to move
15 the car. So you pull in so you get off
16 the street, so that your car is more
17 protected, but then someone has to play
18 the parking shuffle and move the
19 vehicles.

20 So I'm saying that tandem
21 parking is very similar to what we --

22 MR. CERES: Is there a
23 question --

24 CHAIRMAN COLEMAN: Mr. Ceres, is
25 there a problem? I keep seeing you

1 throwing your hands up.

2 MR. CERES: Yeah, if --

3 CHAIRMAN COLEMAN: Do you have
4 your mask?

5 MR. CERES: I respectfully
6 submit this is for -- this period is for
7 questions.

8 CHAIRMAN COLEMAN: Well, she's
9 asking questions.

10 MR. CERES: This witness is
11 putting on testimony. She's
12 describing -- I haven't heard a question.

13 CHAIRMAN COLEMAN: You haven't
14 heard any questions from her?

15 MR. GERTNER: Mr. Chairman, hang
16 on.

17 MR. CERES: Not regarding this
18 issue, Mr. Chairman.

19 MR. GERTNER: Hang on. Hang on.

20 Ma'am, so -- and, in fact, a
21 similar point was raised actually by
22 the --

23 CHAIRMAN COLEMAN: Wear your
24 mask. He's done.

25 MR. CERES: Okay. Last time you

1 told me to take it off because you
2 couldn't see my mouth.

3 MR. GERTNER: A similar -- a
4 similar question was asked -- was raised
5 by the Board engineer.

6 Do you have a question, though,
7 to the lead-up of the comment that you're
8 making?

9 MS. MARTIN: I do. I'm not a
10 practicing attorney so I'm not --

11 MR. GERTNER: That's okay.
12 Don't worry about it.

13 MS. MARTIN: I'm trying to get
14 to the point.

15 So what I'm saying is that we
16 have this problem in our town everywhere
17 and one of the points that have been
18 brought up multiple time is the issue of
19 parking on our streets. Our streets are
20 very narrow.

21 So my question -- since this
22 issue of parking is a well-known issue, I
23 don't understand how tandem parking under
24 a building is going to be effective.
25 Because what's happening in our streets

1 and our housing is that folks are parking
2 one car in the driveway and one car in
3 the street so they don't have to do the
4 parking shuffle. How does this tandem
5 parking avoid that problem?

6 THE WITNESS: Well, I should say
7 that we are not seeking a parking
8 variance. We have the spaces on the
9 site. And in my opinion, in my
10 experience, the site is adequately
11 parked, if not more than adequately
12 parked. And that is just my experience
13 in doing this.

14 And I think most engineers would
15 agree with me that the RSIS standard,
16 which is essentially also your Borough
17 standard, is excessive. It includes a
18 half a space per unit for guests. So
19 just that alone tells me that I would
20 actually need less spaces for this
21 because there's a guest space.

22 And we haven't -- as Mr. Kennel
23 said, we haven't counted on-street
24 spaces, which we can by the RSIS, but we
25 haven't tried to do that for our guest

1 spaces.

2 So is it possible that someone
3 does that? Of course. Is it possible
4 that someone accidentally pulls into
5 someone else's space? Of course. That's
6 all possible. But the infrequency of
7 that happening, the way these things
8 work, is what we're saying. We're
9 saying, and our testimony is, that this
10 works. This works. And if I had a
11 parking variance, I would say that my
12 argument is much weaker, you know, or not
13 as strong. This is, in my opinion, more
14 than adequately parked.

15 MS. MARTIN: I'm not
16 disagreeing. What I'm saying is the
17 behavior that has been demonstrated in
18 our town shows that our residents do not
19 enjoy tandem parking; therefore, they
20 park on the street. Therefore, this
21 parking will not meet our needs based
22 upon the behavior that I've observed.

23 THE WITNESS: I should also say,
24 again, it is seven parking spaces. So of
25 the seven people, you know, if one or two

1 acted that way, you know, perhaps. But,
2 again, it's underneath the building, the
3 second spot. It is a -- it is a -- the
4 back space is a premium space. These are
5 the premium spaces.

6 It is likely that in a scenario
7 like this -- and I don't want to speak
8 for my client -- they charge more for the
9 spaces that is underneath the roof. That
10 is -- that is pretty standard. So these
11 are -- these are, you know, the prime
12 spaces. Will people not use them after
13 they paid for them? I'm not so sure.

14 MR. GERTNER: Well, there's two
15 things to that. One, any payment for
16 parking you'd have to relate to the
17 affordable housing requirements. I'm not
18 quite sure how you do that.

19 Secondly, though, ma'am -- and,
20 hopefully, I kind of relate your
21 question. I'm going to attempt to do
22 this.

23 Mr. Dipple or Mr. Kennel, can
24 you relate the parking that you provide
25 including the tandem spaces to the design

1 waivers that you're seeking?

2 Mr. Kennel partially addressed
3 them, I recognize, by articulating that
4 it's an RSIS standard. But maybe that
5 will help a little bit what she's trying
6 to get to.

7 THE WITNESS: Yes. We are
8 seeking the design waiver for the 30 to
9 36 feet, if that's what you're referring
10 to, Mr. Gertner. So we're using the
11 24-foot drive aisle, which is standard.
12 It's standard really not only in
13 residential, commercial, almost anywhere.
14 The 9-by-18-foot parking space is also
15 exactly what RSIS calls for.

16 Most ordinances throughout the
17 state -- commercial, residential,
18 anything -- go with the 9-by-18-foot
19 space. The larger space is kind of
20 clearly being phased out. And part of
21 that is stormwater management and part of
22 that is just it's unnecessary and it
23 works.

24 So I think what Mr. Kennel was
25 saying is what would happen would be is

1 if someone was parked here and the car
2 was behind them, their relative's car was
3 here, they could easily back up, let this
4 car make its move in this little turnout
5 thing, and then go out and then have that
6 car go in --

7 MR. GERTNER: And just so -- I'm
8 going to interrupt you, respectfully,
9 because you're saying "here."

10 THE WITNESS: Yes.

11 MR. GERTNER: "Here" being
12 internal to the building.

13 THE WITNESS: Underneath the
14 building at the southernmost space is
15 what I was referring to for the record.
16 So I know I'm pointing and I'm directing
17 your attention to my finger here.

18 But that could happen in other
19 spaces if I go further north and I'm
20 along the east side. You know, a vehicle
21 could back up and go backward in a
22 southerly direction and then, you know,
23 clear the area or go back up in a
24 northerly direction and let that
25 individual go out.

1 So I think one would have to see
2 it work. I mean, I really feel,
3 honestly, that it does work. I'm being
4 very sincere about seeing this happen,
5 designing this multiple times, and seeing
6 very substantial developments, very
7 high-end developments, have this scenario
8 when they don't need it. They don't
9 really need to do it. They could do
10 surface parking and they don't really
11 need to do it and they still do it. It's
12 an efficient way of doing it.

13 So I don't know if I've
14 addressed -- I think you wanted me to
15 address the waiver for the -- for the --
16 did I miss any of the drive aisles width
17 and the parking space size? And I feel
18 that it still works very well.

19 MS. MARTIN: Thank you for your
20 answer.

21 CHAIRMAN COLEMAN: Thank you.

22 Any other members of the public
23 have questions about the testimony that
24 they've heard so far?

25 The gentleman in the gray, I

1 saw you first up. So do you want to come
2 up?

3 And just for clarification. I
4 apologize for Mr. Ceres for calling him
5 out, but anybody that is in this room
6 that is not speaking has to have their
7 mask on. I thought I was clear about it;
8 perhaps I wasn't. Now I have been.

9 Sir, proceed.

10 MR. PAPA: My name is Gregory
11 Papa.

12 G R E G O R Y P A P A, having
13 been duly sworn, was examined and
14 testified as follows:

15 MR. GERTNER: Can you give us
16 your full name, spell your last, and your
17 address, please?

18 MR. PAPA: Gregory Papa. Last
19 name P-A-P-A. I live at 601 Hardenberg
20 in the Borough.

21 And my question is for you, sir.
22 You're telling me about this tandem
23 parking. We live in a resort town. A
24 lot of people want to visit family, come
25 to the beach.

1 MR. DIPPLE: Yes.

2 MR. PAPA: This is a thing. So
3 let's say that you have -- how many
4 places? Twenty-four units?

5 MR. DIPPLE: Yes.

6 MR. PAPA: Okay. Let's say that
7 we get two family cars per unit that want
8 to come visit. Memorial Day, July 4th.
9 What do you plan on doing with those
10 other 30 to 40 cars?

11 MR. DIPPLE: Well, again --

12 MR. PAPA: What's the plan for
13 that?

14 MR. DIPPLE: So they -- okay.
15 If -- now, this is the -- this is the
16 "Super Bowl" example, I think is what we
17 often refer to it as. On Super Bowl
18 Sunday when someone has a big party --
19 hopefully a couple of years from now when
20 we can have parties again -- what happens
21 when you have a big crowd that comes to
22 your house? And that is they park on the
23 public streets. And that's exactly where
24 they're allowed to park. That's where
25 they do park. That's where they would

1 park in my neighborhood if they came if
2 we had a big thing.

3 It's a temporary thing. It's
4 not -- the parking is designed to meet
5 the need of this community. I think it
6 does it more than adequately.

7 MR. PAPA: So what you're saying
8 is that you're comfortable flooding those
9 three streets with cars to the point
10 where it's not really drivable?

11 MR. DIPPLE: I would -- I would
12 guarantee that other homes in this
13 community have had large family
14 gatherings and those cars have parked on
15 the streets.

16 MR. PAPA: You're talking about
17 single-family homes with space in
18 between. You're talking that there is
19 room.

20 MR. DIPPLE: Well, we don't park
21 in between --

22 MR. PAPA: There's no room
23 there.

24 MR. DIPPLE: Well, we don't park
25 in between people's homes.

1 MR. PAPA: Meaning, like, if you
2 are on the street -- I have a front yard
3 and there's a little side -- that's where
4 these people will be parking.

5 MR. DIPPLE: Well, I think I've
6 given my testimony. That's exactly --

7 MR. PAPA: It's a very close
8 proximity to where you --

9 MR. DIPPLE: I think I described
10 it.

11 CHAIRMAN COLEMAN: You asked; he
12 answered.

13 THE WITNESS: Yeah.

14 CHAIRMAN COLEMAN: I understand
15 you might not like the answer.

16 MR. PAPA: Thank you very much.

17 CHAIRMAN COLEMAN: Thank you
18 very much.

19 Sir. Questions of the testimony
20 that we've heard so far.

21 D A V I D B O B O W I C S,
22 having been duly sworn, was examined and
23 testified as follows:

24 MR. GERTNER: Kindly give us
25 your full name, spell your last, and your

1 address.

2 MR. BOBOWICZ: My name is David
3 Bobowicz, B-O-B-O-W-I-C-Z.

4 MR. GERTNER: Your address,
5 please.

6 MR. BOBOWICZ: I don't know you
7 and --

8 CHAIRMAN COLEMAN: Sir, what
9 is -- your address we need.

10 MR. BOBOWICZ: Oh. 525 Curtis
11 Avenue.

12 CHAIRMAN COLEMAN: Thank you.

13 MR. BOBOWICZ: Right here in the
14 Borough.

15 CHAIRMAN COLEMAN: I gotcha.

16 MR. BOBOWICZ: I'm not talking
17 about parking spots. Man, I'm done with
18 it. It doesn't work. Period.

19 What I want to talk about is has
20 anybody done a property valuation of our
21 neighborhood since you're trying to put
22 the Taj Mahal and --

23 CHAIRMAN COLEMAN: Sir, I'm
24 going to have to -- as much as I want to
25 encourage public questions, I'm going to

1 have to stop you now because I don't
2 think the gentleman testified to any
3 property valuation questions or
4 equations. If he did, then he can
5 certainly answer. And I am all for
6 public questions, as you've heard.

7 MR. BOBOWICZ: Yeah.

8 CHAIRMAN COLEMAN: But they have
9 to be related at this time to the
10 testimony that's been given so far.
11 There will be a time for --

12 MR. BOBOWICZ: I'll have to wait
13 on that then.

14 CHAIRMAN COLEMAN: Unfortunately
15 so.

16 MR. BOBOWICZ: Thank you.

17 CHAIRMAN COLEMAN: Thank you,
18 sir.

19 Mr. Lavan, did you want to come
20 up?

21 E D L A V A N, having been
22 duly sworn, was examined and testified as
23 follows:

24 MR. GERTNER: Can you kindly
25 give us your full name, spell your last

1 and your address, please?

2 MR. LAVAN: Ed Lavan, L-A-V-A-N,
3 2612 Herbertsville Road, Point Pleasant.

4 This is for you, sir. Three
5 questions; first is a softball. Has
6 there been any thought of keeping any of
7 the existing trees and incorporating them
8 into the landscape plan?

9 MR. DIPPLE: No, I don't believe
10 there has. But, you know, if any of
11 those trees could be saved, we would look
12 into that. But, no, I think we're going
13 to -- I think we're going to -- I think
14 the plan is to wipe the slate clean,
15 yeah.

16 MR. LAVAN: It's unfortunate
17 because you're going to do landscaping
18 and you're starting from scratch.

19 MR. DIPPLE: I would say that if
20 there's a street tree nearby that we can
21 save, we would consider saving it, but...

22 MR. LAVAN: My second question
23 on the parking spaces, just the number.
24 On the Route 88/Curtis side.

25 THE WITNESS: Yes.

1 MR. BOBOWICZ: There's 24, did
2 you say?

3 THE WITNESS: Yeah. I think
4 there's -- 11 and 2, 9 is -- 24, yes.
5 Twenty-four including these four in the
6 rear, yes. 24 and 23 is 47, yeah.

7 MR. LAVAN: Okay. Because I
8 couldn't see on my copy here. I saw the
9 two handicap spots, but I didn't see the
10 other --

11 MR. DIPPLE: Yeah. There are
12 two more that kind of face that concrete
13 pad in front of the trash enclosure.

14 MR. LAVAN: Oh, okay.

15 And my last question: Can you
16 reconcile the difference between the site
17 plan and the architectural plan?

18 MR. DIPPLE: Well, we haven't
19 presented the architectural plan yet.

20 MR. LAVAN: Okay. So I'll wait
21 on that then.

22 CHAIRMAN COLEMAN: That's coming
23 up.

24 MR. LAVAN: Thank you.

25 CHAIRMAN COLEMAN: Thank you.

1 Any other public questions about
2 the testimony that we've heard so far?

3 E D C A P R I O, having been
4 duly sworn, was examined and testified as
5 follows:

6 MR. GERTNER: Kindly give us
7 your full name, spell your last, and your
8 address, please.

9 MR. CAPRIO: Ed Caprio,
10 C-A-P-R-I-O, 523 Curtis Avenue.

11 So you stated that you want 24
12 units. 26.64 you said; 26.7 for density.
13 Affordable housing allows 8. Multifamily
14 dwelling allows 16. Why should the town
15 consider 24?

16 MR. DIPPLE: I didn't give that
17 testimony.

18 CHAIRMAN COLEMAN: That's way
19 outside of the bounds of what he's
20 testified to so far.

21 COMMISSIONER GIORDANO: That's
22 the planner's testimony.

23 MR. CAPRIO: Okay. No problem.

24 And what variance are you guys
25 looking for? What "D" variance?

1 MR. DIPPLE: It is a D-3
2 variance for the density, the one you
3 just described. The 8 units to the acre.
4 Proposed is 26.7. That is the "D"
5 variance.

6 MR. CAPRIO: Okay. Thank you.

7 CHAIRMAN COLEMAN: All right.
8 Public? Questions exhausted? Oh, one
9 more.

10 UNIDENTIFIED SPEAKER: Sorry, no
11 questions.

12 CHAIRMAN COLEMAN: No. If you
13 have a question with regard to the
14 testimony --

15 UNIDENTIFIED SPEAKER: Nope.

16 CHAIRMAN COLEMAN: Okay. We're
17 going to get back to that. I promise.

18 All right. It's only 20
19 minutes.

20 Mr. Ceres, want to continue?

21 MR. CERES: If you like, that's
22 fine with me.

23 THE REPORTER: I'm just going to
24 need a break at some point, though.

25 MR. CERES: Mr. Chairman, I just

1 want to -- my planner is going to be at
2 least an hour in his testimony.

3 MR. GERTNER: So, if I may, Mr.
4 Chairman.

5 CHAIRMAN COLEMAN: Please, go
6 ahead. Yes.

7 MR. GERTNER: I think -- this is
8 my opinion and it stresses volunteers and
9 the public. I recognize that. And I
10 know some folks need a five-minute break.
11 I think it would behoove all of us at
12 this point, though, given the number of
13 meetings we've had on this, to hear the
14 planner's testimony. We can determine
15 when that testimony is done whether or
16 not to open up to the public at that
17 point or they'll have the opportunity,
18 because Mr. Ceres has ordered
19 transcripts, and then when they come
20 back, you can immediately open to the
21 public.

22 But I think -- I think the idea
23 of the support for this density variance
24 has been hanging out so long, it's a
25 disservice, respectfully, to the

1 applicant, the public, and the Board not
2 to hear that testimony at this point.

3 CHAIRMAN COLEMAN: Oh, I want to
4 hear it. Definitely.

5 MR. GERTNER: I mean tonight.

6 CHAIRMAN COLEMAN: I want to
7 hear it tonight.

8 MR. GERTNER: Since it's
9 related.

10 CHAIRMAN COLEMAN: I want to
11 hear it. I'm sorry. If I indicated I
12 didn't want to hear it tonight, I
13 apologize. I do. I am not in favor of
14 having the public then ask questions of
15 that testimony a month later.

16 MR. GERTNER: Well --

17 CHAIRMAN COLEMAN: If we're here
18 late, that's life. But if people want to
19 ask questions of the testimony this
20 evening, they should be able to do it
21 this evening, not forget the questions
22 and come back in two weeks. So all
23 right. Let's go.

24 MR. GERTNER: Well,
25 Mr. Chairman, I know, respectfully, she

1 asked for a five-minute --

2 CHAIRMAN COLEMAN: Yep. We're
3 at 9:48. We'll take a five-minute break
4 and return at 9:53.

5 (Whereupon, a recess is taken.)

6 CHAIRMAN COLEMAN: Call the
7 meeting back to order. All of the Board
8 members, applicant's professionals and
9 residents have returned.

10 I'm going to turn to just
11 Mr. Savacool for a second for a bit of
12 housekeeping.

13 MR. SAVACOOOL: Yeah. So on
14 the -- I forget which member of the
15 public asked a question about which
16 variance is required. It's actually a
17 D-5 for a density not permitted or above
18 that permitted. So it's a D-5 use
19 variance. D-5 is the quotation -- part
20 of the quotation from the Municipal Land
21 Use Law.

22 CHAIRMAN COLEMAN: Thank you,
23 Mr. Savacool.

24 Mr. Ceres.

25 MR. CERES: Thank you,

1 Mr. Chairman. At this time I'd like to
2 call our professional planner, Andrew
3 Janiw.

4 A N D R E W J A N I W, having
5 been duly sworn, was examined and
6 testified as follows:

7 MR. GERTNER: Can you kindly
8 give us your full name, spell your last,
9 and the Chairman will voir dire you to
10 the extent he feels is required to
11 qualify you.

12 THE WITNESS: Sure. My name is
13 Andrew Janiw, J-A-N-I-W. I'm a planner
14 with the firm of Beacon Planning and
15 Consulting Services, 315 Highway 34,
16 Colts Neck, New Jersey. I am a licensed
17 professional planner in the State of New
18 Jersey, member of the American Institute
19 of Certified Planners. I have a
20 bachelor's and master's degree in civil
21 engineering from the New Jersey Institute
22 of Technology.

23 Currently serving as the planner
24 for the Borough of Carteret in Middlesex
25 County, for Livingston Township and Essex

1 County, as well as redevelopment planner
2 for South Amboy, Plainsboro, Flemington,
3 Keyport and Toms River --

4 CHAIRMAN COLEMAN: I think
5 you've been before us before.

6 THE WITNESS: I have.

7 CHAIRMAN COLEMAN: Okay. I
8 think we accept his credentials.
9 Correct?

10 COMMISSIONER HUTCHINSON: Yes.

11 THE WITNESS: Thank you.

12 CHAIRMAN COLEMAN: All right.

13 THE WITNESS: Okay. So we're
14 coming to the culmination of a lot of
15 questions and I'd appreciate, in terms of
16 the flow, I'll present my testimony and
17 then be happy to answer any questions the
18 Board may have.

19 CHAIRMAN COLEMAN: Thank you.

20 THE WITNESS: The application
21 this evening as was presented by
22 Mr. Dipple is for the construction of 24
23 apartments in a building that's three
24 stories tall on a .9-acre parcel located
25 on Highway 88 with additional frontage on

1 Austin Avenue and on Curtis Avenue.

2 The property is located on the
3 north side of Route 88 within your
4 Borough's GC commercial zone and the
5 affordable housing overlay on top of that
6 GC district.

7 So the GC district, which is the
8 underlying zoning -- and this is
9 important because it goes to the proofs
10 of the variances -- is a fairly liberal
11 commercial district and it is within --
12 to the north we do have residential
13 properties. We have additional
14 commercial properties to the east, west
15 and south of us, and then we have
16 condominiums directly to the east.

17 So the GC district -- and,
18 again, these would be permitted uses on
19 this properties -- include convenience
20 stores, personal services, eating and
21 drinking establishments, detached
22 single-family dwellings, professional
23 offices, laundromats, wholesale and
24 retail storage, sale of lumber, plumbing
25 materials, garden supplies, contractors'

1 offices and yards, general repair and
2 custom fabrication, auto body or
3 mechanical repairs, urgent care.

4 Conditional uses within the
5 district include gas stations,
6 nightclubs, animal hospitals, new vehicle
7 dealerships, amusement device facility
8 establishments and video game and
9 automatic establish -- automatic game
10 establishments, amusement
11 establishments.

12 So as you see the underlying
13 zoning, the GC zoning, has a very wide
14 arrangement, a liberal arrangement of
15 retail uses. And I believe when Scott
16 testified with respect to traffic, he was
17 referring to the fact that what's being
18 proposed this evening is of significant
19 less intensity than what the underlying
20 zone would permit here. Particularly
21 when you're looking at the fact that
22 eating and drinking establishments,
23 nightclubs, are permitted within this
24 district. So that's an important kind of
25 background piece to remember.

1 The township did provide an
2 affordable housing overlay zone on this
3 property in order to meet its obligation.
4 I'll talk about that a little bit more
5 so. But having said that, in preparation
6 for this evening I did obviously look at
7 your ordinance, your master plan, the
8 correspondence with respect to this
9 application, the variance of the plans
10 that this Board has seen, as well as
11 looking into your affordable housing
12 obligations, your midway point report
13 that was prepared by Mr. Vandercoy on
14 behalf of the community and various other
15 planning documents such as your master
16 plan and reexamination reports.

17 What's being requested this
18 evening is a multifamily dwelling on the
19 property which is currently improved with
20 what's commonly known as Wanke's, which
21 was a motel -- actually acted more as a
22 boarding house operation over the years.
23 The Wanke's property was developed with
24 24 apartments or 24 units.

25 I'm not sure we have -- oh, here

1 we go. I'd like to mark a couple of
2 exhibits which would probably be
3 appropriate at this time.

4 SECRETARY MORGAN: We're at
5 A-10.

6 THE WITNESS: A-10 and I'll date
7 it today.

8 CHAIRMAN COLEMAN: Thank you.

9 SECRETARY MORGAN: Thank you.

10 THE WITNESS: This is an aerial
11 photograph taken from a Google 2020
12 image. The date of the image is
13 5/20/2019. The property in question is
14 outlined here in yellow. Route 88 or
15 Ocean Road to the bottom; Curtis Avenue
16 to the left of the property; Austin to
17 the rear.

18 And to put this in context, you
19 can see the rooftops of the Wanke's
20 operation, the motel portion or the
21 multiunit portion, and then the bungalows
22 around the perimeter as well as the
23 office facility, the pool that's
24 operating there.

25 Across the street is a drinking

1 and eating establishment, FINS. We have
2 20 condominium units directly to our
3 east; other commercial uses along the
4 other side of Route 88; and then
5 single-family homes behind FINS along
6 Austin and Curtis. So that gives you a
7 little bit of context in terms of what we
8 have.

9 A couple of photographs of the
10 property as it's situated. This will be
11 A-11. This is a two-sided board with six
12 photographs taken by my office. The
13 photographs are dated August 11, 2020,
14 and these depict the condition of
15 Wanke's.

16 The top picture, a view from
17 Route 88, the office area and then the
18 area behind here would be this pool
19 structure. And you can see the motel
20 units that are adjacent to the pool
21 structure.

22 Turning that over, there's a
23 variety of photographs of the bungalows
24 and these are taken from the interior of
25 the property. Many of those bungalows

1 are, as you can see here, right along
2 Curtis Avenue. The parking for these
3 units is along the street.

4 Currently there is no on-site
5 parking here. So when we go through
6 the testimony, we talk about the things
7 that we're improving here, we have to
8 remember that Wanke's is currently
9 heavily relying on parking along Curtis
10 and Austin. That is being eliminated by
11 this application.

12 I have another photo board but
13 I'll get to that at the appropriate time
14 in the testimony.

15 So within the affordable housing
16 overlay, you permit mixed-use
17 dwellings -- mixed-use buildings, excuse
18 me, townhouses and multifamily units.
19 And depending on the option you select,
20 the density that's within the overlay is
21 between six units to the acre and eight
22 units to the acre.

23 To give you a little bit of
24 context on what that means, the areas
25 around us essentially permit homes on

1 50-by-100-foot lots or 5,000 square foot
2 lots. Single-family homes on
3 5,000-square-foot lots are just under 9
4 units to the acre. So the overlay zone's
5 density is actually less than 50-by-100
6 lots that are permitted elsewhere in the
7 community.

8 So the applicant is seeking to
9 redevelop this existing facility, as you
10 saw in those photographs the Wanke's
11 facility, with 24 apartments in one
12 building. Five of those apartments would
13 be set aside for affordable housing.
14 These would consist of four one-bedroom
15 apartments and twenty two-bedroom
16 configurations. There would be five
17 units set aside, as I said, for low- and
18 moderate-income housing: One for very
19 low, two low, and two moderate income is
20 the distribution that's proposed. And
21 this is consistent with Fair Housing and
22 their distribution within this property.
23 And I believe that's been verified
24 through Fair Housing.

25 MR. GERTNER: Yes.

1 THE WITNESS: Thank you. So
2 that leads us to what variances we're
3 requesting this evening.

4 Okay. The first, which is the
5 point of much discussion, is the D-5
6 variance. So pursuant to your Chapter
7 19-15C.4, in the overlay, the density
8 that's permitted here would be 8 units
9 per acre, whereas we are proposing 26.7
10 units per acre. And that 27.6 or even
11 the 8 units per acre, regardless of
12 bedroom count, those could all be
13 one-bedroom, two-bedroom, three-bedrooms.
14 If they're townhouses, they could be
15 four- and five-bedroom units to the acre.
16 So you could have, theoretically,
17 compliant eight units with five bedrooms
18 and you could have 40 bedrooms.

19 I believe there was a question
20 as to, well, what's there today is 24.
21 We do have 24 units there today. They
22 are largely one-bedroom configurations.
23 There are some, I believe, efficiencies
24 that sleep more. But, again, your
25 density is irregardless of bedroom count.

1 That's something to remember in terms of
2 context.

3 We are looking for bulk relief
4 from the following conditions: Minimum
5 lot frontage, 150 feet required. We have
6 a condition where we have 134.2 feet
7 along Austin Avenue. That is an existing
8 condition. That's just not something we
9 can correct. We can't acquire additional
10 land to correct that property. That's
11 just an existing condition.

12 And, finally, minimum lot
13 width. Again along Austin Avenue, 150
14 required; 134.2 existing. That is an
15 existing condition that can't be
16 corrected.

17 Then we also had the issue that
18 was discussed a little bit about the
19 interpretations of front yards. And I
20 would like to speak a little bit on
21 that.

22 Pursuant to the overlay, a
23 50-foot front yard is required. The
24 overlay district also provides standards
25 for side yard and rear yard setbacks.

1 The question is: What is a front yard?
2 The front yard, pursuant to your
3 ordinance, is measured largely by some
4 general standards and definitions that
5 define what a front yard is.

6 Those apply to every zoning
7 district just as the way you measure
8 height applies to zoning. There's no way
9 to special way to measure height within
10 the overlay. There's no special way to
11 determine if there's a corner lot in the
12 overlay. You have general zoning
13 provisions which are applied to every
14 district within your ordinance.

15 And that definition within your
16 general zoning district defines that a
17 corner lot is a lot or a parcel of land
18 at the intersection or fronting on two or
19 more streets. We have three street
20 frontages here: We have Route 88, we
21 have Curtis, and we have the back towards
22 Austin. So that is a corner lot by
23 definition. We actually wrap two
24 corners.

25 Furthermore, the overlay zone

1 does not exempt or supplement any of the
2 universal terms under the general
3 district. These are intended to apply to
4 all zoning districts.

5 Furthermore, within the general
6 zoning district, Section 19-5.3 C.1.B
7 reads "In the case of corner lots, the
8 setback line of one portion of the
9 building must conform to the front
10 setback line of one of the adjacent
11 streets and the other side of the
12 building adjacent to the other street
13 must be 15 feet from the property line.
14 The narrowest dimension of the lot on the
15 street shall be considered the front of
16 the lot provided, however, on major
17 streets, that portion fronting on a major
18 street shall be considered the front of
19 the lot."

20 So dissecting that, we have two
21 short streets -- Route 88, Austin -- and
22 one long street along Curtis. So that
23 section of the ordinance would tell us
24 Curtis would not be a front yard. It
25 would be either Austin or Route 88.

1 And then, furthermore, applying
2 the fact that which one of those is on a
3 major street, or is any of those on a
4 major street, the 88 frontage is the
5 major street. It's defined as a major
6 street within your master plan.

7 So by the strict application of
8 your ordinance definition, the front of
9 this lot is along Route 88. That makes
10 the other lots, side lots, requiring 15
11 feet of frontage -- 15 feet of setback.
12 I'm sorry, front yards requiring 15 feet
13 of setback.

14 That is the strict
15 interpretation of the language. So this
16 would mean Ocean Avenue would have the
17 front yard setback requirement and Curtis
18 and Austin would have the 15-foot
19 requirement.

20 What we are seeking in this
21 case -- just bear with me.

22 We are complying along Route 88.
23 We are seeking a setback of 20 feet along
24 Curtis Avenue which, again, would be
25 compliant with the 15 feet. And along

1 Austin we are seeking 8.24 feet. Now,
2 the existing conditions along Curtis are
3 5.36 to the bungalows and the existing
4 condition along Austin is 4 feet to the
5 bungalows.

6 So even though we require relief
7 along the Austin frontage, we are
8 improving an existing condition. And
9 that's something that this Board must
10 consider in terms of weighing this
11 application, is where are we currently
12 and what do we have? What are we
13 compounding? What are we curing?

14 So we need to keep that in the
15 back of our mind that we have conditions
16 on this site -- and I'll go through that
17 a little bit more -- that are
18 noncompliant which we are attempting to
19 bring into closer conformity or into
20 overall conformity.

21 We cure the frontage issue along
22 Curtis Avenue -- I'm sorry, along Route
23 88 and we are improving the setbacks
24 along both Austin and Curtis over
25 existing conditions.

1 your ordinance would provide those
2 provisions along the, quote, lesser
3 frontages and have that front yard
4 recognized along Route 88.

5 So we look at what else are we
6 curing with this application? So besides
7 the width and the front yard along
8 Austin, which we can't cure, we are
9 improving the front yard setback variance
10 or the setback variance along Austin. We
11 are improving the setback variance and
12 curing a condition that's nonconforming
13 along Curtis.

14 And then in terms of impervious
15 coverage, we are curing that and bringing
16 that into conformity. Your ordinance
17 allows 70 percent of impervious coverage.
18 What's existing there, and acknowledged
19 in Mr. Savacool's letter, is 82.4 percent
20 of coverage. What's proposed is 66.13 of
21 coverage.

22 We are not only curing something
23 that's excessive in coverage, but we are
24 bringing it to a standard that's
25 compliant with the overlay district. So,

1 again, we are curing a nonconforming
2 condition and bringing it into compliance
3 with that.

4 Then we have some design waivers
5 we talked about. The first is relief
6 from ordinance Section 19.28.4.b.1, which
7 requires parking stall size of 10 by 20,
8 whereas the parking stall of 9 by 18 is
9 proposed. That is consistent with RSIS
10 standards.

11 And I believe actually somebody
12 was actually measuring spaces out front
13 and the spaces in the lot here are 9 by
14 18. So they are -- in Point Pleasant,
15 these are the standard spaces required by
16 RSIS. I don't think that's a significant
17 issue in terms of the design of the
18 property.

19 We have a design waiver from
20 19-28.5.a to permit a curb cut within 25
21 feet of the intersection. This occurs at
22 the intersection of Austin and Curtis and
23 is related to the driveway to the parking
24 lot. And I believe Mr. Dipple addressed
25 that, that that is a safe condition, I

1 believe.

2 Traffic also addressed that.
3 The conditions there are safe and that
4 there is adequate sightlines to provide
5 safe ingress and egress.

6 Then there's the relief from
7 ordinance 19-28.5.c, which does not
8 permit off-street parking within a front
9 yard setback area within 5 feet of any
10 property line, whereas parking is
11 proposed in the front yard. And this is
12 along Route 88.

13 And, again, this is a highway
14 frontage. This is where we believe it's
15 appropriate to have the parking given
16 particularly what we have surrounding us,
17 not only across from us, but to the side
18 of us and the commercial. It provides
19 the adequate off-street parking and it is
20 something that is consistent with the
21 streetscape and the appearance along
22 Route 88.

23 Then, finally, the design waiver
24 that requires two-way drive aisles of ten
25 or more dwelling units to be 30 to 36

1 feet wide, whereas 24 is proposed.
2 Again, the 24 feet is consistent with
3 RSIS.

4 And, if you will, while we were
5 discussing this previously, I pulled out
6 the reference within RSIS. And in
7 Section 5.21-416, specific to residential
8 parking lots, Table 4.5 requires a
9 24-foot two-way aisle for 90-degree
10 parking in any parking lot for
11 residential properties. Again, that's
12 Table 4.5 in Section 5.21.4.6 in RSIS.

13 So what we are proposing is
14 consistent with RSIS and RSIS is the
15 paramount authority when it comes to
16 configuration of parking and circulation
17 with residential properties.
18 Unfortunately, that supersedes anything
19 that you may have in your ordinance.

20 Just bear with me for one
21 moment. It's nice to have a mask off.
22 Can't speak with a dry mouth.

23 So the subject property, as we
24 noted, is improved with 24 units and in
25 17 separate structures. There were 15

1 cottages and then the two buildings along
2 Route 88. These buildings were
3 constructed and operated on that property
4 since 1960.

5 And one of the things we have to
6 consider when weighing this application
7 is, what are we looking at? What are we
8 doing? What is the better alternative?
9 One of those alternatives that this Board
10 must weigh is do nothing, let it stay as
11 it is and operate as Wanke's with the 24
12 hotel units and the cottages, relying on
13 the street parking along Curtis and on
14 Austin. Or, in the alternative, it could
15 be developed as a commercial space; or,
16 in the alternative, it could be developed
17 with residential property. Hopefully
18 addressing some of your affordable
19 housing needs.

20 So that is essentially the test
21 that this Board must weigh. There are
22 multiple options with this property.
23 What is a better option? What is an
24 optimal option? And, more importantly,
25 what is somebody willing to do here as

1 opposed to the do nothing option?

2 The applicant is proposing to do
3 24 residential units. That number was
4 selected because there are 24 rental
5 units on that property today that
6 generated income for Wanke's in the past
7 and could continue to operate at this
8 property.

9 CHAIRMAN COLEMAN: Hold on a
10 second. They chose -- this applicant
11 chose 24 units because there's 24 units
12 there now?

13 THE WITNESS: There is 24 units
14 there now.

15 CHAIRMAN COLEMAN: Right.

16 THE WITNESS: The 24 units now
17 are not operating optimally on the
18 property. They're relying on parking
19 along the street. The sense was if we
20 looked at what would fit here, 24 units
21 can operate -- and I'll get to the
22 density in a moment in terms of my
23 variances, but I'm trying to walk you
24 through the thought process and what the
25 Board must weigh here.

1 So of those 24 units, five will
2 be set aside for affordable. All five
3 will be constructed on-site and they will
4 go towards meeting your affordable
5 housing obligation.

6 Let's talk about that for a
7 moment.

8 COMMISSIONER GIORDANO: Can you
9 talk about -- you said in your testimony
10 there's no on-site parking.

11 THE WITNESS: Excuse me?

12 COMMISSIONER GIORDANO: You said
13 in your testimony there's no on-site
14 parking. Can you --

15 THE WITNESS: I said the current
16 operation, Wanke's, is heavily reliant
17 upon parking along Curtis and on Austin
18 --

19 COMMISSIONER GIORDANO: Well,
20 that's different from what you said
21 because --

22 THE WITNESS: There is some
23 parking along --

24 (Indiscernible cross talk;
25 reporter requests one speaker)

1 COMMISSIONER GIORDANO: I forgot
2 where I was or you didn't understand.

3 The survey shows a lot of
4 internal parking to the property, but
5 your testimony, at least what I heard,
6 that was fully reliant on on-street
7 parking --

8 THE WITNESS: I said it was
9 heavily reliant on on-street
10 parking along Curtis --

11 COMMISSIONER GIORDANO: Because
12 people chose to park there, but not
13 because it wasn't available for parking
14 on-site--

15 THE WITNESS: Well, if you'll
16 recall -- if you recall, the parking
17 there is configured since people are
18 parking in at 90-degree angles along
19 Curtis and Austin.

20 COMMISSIONER GIORDANO: No, they
21 just chose to make that parking.

22 THE WITNESS: That's the
23 condition today.

24 COMMISSIONER GIORDANO: Because
25 it's a dilapidated place.

1 THE WITNESS: And, hopefully, we
2 can cure that with a good application.

3 COMMISSIONER GIORDANO: Well,
4 yeah.

5 THE WITNESS: So let's get back
6 to the parking and then I'll talk about
7 affordable in a moment.

8 So what's being proposed here is
9 not only the 24 units, but consistent
10 with the RSIS count, we are proposing 47
11 parking spaces. These include 24 spaces
12 in that surface lot along Route 88. And
13 within those 24 spaces, there are two
14 that are ADA dimensioned. And then there
15 are 23 spaces that will be accessed from
16 under the building including the seven
17 tandem spaces.

18 There is pedestrian circulation
19 that will be provided with new sidewalks
20 along Curtis, Route 88 and Austin. These
21 will be public sidewalks. There is a
22 trash enclosure proposed within that
23 surface parking lot along Route 88 which
24 will allow a vehicle to -- for trash
25 pickup to maneuver from Route 88, pick

1 up, and then exit off of Curtis, back
2 onto Route 88 or right onto Curtis.
3 That's a two-movement drive aisle.

4 So, therefore, the layout, in my
5 opinion, is not only consistent with the
6 RSIS standards, but laid out such that
7 the issue of trash and everything else is
8 situated on the property closest to the
9 Route 88 corridor where it would be less
10 intrusive and less of a nuisance to
11 anyone along Curtis or along Austin.

12 One of the things we have to do
13 is to reconcile any application with your
14 master plan. And looking at your master
15 plan, which was I think last done in 1999
16 with subsequent master plan
17 reexaminations that were done, I believe,
18 in 2009 and either '13 or '14.

19 The consistent goals within your
20 master plan was to provide greater land
21 use flexibility along major streets in
22 the Borough; to provide more flexibility
23 in a residential land use zones to
24 encourage the upgrading of properties; to
25 encourage the redevelopment or

1 revitalization of vacant or underutilized
2 properties; to promote the protection of
3 neighborhood characteristics through
4 buffering; to encourage and support the
5 rehabilitation and infill of housing
6 stock where appropriate while maintaining
7 the character of the neighborhoods.

8 And then, finally, a recognition
9 that your housing stock is largely
10 single-family and recognizing that about
11 5.1 percent of your housing stock is made
12 up of four units or greater.

13 So when you -- we'll tie this
14 into your affordable housing
15 requirements, but one of the things that
16 your affordable housing overlay was
17 attempting to do was to provide
18 opportunities for multifamily and for
19 townhouse development because you need to
20 place density somewhere in order to
21 achieve the hundreds of units that are
22 your obligation. And I'll go through
23 that in a moment.

24 With a town that's 95 percent
25 single-family, it's very hard to address

1 those affordable housing requirements but
2 for density. And as a planner for other
3 communities, it's something we're facing
4 with Fair Housing settlements all the
5 time. We're giving up things like
6 density, height. Toms River is
7 considering, you know, five- and
8 six-story structures in order to
9 accommodate their affordable housing
10 requirements. Same thing with other
11 communities.

12 So the balance here and the test
13 for the community is you have an
14 affordable housing obligation -- Point
15 Pleasant has a substantial one -- and you
16 designate areas where you believe it's
17 appropriate. And in this place, the
18 Route 88 overlay, I will grant you, is an
19 absolute appropriate location to look for
20 affordable housing and to look for
21 density because it's along the highway
22 corridor and it's something that can
23 accommodate that kind of use without
24 creating too much conflict within your
25 deeper residential neighborhoods.

1 It provides -- and you should
2 encourage and you do encourage -- access
3 on and off of Route 88 and the feeders
4 onto Route 88. So this is an area that
5 was selected because it can accommodate.

6 The other thing that's faced and
7 challenging Point Pleasant is, in large
8 part, you're almost a fully developed
9 community. What you're dealing with is
10 redevelopment and infill construction.
11 There isn't a large vacant land inventory
12 where you can direct your affordable
13 housing obligation.

14 So that's test where you need to
15 get creative. You have to look at
16 locations that are appropriate. You have
17 to look at locations that can accommodate
18 it. You have to look at -- and when you
19 go through the criteria for what
20 represents an appropriate location for
21 affordable housing, one of the criterias
22 is, is there access to highways? Is
23 there access to shopping? Is there
24 access to public transportation? And are
25 there similar homes in the area?

1 In this case, we are right next
2 door to a condominium project. It's 20
3 units. And by your tax records that's on
4 a 1-acre lot so you have a density just
5 next door of 20 units to the acre. At
6 the end of Austin, there is a four-family
7 home on a 50-by-100 lot.

8 Let's mark this board.

9 MR. SAVACOO: Mr. Chairman,
10 while you're changing themes here just a
11 little bit, the acreage next door at
12 Ocean Pines is, like, 1.17 acres. So
13 that's 17.7 dwelling units --

14 THE WITNESS: Okay. I got the
15 acreage from your tax lot.

16 MR. SAVACOO: Right. Yeah, but
17 that's not --

18 THE WITNESS: But that's not --

19 CHAIRMAN COLEMAN: Hold on.
20 Hold on. Hold on. Instead of trying to
21 speed over something here, you had just
22 it's 20 acres --

23 THE WITNESS: Well, I --

24 (Indiscernible cross talk;
25 reporter requests one speaker)

1 CHAIRMAN COLEMAN: Hold on a
2 second. Let me finish, sir. Okay?

3 THE WITNESS: Yes.

4 CHAIRMAN COLEMAN: You had
5 said -- and I took a note -- it was 20
6 units per acre on Austin. Mr. Savacool
7 said it's 17.7.

8 THE WITNESS: Okay. I said it
9 was 20 units on a 1-acre lot pursuant to
10 your tax records.

11 CHAIRMAN COLEMAN: Right.

12 THE WITNESS: Your tax records
13 called that lot 1 acre. Mr. Savacool has
14 better information than I do on here. He
15 said it's not 1 acre. It's 1.1 acres.
16 The difference between that is 17.7
17 and -- that one-tenth of an acre has the
18 difference of, again, one -- roughly 18
19 rounded to 20.

20 But, again, I'm using your tax
21 records and I qualified that I used your
22 tax records to do that.

23 CHAIRMAN COLEMAN: I heard that.

24 THE WITNESS: So this is -- this
25 is the property that has the 20 units.

1 It is immediately to our east. And,
2 again, this would be at a density of
3 17.7.

4 MR. SAVACOO: 17.7.

5 THE WITNESS: This home is a
6 four-family home. Here are the four gas
7 meters on the side. 50-by-100 lots.
8 That's 36 units to the acre.

9 COMMISSIONER GIORDANO: Is that
10 legal?

11 THE WITNESS: It's existing.
12 Preexisting nonconforming.

13 COMMISSIONER GIORDANO: Pre-
14 existing nonconforming.

15 THE WITNESS: There was a
16 question at some point as to whether --

17 COMMISSIONER GIORDANO: Do you
18 know --

19 THE WITNESS: -- does this
20 density exist anywhere in Point Pleasant?
21 It does.

22 COMMISSIONER GIORDANO: Well,
23 sure. I mean, illegally, possibly.

24 THE WITNESS: Well, no, it's not
25 illegal. It's a preexisting

1 nonconformity. It is legally there and
2 it's allowed --

3 COMMISSIONER GIORDANO: So if --

4 (Indiscernible cross talk;
5 reporter requests one speaker)

6 COMMISSIONER GIORDANO: Well, he
7 seems to talk over everybody.

8 I know you have a very long
9 speech, but by the time you get through
10 it, it will be 12 o'clock. I'll be --

11 THE WITNESS: Well, every time
12 I'm interrupted, it will be 1 a.m.

13 COMMISSIONER GIORDANO: We've
14 been very patient. I caught you with
15 your no on-site parking and I just shut
16 my mouth up because I was going to
17 forget. So that's why I interrupted you.
18 You did admit that there is on-site
19 parking and then you kind of change
20 changed it a little bit.

21 THE WITNESS: Well, there is no
22 organized parking on that lot today.

23 COMMISSIONER GIORDANO: There's
24 nothing organized on that lot.

25 THE WITNESS: That's right.

1 That is the existing condition.

2 COMMISSIONER GIORDANO: You also
3 said, while talking, showing impervious
4 coverage. Can you go to your first
5 exhibit, please? What's that clump of
6 green in the middle of that site?

7 THE WITNESS: Those are trees.

8 COMMISSIONER GIORDANO: Okay.
9 What about all around the side of the
10 site?

11 THE WITNESS: They're trees.

12 COMMISSIONER GIORDANO: Is that
13 impervious?

14 THE WITNESS: I don't know if
15 they're growing through asphalt or not.

16 COMMISSIONER GIORDANO: Well,
17 they're not.

18 THE WITNESS: The engineer
19 calculated the impervious area. Your
20 engineer accepted it in his review
21 letter.

22 COMMISSIONER GIORDANO: Stop.
23 Okay. Go ahead.

24 COMMISSIONER PETRILLO: I have
25 one question before you go on. You

1 mentioned that the Borough has a high
2 affordable housing obligation. What is
3 that?

4 THE WITNESS: Just a moment.
5 Okay. So I am reading from your midpoint
6 review report prepared by Peter
7 Van Den Kooy of CME Associates. Just
8 bear with me. And I'm quoting from page
9 1: "The Court approved FSHC settlement
10 agreement established through the
11 Borough's third round fair share
12 obligations as follows: Rehabilitation
13 obligation, zero; first round obligation,
14 343 units; third round gap and
15 prospective need obligation through 2025,
16 436 units."

17 So that's a total obligation of
18 779 units.

19 COMMISSIONER PETRILLO: And how
20 many has the Borough satisfied to date?

21 THE WITNESS: Four.

22 COMMISSIONER GIORDANO: I was
23 under the impression that we have an
24 approved COAH plan; that we don't need
25 any, just very few, units to satisfy that

1 number.

2 THE WITNESS: Again, the
3 obligation here lists over 700 and change
4 units.

5 COMMISSIONER GIORDANO: Based on
6 what?

7 COMMISSIONER MASTERSON: Arnold
8 Avenue.

9 CHAIRMAN COLEMAN: Right,
10 because part of that was --

11 COMMISSIONER COULSON: When is
12 that report from?

13 THE WITNESS: This is
14 Mr. Van Den Kooy's report. It's undated,
15 but I believe it was issued in, roughly,
16 2019, 2020.

17 MR. GERTNER: Didn't he issue --
18 isn't --

19 THE WITNESS: It is the -- it's
20 the midpoint review.

21 MR. GERTNER: Isn't the issue,
22 though, one of context? In other words,
23 part of your testimony also was that the
24 Borough is -- and I don't know if you
25 threw the number out or if it's from

1 previous testimony -- about 94 percent
2 build out already, correct?

3 THE WITNESS: It was -- it was
4 94 percent single-family, 5 percent
5 multifamily.

6 MR. GERTNER: Okay. But I'm
7 talking about overall in terms of even
8 available property. It's almost --

9 THE WITNESS: The master plan
10 acknowledges that the Borough, for the
11 most part, is built out with very little
12 vacant land inventory.

13 MR. GERTNER: So the question
14 is --

15 COMMISSIONER GIORDANO: What's
16 the end point?

17 MR. GERTNER: Well, the issue
18 is, therefore, isn't it fair to say that
19 the settlement itself recognizes and
20 balances that point as well? Whatever --
21 whatever the calculation of need, is
22 it -- the balance towards the settlement
23 to stop builder's remedies lawsuits and
24 to give the Borough the judgment of
25 repose is the creation of the overlay

1 zone to encourage -- you know, to
2 encourage development in appropriate
3 locations of densities to support
4 affordable housing.

5 THE WITNESS: That's correct.
6 In fact, the report acknowledges that
7 pursuant to the agreement, the Borough
8 was at this point in the process of
9 addressing unmet need through -- well,
10 the Sea Point Village inclusionary
11 project which provided three units. Then
12 it said the Route 88 corridor overlay
13 zone. Now, the Route 88 corridor overlay
14 zone includes, I believe, 12 to 15 pages
15 of properties within your ordinance. And
16 actually, you know, interestingly enough,
17 the overlay zone includes the 20
18 condominiums next door as an opportunity
19 to go to affordable housing. Then
20 there's a mandatory set aside ordinance
21 and a development fee ordinance.

22 So those were methods by which
23 the Borough was proposing to meet your
24 Fair Share Housing obligation. And,
25 again, it is the Borough's obligation to

1 provide realistic opportunities.

2 However, Mr. Van Den Kooy points out that
3 while there's an obligation of an excess
4 of 700 units, midpoint through the
5 settlement they provided four.

6 MR. GERTNER: But, again, isn't
7 it fair to say that the context of the
8 settlement at the end of the day is
9 that -- and Fair Share accepted this --
10 is the fact that there is an overlay zone
11 that its intent is to provide realistic
12 opportunities for the development of
13 affordable housing?

14 THE WITNESS: Yes.

15 MR. GERTNER: Okay.

16 THE WITNESS: Yes. No, no. No
17 question.

18 MR. GERTNER: No, I understand.
19 I'm just saying everyone is throwing --

20 THE WITNESS: Again --

21 MR. GERTNER: So to be fair --
22 because I even hear murmurings from the
23 Board, and I want to make sure the record
24 is clear one way or the other, right?

25 So the point I'm trying to

1 raise, and I think -- and I appreciate it
2 and I think the applicant's planner
3 agrees with it. Listen, the facts are
4 what the facts are. The numbers are --
5 he's not making the numbers up.

6 THE WITNESS: Yeah.

7 MR. GERTNER: He's reading from
8 a report, right? But it's for context
9 purposes that this overlay zone was
10 developed and accepted by Fair Share,
11 accepted ultimately by a fairness hearing
12 before the Superior Court. I don't
13 remember if it was Judge Troncone or
14 Judge Grasso when it was accepted. But,
15 in any event, what that did do as a
16 matter of law is protect the Borough from
17 what they called builder's remedies
18 lawsuits.

19 THE WITNESS: Right.

20 MR. GERTNER: So why are -- you
21 know, if you can put it on the record I
22 think maybe that's --

23 THE WITNESS: Yeah.

24 MR. GERTNER: For additional
25 context and to be fair --

1 THE WITNESS: Sure.

2 MR. GERTNER: Why don't you talk
3 about what that protection will do.

4 THE WITNESS: And the Borough
5 will be protected through 2025. And,
6 again, Mr. Van Den Kooy did a midpoint
7 report. There'll be another report in
8 2025 of have you met the obligation and
9 how have you addressed that 700-plus-unit
10 obligation? And if you haven't or if you
11 haven't provided a new plan, that opens
12 you up, again, to builder's remedy.

13 COMMISSIONER GIORDANO: Well,
14 let me just remind you that the applicant
15 originally came before this Board with no
16 Fair Share requirement. And it was this
17 Board that pressed the applicant and
18 said, no, this is an overlay zone. We
19 insist on meeting our obligation pursuant
20 to the agreement --

21 THE WITNESS: We came in with
22 the use variance initially to say we
23 didn't have --

24 COMMISSIONER GIORDANO: I just
25 want to remind you about that. You keep

1 talking about this.

2 THE WITNESS: Yes. No, no.
3 You're absolutely right. We came in for
4 a use variance initially and there was an
5 ordinance interpretation about which
6 would apply. And this Board determined
7 that --

8 MR. GERTNER: So, just again, I
9 want to make sure the record is neutral
10 on this point. So that interpretation
11 was not appealed. It is now the law of
12 the case and they're presenting their
13 testimony based on the law of the case.

14 THE WITNESS: That's correct.
15 We have agreed pursuant to the
16 requirement to provide that 20 percent
17 affordable housing obligation. There
18 will be five units within the 24 units.
19 And, quite frankly, when we look at the
20 numbers, and this gets revisited in four
21 years, but that will double your
22 compliance with affordable housing to
23 date.

24 Part of the requirement for
25 variance relief is also to look at not

1 only your master plan and the goals and
2 purposes of your master plan, but to look
3 at the purposes of the Municipal Land Use
4 Law. And that's an important context to
5 put the application into because no
6 application should be for the sole
7 benefit of the applicant.

8 When we reconcile with the
9 Municipal Land Use Law, those are
10 essentially defining public purposes as
11 defined by the State of New Jersey and
12 those basically say you are now providing
13 a public benefit and something that is
14 beyond a benefit to the applicant or to
15 the landowner.

16 So when you look at a variance,
17 whether it's a "C" or a "D," we do need
18 to reconcile with the Municipal Land Use
19 Law. It's one of the prongs within the
20 criteria. And as you know, there are
21 numerous and they're lettered, but I'd
22 like to go through the ones that I
23 believe -- and these are typically known
24 as the special reasons within the
25 Municipal Land Use Law under 40:55D of

1 what apply here.

2 "A" is to "encourage municipal
3 action to guide the appropriate use or
4 development of all lands in the state in
5 a manner that will promote the public
6 health, safety, morals and general
7 welfare."

8 Again, this project will provide
9 five affordable housing units. And I
10 believe even Sean indicated at that
11 interpretation that the provision of
12 affordable housing can be deemed an
13 inherently beneficial use. Affordable
14 housing is a goal that's promoted by the
15 State. It's intended to provide housing
16 for people that are earning at or below
17 livable wages. That's why we have tiers
18 of low, very low and moderate income
19 provisions within the ordinance.

20 And, in fact, what we're doing
21 here is providing five units towards an
22 obligation that the Borough has entered
23 into with Fair Share Housing. Fair Share
24 Housing doesn't care, quite frankly, that
25 you're creating more density. What

1 they're looking for at the end of the day
2 is how you're meeting that. You've
3 created the opportunity through your
4 overlay zoning and at some point down the
5 road it will be determined whether that
6 was sufficiently effective to meet the
7 obligation. Again, your obligation is in
8 excess of 700 units.

9 So when you're looking at this,
10 this is an interesting test to apply to
11 this property because you have what
12 you've acknowledged to be a property with
13 derelict improvements that you would like
14 to see go away. Well, that's -- you
15 know, one of the options here is to do
16 nothing and to leave it operating as it
17 is or, you know, this applicant is
18 proposing specifically 24 apartments,
19 five of which will be affordable.

20 Again, that's a substantial,
21 call it "leap," towards the affordable
22 housing units that you've provided to
23 date, but nonetheless the fact that there
24 are affordable housing units at all on
25 the property are something that promote

1 the general welfare of the community
2 because you are providing housing
3 opportunities for those that would
4 otherwise not be able to afford
5 housing.

6 MR. GERTNER: So, Mr. Chair, if
7 I may.

8 Maybe just to potentially focus
9 or somewhat refocus your proofs, as of
10 right, what would be the total number of
11 units, as of right under the overlay
12 zone?

13 THE WITNESS: So the maximum
14 that would be permitted under the overlay
15 would be eight to the acre. So depending
16 on how you round seven or eight units --

17 MR. GERTNER: Eight. Call it
18 eight to make it easy numbers.

19 THE WITNESS: Yes.

20 MR. GERTNER: And of that how
21 many would be affordable under the
22 overlay zone? 20 percent, right?

23 THE WITNESS: Well, again,
24 depending on whether it's seven or eight,
25 or whether you round, one or two --

1 MR. GERTNER: Use eight.

2 THE WITNESS: Okay. Two.

3 MR. GERTNER: We'll accept two.

4 So can you reconcile that
5 ordinance which was part of the
6 settlement to the increase in density and
7 the -- and obviously the concomitant
8 increase in the affordable units being
9 provided?

10 THE WITNESS: Again, Sean, I'm
11 getting to that.

12 MR. GERTNER: Okay. I'm sorry.
13 Then I jumped on it a little too fast.

14 THE WITNESS: I'm getting to
15 that. So my first point, though, is that
16 the provision of affordable housing is
17 something that's to the public benefit
18 and promotes the general welfare of the
19 public.

20 "E" within the MLUL is to
21 "promote the establishment of appropriate
22 population densities and concentrations
23 that will contribute to the well-being of
24 persons, neighborhoods, communities and
25 regions."

1 So when we look at this -- and
2 there is Dr. Kinsey -- I hope I'm
3 pronouncing that right -- from Princeton
4 University prepared a checklist
5 essentially of criteria you need to look
6 at when site selecting for affordable
7 housing. And one of those is
8 irregardless of what the zoning is, are
9 you creating -- irregardless of what's
10 around you -- and this is something
11 that's used a lot in Fair Share Housing
12 courts -- are you proposing something
13 that's not foreign to this location?
14 Meaning is what you're proposing at an
15 intensity that the community either
16 experiences or anticipates within this
17 district?

18 So we have to look at the fact
19 that we have a motel here with 24 units.
20 We have to look at the fact that the
21 underlying zone permits a significantly
22 more intense use of the land. And with
23 restaurants and nightclubs and bars,
24 arguably the peak hours of the intense
25 use of those would be not only any time

1 during the summer, but year-round Friday
2 nights, Saturday nights, which are
3 essentially peak enjoyment times for the
4 homeowners in the surrounding community.

5 So, again, we have to weigh the
6 fact that this is a commercially zoned
7 property that has a fairly broad group of
8 permitted land uses. And a lot of times
9 boards view this as, well, you're
10 threatening us with -- it's not. Part of
11 the test that you have to weigh is what
12 are the alternatives for this site and
13 how intense can this site be? And is
14 what you're proposing less intense than
15 what could be here in a compliant site
16 plan?

17 And I would argue that 24
18 apartments here -- and you heard the
19 testimony from Mr. Kennel -- would
20 operate at a significantly lower
21 intensity than what would be permitted
22 here under the underlying commercial
23 zoning or, quite frankly, in the
24 summer --

25 CHAIRMAN COLEMAN: Hold on a

1 second.

2 Ms. Petrillo, do you have a
3 question?

4 COMMISSIONER PETRILLO: I'm
5 sorry to interrupt you. Given the
6 inherent beneficial use, why aren't you
7 making all of them affordable then? Why
8 aren't all 24 units affordable?

9 THE WITNESS: That's not the
10 proposal here.

11 COMMISSIONER PETRILLO: But it
12 could be. I mean, if it's an inherently
13 beneficial --

14 THE WITNESS: We -- we could --

15 COMMISSIONER PETRILLO: -- use
16 to the town and it's a benefit to the
17 town and it's something that we need and
18 it's something that we have to have, an
19 obligation to fulfill, why wouldn't you
20 do it? Because it's so perfectly suited
21 for it.

22 THE WITNESS: Marlboro and
23 Plainsboro just donated builders in
24 excess of 80 acres to build 100 percent
25 affordable projects. The land was

1 donated by the community in order to meet
2 their affordable housing requirements.

3 So --

4 COMMISSIONER GIORDANO: You're
5 using this in your argument. You're
6 using --

7 THE WITNESS: No. What I'm
8 saying is -- listen, the reason there is
9 a percentage as opposed to a requirement
10 for all is because the economics of
11 affordable housing units don't pencil
12 out. You have to have something that can
13 subsidize the affordable housing units in
14 terms of market-rate units.

15 So that's a test, an economic
16 test, that any property owner has to
17 weigh. Again, when you're looking at 100
18 percent affordable sites, those are done
19 in a variety of ways. Some of them are
20 done through tax credits. Some of those
21 are done through land donations from the
22 community. Some are done through
23 charitable organizations.

24 But when we're looking at a
25 project like this, there has to be --

1 and, again, anything has to work for a
2 developer to pursue it in order to
3 economically pencil out. In order to
4 afford those five units, we have to be
5 able to build the balance of the units.
6 You can't, you know -- you can't do 100
7 percent and make a project pencil out or
8 build a project --

9 COMMISSIONER PETRILLO: So at
10 the end of the day it's all about
11 economics.

12 MR. GERTNER: Except in this
13 case -- and, again, I'm trying to make
14 sure that the record maintains a
15 neutrality to it. The ordinance itself
16 recognizes the economics by incorporating
17 the 20 percent set-aside. It recog --

18 COMMISSIONER PETRILLO: It's law
19 or is that the recommendation of the
20 ordinance?

21 MR. GERTNER: Well, it's -- you
22 know what? It's generally the issue --
23 listen, the answer that the applicant's
24 planner gave is, in my opinion, based on
25 my experience, the only answer he can

1 give because it happens to be the truth,
2 right. A project has to work.

3 On top of that, with affordable
4 housing requirements, just to maybe put
5 -- I'm not trying to help anybody, but to
6 maintain a neutral record.

7 So the point I perceive he's
8 trying to make by articulating -- to
9 answer the fact, the truth, that it is
10 about economics, is that another way to
11 meet the requirement, and in Marlboro he
12 said, by way of example, is they built
13 100 percent. But in order to offset the
14 maintenance and the mechanism under which
15 the affordables were built, the land was
16 donated.

17 So, again, it's all -- and
18 ultimately when everybody finishes and
19 stuff and your deliberation, it's all
20 about weighing all of these factors to
21 determine, yes, affordable housing,
22 30,000 feet, is inherently beneficial.
23 Kind of waiting and I smiled. He knows
24 where I'm going, right? Still waiting
25 for the reconciliation of what the

1 Borough, and just as important in my
2 opinion, the Fair Share and the Court
3 determined was an adequate settlement of
4 this -- and, again, I rounded up to make
5 it easy.

6 THE WITNESS: Right.

7 MR. GERTNER: Round numbers to
8 eight. You know, the eight units -- you
9 know, the eight units per acre.

10 THE WITNESS: Right.

11 MR. GERTNER: You know, plus or
12 minus.

13 And I think, respectfully, the
14 Board, the public and, ultimately -- this
15 is why you get the big bucks, you're
16 going to have to do this balance. But
17 ultimately you're going to have to
18 determine -- I'm precluding his testimony
19 again and the reconciliation -- all these
20 other site-specific factors to determine
21 if you accept the fact that this is an
22 inherently beneficial use, which I am on
23 record indicating that. I believe we all
24 can accept that, again, that the
25 provision of affordable housing is

1 beneficial. Have they -- that doesn't
2 mean they don't have to address the
3 negative criteria.

4 THE WITNESS: The negative
5 criteria. Correct.

6 MR. GERTNER: And, again, the
7 planner agrees with it.

8 THE WITNESS: Yes.

9 MR. GERTNER: So, again, I'm
10 sorry to be long-winded but it's very
11 important in this kind of case,
12 particularly, that the record be total,
13 neutral, and that when you ultimately
14 deliberate and have to make a
15 determination, it's based on as much
16 information as possible.

17 THE WITNESS: So where I was
18 wrapping up on that point was essentially
19 what makes this an appropriate site for
20 the density that's being proposed? What
21 makes this consistent with the population
22 density?

23 Well, in this case we have
24 highway frontage. We have a commercial
25 use that can be very intense. We also

1 are situated next to a multifamily
2 property that's at 17.7 units to the
3 acre. You have an outlier, a small
4 residential property of four units on a
5 50-by-100.

6 So, again, the density, the
7 gross density, within this area sprinkled
8 in is not foreign, but it's also
9 something that is transitional where you
10 have commercial uses along 88. You have
11 multifamily at higher than that
12 eight-per-acre density right next door to
13 us. And then we have commercial use on
14 the other side of us with FINS, but then
15 behind us we go to the single-family
16 densities that I think, pursuant to your
17 ordinance, would be about eight to nine
18 units on the acre on 50-by-100 lots.

19 So in this case I do believe
20 it's an appropriate population density to
21 establish on this location because of the
22 context of this specific lot given the
23 commercial zoning, given the
24 surroundings, given what's next door.
25 It's something that won't stick out

1 within the neighborhood because you have
2 other multifamily buildings right next
3 door.

4 And, quite frankly, you wouldn't
5 be able to proceed from that building to
6 our building, whether it's 18 or 22 or 24
7 units to the acre. It's within the
8 envelope of height so we're not going
9 excessive in height. And I'll do a
10 little bit more when I get specifically
11 to the D-5 variance.

12 CHAIRMAN COLEMAN: One second.
13 Jim, go ahead.

14 COMMISSIONER GIORDANO: What's
15 the front setback? The house you keep
16 talking about. What's the front setback
17 to that house?

18 THE WITNESS: On that existing
19 house?

20 COMMISSIONER GIORDANO: Yeah.
21 And how high is that house?

22 THE WITNESS: Well, it's two
23 stories. It's --

24 COMMISSIONER GIORDANO: But it's
25 not 42 feet, right?

1 THE WITNESS: And -- well, no,
2 42 is permitted. That's consistent with
3 your ordinance.

4 COMMISSIONER GIORDANO: No, no.
5 That --

6 THE WITNESS: Yeah. No, I
7 understand that.

8 COMMISSIONER GIORDANO: How high
9 is that house? Not from --

10 THE WITNESS: Yeah. No, that's
11 even more amazing. You have 36 to the
12 acre on a two-story house.

13 CHAIRMAN COLEMAN: Jim's
14 question was how tall is the building?

15 THE WITNESS: It's two stories.

16 CHAIRMAN COLEMAN: Okay.

17 COMMISSIONER GIORDANO: But two
18 stories is not 42 feet.

19 THE WITNESS: But 42 is
20 permitted in your ordinance. I don't
21 know why you're concerned about 42.

22 CHAIRMAN COLEMAN: Sir, he's
23 asking you --

24 THE WITNESS: No, it's not.

25 COMMISSIONER GIORDANO: How high

1 is that house?

2 THE WITNESS: It's two stories.
3 I mean, I haven't measured the height.

4 COMMISSIONER GIORDANO: Okay.
5 I'm saying it's roughly around 32 feet.

6 THE WITNESS: This? No, this is
7 lower than that.

8 COMMISSIONER GIORDANO: Okay.
9 Good. Then --

10 THE WITNESS: Yes, it's 32 to
11 the acre. That's what I mean about
12 perception. And that's actually a great
13 lead-in to perception --

14 (Indiscernible cross talk;
15 reporter requests one speaker)

16 CHAIRMAN COLEMAN: Hold on a
17 second. We have a volunteer board member
18 with questions. He keeps being
19 interrupted --

20 THE WITNESS: I'm trying to
21 answer him.

22 CHAIRMAN COLEMAN: Okay. Well,
23 you're not trying to answer him --

24 THE WITNESS: Yes, I am, sir.
25 I'm sorry if I --

1 (Indiscernible cross talk;
2 reporter requests one speaker)

3 CHAIRMAN COLEMAN: You're trying
4 to talk over him and you're trying to
5 talk around him and you're trying to get
6 your answer out in a fast way so you can
7 run it past him.

8 THE WITNESS: I disagree.

9 CHAIRMAN COLEMAN: Well, I
10 don't.

11 THE WITNESS: I disagree.

12 MR. CERES: I object to the
13 conversation of --

14 COMMISSIONER GIORDANO: Okay.
15 I'll start all over. I apologize. I'll
16 ask you the question again.

17 How high is that house?

18 THE WITNESS: It's two stories.
19 I do not have a height in feet.

20 CHAIRMAN COLEMAN: Okay. That's
21 the answer.

22 What's the front setback?

23 THE WITNESS: Again, I haven't
24 measured it, but given that there's one
25 vehicle on there that's probably 16 to 18

1 feet in depth, I would guess it's less
2 than 25.

3 COMMISSIONER GIORDANO: Okay.
4 But probably close to that. Okay.

5 THE WITNESS: Again, I'm
6 estimating based on the vehicle that's
7 parked in front.

8 COMMISSIONER GIORDANO: It's a
9 smaller house, almost 25 feet.

10 THE WITNESS: Right. And my
11 point that I was trying to say is,
12 amazingly, you have arguably a very small
13 building. Looking at it from the street,
14 you would never go by and say, wow,
15 that's 36 to the acre, but it is.

16 COMMISSIONER GIORDANO: Okay.
17 Then let's stay with the apartments next
18 door. What's the front setback? side
19 setback?

20 THE WITNESS: I don't have those
21 measurements.

22 COMMISSIONER GIORDANO: So how
23 can you compare 17 units per acre? You
24 have no information regarding how far --

25 THE WITNESS: We're comparing

1 density.

2 COMMISSIONER GIORDANO: -- away
3 they are with this development. And
4 you're trying to make a comparison.
5 You're comparing apples with oranges
6 here.

7 THE WITNESS: It's --

8 COMMISSIONER GIORDANO: You
9 know, and --

10 THE WITNESS: I'm sorry.
11 Density is units per acre. I'm comparing
12 units per acre.

13 COMMISSIONER GIORDANO: Yeah,
14 but you don't know the height of --

15 THE WITNESS: It doesn't matter.
16 We're comparing density --

17 (Indiscernible cross talk;
18 reporter requests one speaker)

19 MR. GERTNER: Excuses me.
20 Excuse me. Excuse me.

21 (Indiscernible cross talk;
22 reporter requests one speaker)

23 MR. GERTNER: So, Mr. Ceres,
24 respectfully, it's your court reporter.
25 And it's your witnesses that are

1 interrupting. Take -- everyone should
2 take a deep breath. Let a question be
3 asked, take a breath, and then let
4 somebody answer it.

5 THE WITNESS: Yes, sir.

6 MR. GERTNER: Also -- also, my
7 direction now, in addition, what I ask
8 all the -- and the public -- this goes
9 ultimately to the public as well. When
10 there's a question asked, I would ask
11 whomever is answering it to answer the
12 question and even articulate the fact
13 that 'I have further information to
14 inform my answer beyond that.' That will
15 help all -- it will help the tape and it
16 will help the court reporter. Please.

17 THE WITNESS: Very good.

18 MR. GERTNER: I got a nod.
19 Agreed. Fantastic. Good.

20 COMMISSIONER GIORDANO: I know
21 you don't -- you probably don't know the
22 answer, but I'm asking this for a reason.
23 Because you're trying to compare
24 densities with adjacent properties and
25 you have none of the other information

1 that's germane to this application:
2 Setbacks, heights, mass. You don't have
3 any of that information. You're just
4 pontificating -- and doing it well, by
5 the way -- but, you know, it's getting
6 late and you're still only halfway
7 through.

8 THE WITNESS: If that.

9 COMMISSIONER GIORDANO: Okay.
10 Go.

11 THE WITNESS: So to address that
12 point, if you will, we are comparing
13 density. Density is calculated at the
14 number of units per acre and that is the
15 comparative I'm giving you. The
16 condominiums next door are a two-story
17 building. That house is a two-story
18 building. We are proposing three stories
19 within the permitted height limitation
20 within your overlay zone. Your overlay
21 zone permits 42 feet. We are within that
22 height limit. So we are not asking for
23 any relief with respect to height. We
24 are a permitted height.

25 So if we technically did eight

1 townhouses there, we could go 42 feet
2 with five bedrooms. So, you know, in
3 terms of massing and comparative, we have
4 to look at what we're comparing. We can
5 compare the heights of the building,
6 certainly. We are at -- under 42, but we
7 are three stories. The property next to
8 us is two stories.

9 COMMISSIONER GIORDANO: Okay.
10 And you don't have information on the
11 setbacks. Thank you.

12 THE WITNESS: And, finally, to
13 "encourage coordination of various
14 public and private procedures and
15 activities shaping land development with
16 a view of lessening the cost of such
17 development and to the more efficient use
18 of land."

19 And that's a pretty powerful
20 statement that was one of the more recent
21 additions to the Municipal Land Use Law
22 because with the state plan that was
23 adopted in the 1990s, there was a
24 recognition that land is becoming a
25 valuable resource in New Jersey,

1 particularly New Jersey. And that growth
2 and that density should be reconciled and
3 directed towards where there's
4 infrastructure. There was a deliberate
5 attempt within the state plan to try to
6 prevent suburban sprawl into farmland
7 sprawl and to keep growth and density
8 where it could be accommodated because
9 there is infrastructure in place. And
10 when I say "infrastructure," I mean
11 roads, water, sewer, electricity, natural
12 gas, schools in place.

13 So that the directive of the
14 state plan and the introduction of the
15 concept of the efficient use of land, the
16 idea of lessening the cost of
17 development, and the efficient use of
18 land was specifically intended to direct
19 growth where it can be accommodated.

20 And Point Pleasant is one of
21 those communities. Again, it's built
22 out. It has infrastructure in place.
23 There was testimony from Mr. Kennel that
24 the traffic that would be generated onto
25 the road system that's adjacent to this

1 property would be less intense than many
2 of the permitted uses and certainly not
3 something that would even increase the
4 flow from the existing use by more than
5 100 trips. So this would be a minor
6 application to the Department of
7 Transportation.

8 When we look at the idea of
9 efficient use of land, we have a property
10 here that's developed. And I can
11 honestly say, looking at this Board, no
12 one really likes what's there. Well,
13 this is an opportunity to change it, but,
14 again, it's something that we believe is
15 an improvement to the property that will
16 operate properly, that will not be a
17 detriment to the community, will address
18 your affordable housing need, and will be
19 done efficiently.

20 And this can actually even be
21 applied -- we'll get to the issue of the
22 tandem parking --

23 COMMISSIONER GIORDANO: Can I
24 make one comment? Why not put the Empire
25 State Building there and fill it with all

1 affordable houses? I mean, that --

2 THE WITNESS: It would be over
3 42 feet.

4 COMMISSIONER GIORDANO: How far
5 are we going to go with the density to
6 justify that whatever --

7 THE WITNESS: Well -- and,
8 again, the D-5 criteria will address that
9 because that is exactly on point with how
10 you reconcile the D-5 criteria.

11 COMMISSIONER GIORDANO: Okay.

12 THE WITNESS: So I'm getting
13 there. I promise you, I'm getting there.

14 COMMISSIONER GIORDANO: Okay.

15 THE WITNESS: But I do want to
16 say in terms of efficient use of land,
17 there was -- particularly from
18 Mr. Giordano -- questions regarding the
19 tandem parking. I'll talk about the
20 tandem parking in a little bit.

21 But one of the -- one of the
22 things that's been recognized in
23 communities throughout the State of New
24 Jersey -- and I've seen tandem parking --
25 and, actually, one of the other things

1 we've seen addressing parking situations
2 in terms of efficient use of land in
3 order to preserve coverage, to minimize
4 impervious coverage, to reduce pavement,
5 is not only tandem parking, but racking,
6 car racking, as you see in the parking
7 lots in the New York.

8 I can think of several
9 buildings -- one in particular in Bound
10 Brook right now, a 19-unit building --
11 that actually has racking for the tenants
12 where you park and you lift your car and
13 then you park another one right under it.
14 So you get -- as a two-bedroom unit,
15 you're assigned a rack. And not only do
16 you have to pull your car out, but then
17 you have to lower your car.

18 So these are the type of
19 innovative things that are being done by
20 other communities in order to address
21 impervious coverage, making efficient use
22 of land, and that is absolutely on point
23 with the purposes of the Municipal Land
24 Use Law.

25 So now we're going to get to the

1 highlight of the D-5 variance. So the
2 D-5 variance in context -- as you know,
3 there are two types of "D" variance:
4 There's the straight use variance which
5 is reconciled under the Medici criteria,
6 and then there's the other "D" variances
7 which are addressed under the Coventry
8 Square criteria.

9 And in this case Grasso v.
10 Borough of Spring Lake Heights
11 specifically pointed out that the test
12 for density is similar to that as with
13 FAR, meaning the Coventry Square criteria
14 holds, not the Medici criteria. So we're
15 not talking specifically about the use,
16 because presumably the use is permitted,
17 but we have to demonstrate that the
18 deviation in density can be accommodated
19 on the site and that any of the
20 detrimental effects of the deviation can
21 be mitigated.

22 So basically it shifts the
23 standard to the focus of the negative
24 criteria, as Sean indicated. We have
25 presumably -- the positive criteria is

1 met because this is an inherently ben --
2 it includes an inherently beneficial use
3 in providing affordable housing.

4 But having said that, the shift
5 is on can the site accommodate the
6 additional density that is being
7 proposed? So the parcel is being
8 proposed with 24 units. And we have to
9 look at what does that mean in terms of
10 intensity? When we're measuring
11 intensity, we have to look at it in the
12 context of what's there today? What
13 could be there under either the
14 underlying zoning or the affordable
15 housing overlay and what's being
16 proposed?

17 So we know it's currently
18 operating and has operated since the '60s
19 with 24, actually, motel units.
20 Disorganized, not -- unsightly, and
21 creating a lot of issues in terms of the
22 operation of the property. It could be
23 approved under the commercial zoning with
24 a medical center, with a nightclub, with
25 a restaurant, which you heard testimony

1 would operate at a significantly greater
2 intensity.

3 But we're proposing 24 units.
4 We're proposing 24 units within a
5 three-story building that's compliant
6 with the height within your ordinance.
7 We are compliant with the lot coverage
8 within your ordinance. We're not asking
9 for excessive coverage. We're not
10 creating any drainage issues. We had --
11 you heard the engineer testify that
12 everything there is going to be well
13 handled and well accommodated.

14 We are providing sufficient
15 parking for those 24 units and still
16 under your limit for lot coverage. We
17 are providing 24 surface spaces and 27
18 spaces under the building including
19 those seven tandem spaces to the side
20 yard.

21 So the deviations that we're
22 requesting essentially are the setback
23 along Austin. Whereas we are proposing I
24 believe I gave that number correctly for
25 the record. It's 8.24 to Austin. The

1 existing condition with Wenke's is 4
2 feet. So while we're still asking for
3 some relief on that setback to Austin, we
4 are improving the condition that's there
5 today.

6 With respect to Curtis Avenue,
7 we will be compliant with the 15 feet in
8 the interpretation of your setbacks. But
9 let's look at your ordinance with respect
10 to the overlay which would require a
11 30-foot side yard setback. Well, the
12 existing condition with Wenke's is 5.36.

13 So, again, we are, if not curing
14 it and bringing it into conformity with
15 the interpretation of the ordinance as I
16 read it, we are bringing it into closer
17 compliance to the 30 feet. And, again,
18 taking a nonconforming preexisting
19 condition and making it better.

20 So we are also, if you look at
21 the benefits of the application,
22 providing pedestrian circulation around
23 the perimeter. We're providing sidewalks
24 where there are none today. And I know
25 this is a controversial point with some

1 Board members, but we are curing the
2 coverage issue. The coverage was
3 calculated at an excess of 80 percent.
4 Mr. Savacool, in his letter, acknowledged
5 it was in excess of 80 percent. We are
6 being compliant under 70 percent in terms
7 of lot coverage.

8 So what are the nuisances with
9 what we're proposing? The density will
10 create more traffic, more activity than
11 what the overlay zone would do in terms
12 of the strict interpretation of eight
13 units, but it's less activity, less
14 noise, less trash than what would be
15 permitted under the commercial underlying
16 zone. It is less intense overall than
17 what could be there as of right under the
18 GC zone.

19 We also have to recognize that
20 the hours of operation of this
21 multifamily development would be
22 consistent with the residential
23 neighborhood, meaning people will be
24 going to work in the morning, coming home
25 in the evening, and they'll be home at

1 night. Whereas, if you went with a
2 commercial use or a retail use or a
3 restaurant use, you'd have conflicting
4 times of peak use. Restaurants, bars,
5 peak time is evenings, weekends. Retail
6 space, peak times are weekends, which is
7 arguably when the residents in that area
8 have the quiet enjoyment of their
9 neighborhood. They're looking for peace
10 and rest.

11 Ask the people right next door
12 to FINS what their weekends are like
13 during the summer. That's permitted.
14 That's a consistent -- that's a
15 consistent use, a conforming use, in this
16 neighborhood --

17 CHAIRMAN COLEMAN: What do you
18 think they're like during the summer?

19 THE WITNESS: I think they're
20 loud. They're noisy. They have cars
21 coming in and out of the parking lot
22 until late hours.

23 CHAIRMAN COLEMAN: Okay. Thank
24 you.

25 THE WITNESS: Yeah. I mean, so

1 this is what we're talking about in terms
2 of when we're looking at the density.
3 And the D-5 reconciliation is specific.
4 What are the conditions that are deviant
5 and how are they being addressed? And
6 are these deviations able to be absorbed
7 by the property?

8 Well, this property is a larger
9 parcel. It's one of the larger parcels
10 within the overlay zone.

11 We are within the height. So
12 in terms of the separation to the
13 property to the east, the other
14 multifamily, we are abiding by all their
15 light, air and open space expectations.
16 We give them proper setbacks. We are not
17 excessive in height. We're not creating
18 any excessive shadowing. So our closest
19 neighbor, the condominiums to our east,
20 are getting all the light, air, and open
21 space that they would under the overlay
22 zone.

23 The deviations that we're
24 requesting in terms of setback are along
25 Curtis and Austin. And in that case we

1 have street right-of-ways and streets
2 separating us from the other people. So
3 when you look at what the ordinance
4 requires in terms of separation, even if
5 you looked at the 30 feet, you know we
6 are -- those homes are separated more
7 than that from our property by virtue of
8 the fact that there's a street and a
9 right-of-way separation.

10 So in terms of light, air and
11 open space, we're not excessive in
12 height. And while we violate the setback
13 specifically to the right-of-way line,
14 the people across the street have the
15 setbacks that they would anticipate
16 within the ordinance if this were a side
17 yard if we were next door.

18 So when we look at the
19 deviations here, not only could they be
20 accommodated, but I think what's being
21 proposed is significantly better than
22 what could be there as of right.

23 So we look at the nuisances in
24 terms of the negative test. So the
25 nuisances typically are things like

1 traffic, noise, drainage, trash creation.
2 So let's look at that.

3 Traffic. You heard testimony
4 that the property is parked not only
5 consistent with RSIS, but configured
6 consistent with RSIS in terms of the
7 drive aisles. So we meet the parking
8 requirements.

9 The traffic circulation on-site
10 was testified to that it's appropriate;
11 that we have adequate sightlines exiting
12 and entering onto the property. That we
13 have configured the trash receptacle such
14 that it is directly off of Route 88, away
15 from the single-family residences. And
16 that the traffic circulation and the
17 traffic intensity is not something of
18 concern and, in fact, would operate
19 superior to what's there today and
20 superior to what could be approved in the
21 underlying commercial zone.

22 With respect to drainage, no
23 issues are raised. In fact, I don't
24 believe Mr. Savacool had any issues with
25 the drainage on the property. And I

1 believe it was testified to that the
2 property could accommodate everything.

3 With respect to trash, we do
4 have a receptacle. It will be private
5 pickup. It will be away from the
6 residences. And this will generate -- in
7 terms of trash, when you look at what an
8 apartment generates versus, say, a
9 commercial use -- less trash generation
10 than what could be generated or what
11 would be expected to be generated under
12 the underlying commercial district.

13 And, finally, with respect to
14 noise, again, we have 24 residences in a
15 residential zone, but we have an
16 underlying commercial zone that can
17 arguably have a use that is significantly
18 more intense in terms of noise generation
19 and hours of operation.

20 So, again, when we look at the
21 reconciliation and the accommodation of
22 the deviations, this is a better zoning
23 alternative than what could be there as
24 of right. And ultimately that's the
25 conclusion that we have to come to, is

1 that this is a better zoning alternative
2 than not only what's there, but what
3 could be there as of right either under
4 the underlying commercial zone or through
5 the application of the GC zone.

6 So, again --

7 CHAIRMAN COLEMAN: If it's so
8 less intense and it's so much better, how
9 come it's not allowed?

10 THE WITNESS: Well, again, we
11 didn't craft your ordinances. Other
12 communities --

13 CHAIRMAN COLEMAN: What's your
14 take on that, though? What's your
15 opinion? I know you didn't craft the
16 ordinance, but what's your take on it?
17 If it's so great --

18 THE WITNESS: I can't get
19 into --

20 CHAIRMAN COLEMAN: If it's --

21 THE WITNESS: I can't get --

22 CHAIRMAN COLEMAN: The ordinance

23 --

24 (Indiscernible cross talk;
25 reporter requests one speaker)

1 THE WITNESS: I can't get into
2 the head of whoever wrote this. Quite
3 frankly, when we do this, I've written
4 ordinances at 50, 60, 70, and as high as
5 130 units to the acre in order to
6 accommodate affordable housing. I've
7 worked with communities that recognize
8 they have an obligation and create those
9 opportunities at densities and at
10 heights that they believe will
11 accommodate that.

12 Again, you've created a density
13 here that's no greater than a
14 single-family lot density.

15 CHAIRMAN COLEMAN: Correct.
16 Right.

17 THE WITNESS: Yet it's an
18 overlay and it's an overlay over a
19 commercial zone that could be
20 significantly more active than what's
21 proposed and what's being proposed even
22 at three times the density that your
23 ordinance would permit.

24 CHAIRMAN COLEMAN: I know about
25 every one of those commercial

1 applications.

2 Go ahead, Mr. Gertner.

3 MR. GERTNER: Just to sort of
4 take that, and it goes to my question,
5 which is this reconciliation. So you
6 talked about your experience, how you've
7 written these ordinances.

8 Can you, again, based on your
9 experience and in your professional
10 opinion, can you articulate a reason that
11 you can perceive as to why Fair Share
12 Housing accepted the density pursuant to
13 the ordinance?

14 THE WITNESS: Fair Share Housing
15 was presented, I believe, a 15-page list
16 of properties within the overlay zone
17 that were presented as reasonable
18 opportunities for development of
19 affordable housing. Again, I can't speak
20 to how deep Fair Share Housing went into
21 it, but, again, you know, one of the
22 first things that stood out to me is that
23 that list lists each of the 20
24 condominiums next door as a reasonable
25 opportunity to provide affordable

1 housing.

2 MR. GERTNER: What does that
3 mean, though? Maybe -- when you state
4 that, why are you emphasizing that?

5 THE WITNESS: Well, because,
6 again, I guess to some extent I'm
7 challenging the validity of the
8 reasonable expectations within the
9 overlay zone to provide the affordable
10 housing units. I know it was accepted by
11 Fair Share Housing, but, you know, some
12 of the things that were sent to Fair
13 Share Housing as a reasonable opportunity
14 for affordable housing were 20 individual
15 condominium units.

16 CHAIRMAN COLEMAN: So you're
17 saying that the town's submission of
18 those units as opportunities isn't valid
19 or isn't acceptable?

20 THE WITNESS: I don't think
21 it's -- actually, applying the criteria,
22 I don't believe there's a reasonable
23 opportunity to expect to obtain Fair
24 Share Housing out of that, out of those
25 20 units. I don't ever see any of those

1 units being turned over as affordable
2 units.

3 COMMISSIONER GIORDANO: And the
4 solution would be to put a massive
5 building with multiple design waivers and
6 variances -- and a variance, a
7 significant one, on Austin Avenue?
8 That's the solution?

9 THE WITNESS: Well, here's where
10 we differ in opinion. I do not believe
11 this is a massive building because, quite
12 frankly, if you were to build eight
13 townhouses here, it could be the same
14 mass as this building proposed. This is
15 a very efficient building. It's within
16 your height envelope. It provides
17 frontage requirements along Route 88. If
18 you put eight 25-foot-wide townhouses
19 with five bedrooms there, you'd have a
20 200-foot-long building --

21 COMMISSIONER GIORDANO: You're
22 not going to fit it.

23 CHAIRMAN COLEMAN: Is it the
24 five-bedroom argument again? I have it
25 written down from before.

1 THE WITNESS: Well, it could
2 be -- it could be a 25-foot one-bedroom
3 townhouse that's three stories. Lot of
4 game rooms, lot of pool -- look, what I'm
5 saying is the mass here isn't something
6 that I find extraordinary because, you
7 know, the mass is basically how are you
8 using the space?

9 And I wish the architect had
10 gone before me because he'd work out how
11 efficient the lot is -- how efficient the
12 use of this building is because it is a
13 very efficient building. And I've seen
14 this building in many communities,
15 including Keyport, which used it to
16 address their affordable housing unit.

17 So this is not a massive
18 building. This is within your height
19 envelope. It meets the front setback.
20 Arguably it meets the setback along
21 Curtis if you look at the strictest
22 interpretation. The deviation is along
23 Austin. And even there we're better than
24 what's there today. We're providing the
25 appropriate setback to the east, to our

1 neighbor, to the condominiums. So I
2 don't think this is massive.

3 And I think what attests to that
4 is that we are under your ordinance
5 requirement for the overlay for lot
6 coverage.

7 MR. SAVACOO: Well, when you
8 say Austin, you're making it so much
9 better because it's 4 feet existing and
10 you're going to 8 --

11 THE WITNESS: That's at one
12 point, Rick. That's at one point.
13 Because --

14 MR. SAVACOO: You recognize
15 that a Cape Cod house is different than a
16 two-story colonial.

17 THE WITNESS: But the intent of
18 the overlay wasn't to build a Cape Cod
19 house, was it?

20 MR. SAVACOO: But my point is
21 you're trying to say that by changing it
22 from four to eight, you're making it
23 twice as good. But I have a cottage now
24 that I can probably reach the roofline on
25 if I was out there as opposed to a

1 40-plus-foot-tall building.

2 THE WITNESS: Again, never
3 said -- never said twice as good.

4 MR. SAVACOO: So while the
5 lateral separation is certainly better, I
6 would say that the visual separation is
7 certainly not better.

8 THE WITNESS: Well, the lateral
9 separation is better. The height is
10 within the envelope that's permitted
11 within the district. And, again, I
12 indicated that the closest neighbor is
13 across Austin. It's not next door. That
14 neighbor has the benefit not only of the
15 right-of-way and the sidewalk and the
16 separation of the street and then the
17 right-of-way and the sidewalk on the
18 other side.

19 So in terms of expectations,
20 it's softening what's there and arguably
21 it's a much more attractive building.
22 Again, you haven't had the benefit of the
23 architect walking you through the design
24 and everything else. But it's a much
25 more attractive building than what's

1 there today.

2 And, again, a desirable visual
3 environment is -- it's not one of the
4 points of the MLUL that I expanded, but I
5 probably should have. But a desirable
6 visual environment is one of the points
7 of the MLUL that's deemed appropriate for
8 a variance relief. I'd argue that what's
9 proposed here is significantly more
10 attractive than what's there.

11 COMMISSIONER GIORDANO: Perhaps
12 the height was chosen by the council when
13 they developed this ordinance based on
14 eight units per acre. I mean, doesn't
15 that make any sense?

16 THE WITNESS: No, because as I
17 mentioned to you, you could have an
18 eight-unit building of the same mass.

19 CHAIRMAN COLEMAN: But not
20 really a configurable -- those are the
21 five bedroom units again. Not really --

22 THE WITNESS: And that would be
23 a --

24 CHAIRMAN COLEMAN: I'm not
25 saying --

1 (Indiscernible cross talk;
2 reporter requests one speaker).

3 THE WITNESS: I'm sorry,
4 wouldn't that be permitted under the
5 ordinance?

6 CHAIRMAN COLEMAN: It would be
7 permitted but it wouldn't be marketable.
8 Nobody's building those.

9 THE WITNESS: Oh, I disagree.
10 In a shore community? I can show you
11 five-bedroom three-story townhouses
12 across from Seven Presidents Park that
13 are selling for 2.2 million.

14 COMMISSIONER GIORDANO: Okay.
15 Let me ask you this question: If we
16 eliminated all of the design variances,
17 the design waivers --

18 THE WITNESS: That's under
19 construction today.

20 CHAIRMAN COLEMAN: I understand.
21 I know the area.

22 COMMISSIONER GIORDANO: If we
23 eliminated -- it's a question --
24 eliminated all the design waivers, which
25 are significant, and the variance, what

1 size building could we get?

2 THE WITNESS: First of all, I
3 have to disagree with your
4 characterization of design waivers as
5 "significant." They're minor. First of
6 all, two of the design waivers are
7 reconciled by the Residential Site
8 Improvement Standards which supersede
9 your design requirements. So size of
10 parking space, size of drive aisles
11 between the parking spaces, those are
12 preempted by the RSIS standards and we
13 are compliant with those.

14 The other two waivers relate to
15 distance of the curb cuts to the
16 intersection and parking in the front
17 yard. And the parking in the front yard
18 is along a commercial district along
19 Route 88. We didn't put that parking
20 adjacent to the residents. That is along
21 Route 88.

22 And, again, it was testified
23 that the circulation and the site
24 distances to that parking, to that drive
25 along Austin that deviates from the 25

1 feet --

2 COMMISSIONER GIORDANO: You
3 didn't answer my question. Please answer
4 my question.

5 If we eliminated the parking in
6 the front and we eliminated the setback
7 problem along Austin Avenue, what size
8 building could we put on?

9 THE WITNESS: You could do the
10 same building.

11 COMMISSIONER GIORDANO: I don't
12 think so.

13 (Pause in the proceedings.)

14 CHAIRMAN COLEMAN: Okay. Where
15 were we?

16 COMMISSIONER GIORDANO: I asked
17 a question; he answered it to the best of
18 his ability for now.

19 CHAIRMAN COLEMAN: Okay.

20 COMMISSIONER GIORDANO: Mr.
21 Chairman, it's getting late.

22 CHAIRMAN COLEMAN: It is.

23 COMMISSIONER GIORDANO: I know
24 we wanted to hear his testimony through
25 tonight. I don't think it's going to

1 happen. He still has a half of a
2 pamphlet to go through, a book to go
3 through.

4 THE WITNESS: I haven't even
5 started with the bulks yet.

6 CHAIRMAN COLEMAN: Okay.

7 COMMISSIONER GIORDANO: So my
8 suggestion is that we at least give him
9 a timetable to finish up for now and
10 carry.

11 CHAIRMAN COLEMAN: Here's the
12 thing. I don't want this testimony to
13 end, us to go away for a month, and then
14 the public has to come ask the questions
15 which they're going to -- you know, I
16 wouldn't remember. So if we want to
17 pause at this point, or close to this
18 point, and you can continue next time and
19 then the public can ask their questions
20 and we can ask questions then as well,
21 rather than concluding this evening and
22 then waiting even longer for more public
23 questions.

24 THE WITNESS: I would say I
25 would just have five more minutes on

1 wrapping up the D-5 variance and that
2 would be the perfect transition where
3 I'll start with the bulks and the design
4 waivers. And all --

5 CHAIRMAN COLEMAN: Next time.

6 THE WITNESS: And all I need to
7 reconcile on the D-5, Sean, is the
8 negative criteria on your master plan and
9 ordinance.

10 MR. GERTNER: Now, I know,
11 Mr. Chairman, you say -- and, again, this
12 is a Board decision. Let me just throw
13 another option out. The applicant has --
14 and I perceive will again -- order a
15 transcript?

16 MR. CERES: Correct.

17 MR. GERTNER: So I understand,
18 respectfully, your concern that the
19 public will forget their question. You
20 could -- let me just -- let me just --
21 before anyone disagrees, let me just make
22 the point, which is, similarly, though,
23 if the public has the opportunity not
24 only to recall their questions, but then
25 reconcile their questions with the

1 transcript, they may be better prepared
2 to ask questions after the totality of
3 the testimony.

4 CHAIRMAN COLEMAN: Well, they're
5 going to order the transcript anyway,
6 right? The transcript this time is going
7 to be ordered so they can review it,
8 right?

9 MR. GERTNER: Yeah.

10 MR. CERES: Well, are you
11 asking --

12 MR. GERTNER: Well, what I'm
13 saying is --

14 MR. CERES: Yes, it's for us.
15 If you want me to provide you with a
16 copy, we'd be happy to.

17 CHAIRMAN COLEMAN: Okay. So we
18 can still do that and have five more
19 minutes tonight. Because I'm not going
20 to have all of this planning testimony,
21 all this stuff -- and they get to read
22 it, I know, and I'm not saying that
23 they're going to forget. But it's hard
24 to piece all this together, to understand
25 it when you're not here every two weeks.

1 And then to come back in a month and be
2 able to ask a question, it's just not a
3 reasonable public expectation in my
4 experience and opinion.

5 So we have five minutes --

6 THE WITNESS: Very good.

7 CHAIRMAN COLEMAN: -- to
8 conclude this point and we'll pick it up
9 next time.

10 THE WITNESS: Perfect. And it's
11 a good transition, quite frankly.

12 CHAIRMAN COLEMAN: Great.

13 THE WITNESS: So --

14 CHAIRMAN COLEMAN: I really
15 don't --

16 COMMISSIONER MASTERSON: Excuse
17 me, Mr. Chairman.

18 COMMISSIONER NIKOLA: One quick
19 question. You keep on referencing 42
20 feet.

21 THE WITNESS: Yes.

22 COMMISSIONER NIKOLA: Okay. Are
23 there any buildings 42 feet in the area
24 there?

25 THE WITNESS: Again, I reference

1 it because that is what is --

2 COMMISSIONER NIKOLA: I

3 understand what you want --

4 THE WITNESS: And that is -- I

5 have not --

6 (Indiscernible cross talk;

7 reporter requests one speaker)

8 COMMISSIONER NIKOLA: Is there

9 another building in that area 42 feet?

10 THE WITNESS: I have not

11 measured the buildings in that area.

12 CHAIRMAN COLEMAN: Okay. Very

13 good.

14 Pam?

15 COMMISSIONER MASTERSON: Well,

16 can we let the public ask questions on

17 what he's presented so far?

18 CHAIRMAN COLEMAN: No.

19 COMMISSIONER MASTERSON: No.

20 Okay. He has to finish everything and

21 then go --

22 CHAIRMAN COLEMAN: Yeah. Yeah,

23 yeah. We can't do it midway. That's why

24 I wanted to save it --

25 COMMISSIONER MASTERSON: We

1 can't find a medium --

2 CHAIRMAN COLEMAN: -- for next
3 time.

4 THE WITNESS: Okay. So as you
5 know, there are two prongs to the
6 negative criteria. The first is it
7 doesn't create a substantial nuisance or
8 a detriment to the public. That was my
9 testimony with respect to the noise, the
10 trash, and everything else.

11 The second prong of the negative
12 criteria is that it doesn't undermine
13 your master plan and ordinances. Again,
14 in keeping in context, the ordinance goes
15 beyond the density. The ordinance
16 purposes stated bin your master plan are
17 to provide a variety of housing
18 initiatives, to provide a variety of
19 housing types, and specifically to
20 provide affordable housing opportunities.
21 And we are indicating to you to provide
22 the affordable housing opportunity, the
23 proposal before you is 24 units, five of
24 which will be affordable. We believe
25 that's consistent with the goals and

1 purposes of your master plan.

2 With respect to the anticipated
3 detriments to undermining any points of
4 your ordinance, we talked about the
5 height's consistent. The setbacks are an
6 improvement over existing conditions.
7 Again, we have existing conditions which
8 kind of baseline what's there. We're
9 bringing the property into closer
10 conformity not only with setbacks but in
11 terms of coverage. We are providing
12 affordable housing which is a goal of
13 your master plan. We are creating an
14 infill project, which is anticipated
15 because of the lack of open space and
16 open land that you have in the Borough.

17 And in order to do that, what
18 we're asking for is relief on the
19 density. And I believe we've testified
20 that the density here doesn't create any
21 substantial detriment because the site as
22 it's configured can accommodate all the
23 nuisances associated with that.

24 And that's the end of might have
25 D-5 testimony.

1 CHAIRMAN COLEMAN: Thank you.
2 Appreciate that.

3 Okay. So with that, I believe
4 that's all the testimony that we are
5 going to hear this evening. The planner
6 will pick up very close to where he left
7 off at our next meeting, or at our next
8 meeting where they're on the agenda which
9 we'll figure out in a minute. And then,
10 when he concludes, the public and the
11 Board members will be able to ask
12 questions of that testimony.

13 And there will still be yet
14 another opportunity to hear your opinions
15 on the application. There's the
16 opportunity to question the experts on
17 their testimony and then there's the
18 opportunity to give your opinion on the
19 application. Both of those -- well, at
20 least one of those will occur at the next
21 meeting. Hopefully both of those will as
22 well, depending on how efficient we are
23 as a group.

24 Mr. Gertner, did I miss
25 anything?

1 MR. GERTNER: No.

2 CHAIRMAN COLEMAN: Checking the
3 schedule?

4 MR. GERTNER: No, Mr. Chairman,
5 other than to say -- and this goes,
6 again, for members of the public, the
7 Chairman and I -- and I apologize. I
8 didn't recognize we were really saying
9 the same thing from different locations.

10 I just want to make sure the
11 public knows that there will be a
12 transcript -- besides your own listening,
13 there will be a transcript available that
14 the Borough will post and have available
15 to a link on its website and be able to
16 reread what occurred so that you can
17 refresh your recollections as well.

18 And with that what we were just
19 talking about is attempting to --

20 CHAIRMAN COLEMAN: Get the
21 schedule right, I assume.

22 MR. GERTNER: So the question is
23 we have a fairly large -- there's a --
24 the Board has a fairly large application
25 on for the 24th of March as well, so --

1 CHAIRMAN COLEMAN: Is that the
2 church?

3 SECRETARY MORGAN: No.

4 CHAIRMAN COLEMAN: Okay. Thank
5 you.

6 MR. GERTNER: So it may be
7 better, again, under the same theory as
8 discussed is to have basically the same
9 set as you had tonight.

10 CHAIRMAN COLEMAN: Right.

11 MR. GERTNER: And this would be
12 up at April 14th at 7 o'clock.

13 THE WITNESS: Seven or 6:30?

14 MR. GERTNER: Seven. We moved
15 it forward.

16 MR. CERES: I just have one
17 question before we do. Am I correct that
18 we are done with the public's questioning
19 of my engineer and my traffic expert,
20 that I don't need them back at the next
21 one?

22 CHAIRMAN COLEMAN: Correct.

23 That's correct, yes, sir.

24 Okay. So if we're all good on
25 the dates, then we agree that April 14th

1 at 7 p.m. will be the next time that
2 this -- will be the next time that this
3 application is picked up from where we
4 left off with the planner's testimony.
5 And of course that will be agenda'd and
6 all of the materials will be on the
7 website.

8 Mr. Gertner.

9 MR. GERTNER: And just to
10 conclude that without the need for
11 further notice and the applicant waives
12 time.

13 MR. CERES: Correct.

14 CHAIRMAN COLEMAN: Motion to
15 adjourn?

16 COMMISSIONER PETRILLO: Motion
17 to adjourn.

18 CHAIRMAN COLEMAN: All in favor?

19 (Whereupon, a voice vote was
20 taken; chorus of "ayes" heard)

21 CHAIRMAN COLEMAN: Those
22 opposed?

23 Meeting is adjourned.

24 (Whereupon, the hearing on this
25 application was adjourned at 11:26 p.m.)

1 to April 14, 2021, 7:00 p.m.)
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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, BRIDGET LOMBARDOZZI, Notary Public
and Certified Shorthand Reporter of the State
of New Jersey, do hereby certify that the
foregoing is a true and accurate transcript of
the testimony as taken stenographically by and
before me at the time, place and the date
hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither
a relative nor employee nor attorney nor
counsel of any of the parties to this action,
and that I am neither a relative nor employee
of such attorney or counsel, and that I am not
financially interested in the action.

BRIDGET LOMBARDOZZI,
Certified Shorthand Reporter
C.S.R. License No. XI01201

A	132:17 174:5 182:2 184:6,11 201:22	ADAM 1:15	205:23,25	agenda 202:8
A-10 3:23 109:5 109:6	accommodated 169:8,19 173:18 175:13 180:20	add 20:11 61:5 63:15	ADJUSTMENT 1:2	agenda'd 205:5
A-11 3:24 110:11	accommodation 182:21	added 9:23,24	admit 28:15 136:18	ago 7:23 62:14 63:6
A-7 3:20 9:1,2 45:22	accurate 207:6	addition 65:6 166:7	admitted 25:21	agree 19:6 20:22 27:1 30:4 37:7 46:5 77:19 85:15 204:25
A-8 3:21 9:17,19	achieve 36:24 130:21	additional 29:4 37:5,23 56:7 105:25 106:13 114:9 143:24 174:6	admittedly 27:15	agreed 14:20 16:5 145:15 166:19
A-9 3:22 22:22	acknowledged 120:18 148:12 177:4	additions 55:25 168:21	ado 8:6	agreement 48:2 74:17 138:10 141:7 144:20
a.m 136:12	acknowledges 140:10 141:6	address 13:1 30:17 39:20 46:4 51:16,18 51:20,22 52:23 53:2,4,16,25 54:1 80:3,6 81:6 90:15 91:17 95:1,4,9 97:1 99:8 130:25 158:2 167:11 170:17 171:8 172:20 188:16	adopted 168:23	agrees 143:3 158:7
abiding 179:14	acquire 114:9	addresses 54:3	aerial 3:23 34:17 109:10	ah 28:11
ability 194:18	acre 35:1,3,5,6,6 100:3 111:21 111:22 112:4 113:9,10,11,15 133:5 134:6,13 134:15,17 135:8 149:15 157:9 159:3,18 160:7 161:12 162:11 164:15 164:23 165:11 165:12 167:14 184:5 191:14	addressing 124:18 141:9 172:1	affiliated 6:18	ahead 4:2,3 36:1 74:11 101:6 137:23 160:13 185:2
able 32:2 61:14 69:13 102:20 149:4 155:5 160:5 179:6 198:2 202:11 203:15	acres 5:13 133:12,22 134:15 153:24	adequate 57:7,8 57:16,17 77:15 122:4,19 157:3 181:11	affiliation 6:6 62:21	air 119:10,17 179:15,20 180:10
absolute 131:19	act 74:15	adequately 85:10,11 86:14 93:6	afford 119:20 149:4 155:4	aisle 10:17 69:8 69:8 70:4 72:10,12 88:11 123:9 129:3
absolutely 34:21 45:8 145:3 172:22	acted 87:1 108:21	adjacent 18:2,4 110:20 116:10 116:12 166:24 169:25 193:20	affordable 5:14 19:19,20,25 21:2 58:15,19 87:17 99:13 106:5 108:2,11 111:15 112:13 124:18 126:2,4 128:7 130:14 130:16 131:1,9 131:14,20 132:12,21 138:2 141:4,19 142:13 145:17 145:22 147:9 147:12,13 148:19,21,24 149:21 150:8 150:16 151:6 153:7,8,25 154:2,11,13,18 156:3,21 157:25 170:18 171:1 174:3,14 184:6 185:19 185:25 186:9 186:14 187:1 188:16 200:20 200:22,24 201:12	aisles 70:12 90:16 122:24 181:7 193:10
absorbed 179:6	action 147:3 207:12,15	adjourn 205:15 205:17	affordables 156:15	Allenhurst 65:14
abutting 119:6	activities 168:15	adjourned	affordability 64:6	alleviate 4:18 37:5
accept 7:7 63:9 105:8 150:3 157:21,24	activity 65:23 177:10,13			allow 14:17 128:24
acceptable 35:14 50:7 186:19	ADA 15:18 128:14			allowable 34:25
accepted 38:17 47:19 137:20 142:9 143:10 143:11,14 185:12 186:10	ADA-accessible 11:10			allowed 11:16 58:1 92:24 136:2 183:9
access 10:23 11:18 12:2,5,6 12:6 48:9 66:5 66:6,7 67:25 68:5,10,18 132:2,22,23,24				allows 21:3 32:17 69:24 78:7 99:13,14 120:17
accessed 128:15				alluded 48:11
accessibility 68:6				alternate 30:11
accidentally 86:4				alternative 18:19,20 124:8
accommodate 8:8 65:7 131:9 131:23 132:5				

124:14,16 182:23 183:1 alternatives 124:9 152:12 amazing 161:11 amazingly 164:12 ambiguity 17:17 19:8 21:19,22 22:2 25:23 26:2 28:19 30:6 Amboy 105:2 American 104:18 amount 34:11 amusement 107:7,10 analysis 46:6 ancillary 5:6 And/or 72:21 Andrew 3:14 104:2,13 angles 127:18 animal 107:6 answer 41:15,21 52:5 75:5 80:15 90:20 94:15 96:5 105:17 155:23 155:25 156:9 162:21,23 163:6,21 166:4 166:11,14,22 194:3,3 answered 94:12 194:17 answering 166:11 anticipate 180:15 anticipated 201:2,14 anticipates 151:16 anybody 91:5 95:20 156:5 anyway 197:5 anywheres	73:14 apart 71:7 apartment 40:8 182:8 apartments 36:19 50:18 105:23 108:24 112:11,12,15 148:18 152:18 164:17 apologize 6:13 51:9 69:16 91:4 102:13 163:15 203:7 app 20:24 43:13 appealed 145:11 appearance 32:24 122:21 appears 13:20 apples 59:3 165:5 applicant 1:21 4:5 7:24 19:15 20:24 22:3 33:19 38:8 41:22,23 42:3 58:3 78:1 102:1 112:8 125:2,10 144:14,17 146:7,14 148:17 196:13 205:11 applicant's 103:8 143:2 155:23 application 10:19 29:1 54:16 58:13 66:7 79:17 105:20 108:9 111:11 117:7 118:11 120:6 124:6 128:2 129:13 146:5,6 167:1 170:6 176:21 183:5 202:15,19 203:24 205:3	205:25 applications 63:4 185:1 applied 115:13 119:25 170:21 applies 19:1 27:22 28:6 115:8 apply 28:10 59:8 115:6 116:3 145:6 147:1 148:10 applying 117:1 186:21 appreciate 22:5 45:18 55:6 57:19 105:15 143:1 202:2 approach 21:9 21:25 22:1 60:23 appropriate 109:3 111:13 122:15 130:6 131:17,19 132:16,20 141:2 147:3 150:21 158:19 159:20 181:10 188:25 191:7 approval 52:7 approved 138:9 138:24 174:23 181:20 approves 55:2 approximately 5:3 64:5 73:3 73:23 April 204:12,25 206:1 arborvitae 49:9 architect 11:23 32:6 59:14 61:19 81:2 188:9 190:23 architectural 8:2 98:17,19 architecture 7:25 81:21	area 12:11 19:21 24:12 32:3,4 33:13,14 38:13 38:25 39:1,12 41:13 68:14 77:11 89:23 110:17,18 122:9 132:4,25 137:19 159:7 178:7 192:21 198:23 199:9 199:11 areas 39:11 47:13 49:20 111:24 131:16 arguably 20:14 151:24 164:12 178:7 182:17 188:20 190:20 argue 16:23 21:17 152:17 191:8 argues 14:12 argument 26:4 86:12 154:5 187:24 Arnold 139:7 arrangement 38:11 107:14 107:14 articulate 26:1 166:12 185:10 articulated 21:21 articulating 88:3 156:8 aside 55:16 56:11 112:13 112:17 119:3 126:2 141:20 asked 84:4 94:11 103:1,15 166:3,10 194:16 asking 58:6 81:25 83:9 161:23 166:22 167:22 175:8 176:2 197:11	201:18 aspects 45:24 asphalt 34:18 137:15 assertion 43:4 assign 75:22 assigned 44:6,12 76:21 172:15 assist 79:4 assistance 32:6 associated 4:23 5:8 201:23 Associates 2:3 62:24 63:2 138:7 assume 73:21 203:21 attempt 87:21 169:5 attempting 118:18 130:17 203:19 attention 89:17 attests 189:3 attorney 1:19 84:10 207:11 207:14 Attorneys 1:21 attractive 190:21,25 191:10 attributed 66:9 August 110:13 Austin 9:14 10:6 10:18 11:20 13:17 14:23 16:1 28:10 34:8 65:4 67:22 69:7 72:6 77:7,25 78:9 80:10 106:1 109:16 110:6 111:10 114:7,13 115:22 116:21 116:25 117:18 118:1,4,7,24 120:8,10 121:22 124:14
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

126:17 127:19	bachelor 6:22	188:7 204:8	benefit 146:7,13	63:9 64:14
128:20 129:11	bachelor's	basing 20:25	146:14 150:17	66:14 69:4
133:6 134:6	104:20	basis 64:7 66:11	153:16 190:14	74:15 77:23
175:23,25	back 4:3,4 12:21	73:16,24	190:22	84:5 102:1
176:3 179:25	16:20 24:11	beach 91:25	benefits 176:21	103:7 105:18
187:7 188:23	31:15,18,21,22	Beacon 104:14	best 26:12	108:10 110:11
189:8 190:13	31:24 32:22	bear 30:21	194:17	111:12 118:9
193:25 194:7	33:23,25 34:1	117:21 123:20	better 21:24	124:9,21
Austin's 28:11	34:10 35:20	138:8	25:7 60:22	125:25 133:8
28:13	39:23,25 40:2	beautiful 51:11	61:11 77:2	142:23 144:15
authority	40:3 41:9	becoming 65:11	124:8,23	144:17 145:6
123:15	45:14,16,21	168:24	134:14 176:19	157:14 162:17
auto 107:2	46:15,25 48:13	bedroom 113:12	180:21 182:22	170:11 177:1
automatic 107:9	49:12,14 55:14	113:25 191:21	183:1,8 188:23	196:12 202:11
	63:8 69:16	bedrooms 59:1	189:9 190:5,7	203:24
automatically	71:20,21 72:6	59:2 113:17,18	190:9 197:1	Board's 8:8 21:1
50:24	78:4 87:4 89:3	168:2 187:19	204:7	boarding 108:22
available 37:2	89:21,23	behalf 108:14	beyond 21:6	boards 152:9
41:11 76:1	100:17 101:20	behavior 86:17	146:14 166:14	Bobowicz 95:2,3
127:13 140:8	102:22 103:7	86:22	200:15	95:6,10,13,16
203:13,14	115:21 118:15	behoove 101:11	big 34:19 39:14	96:7,12,16
Avenue 6:20	128:5 129:1	belabor 44:23	54:7 92:18,21	98:1
10:18 12:14	198:1 204:20	55:13	93:2 157:15	body 107:2
14:23 31:14	background	believe 9:10	bin 200:16	book 195:2
33:6 46:11	9:11 107:25	14:24,25 29:12	birch 12:16 32:5	Borough 1:1
54:1,3 67:22	backing 37:10	35:14 47:15	46:24	67:19 70:20
68:1,18,25	70:2 71:19	48:7 49:1	bit 10:14 12:15	80:6 82:5,6
69:7 77:7,7,24	backward 89:21	53:17 97:9	14:14 15:15	85:16 91:20
77:25 78:9	backwards	107:15 112:23	24:11 28:9	95:14 104:24
80:9 95:11	20:21	113:19,23	32:9 47:12	129:22 138:1
99:10 106:1,1	balance 75:24	121:11,24	48:19 49:1,8	138:20 139:24
109:15 111:2	131:12 140:22	122:1,14	88:5 103:11	140:10,24
114:7,13	155:5 157:16	129:17 131:16	108:4 110:7	141:7,23
117:16,24	balances 140:20	139:15 141:14	111:23 114:18	143:16 144:4
118:22 139:8	bars 151:23	146:23 147:10	114:20 118:17	147:22 157:1
176:6 187:7	178:4	157:23 159:19	133:11 136:20	173:10 201:16
194:7	base 20:23	170:14 175:24	160:10 171:20	203:14
avoid 85:5	based 8:1 15:11	181:24 182:1	blame 41:22	Borough's 106:4
aware 22:11	21:4,5,12,18	184:10 185:15	block 1:7 4:8	138:11 141:25
25:20 33:5	70:9 76:13	186:22 187:10	5:10	bottom 10:3
44:2,24 45:15	81:15 86:21	200:24 201:19	board 1:2,12,19	109:15
76:25	139:5 145:13	202:3	3:6,11,16,24	Bound 172:9
awning 17:2	155:24 158:15	ben 174:1	4:13,16 7:6,22	bounds 99:19
eyes 205:20	164:6 185:8	beneath 10:12	8:17 9:25 14:2	Bowl 92:16,17
	191:13	beneficial	21:9 25:20	break 100:24
B	baseline 201:8	147:13 153:6	28:23 33:19	101:10 103:3
B 94:21,21	basic 73:4	153:13 156:22	39:25 43:13,19	breath 166:2,3
B-O-B-O-W-I...	basically 20:17	157:22 158:1	43:24 50:12	Brian 49:23
95:3	146:12 173:22	174:2	55:2 61:12,25	BRIDGET

207:3,17	116:9,12	C-2A 18:8	116:7 117:21	149:6
brief 4:21	128:16 160:5,6	C-A-P-R-I-O	119:14 133:1	Chairman 1:13
briefly 46:22	161:14 164:13	99:10	145:12,13	4:1,13 5:24
bring 9:16 32:8	167:17,18	C.1.B 116:6	155:13 158:11	6:14 7:6,10,12
39:12 67:1	168:5 170:25	C.S.R 207:18	158:23 159:19	44:22 45:5,9
118:19	172:10 175:5	calculated	173:9 179:25	45:11,12,13,17
bringing 42:17	175:18 187:5	137:19 167:13	categories 69:24	50:12 55:8
120:15,24	187:11,14,15	177:3	caught 16:7	60:9 61:4,8
121:2 176:14	187:20 188:12	calculation 13:9	136:14	63:8,12 66:13
176:16 201:9	188:13,14,18	15:17 34:23	center 29:14	69:4,11,20
broad 152:7	190:1,21,25	35:5 140:21	64:13 174:24	70:13 71:24
Brook 172:10	191:18 192:8	call 4:2,4 5:20	Ceres 1:21 3:5	72:25 73:7,17
brought 13:13	193:1 194:8,10	5:21 14:9	3:10,15 4:12	74:5,8,10
22:9 28:22	199:9	61:24 79:20	6:9 7:14 8:25	78:18 79:5
58:23 60:12	buildings 5:1	103:6 104:2	19:1 23:19,24	80:18 82:24
84:18	33:24 38:25	148:21 149:17	24:3 25:2,10	83:3,8,13,15
brown 12:12	39:4 59:7	called 14:24	25:12,15 30:16	83:18,23 90:21
bucks 157:15	111:17 124:1,2	134:13 143:17	31:6,12 41:14	94:11,14,17
buffer 32:9	160:2 172:9	calling 11:7	42:2,19 43:2	95:8,12,15,23
buffering 130:4	198:23 199:11	14:11 91:4	44:11 45:13	96:8,14,17
build 53:4 140:2	built 140:11	calls 14:19 88:15	49:23 50:8	98:22,25 99:18
153:24 155:5,8	156:12,15	capacity 56:4	52:1,5,12,19	100:7,12,16,25
187:12 189:18	169:21	Cape 189:15,18	53:1,10,17,21	101:4,5 102:3
builder's 140:23	bulk 4:10 19:23	Caprio 99:9,9	54:5,10,19,22	102:6,10,17,25
143:17 144:12	20:16 21:15	99:23 100:6	55:7 59:16,24	103:2,6,22
builders 153:23	31:17,25 114:3	car 36:10,11,15	60:5,17,19,22	104:1,9 105:4
building 5:4	bulks 195:5	36:16 37:15	61:17,22 62:2	105:7,12,19
8:19 10:8,9	196:3	39:25 40:2,17	62:5,9 74:14	109:8 125:9,15
11:24 12:2,4	bungalows	41:3,5,8 56:5	79:2 81:1	133:9,19 134:1
12:13 18:1,4	33:16 109:21	57:11 82:14,15	82:22,24 83:2	134:4,11,23
19:21 30:15	110:23,25	82:16 85:2,2	83:5,10,17,25	139:9 152:25
31:17,23 32:19	118:3,5	89:1,2,4,6	91:4 100:20,21	160:12 161:13
32:21,24 33:3	Burke 15:14,17	172:6,12,16,17	100:25 101:18	161:16,22
33:23 34:9,19	22:7,10 25:5	care 38:12 107:3	103:24,25	162:16,22
34:21 35:23	26:20,24	147:24	163:12 165:23	163:3,9,20
36:4 37:3,20	bushes 47:4	careful 47:7	196:16 197:10	178:17,23
38:3 39:4 40:8	business 23:9	Carney 3:22	197:14 204:16	183:7,13,20,22
40:25 41:25	25:3	23:7	205:13	184:15,24
42:12 46:12,16	byproduct 60:13	carry 8:14	certain 45:8	186:16 187:23
47:12,13 48:12		195:10	certainly 19:10	191:19,24
50:22,24 51:20	C	cars 36:6,10	21:25 27:18,24	192:6,20
52:11 54:13	C 1:18 6:1 62:15	37:11 56:7	56:2 60:9 96:5	194:14,19,21
56:16,19,21,22	79:23 94:21	65:18 67:14	168:6 170:2	194:22 195:6
57:24 65:25	99:3 146:17	92:7,10 93:9	190:5,7	195:11 196:5
73:22 76:23	207:1,1	93:14 178:20	Certified 104:19	196:11 197:4
80:22,24 81:8	C-01 9:9	Carteret 104:24	207:4,18	197:17 198:7
81:16,17 84:24	C-04 9:22	case 1:5 17:25	certify 207:5,10	198:12,14,17
87:2 89:12,14	C-05 45:25	18:10 19:16	cetera 48:24	199:12,18,22
105:23 112:12	C-13 9:9	26:7 56:20	Chair 1:13	200:2 202:1

203:2,4,7,20 204:1,4,10,22 205:14,18,21 challenged 43:4 challenging 132:7 186:7 change 13:22 63:25 136:19 139:3 170:13 changed 8:7 12:14 136:20 changing 133:10 189:21 Chapter 113:6 character 130:7 characteristics 130:3 characterizati... 193:4 charge 87:8 charitable 154:23 Checking 203:2 checklist 151:4 choice 43:16,17 50:15 58:3 81:14 choose 41:24 44:2 72:24 chorus 205:20 chose 39:2,16 79:8 125:10,11 127:12,21 chosen 191:12 Christine 80:5 church 204:2 circle 35:20 45:14 circulation 21:15 51:4 123:16 128:18 176:22 181:9 181:16 193:23 civil 6:21,22 104:20 clarification 91:3 clarify 58:21 classify 80:23	clean 97:14 clear 14:4 24:18 25:14,18 53:6 74:18 89:23 91:7 142:24 clearly 55:24 88:20 client 4:15 52:20 75:18 76:10 87:8 close 73:14 94:7 164:4 195:17 202:6 closer 32:1 49:1 118:19 176:16 201:9 closest 31:24 65:1 71:18 129:8 179:18 190:12 clump 137:5 CME 138:7 COAH 138:24 Cod 189:15,18 cold 40:19 COLEMAN 1:13 4:1 5:24 7:6,10 44:22 45:5,9,12,17 50:12 55:8 60:9 61:4,8 63:8,12 66:13 69:4,11,20 70:13 71:24 72:25 73:7,17 74:5,10 78:18 79:5 80:18 82:24 83:3,8 83:13,23 90:21 94:11,14,17 95:8,12,15,23 96:8,14,17 98:22,25 99:18 100:7,12,16 101:5 102:3,6 102:10,17 103:2,6,22 105:4,7,12,19 109:8 125:9,15	133:19 134:1,4 134:11,23 139:9 152:25 160:12 161:13 161:16,22 162:16,22 163:3,9,20 178:17,23 183:7,13,20,22 184:15,24 186:16 187:23 191:19,24 192:6,20 194:14,19,22 195:6,11 196:5 197:4,17 198:7 198:12,14 199:12,18,22 200:2 202:1 203:2,20 204:1 204:4,10,22 205:14,18,21 collaborative 81:19 collection 46:1 colonial 80:21 80:25 81:7,10 81:15 189:16 colonial-style 47:10 color 9:25 colored 3:21 9:18,19,21 Colts 104:16 combination 71:2,3 come 4:19 20:17 40:5 41:9 46:10 49:11,12 49:14 56:25 61:20 79:1,7,9 79:10,17,21 91:1,24 92:8 96:19 101:19 102:22 182:25 183:9 195:14 198:1 comes 10:17 14:15 32:13	59:11 92:21 123:15 comfortable 72:22 93:8 coming 10:5,21 10:23,24 12:5 40:13 46:14,16 48:9 98:22 105:14 177:24 178:21 Commencing 1:10 comment 39:21 50:5 61:10 66:25 69:18 84:7 170:24 comments 4:16 12:25 13:2,6 46:4,5 61:15 commercial 5:11 29:13,15 29:16 30:23 31:2 53:12 88:13,17 106:4 106:11,14 110:3 122:18 124:15 152:22 158:24 159:10 159:13,23 174:23 177:15 178:2 181:21 182:9,12,16 183:4 184:19 184:25 193:18 commercially 152:6 COMMISSIO... 7:9 18:16 19:5 29:5,17,21 30:1 31:3,10 35:12,17 36:25 38:4,19 40:7 40:12,22 41:2 41:7,18,20 42:16,20 49:19 50:4,14 51:8 51:15,19 52:3 52:8,15,22 53:3 54:8,12	55:12,21 57:18 57:23 58:4,14 58:20 59:20 60:3,8 63:11 66:15,23,24 67:7,10 68:8 69:2 77:4,13 78:16 99:21 105:10 126:8 126:12,19 127:1,11,20,24 128:3 135:9,13 135:17,22 136:3,6,13,23 137:2,8,12,16 137:22,24 138:19,22 139:5,7,11 140:15 144:13 144:24 153:4 153:11,15 154:4 155:9,18 160:14,20,24 161:4,8,17,25 162:4,8 163:14 164:3,8,16,22 165:2,8,13 166:20 167:9 168:9 170:23 171:4,11,14 187:3,21 191:11 192:14 192:22 194:2 194:11,16,20 194:23 195:7 198:16,18,22 199:2,8,15,19 199:25 205:16 common 43:21 43:22 45:11 commonly 35:21 36:18 38:16,19 108:20 communities 131:3,11 150:24 169:21 171:23 172:20 183:12 184:7 188:14
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

community 55:23 80:12 93:5,13 108:14 112:7 131:13 132:9 149:1 151:15 152:4 154:1,22 170:17 192:10	concern 56:6 181:18 196:18 concerned 161:21 concerns 4:18 8:9 33:19 55:24 60:10 conclude 198:8 205:10 concludes 202:10 concluding 195:21 conclusion 182:25 concomitant 150:7 concrete 98:12 condition 55:2,3 66:1 110:14 114:6,8,11,15 118:4,8 120:12 121:2,25 127:23 137:1 176:1,4,12,19 Conditional 107:4 conditions 46:5 78:8,13 114:4 118:2,15,25 122:3 179:4 201:6,7 condominium 110:2 133:2 186:15 condominiums 106:16 141:18 167:16 179:19 185:24 189:1 configurable 191:20 configuration 123:16 configurations 112:16 113:22 configured 127:17 181:5 181:13 201:22 confirm 80:8	confirmation 24:23 conflict 64:23 131:24 conflicting 178:3 conform 18:1 116:9 conforming 178:15 conformity 118:19,20 120:16 176:14 201:10 confused 15:15 18:17 52:9 confusing 14:15 18:17 confusion 22:11 conjunction 42:3 connecting 11:20 conservative 21:8,25 consider 28:23 56:24 78:8 97:21 99:15 118:10 124:6 consideration 28:25 considerations 59:6 considered 13:25 17:22 116:15,18 considering 131:7 consist 5:5 112:14 consistent 57:4 58:10 64:3 70:6 72:14 112:21 121:9 122:20 123:2 123:14 128:9 129:5,19 158:21 161:2 177:22 178:14	178:15 181:5,6 200:25 201:5 consisting 5:12 consists 9:9 constructed 124:3 126:3 construction 5:2 105:22 132:10 192:19 Consulting 104:15 containing 5:4 CONTENTS 3:1 context 75:4 109:18 110:7 111:24 114:2 139:22 142:7 143:8,25 146:4 159:22 173:2 174:12 200:14 contingencies 55:17,22 continue 24:5,8 49:13,15 55:9 60:18 100:20 125:7 195:18 continues 13:3 Continuing 34:4 contractors' 106:25 contribute 150:23 control 47:21 76:8 controversial 176:25 convenience 74:2 106:19 conversation 82:3 163:13 conversations 15:12 coordination 168:13 copies 23:21,23 copy 22:24 23:16 98:8 197:16	corner 14:8,10 14:16 15:2,5 16:6,7,13,24 17:22,24,25 18:14 19:4 28:1,8,9 34:8 115:11,17,22 116:7 corners 115:24 correct 7:16,24 8:3,5 25:2 28:17 29:20 53:10 54:4 55:7 69:10 73:1,5,11 74:24 75:2 76:17 80:13 105:9 114:9,10 140:2 141:5 145:14 158:5 184:15 196:16 204:17,22,23 205:13 corrected 114:16 correctly 175:24 correspondence 108:8 corridor 129:9 131:22 141:12 141:13 CORTLAND 1:13 cost 168:16 169:16 cottage 189:23 cottages 124:1 124:12 COULSON 1:17 139:11 council 29:22 30:20 191:12 counsel 70:10 207:12,14 Counselor 4:11 count 78:10 113:12,25 128:10 counted 85:23
-------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

County 44:25 104:25 105:1	59:10 70:11 132:19 146:20	80:9 95:10 99:10 106:1	107:7	112:5 113:7,25
couple 4:14 11:10 48:6,15	151:5 158:3,5 171:8,10 173:5	109:15 110:6 111:2,9 115:21	dealing 72:16 77:6 132:9	125:22 130:20 131:2,6,21
92:19 109:1 110:9	173:8,13,14,24 173:25 186:21	116:22,24 117:17,24	debatable 40:20 42:17,21,25	133:4 135:2,20 147:25 150:6
course 9:24 15:6 86:3,5 205:5	196:8 200:6,12	118:2,22,24 120:13 121:22	debate 14:3 42:23	158:20,22 159:6,7,12,20
court 138:9 143:12 157:2	criteria 132:21 criterion 22:4	124:13 126:17 127:10,19	decided 38:8,8 decision 196:12	165:1,11,16 167:13,13
165:24 166:16	cross 52:17,24 126:24 133:24	128:20 129:1,2 129:11 176:6	deemed 147:12 191:7	169:2,7 171:5 173:12,18
courts 151:12	136:4 162:14 163:1 165:17	179:25 188:21	deep 166:2 185:20	174:6 177:9 179:2 184:12
Coventry 173:7 173:13	165:21 183:24 192:1 199:6	custom 107:2	deeper 131:25 defer 70:9,21	184:14,22 185:12 200:15
coverage 34:13 42:11 120:15	crowd 92:21 culmination	cut 121:20 cuts 193:15	define 19:4 54:11 115:5	201:19,20 Department
120:17,20,21 120:23 137:4	105:14		defined 117:5 146:11	170:6 depending 11:7
172:3,4,21 175:7,9,16	curb 34:11 71:12 121:20	D	defines 115:16 defining 146:10	111:19 149:15 149:24 202:22
177:2,2,7 189:6 201:11	193:15	D 6:1 20:18 94:21,21 96:21	definitely 57:17 102:4	depict 110:14 deploy 45:1
covered 26:10	cure 118:21 120:8 128:2	99:3,25 100:4 104:4 146:17	definition 19:3 115:15,23	depth 164:1 derelict 148:13
craft 183:11,15	curing 118:13 120:6,12,15,22	160:11 171:8 171:10 173:1,2	117:8 definitions 31:9	describe 14:5 described 65:17
Cranford 38:23 39:13 40:24	177:1	179:3 196:1,7 201:25	115:4 degree 104:20	94:9 100:3 describing 8:7
43:6,8 44:17	curiosity 55:13 curious 55:15	D-3 100:1 D-5 103:17,18	deliberate 158:14 169:4	83:12 description
crazy 33:13	57:21	103:19 113:5 160:11 171:8	deliberation 156:19	47:23 design 5:18 6:19
create 32:9 51:4 66:1 177:10	current 126:15 currently 42:13	171:10 173:1,2 179:3 196:1,7	demonstrate 173:17	21:18 26:9 35:9 69:12
184:8 200:7 201:20	50:18 104:23 108:19 111:4,8	201:25 D-I-P-P-L-E	demonstrated 86:17	70:11,17 72:7 80:23 81:15,16
created 32:4 148:3 184:12	118:11 174:17	6:17 daily 66:11	Den 138:7 139:14 142:2	81:25 87:25 88:8 121:4,17
creates 39:22	Curtis 9:14 10:5 10:21 11:3,5	109:6,12 138:20 145:23	144:6 densities 141:3	121:19 122:23 187:5 190:23
creating 37:11 37:12 131:24	11:20 12:6,14 13:16 16:4	148:23 207:8 dated 9:22	150:22 159:16 166:24 184:9	192:16,17,24 193:4,6,9
147:25 151:9 174:21 175:10	17:1 18:13 31:14,18 32:10	110:13 dates 204:25	density 38:7 43:10 59:11,15	196:3 designate
179:17 201:13	32:23 33:3,6 33:14,15,18	David 95:2 day 92:8 142:8	59:23 60:13 78:4 99:12	131:16 designated
creation 140:25 181:1	34:7 46:11 52:4 54:1,3	148:1 155:10 days 7:22 62:14	100:2 101:23 103:17 111:20	58:15 designed 32:7
creative 132:15	64:24 65:1,4 68:1,5,11,18	dead 36:1 dead-end 51:5		
credentials 7:8 62:20 63:10	68:24 76:21 77:7,24 78:9	deal 54:7 77:8 77:22		
105:8		dealerships		
credibility 25:19				
credits 154:20				
criteria 19:14,23				

32:16 50:23 57:24 93:4 designing 90:5 desirable 191:2 191:5 detached 106:21 detail 5:20 48:19 details 9:18 47:22 determination 158:15 determine 25:8 25:8 53:2 101:14 115:11 156:21 157:18 157:20 determined 145:6 148:5 157:3 detriment 170:17 200:8 201:21 detrimental 173:20 detriments 26:8 201:3 developed 108:23 124:15 124:16 132:8 143:10 170:10 191:13 developer 39:2 155:2 developer's 74:16 development 4:23 38:23 50:16 59:9 69:23 70:25 71:5 77:16 130:19 141:2 141:21 142:12 147:4 165:3 168:15,17 169:17 177:21 185:18 developments 19:22 65:12 70:8,23 90:6,7	deviant 179:4 deviates 193:25 deviation 173:18 173:20 188:22 deviations 175:21 179:6 179:23 180:19 182:22 device 107:7 differ 187:10 difference 98:16 134:16,18 different 6:9 65:18 66:20 119:9 126:20 189:15 203:9 differently 72:11 119:11 difficult 60:4 dilapidated 127:25 dimension 116:14 dimensioned 128:14 Dimple 3:4 5:22 5:25 6:17 7:15 15:10 19:11 21:17 43:5 48:14 64:18 66:2 81:6,10 81:18 82:1 87:23 92:1,5 92:11,14 93:11 93:20,24 94:5 94:9 97:9,19 98:11,18 99:16 100:1 105:22 121:24 dire 6:15 62:6 104:9 direct 132:12 169:18 DIRECT-EX... 7:13 directed 169:3 directing 89:16 direction 10:6 11:2 89:22,24	166:7 directive 169:13 directly 22:12 26:25 106:16 110:2 181:14 disagree 38:16 68:21 163:8,11 192:9 193:3 disagreeing 86:16 disagrees 20:14 196:21 discounting 61:9 discuss 13:24 discussed 75:18 76:9 114:18 204:8 discussing 123:5 discussion 24:24 113:5 Disorganized 174:20 dissecting 116:20 disservice 101:25 dissimilar 36:12 36:17 distance 10:1 33:3 65:3 193:15 distances 193:24 distribution 112:20,22 district 18:24 19:12 20:8 28:5 30:10 106:6,7,11,17 107:5,24 114:24 115:7 115:14,16 116:3,6 120:25 151:17 182:12 190:11 193:18 districts 29:9,18 30:12 116:4 documentation 51:12	documents 108:15 doing 6:24 23:6 40:17 58:25 85:13 90:12 92:9 124:8 147:20 167:4 donated 153:23 154:1 156:16 donations 154:21 door 119:7,12 133:2,5,11 141:18 159:12 159:24 160:3 164:18 167:16 178:11 180:17 185:24 190:13 double 145:21 doubt 28:19 39:11 doubting 24:18 Dr 151:2 drainage 13:7 175:10 181:1 181:22,25 draw 29:3 drawing 49:3 drinking 106:21 107:22 109:25 drivable 93:10 drive 10:17 51:2 68:10,18 69:8 70:11 72:12 88:11 90:16 122:24 129:3 181:7 193:10 193:24 driver 71:24 drives 67:25 driveway 11:5 36:12 39:23 40:6,19 64:25 65:19,20 67:3 69:8 70:1,15 82:9 85:2 121:23 driveway-gar... 71:2	driveways 10:20 33:20 65:4 67:1 drop 23:20 dry 123:22 duly 6:2 62:16 79:24 91:13 94:22 96:22 99:4 104:5 dwelling 20:6 70:16 99:14 108:18 122:25 133:13 dwelling 73:6 106:22 111:17
E				
E 1:18,18 2:1,1 6:1,1 62:15,15 79:23 91:12 96:21 99:3 104:4 150:20 207:1,1 e-mail 3:22 15:23 22:13 24:23 earlier 48:11 66:3 early 49:18 earning 147:16 easier 40:13 77:5 easily 89:3 east 15:7 48:12 89:20 106:14 106:16 110:3 135:1 179:13 179:19 188:25 easy 9:25 149:18 157:5 eating 106:20 107:22 110:1 economic 154:15 economically 155:3 economics 154:10 155:11 155:16 156:10				

Ed 97:2 99:9	else's 86:5	190:10	3:5,6,7,10,11	198:3
effective 84:24	emphasizing	environment	3:12,15,16	expectations
148:6	186:4	191:3,6	examined 6:2	119:17 179:15
effectively 82:10	Empire 170:24	equations 96:4	62:16 79:24	186:8 190:19
effects 173:20	employ 15:12	erosion 47:21	91:13 94:22	expected 182:11
efficiencies	employed 15:24	error 66:17	96:22 99:4	experience 57:6
113:23	38:21	especially 16:21	104:5	57:15 62:21
efficient 68:6	employee 22:13	37:8 44:23	example 38:20	63:1 70:9
90:12 168:17	207:11,13	59:11	43:6 70:1	76:14 85:10,12
169:15,17	enclosure 11:6	ESQUIRE 1:19	92:16 156:12	155:25 185:6,9
170:9 171:16	48:9,10 49:10	1:21	exception 27:5	198:4
172:2,21	98:13 128:22	essence 27:8	excess 142:3	experiences
187:15 188:11	encourage 77:2	essentially 10:15	148:8 153:24	151:16
188:11,13	95:25 129:24	26:19 85:16	177:3,5	expert 78:20
202:22	129:25 130:4	111:25 124:20	excessive 85:17	204:19
efficiently 65:5	132:2,2 141:1	146:10 151:5	120:23 160:9	experts 79:19
69:1 170:19	141:2 147:2	152:3 158:18	175:9 179:17	202:16
effort 50:23	168:13	175:22	179:18 180:11	explain 31:14
56:25 81:19	encumbered	Essex 104:25	excuse 6:18 40:7	explained 66:3
egress 122:5	27:16	establis 107:9	46:21 51:15	explains 16:9
eight 57:25	enfor 75:4	establish 159:21	111:17 126:11	extent 77:20
111:21 113:17	enforce 76:15	established	165:20,20	81:4 104:10
149:15,16,17	77:1	138:10	198:16	186:6
149:18,24	enforcement	establishment	Excuses 165:19	extra 35:25
150:1 157:8,8	74:13 75:4	110:1 150:21	exempt 116:1	extraordinary
157:9 159:17	engaged 7:25	establishments	exhausted 100:8	188:6
167:25 177:12	engineer 5:22	106:21 107:8	exhibit 9:17	
187:12,18	6:10,21 26:19	107:10,11,22	24:9 137:5	<hr/>
189:22 191:14	46:3 59:13	estimating 164:6	exhibits 3:19	F
eight-per-acre	67:1 84:5	et 48:24	109:2	F 207:1
159:12	137:18,20	evening 62:11	exist 135:20	fabric 29:1
eight-unit	175:11 204:19	62:12 102:20	existing 5:1	fabrication
191:18	engineered 8:1	102:21 105:21	11:21 13:18	107:2
either 31:17	engineering	107:18 108:6	42:12,22 46:18	face 16:18,18
65:18 72:9	6:23 45:23	108:18 113:3	58:22 59:1,5	71:20 98:12
116:25 129:18	104:21	177:25 195:21	97:7 112:9	faced 132:6
151:15 174:13	engineers 85:14	202:5	114:7,11,14,15	facility 107:7
183:3	Englewood 6:20	evenings 178:5	118:2,3,8,25	109:23 112:9
ELAINE 1:13	enjoy 86:19	event 20:19 53:6	120:18 135:11	112:11
electric 46:16	enjoyment	143:15	135:14 137:1	facings 131:3
electricity	152:3 178:8	everybody 4:20	160:18 170:4	fact 18:13 21:2
169:11	entered 147:22	44:16,16,17,19	176:1,12 189:9	21:19 30:21
elevator 40:14	entering 181:12	61:12 76:22	201:6,7	64:19 66:9
eliminate 67:24	entirely 10:22	136:7 156:18	exit 129:1	83:20 107:17
68:10	14:4 51:6	exactly 16:9	exiting 181:11	107:21 117:2
eliminated	entrance 54:9	48:19 88:15	expanded 67:23	141:6 142:10
10:22 111:10	entries 47:13	92:23 94:6	191:4	147:20 148:23
192:16,23,24	envelope 160:8	171:9	expect 186:23	151:18,20
194:5,6	187:16 188:19	Examination	expectation	152:6 156:9
				157:21 166:12

180:8 181:18 181:23 factors 156:20 157:20 facts 27:5 143:3 143:4 fair 68:8 69:2 112:21,24 131:4 138:11 140:18 141:24 142:7,9,21 143:10,25 144:16 147:23 147:23 151:11 157:2 185:11 185:14,20 186:11,12,23 fairly 106:10 152:7 203:23 203:24 fairness 143:11 familiar 63:17 63:20 68:22,24 72:17 76:23 family 91:24 92:7 93:13 Fantastic 166:19 far 25:7 63:19 64:1 65:9 66:1 66:5 68:6 69:18 70:11 79:20 90:24 94:20 96:10 99:2,20 164:24 171:4 173:13 199:17 farmland 169:6 fast 150:13 163:6 favor 102:13 205:18 favorably 74:15 February 1:9 9:4,22 fee 141:21 feeders 132:3 feeds 46:18,20 feel 17:11 55:17 57:1 58:11	90:2,17 feels 104:10 feet 13:14,15,16 13:17 18:5 19:24 29:11,24 30:2 31:15,17 31:18,21 32:15 33:9,24 34:9 34:11,22,24 35:24 49:5 67:9,11 69:9 69:14,24 70:16 70:18 71:6 88:9 114:5,6 116:13 117:11 117:11,12,23 117:25 118:1,4 119:5,15 121:21 122:9 123:1,2 156:22 160:25 161:18 162:5 163:19 164:1,9 167:21 168:1 171:3 176:2,7,17 180:5 189:9 194:1 198:20 198:23 199:9 fellow 77:23 fenestration 31:23 figure 72:19 202:9 fill 170:25 filled 75:11 final 8:18 finally 114:12 122:23 130:8 168:12 182:13 financially 207:15 find 27:11,19 30:10 43:22 188:6 200:1 fine 45:18 100:22 finger 89:17 finish 134:2 195:9 199:20	finishes 156:18 FINS 110:1,5 159:14 178:12 fire 50:5,6 firm 15:25 104:14 first 37:19 41:11 57:25 59:18 60:1 62:10 71:16 75:11 80:7 91:1 97:5 113:4 121:5 137:4 138:13 150:15 185:22 193:2,5 200:6 fit 56:22 58:11 81:24 125:20 187:22 fits 81:22 five 47:16,17 58:17,18,18,18 63:18 112:12 112:16 113:17 126:1,2 145:18 147:9,21 148:19 155:4 168:2 187:19 191:21 195:25 197:18 198:5 200:23 five- 131:7 five-bedroom 113:15 187:24 192:11 five-minute 101:10 103:1,3 fix 48:3 flavor 12:4 Flemington 105:2 flexibility 129:21,22 flooding 93:8 floor 10:11,12 12:8,9 37:19 37:19 40:14 50:17 floors 12:3,7 flow 55:25 56:8	105:16 170:4 focus 149:8 173:23 focuses 63:25 folks 85:1 101:10 follow 43:6 following 114:4 follows 6:3 62:17 79:25 91:14 94:23 96:23 99:5 104:6 138:12 foot 30:9 112:1 foregoing 207:6 foreign 151:13 159:8 forget 42:10 102:21 103:14 136:17 196:19 197:23 forgot 127:1 form 154:21 former 22:13 26:19 forth 12:21 31:24 207:9 Forty- 30:1 Forty-two 29:25 forward 5:16 13:12 40:3,5 204:15 four 5:5 10:9 47:8,15,17 81:11,13 98:5 112:14 130:12 135:6 138:21 142:5 145:20 159:4 189:22 four- 113:15 four-family 133:6 135:6 fourteen 65:22 frankly 21:1 60:25 79:4 119:1 145:19 147:24 152:23 160:4 184:3 187:12 198:11	free-for-all 75:25 Friday 152:1 front 9:14 13:25 14:5,13,24 15:19,21 16:17 18:2,20 19:15 19:24 27:10,22 27:25 28:1,3 28:13,14 30:9 30:14 33:1 34:8,20 35:10 36:11 40:5 47:1 49:12 50:3 51:3 52:10,10 53:8 94:2 98:13 114:19,23 115:1,2,5 116:9,15,18,24 117:8,12,17 120:3,7,9 121:12 122:8 122:11 160:15 160:16 163:22 164:7,18 188:19 193:16 193:17 194:6 frontage 13:9,14 13:23 14:11 16:15,15 33:15 33:18 105:25 114:5 117:4,11 118:7,21 122:14 158:24 187:17 frontages 115:20 120:3 fronting 115:18 116:17 fronts 27:16 FSHC 138:9 fulfill 153:19 full 3:20 6:5 8:17 9:8 56:4 62:19 80:2 91:16 94:25 96:25 99:7 104:8 119:13
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

full-movement 11:5 fully 16:11 18:12 46:4 127:6 132:8 further 5:20 8:6 13:24 31:19 37:20 46:7 50:10 89:19 166:13 205:11 207:10 furthermore 115:25 116:5 117:1 further 56:6	generate 182:6 generated 125:6 169:24 182:10 182:11 generates 64:16 182:8 generation 64:1 64:9 66:18 73:13 182:9,18 gentleman 82:4 90:25 96:2 gentleman's 23:7 germane 167:1 Gertner 1:19 5:25 6:4,11 7:3 8:13,22 9:2,6 17:5,11 20:11 22:14,18,21,25 23:9,13 24:2 24:14,22 25:1 25:3,11,13,16 26:13 27:4 28:15,18 29:2 43:5,8,12,18 48:14,22 53:5 53:11,18,22 54:14,20,24 60:21 61:5,7 61:17,21,24 62:3,7,10,13 62:18 74:8,11 74:12,25 75:3 76:11,18 78:24 79:3 80:1 81:3 83:15,19 84:3 84:11 87:14 88:10 89:7,11 91:15 94:24 95:4 96:24 99:6 101:3,7 102:5,8,16,24 104:7 112:25 139:17,21 140:6,13,17 142:6,15,18,21 143:7,20,24 144:2 145:8 149:6,17,20	150:1,3,12 155:12,21 157:7,11 158:6 158:9 165:19 165:23 166:6 166:18 185:2,3 186:2 196:10 196:17 197:9 197:12 202:24 203:1,4,22 204:6,11,14 205:8,9 getting 15:17 32:25 44:3,4,5 47:5 150:11,14 167:5 171:12 171:13 179:20 194:21 gimme 71:15 Giordano 1:15 18:16 19:5 29:5,17,21 30:1 31:3,10 35:12,17 36:25 38:4,19 41:20 42:16,20 49:19 50:4,14 51:8 58:20 59:20,24 60:3,8,10,25 66:24 67:7,10 68:8 69:2 77:4 77:13 78:16 99:21 126:8,12 126:19 127:1 127:11,20,24 128:3 135:9,13 135:17,22 136:3,6,13,23 137:2,8,12,16 137:22 138:22 139:5 140:15 144:13,24 154:4 160:14 160:20,24 161:4,8,17,25 162:4,8 163:14 164:3,8,16,22 165:2,8,13 166:20 167:9	168:9 170:23 171:4,11,14,18 187:3,21 191:11 192:14 192:22 194:2 194:11,16,20 194:23 195:7 Giordano's 69:17 girlfriend 71:22 give 6:4 9:10 11:24 12:3 26:15 38:20 45:22 47:12 62:19 80:1 91:15 94:24 96:25 99:6,16 104:8 111:23 140:24 156:1 179:16 195:8 202:18 given 94:6 96:10 101:12 122:15 153:5 159:22 159:23,24 163:24 gives 36:19 37:1 76:5 110:6 giving 131:5 167:15 global 76:12 go 4:2,3 5:19 9:18 12:17,20 13:5,21 18:7 19:18 24:11 33:5 36:14 37:13 40:1,18 45:21 48:18 56:19 69:16 74:11 78:22 82:6 88:18 89:5,6,19,21 89:23,25 101:5 102:23 109:1 111:5 118:16 126:4 130:22 132:19 137:4 137:23,25 141:19 146:22	148:14 159:15 160:13 164:14 167:10 168:1 171:5 185:2 195:2,2,13 199:21 goal 30:25 147:14 201:12 goals 129:19 146:1 200:25 goes 16:16 74:12 75:3 77:14 106:9 166:8 185:4 200:14 203:5 going 4:2 5:16 9:16,20 11:22 11:22 14:5,19 24:10,21 35:2 40:3 41:10,22 45:25 46:19 48:20 49:4 54:17 55:1,4,4 55:5,14 59:2 60:19 62:7 71:20,21 72:20 73:24 74:3 76:7 77:19,21 77:24 79:1,8 81:12,20 84:24 87:21 89:8 95:24,25 97:12 97:13,17 100:17,23 101:1 103:10 136:16 156:24 157:16,17 160:8 171:5 172:25 175:12 177:24 187:22 189:10 194:25 195:15 197:5,6 197:19,23 202:5 good 5:24 7:19 12:10 37:9 47:6 62:9,11 62:12 128:2 162:9 166:17
G				
G 91:12,12 game 107:8,9 188:4 gap 138:14 garage 47:18 65:19 70:1 82:8,12,13 garage-drivew... 71:1 garages 82:8 garbage 53:13 garden 106:25 gas 64:12 73:12 73:12 107:5 135:6 169:12 gatherings 93:14 GC 18:21 29:10 106:4,6,7,17 107:13 177:18 183:5 general 5:11 18:24 19:11 20:8 28:5,5 29:8,15 30:10 107:1 115:4,12 115:16 116:2,5 147:6 149:1 150:18 generally 27:14 27:17,22 71:8 76:11 155:22				

166:19 189:23 190:3 198:6,11 199:13 204:24 Google 109:11 gotcha 95:15 gotten 32:17 government 22:19 23:11 grade 32:8,13,14 33:1 grade's 32:15 grading 32:17 Grand 6:19 grant 131:18 granted 29:23 Grasso 143:14 173:9 gravel 34:18 42:23,24 gray 90:25 great 65:2 162:12 183:17 198:12 greater 74:4 119:19 129:20 130:12 175:1 184:13 green 12:11 32:3 33:11 34:15 37:23 39:14 47:2 137:6 Gregory 91:10 91:18 grocery 37:14 gross 159:7 ground 10:11,12 12:9 27:5 37:19 50:17 59:19 groundwork 60:2,6 group 56:25 152:7 202:23 growing 137:15 growth 169:1,7 169:19 guarantee 54:23 93:12 guess 9:16 39:6	43:18,18 49:4 71:20 164:1 186:6 guest 57:9,12,12 75:12,13 85:21 85:25 guests 85:18 guide 147:3 guys 30:18 99:24 <hr/> H H 6:1 79:23 half 37:3,18 57:8 85:18 195:1 halfway 167:6 hand 62:14 79:20 handicap 98:9 handled 175:13 hands 83:1 hang 24:15 25:11 54:14 83:15,19,19 hanging 101:24 happen 77:18,19 88:25 89:18 90:4 195:1 happening 84:25 86:7 happens 92:20 156:1 happy 105:17 197:16 hard 130:25 197:23 Hardenberg 63:18 91:19 he'll 25:7 head 11:3 38:5 184:2 health 21:13,14 147:6 hear 11:23 21:11 26:5 35:3 60:7 61:13 81:20 101:13 102:2,4	102:7,11,12 142:22 194:24 202:5,14 heard 4:15 8:20 24:11 33:19 46:8 59:12 60:24 79:12,15 79:19 83:12,14 90:24 94:20 96:6 99:2 127:5 134:23 152:18 174:25 175:11 181:3 205:20 hearing 78:21 143:11 205:24 hearings 9:11 hearsay 23:14 heart 27:21 heavily 111:9 126:16 127:9 hedgerow 49:7 height 29:6,8,23 30:7,11 33:4,4 34:21,25 115:8 115:9 131:6 160:8,9 162:3 163:19 165:14 167:19,22,23 167:24 175:6 179:11,17 180:12 187:16 188:18 190:9 191:12 height's 201:5 heights 167:2 168:5 173:10 184:10 help 18:18 49:10 88:5 156:5 166:15,15,16 Herbertsville 97:3 hereinbefore 207:9 Hey 23:2 37:14 40:3 hide 32:18 high 57:6 74:2	138:1 160:21 161:8,25 163:17 184:4 high-end 90:7 higher 29:23 30:7 32:14 159:11 highlight 173:1 highlights 11:25 highway 104:15 105:25 122:13 131:21 158:24 highways 132:22 hit 13:4 38:5 hits 34:2 Hold 24:14,15 125:9 133:19 133:20,20 134:1 152:25 162:16 holds 173:14 hollies 47:1 home 16:18 36:13 40:9,11 119:12 133:7 135:5,6 177:24 177:25 homeowners 152:4 homes 93:12,17 93:25 110:5 111:25 112:2 132:25 180:6 honestly 90:3 170:11 honey 37:14 hope 151:2 hopefully 4:19 87:20 92:19 124:17 128:1 202:21 horse's 26:25 hospitals 107:6 hotel 124:12 hounding 58:24 hour 64:5,6 73:15,24 101:2 hourly 66:10	hours 49:17 73:4 79:6 151:24 177:20 178:22 182:19 house 40:18 52:10 53:4 92:22 108:22 160:15,17,19 160:21 161:9 161:12 162:1 163:17 164:9 167:17 189:15 189:19 housekeeping 103:12 houses 16:19 82:7 171:1 housing 5:14 19:19,20,25 21:3 58:15 85:1 87:17 99:13 106:5 108:2,11 111:15 112:13 112:18,21,24 124:19 126:5 130:5,9,11,14 130:16 131:1,4 131:9,14,20 132:13,21 138:2 141:4,19 141:24 142:13 145:17,22 147:9,12,14,15 147:23,24 148:22,24 149:2,5 150:16 151:7,11 154:2 154:11,13 156:4,21 157:25 170:18 174:3,15 184:6 185:12,14,19 185:20 186:1 186:10,11,13 186:14,24 188:16 200:17 200:19,20,22 201:12
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

how's 23:3	42:5 70:7	infill 130:5	148:10	issued 139:15
huge 56:10	170:15 193:8	132:10 201:14	interestingly	issues 13:4
hundred 39:7	201:6	inform 166:14	141:16	21:16 60:11
73:14	improvements	information	interior 110:24	174:21 175:10
hundreds 6:25	4:24,25 5:7,9	134:14 158:16	internal 11:21	181:23,24
130:21	148:13	164:24 166:13	89:12 127:4	item 19:9
Hutchinson	improving 111:7	166:25 167:3	interpret 17:21	
1:15 55:10,12	118:8,23 120:9	168:10	30:19	J
55:21 57:18	120:11 176:4	infrastructure	interpretation	J 1:21 104:4
105:10	include 4:25	169:4,9,10,22	30:5 117:15	J-A-N-I-W
hydrant 50:6	106:19 107:5	infrequency	145:5,10	104:13
hypothetical	128:11	86:6	147:11 176:8	JAMES 1:15,16
57:21	includes 57:8	Infrequently	176:15 177:12	Janiw 3:14
I	85:17 141:14	67:17	188:22	104:3,13
idea 101:22	141:17 174:2	ingress 122:5	interpretations	Jersey 1:10 6:20
169:16 170:8	including 20:13	inherent 153:6	114:19 119:24	104:16,18,21
identify 33:9	87:25 98:5	inherently	interpreted 22:9	146:11 168:25
identifying 34:5	128:16 175:18	147:13 153:12	interrupt 89:8	169:1 171:24
35:10	188:15	156:22 157:22	153:5	207:5
ignore 18:13	inclusionary	174:1,2	interrupted	Jim 160:13
31:8	141:10	initially 144:22	136:12,17	Jim's 161:13
illegal 135:25	income 112:19	145:4	162:19	job 25:7 33:22
illegally 135:23	125:6 147:18	initiatives	interrupting	jockey 41:10
illuminate 47:19	incorporating	200:18	166:1	jockeying 72:3
Illustrates 66:19	97:7 155:16	innovative	intersection	John 63:23
image 109:12,12	increase 150:6,8	172:19	115:18 121:21	joking 23:4
imagine 53:24	170:3	input 61:10	121:22 193:16	JOSEPH 1:16
immediately	indicated 15:18	insist 144:19	intertwined	Judge 143:13,14
101:20 119:21	17:6 26:21	InSite 7:19	20:18	judgment
135:1	68:13,15	Institute 104:18	introduce 35:2	140:24
impervious	102:11 147:10	104:21	introducing	July 92:8
39:15 42:11,22	173:24 190:12	intended 116:3	72:11	jumped 150:13
42:24 120:14	indicates 19:12	147:15 169:18	introduction	jurisdiction 21:1
120:17 137:3	19:15	intense 151:22	169:14	justify 59:15
137:13,19	indicating 26:20	151:24 152:13	intrusive 129:10	171:6
172:4,21	157:23 200:21	152:14 158:25	inventory	
important 25:25	indication 27:3	170:1 177:16	132:11 140:12	K
64:8 106:9	Indiscernible	182:18 183:8	irregardless	K 62:15
107:24 146:4	52:17,24	intensity 107:19	113:25 151:8,9	K-E-N-N-E-L
157:1 158:11	126:24 133:24	151:15 152:21	issue 21:14	62:23
importantly	136:4 162:14	174:10,11	25:18,19,25	keep 42:17
124:24	163:1 165:17	175:2 181:17	55:14 59:23	82:25 118:14
impression	165:21 183:24	intent 77:14	76:16 83:18	144:25 160:15
138:23	192:1 199:6	142:11 189:17	84:18,22,22	169:7 198:19
improve 33:18	individual 89:25	intention 30:8	114:17 118:21	keeping 97:6
improved 33:21	186:14	interested	121:17 129:7	200:14
108:19 123:24	individuals	207:15	139:17,21	keeps 58:23
improvement	82:10	interesting	140:17 155:22	162:18
	indulging 57:19	12:15 32:4	170:21 177:2	Kennel 3:9 62:4
				62:10,12,23

70:24 85:22	87:11 89:16,20	153:25 154:21	129:4	lighting 5:8 13:6
87:23 88:2,24	89:22 90:13	156:15 168:15	lays 19:20	47:5,6
152:19 169:23	95:6 97:10	168:18,21,24	lead-in 162:13	lights 47:8,11,17
Kevin 15:14	101:10 102:25	169:15,18	lead-up 84:7	47:18 80:21
Keyport 105:3	131:7 135:18	170:9 171:16	leads 113:2	81:7,10,11,15
188:15	136:8 137:14	172:2,22,23	leap 148:21	likes 170:12
kids 23:3	139:24 141:1	201:16	lease 44:12	limit 167:22
kind 10:5 11:6	141:16 143:21	landowner	leases 74:16	175:16
12:14 16:7	146:20 148:15	146:15	leave 40:2,18	limitation
19:8 31:23	148:17 155:6	lands 147:4	41:12 148:16	167:19
32:7,9,18	155:22 157:8,9	landscape 32:6	leaves 76:4	limitations 38:3
34:18 38:1	157:11 161:21	47:3 97:8	left 15:25 23:8	line 18:6 31:22
45:23 46:25	165:9,14	landscaped 32:4	45:20 72:23	33:25 34:12
47:21 48:23	166:20,21	landscaping 5:7	109:16 202:6	49:2,5 116:8
51:5 56:5,17	167:5 168:2	9:23,24 12:12	205:4	116:10,13
56:24 58:9	173:2 174:17	12:13 13:6	legal 70:10	119:6,13,22
75:25 87:20	176:24 180:5	46:22,23 47:1	135:10	122:10 180:13
88:19 98:12	183:15 184:24	97:17	legally 136:1	link 203:15
107:24 131:23	185:21 186:10	language 117:15	lengthily 19:9	list 47:3 185:15
136:19 156:23	186:11 188:7	119:2,25	lessening 168:16	185:23
158:11 201:8	192:21 194:23	large 38:23	169:16	listed 47:3
kindly 62:18	195:15 196:10	93:13 132:7,11	lesser 28:3 120:2	listen 143:3
94:24 96:24	197:22 200:5	203:23,24	let's 4:3 9:2	154:8 155:23
99:6 104:7	known 108:20	largely 113:22	12:20,20 16:17	listening 203:12
Kinsey 151:2	146:23	115:3 130:9	33:10 55:8	lists 139:3
KLEIN 1:20	knows 82:5	larger 88:19	56:18 75:6	185:23
knew 48:19	156:23 203:11	179:8,9	92:3,6 102:23	literally 23:8
know 11:22 12:2	Kooy 138:7	lastly 65:9 66:4	126:6 128:5	little 10:14 12:4
12:12 14:2	142:2 144:6	late 40:4 102:18	133:8 164:17	14:14 15:15
18:16 19:13	Kooy's 139:14	167:6 178:22	176:9 181:2	17:2 24:11
21:15 22:15		194:21	letter 12:22 13:1	28:9 32:8,9
23:3 24:21	L	lateral 190:5,8	13:20 16:9	33:16 35:9
26:24 27:20	L 2:1 6:1,1	laundromats	17:9 19:10	45:23 47:12
28:14 34:19	62:15 96:21	106:23	43:3 48:1	48:18 49:1,8
39:13 40:16,16	L-A-V-A-N 97:2	Lavan 96:19	50:11 120:19	88:5 89:4 94:3
41:25 42:17	L2A 6:18	97:2,2,16,22	137:21 177:4	108:4 110:7
44:21 46:18	labeled 66:19	98:7,14,20,24	lettered 146:21	111:23 114:18
48:15 49:16,16	lack 201:15	law 103:21	level 32:16 66:8	114:20 118:17
50:21 51:1,11	laid 61:25 73:20	143:16 145:11	liberal 106:10	133:11 136:20
51:24 52:16	129:6	145:13 146:4,9	107:14	140:11 150:13
54:10 56:9,17	Lake 173:10	146:19,25	License 207:18	160:10 171:20
56:23 57:5,20	Lakewood 1:6	155:18 168:21	licensed 6:21	livable 147:17
58:23,24 60:11	4:8	172:24	104:16	live 4:20 51:21
61:25 62:3	land 6:18 103:20	lawn 49:20 50:2	life 67:16 102:18	91:19,23
65:10 67:11	114:10 115:17	50:3	lift 172:12	lived 63:18
68:16 71:22	129:20,23	lawsuits 140:23	light 47:9,10,12	Livingston
72:4 75:13	132:11 140:12	143:18	48:24 119:10	104:25
77:21 80:20	146:3,9,18,25	lay 59:18 60:1	119:17 179:15	LLC 1:6 4:8
86:12,25 87:1	151:22 152:8	layout 8:2,2 65:6	179:20 180:10	6:19

LLP 1:20	lot 1:7 4:8 5:10	lower 32:22	9:19 22:22	McDonough
load 49:12,14	8:20 10:25	42:13 64:11	109:1 133:8	62:23 63:2
lobby 51:1	11:9 13:13,23	66:8 152:20	marked 23:13	mean 29:9 44:9
local 67:5,6 78:8	14:10,16 15:1	162:7 172:17	market-rate	50:21,25 54:21
78:13	15:2,5,7 16:6,7	lowering 42:10	154:14	56:15,16 57:1
located 5:9,14	16:8,13,14,15	lumber 106:24	marketable	57:6 61:6
62:24 105:24	16:20,24 17:22		192:7	70:13 72:6
106:2	17:24,25 19:4	M	MARKS 1:20	76:25 90:2
location 37:24	24:12,13 27:9	M 2:3 6:1 79:23	Marlboro	102:5 117:16
131:19 132:20	27:15 28:1,8	M-A-R-T-I-N	153:22 156:11	135:23 153:12
151:13 159:21	28:10 30:5	80:5	marshal 50:5	158:2 162:3,11
locations 132:16	34:13,19 35:21	ma'am 79:22	Martin 80:4,5	169:10 171:1
132:17 141:3	36:4 37:8,10	83:20 87:19	80:14,17,19	174:9 178:25
203:9	38:25 39:14,14	magnitude	81:9,14,23	186:3 191:14
LOMBARDO...	40:13 47:6	56:10	82:2 84:9,13	meaning 94:1
207:3,17	51:5 59:9	Mahal 95:22	86:15 90:19	151:14 173:13
long 78:23	60:11 67:12,23	main 30:21,25	mask 83:4,24	177:23
101:24 116:22	67:24 68:13	54:9,11 65:14	91:7 123:21	means 55:11
136:8	70:12 72:2	maintain 78:3	mass 167:2	111:24
long-winded	82:3 91:24	156:6	187:14 188:5,7	meant 30:20
158:10	105:14 114:5	maintaining	191:18	32:12 35:19
longer 195:22	114:12 115:11	130:6	massing 168:3	measure 115:7,9
look 7:19 11:8	115:17,17,22	maintains	massive 187:4	measured 31:16
27:14,17 47:9	116:14,16,19	155:14	187:11 188:17	31:19 115:3
68:3 97:11	117:9 119:6	maintenance	189:2	162:3 163:24
108:6 120:5	121:13,24	156:14	master 108:7,15	199:11
131:19,20	123:10 127:3	major 8:18	117:6 129:14	measurement
132:15,17,18	128:12,23	19:13 116:16	129:14,16,20	49:3 73:4
145:19,25	133:4,7,15	116:17 117:3,4	140:9 146:1,2	measurements
146:2,16 151:1	134:9,13	117:5,5 129:21	196:8 200:13	164:21
151:5,18,20	136:22,24	making 43:1	200:16 201:1	measuring
168:4 170:8	151:11 152:8	60:4 84:8	201:13	121:12 174:10
174:9,11 176:9	159:22 174:21	143:5 153:7	master's 104:20	mechanical
176:20 180:3	175:7,16 177:7	172:21 176:19	MASTERSON	46:11 107:3
180:18,23	178:21 184:14	189:8,22	1:14 7:9 40:7	mechanism
181:2 182:7,20	188:3,4,11	Man 95:17	40:12 139:7	156:14
188:4,21	189:5	management	198:16 199:15	medical 64:13
looked 42:21	lots 14:8,9 82:7	5:7 46:7 88:21	199:19,25	73:9,18,19,22
56:21 125:20	112:1,2,3,6	Manasquan	materials	74:4 174:24
180:5	116:7 117:10	62:24	106:25 205:6	Medici 173:5,14
looking 31:20	117:10 123:8	mandatory	Matt 24:5	medium 200:1
36:23 70:22	135:7 159:18	141:20	matter 1:4 15:1	meet 42:8 86:21
99:25 107:21	172:7	maneuver	143:16 165:15	93:4 108:3
108:11 114:3	loud 178:20	128:25	MATTHEW	141:23 148:6
124:7 129:14	low 66:10 72:16	maneuvers 66:2	1:21	154:1 156:11
148:1,9 154:17	112:19,19	manner 76:14	Maxi- 58:4	181:7
154:24 164:13	147:18,18	147:5	maximum 29:6	meeting 4:2,4
170:11 178:9	low- 112:17	March 203:25	29:8 34:13	103:7 126:4
179:2	low-level 46:23	mark 8:22,24	35:1 149:13	144:19 148:2

202:7,8,21 205:23 meetings 101:13 meets 188:19,20 member 15:13 103:14 104:18 162:17 members 1:12 4:13 7:7 48:16 50:13 60:15 61:12 63:9 66:14 69:5 77:23 78:18 79:13 90:22 103:8 177:1 202:11 203:6 Memorial 92:8 mentioned 35:8 47:25 57:24 69:7 73:1 80:21 138:1 191:17 mentions 31:5 met 59:10 144:8 174:1 meters 135:7 methods 141:22 mic 8:12 Michael 3:4 6:17 middle 41:13 137:6 Middlesex 104:24 midpoint 138:5 139:20 142:4 144:6 midway 108:12 199:23 Mike 5:22 23:2 million 192:13 mind 17:24 118:15 minimize 172:3 minimum 19:24 33:10 114:4,12 minor 66:7,25 170:5 193:5 minus 157:12	minute 202:9 minutes 100:19 195:25 197:19 198:5 mitigate 33:2,6 mitigated 173:21 mix 34:18 mixed-use 111:16,17 mizing 58:5 MLUL 150:20 191:4,7 moderate 112:19 147:18 moderate-inco... 112:18 module 72:8,15 moment 123:21 125:22 126:7 128:7 130:23 138:4 Monmouth 44:25 month 102:15 195:13 198:1 morals 147:6 Morgan 2:2 4:5 9:1 23:15,22 23:25 24:4 26:17 109:4,9 204:3 morning 49:18 64:5 177:24 motel 108:21 109:20 110:19 151:19 174:19 Motion 205:14 205:16 mounted 81:8 mouth 26:25 84:2 123:22 136:16 move 11:1 13:12 33:23 36:15,16 37:10,14 40:4 43:1 61:18 82:14,18 89:4 moved 204:14	movement 37:12 40:17 49:16 68:17 moving 50:6 mull 28:24 multifamily 4:22 8:19 19:22,25 20:6 21:4 29:14 36:19 45:7 65:12 99:13 108:18 111:18 130:18 140:5 159:1,11 160:2 177:21 179:14 multiple 5:18 36:21,22 84:18 90:5 124:22 187:5 multiunit 109:21 municipal 24:12 103:20 146:3,9 146:18,25 147:2 168:21 172:23 municipalities 7:1 63:4 murmurings 142:22 <hr/> N <hr/> N 1:18 2:1 62:15 62:15 79:23,23 96:21 104:4,4 nail 38:5 name 6:5,17 23:7 62:19 80:2,4 91:10 91:16,19 94:25 95:2 96:25 99:7 104:8,12 narrow 84:20 narrowest 116:14 natural 169:11 nearby 97:20 Neck 104:16 need 9:10 23:15	23:20 37:6,21 48:5 50:25,25 51:1 61:19 85:20 90:8,9 90:11 93:5 95:9 100:24 101:10 118:14 130:19 132:14 138:15,24 140:21 141:9 146:17 151:5 153:17 170:18 196:6 204:20 205:10 needed 41:4,8 needs 86:21 124:19 negative 158:3,4 173:23 180:24 196:8 200:6,11 neighbor 119:21 179:19 189:1 190:12,14 neighborhood 9:13 29:15 68:12 93:1 95:21 130:3 160:1 177:23 178:9,16 neighborhoods 130:7 131:25 150:24 neighbors 48:23 neither 207:10 207:13 neutral 145:9 156:6 158:13 neutrality 155:15 never 164:14 190:2,3 new 1:10 6:20 7:25 8:1,1 9:12 59:8,9 104:16 104:17,21 107:6 128:19 144:11 146:11 168:25 169:1 171:23 172:7	207:5 next-door 119:21 nice 51:12 123:21 night 178:1 nightclub 174:24 nightclubs 107:6,23 151:23 nights 152:2,2 NIKOLA 1:14 51:15,19 52:3 198:18,22 199:2,8 nine 159:17 NJDOT 66:6 nobody's 77:21 192:8 nod 166:18 noise 177:14 181:1 182:14 182:18 200:9 noisy 178:20 noncompliant 118:18 nonconforming 120:12 121:1 135:12,14 176:18 nonconformity 13:18 136:1 nontandem 75:10 Nope 100:15 north 10:4 49:8 89:19 106:3,12 northeasterly 10:6 northerly 89:24 Notary 207:3 note 134:5 noted 123:24 notes 48:6 notice 205:11 nuisance 129:10 200:7 nuisances 177:8
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

180:23,25 201:23 number 12:1 13:2 17:9 21:5 38:2,5,6 46:18 47:3,4 58:8 64:23 97:23 101:12 125:3 139:1,25 149:10 167:14 175:24 numbers 143:4 143:5 145:20 149:18 157:7 numerous 146:21	67:20 occurs 17:1 121:21 Ocean 44:25 109:15 117:16 133:12 odd 33:12 51:4 odds 53:15 off-street 122:8 122:19 office 23:8 26:20 27:12 51:25 52:1,2,6,16,21 53:1,20 54:17 55:6 63:22 64:13 73:10,18 73:20,22 74:4 109:23 110:12 110:17 officer 22:7 offices 6:19 106:23 107:1 offset 156:13 oh 8:15 31:7 51:13 55:10 81:23 95:10 98:14 100:8 102:3 108:25 192:9 okay 4:1,3 6:16 8:12,16 13:11 22:17,20 23:24 29:17 31:13 40:4,15 42:19 45:9,17,19 56:18 60:8 61:21 66:23 69:3,20 73:7 74:5 76:18 80:14 81:9 82:2 83:25 84:11 92:6,14 98:7,14,20 99:23 100:6,16 105:7,13 113:4 133:14 134:2,8 137:8,23 138:5 140:6 142:15 150:2,12	161:16 162:4,8 162:22 163:14 163:20 164:3,4 164:16 167:9 168:9 171:11 171:14 178:23 192:14 194:14 194:19 195:6 197:17 198:22 199:12,20 200:4 202:3 204:4,24 on-site 78:2,12 111:4 126:3,10 126:13 136:15 136:18 181:9 on-site-- 127:14 on-street 85:23 127:6,9 once 4:17 one's 25:16 one-bedroom 5:5 10:9 11:14 36:7 112:14 113:13,22 188:2 one-bedrooms 44:20 one-story 59:6 one-tenth 134:17 ones 146:22 open 42:9,24 60:19 76:6 101:16,20 119:10,18 179:15,20 180:11 201:15 201:16 opens 144:11 operate 65:5 68:25 124:11 125:7,21 152:20 170:16 175:1 181:18 operated 124:3 174:18 operating 109:24 125:17	148:16 174:18 operation 70:15 108:22 109:20 126:16 174:22 177:20 182:19 opine 17:13 opinion 20:24 21:10 57:14 61:18 65:3 68:4,16,22 79:16 85:9 86:13 101:8 129:5 155:24 157:2 183:15 185:10 187:10 198:4 202:18 opinions 202:14 opportunities 130:18 142:1 142:12 149:3 184:9 185:18 186:18 200:20 opportunity 33:11 34:15 35:25 36:20 37:1,17,18 101:17 141:18 148:3 170:13 185:25 186:13 186:23 196:23 200:22 202:14 202:16,18 opposed 125:1 154:9 189:25 205:22 opposite 67:13 optimal 38:10 124:24 optimally 125:17 optimum 38:10 option 111:19 124:23,24 125:1 196:13 options 124:22 148:15 oranges 59:4 165:5 order 4:3,4	33:22 77:15 103:7 108:3 130:20 131:8 154:1 155:2,3 156:13 172:3 172:20 184:5 196:14 197:5 201:17 ordered 101:18 197:7 ordinance 8:4 11:13,15 14:4 14:7,14 16:10 18:6 20:10 27:13,20,21 28:14 29:7 31:8 34:12 42:6 70:20 108:7 115:3,14 116:23 117:8 119:1,4 120:1 120:16 121:6 122:7 123:19 141:15,20,21 145:5 147:19 150:5 155:15 155:20 159:17 161:3,20 175:6 175:8 176:9,15 180:3,16 183:16,22 184:23 185:13 189:4 191:13 192:5 196:9 200:14,15 201:4 ordinances 27:18 88:16 183:11 184:4 185:7 200:13 organizations 154:23 organized 136:22,24 oriented 10:3 originally 144:15 ought 21:10 outlet 69:7
O				
O 2:1 62:15 91:12 94:21,21 99:3 o'clock 136:10 204:12 object 163:12 objection 53:19 obligation 108:3 126:5 130:22 131:14 132:13 138:2,13,13,15 138:17 139:3 141:24,25 142:3 144:8,10 144:19 145:17 147:22 148:7,7 153:19 184:8 obligations 108:12 138:12 observed 86:22 obtain 186:23 obviously 9:13 12:11 13:22 20:12 34:1 35:2 39:10 58:10 64:22 108:6 150:7 occur 67:16 202:20 occurred 203:16 occurrence				

153:2,4,11,15 155:9,18 205:16 phased 88:20 photo 3:24 111:12 photograph 3:23 109:11 photographs 110:9,12,13,23 112:10 physical 4:24 pick 52:19,23 53:4 128:25 198:8 202:6 picked 49:17 205:3 pickup 53:13 128:25 182:5 picture 12:10 110:16 piece 61:13 107:25 197:24 Pines 133:12 pipe 46:3 place 6:12 127:25 130:20 131:17 169:9 169:12,22 207:8 places 67:18 92:4 Plainsboro 105:2 153:23 plan 1:7 3:20,21 4:9 7:21 8:1,18 8:18 9:8,12,20 9:22 10:4,19 34:24 42:7 45:22,24 46:4 47:20,24 51:12 63:25 64:19,19 64:22,24 70:5 92:9,12 97:8 97:14 98:17,17 98:19 108:7,16 117:6 129:14 129:15,16,20 138:24 140:9	144:11 146:1,2 152:16 168:22 169:5,14 196:8 200:13,16 201:1,13 planned 43:16 planner 26:14 45:15 59:15 61:3,23 79:1 79:10 101:1 104:2,13,17,23 105:1 131:2 143:2 155:24 158:7 202:5 planner's 60:2 99:22 101:14 205:4 Planners 104:19 planning 43:13 63:1 104:14 108:15 197:20 plans 4:17 7:17 7:21 15:16 51:10 70:14 108:9 plants 47:3 play 82:17 Pleasant 1:1,10 15:18 63:5,16 63:20 65:11 67:19 68:23 97:3 121:14 131:15 132:7 135:20 169:20 please 8:6 13:24 22:25 24:7 55:20 73:1 80:3 91:17 95:5 97:1 99:8 101:5 137:5 166:16 194:3 plumbing 106:24 plus 157:11 point 1:1,10 8:19 14:12 15:18 17:7,8 17:12,14 22:3 35:11 42:25	44:23 60:23 63:5,15,20 65:11 67:19 68:23 76:13 81:12 83:21 84:14 93:9 97:3 100:24 101:12,17 102:2 108:12 113:5 121:14 131:14 132:7 135:16,20 140:16,20 141:8,10 142:25 145:10 148:4 150:15 156:7 158:18 164:11 167:12 169:20 171:9 172:22 176:25 189:12,12,20 195:17,18 196:22 198:8 pointed 27:25 173:11 pointing 89:16 points 12:5 64:23 84:17 142:2 191:4,6 201:3 pole-mounted 47:9 poles 46:17 pontificating 167:4 pool 5:2 34:19 109:23 110:18 110:20 188:4 population 150:22 158:21 159:20 portion 18:1 32:20 109:20 109:21 116:8 116:17 positive 173:25 possibility 56:11 possible 77:9,12 86:2,3,6	158:16 possibly 18:8 68:3 135:23 post 51:25 52:1 52:2,6,16,21 53:1,20 54:16 55:6 203:14 post-top 47:8 81:11 potentially 38:13 67:24 68:10 149:8 powerful 168:19 practicing 84:10 Pre- 135:13 precedence 70:8 70:10 PRECISION 1:24 preempted 193:12 preexisting 135:12,25 176:18 prefer 53:24 preferable 78:1 preference 54:2 55:5 preliminary 8:18 preluding 157:18 premium 87:4,5 preparation 108:5 prepared 7:18 12:23 63:22 108:13 138:6 151:4 197:1 present 1:12 105:16 presentation 25:19 presented 17:16 98:19 105:21 185:15,17 199:17 presenting 145:12	preserve 172:3 Presidents 192:12 pressed 144:17 presumably 173:16,25 pretty 32:3 49:15 55:24 57:6 87:10 168:19 prevalent 65:10 65:12 prevent 169:6 previous 58:21 68:12 140:1 previously 6:6 7:17 47:25 55:18 123:5 prime 87:11 Princeton 151:3 principal 63:1 prior 10:4,19,19 15:16 58:7 64:3,24 private 40:9,11 168:14 182:4 privilege 7:2 probability 56:2 probably 31:20 39:5,6 46:19 49:4 51:2 63:5 67:17 109:2 163:25 164:4 166:21 189:24 191:5 problem 39:22 82:25 84:16 85:5 99:23 194:7 problematic 68:19 problems 59:21 68:14 procedures 168:14 proceed 91:9 160:5 proceedings 1:7 194:13
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

process 72:21 76:23 77:6 125:24 141:8	185:16 property 5:9,13 18:6 19:2 49:2 49:5 64:12 95:20 96:3 106:2 108:3,19 108:23 109:13 109:16 110:10 110:25 112:22 114:10 116:13 119:7,13,22 121:18 122:10 123:23 124:3 124:17,22 125:5,8,18 127:4 129:8 134:25 140:8 148:11,12,25 152:7 154:16 159:2,4 168:7 170:1,9,15 174:22 179:7,8 179:13 180:7 181:4,12,25 182:2 201:9	151:12,14 152:14 167:18 175:3,4,23 177:9 prospective 138:15 protect 76:15 143:16 protected 82:17 144:5 protecting 119:12 protection 130:2 144:3 provide 32:2 36:20 37:1,23 38:18 41:24 42:9 77:15 78:2,15 87:24 108:1 120:1 122:4 129:20 129:22 130:17 142:1,11 145:16 147:8 147:15 185:25 186:9 197:15 200:17,18,20 200:21 provided 19:10 64:21 67:22 74:23 116:16 128:19 141:11 142:5 144:11 148:22 150:9 provides 114:24 122:18 132:1 187:16 providing 146:12 147:21 149:2 174:3 175:14,17 176:22,23 188:24 201:11 provision 78:7 119:8 147:11 150:16 157:25 provisions 78:13 115:13 120:2 147:19	proximity 94:8 public 3:7,12 48:16 55:18 60:20 61:9,12 77:11 78:22 79:12,14 80:8 80:10 90:22 92:23 95:25 96:6 99:1 100:8 101:9,16 101:21 102:1 102:14 103:15 128:21 132:24 146:10,13 147:5 150:17 150:19 157:14 166:8,9 168:14 195:14,19,22 196:19,23 198:3 199:16 200:8 202:10 203:6,11 207:3 public's 4:16 8:9 56:6 204:18 pull 33:13 40:2 41:3 82:15 172:16 pulled 123:5 pulling 67:14 pulls 40:2 86:4 pure 41:16 purposes 75:8 143:9 146:2,3 146:10 172:23 200:16 201:1 pursuant 113:6 114:22 115:2 134:9 141:7 144:19 145:15 159:16 185:12 pursue 155:2 pushed 48:13 put 7:15 33:11 38:9 46:6 50:16,24 59:17 59:25 75:6 95:21 109:18 143:21 146:5 156:4 170:24	187:4,18 193:19 194:8 putting 49:24 56:5,7 83:11 <hr/> Q <hr/> qualification 6:15 qualified 134:21 qualify 64:14 104:11 quasi 53:12 question 16:3,12 19:18 41:21 43:17 50:22 51:9 57:19 66:25 67:21 68:9 69:6 74:9 75:9 80:7,22 81:2 82:23 83:12 84:4,6 84:21 87:21 91:21 97:22 98:15 100:13 103:15 109:13 113:19 115:1 135:16 137:25 140:13 142:17 153:3 161:14 163:16 166:2 166:10,12 185:4 192:15 192:23 194:3,4 194:17 196:19 198:2,19 202:16 203:22 204:17 questioning 25:17 81:24,24 204:18 questions 8:9 40:23 50:13 60:15 61:1,14 66:14 69:5 74:13 78:19 79:12,14,18 83:7,9,14 90:23 94:19 95:25 96:3,6
----------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

97:5 99:1	read 17:24 23:1	recog 155:17	reduced 39:15	118:6 121:5
100:8,11	119:11 176:16	recognition	64:22	122:6 145:25
102:14,19,21	197:21	130:8 168:24	reexamination	167:23 176:3
105:15,17	reading 14:3	recognize 57:20	108:16	191:8 201:18
162:18 171:18	15:23 138:5	64:8 88:3	reexaminations	relocated 48:11
195:14,19,20	143:7	101:9 177:19	129:17	relying 111:9
195:23 196:24	reads 116:7	184:7 189:14	refer 10:13	124:12 125:18
196:25 197:2	ready 40:1	203:8	45:25 92:17	remedies 140:23
199:16 202:12	real 67:16	recognized	reference 123:6	143:17
quick 4:14 49:15	realistic 142:1	120:4 171:22	198:25	remedy 144:12
66:16 198:18	142:11	recognizes	referencing	remember 30:18
quiet 178:8	really 14:25	140:19 155:16	198:19	107:25 111:8
quite 15:16	24:22 28:12,22	recognizing 6:11	referred 74:14	114:1 143:13
20:25 25:4	32:11 33:10,17	130:10	referring 22:16	195:16
43:22,22 60:25	33:22 34:18	recollections	88:9 89:15	remind 43:24
79:4 87:18	38:10 39:18	203:17	107:17	144:14,25
119:1 145:19	47:20 48:7	recommendati...	refocus 149:9	removal 5:1
147:24 152:23	50:21 57:1,11	53:19 155:19	refresh 203:17	rent 72:24
160:4 184:2	63:24 66:16	recommended	refuse 65:7	rental 125:4
187:11 198:11	78:24 88:12	56:23	refuses 78:2	rented 39:8
quotation	90:2,9,10	reconcile 98:16	regard 100:13	rents 57:10
103:19,20	93:10 170:12	129:13 146:8	regarding 6:15	repair 107:1
quote 120:2	191:20,21	146:18 150:4	13:6 46:6,9	repairs 107:3
quoting 138:8	198:14 203:8	171:10 196:7	58:8 83:17	report 108:12
	rear 9:15 10:6	196:25	164:24 171:18	138:6 139:12
	11:7 14:1,6,25	reconciled 169:2	regardless 33:8	139:14 141:6
	15:2,6,23 16:1	173:5 193:7	113:11	143:8 144:7,7
	16:2,19 18:11	reconciliation	regions 150:25	reporter 52:18
	27:10 28:12	156:25 157:19	regulation 20:9	52:25 55:19
	34:7,7 47:2	179:3 182:21	regulations	100:23 126:25
	49:14 71:5	185:5	18:24 19:12	133:25 136:5
	98:6 109:17	record 22:2,19	28:6 30:10	162:15 163:2
	114:25	23:10,11 25:4	rehabilitation	165:18,22,24
	reason 14:22	25:14 26:10	130:5 138:12	166:16 183:25
	28:22 42:14	89:15 142:23	reiterating 27:7	192:2 199:7
	154:8 166:22	143:21 145:9	relate 55:5	207:4,18
	185:10	155:14 156:6	87:16,20,24	REPORTING
	reasonable	157:23 158:12	193:14	1:24
	185:17,24	175:25	related 21:11	reports 108:16
	186:8,13,22	records 133:3	26:9 62:20	repose 140:25
	198:3	134:10,12,21	96:9 102:9	representation
	reasons 146:24	134:22	121:23	54:15,25
	recall 10:21	redesigning 38:1	relative 64:21	represents 12:13
	48:15 127:16	redevelop 112:9	207:11,13	72:1 132:20
	127:16 196:24	redevelopment	relative's 89:2	request 20:25
	recap 4:14,21	43:15 105:1	relevant 60:10	61:2
	receptacle	129:25 132:10	reliant 126:16	requested 20:15
	181:13 182:4	reduce 37:21	127:6,9	108:17
	recess 103:5	172:4	relief 114:3	requesting 21:6

113:3 175:22 179:24 requests 52:18 52:25 126:25 133:25 136:5 162:15 163:2 165:18,22 183:25 192:2 199:7 require 11:12 66:6 118:6 176:10 required 13:14 74:21,22 103:16 104:10 114:5,14,23 121:15 requirement 28:4 57:4 117:17,19 144:16 145:16 145:24 154:9 156:11 189:5 requirements 19:22 21:13 30:25 42:6,8 87:17 130:15 131:1,10 154:2 156:4 181:8 187:17 193:9 requires 121:7 122:24 123:8 180:4 requiring 117:10,12 reread 203:16 residences 181:15 182:6 182:14 resident 44:2 63:15 68:23 82:5 residential 12:8 16:21 29:10 30:23 31:1 42:4 64:10,15 67:15 70:6,8 70:22 88:13,17 106:12 123:7	123:11,17 124:17 125:3 129:23 131:25 159:4 177:22 182:15 193:7 residents 4:6 51:17,20 65:24 68:11,17 80:12 86:18 103:9 178:7 193:20 resort 91:23 resource 168:25 respect 61:18 107:16 108:8 167:23 176:6,9 181:22 182:3 182:13 200:9 201:2 respectfully 20:22 26:3 38:15,15 59:25 68:21 83:5 89:8 101:25 102:25 157:13 165:24 196:18 respond 69:17 rest 21:22 23:2,5 31:8 47:20 178:10 restaurant 174:25 178:3 restaurants 151:23 178:4 rests 22:3 retail 64:13 74:1 106:24 107:15 178:2,5 retaining 32:8 return 103:4 returned 103:9 reuse 46:19 review 10:18 12:22 43:3 137:20 138:6 139:20 197:7 reviewed 7:17 8:3 12:22 42:4 42:5 48:1 revised 4:17	63:22 revision 7:20 revisited 145:20 revitalization 130:1 Rick 189:12 right 5:21 8:10 8:15 9:18 14:19 17:2 20:2,15 22:23 29:11 31:6 33:12,24 34:22 41:13 45:12 46:12 48:25 49:24 51:23 53:8,22 54:18 61:3,7 62:14 67:13 71:13 73:6 74:11 78:17 80:19 95:13 100:7,18 102:23 105:12 111:1 125:15 129:2 133:1,16 134:11 136:25 139:9 142:24 143:8,19 145:3 149:10,11,22 151:3 156:2,24 157:6,10 159:12 160:2 160:25 164:10 172:10,13 177:17 178:11 180:22 182:24 183:3 184:16 197:6,8 203:21 204:10 right-of-way 33:25 34:10,12 119:14 180:9 180:13 190:15 190:17 right-of-ways 180:1 River 105:3 131:6 road 1:6 4:9 67:5,5 97:3	109:15 148:5 169:25 roads 169:11 roadway 67:6 67:11 69:19,24 70:3 roadways 63:17 69:23 ROBERT 1:14 roof 87:9 roofline 189:24 rooftops 109:19 room 36:23 46:11 71:15 91:5 93:19,22 rooms 188:4 roughly 134:18 139:15 162:5 round 11:16 138:11,13,14 149:16,25 157:7 rounded 134:19 157:4 Route 5:10 9:14 10:2,24 11:19 13:15 14:10,12 15:20 37:22 47:7 50:6 52:4 52:11 53:7,13 53:15,25 54:17 65:1 66:5 68:24 71:18 80:6,9 97:24 106:3 109:14 110:4,17 115:20 116:21 116:25 117:9 117:22 118:22 120:4 122:12 122:22 124:2 128:12,20,23 128:25 129:2,9 131:18 132:3,4 141:12,13 181:14 187:17 193:19,21 RSIS 38:17 57:5 64:20 69:22	70:10,20 77:14 78:7,13 85:15 85:24 88:4,15 121:9,16 123:3 123:6,12,14,14 128:10 129:6 181:5,6 193:12 run 163:7 Rutgers 6:23 Ryan 3:22 23:7 <hr/> S <hr/> S 1:18 2:1,1 62:15 79:23 94:21 safe 121:25 122:3,5 safely 65:5 69:1 safety 21:14 147:6 sale 106:24 sanitary 46:13 satisfied 138:20 satisfy 138:25 Saturday 152:2 Savacool 2:3 12:23 13:5,13 14:18 17:7,13 19:7 20:3,22 25:6 26:15,18 26:23 27:2,8 28:17,21 29:12 29:20,25 53:23 70:24 71:11,14 71:25 80:13,15 103:11,13,23 133:9,16 134:6 134:13 135:4 177:4 181:24 189:7,14,20 190:4 Savacool's 13:19 16:8 48:1 50:11 120:19 save 97:21 199:24 saved 97:11 saving 97:21 saw 62:13 91:1
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

98:8 112:10	14:10 16:8,12	119:2,3 126:2	shadowing	sic 58:25
saying 25:5 26:5	16:21 24:1,15	141:20 204:9	179:18	side 11:7,8 13:25
26:24 52:9	24:16 34:16	207:9	shaping 168:15	14:5,21 15:8,8
82:20 84:15	48:3 75:19	set-aside 155:17	share 138:11	18:3,4,19
86:8,9,16	84:2 90:1 98:8	setback 14:10	141:24 142:9	19:16 27:10
88:25 89:9	98:9 107:12	14:17,20,21	143:10 144:16	30:13 34:5,6
93:7 142:19	109:19 110:19	15:3,4,5,6	147:23,23	46:12 48:12
154:8 162:5	111:1 148:14	16:24 17:1,4	151:11 157:2	72:9 76:21
186:17 188:5	172:6 186:25	17:25 18:2,20	185:11,14,20	89:20 94:3
191:25 197:13	seeing 82:25	19:24 27:21	186:11,13,24	97:24 106:3
197:22 203:8	90:4,5	30:14,24 31:4	sharing 119:13	110:4 114:25
says 27:9 66:18	seeking 5:17	31:5 34:3,5	119:22	116:11 117:10
70:14	69:12 70:17	116:8,10	Sharon 2:2	119:3,19
scattered 46:25	85:7 88:1,8	117:11,13,17	26:16	122:17 135:7
57:13	112:8 117:20	117:23 119:4	sheet 9:22,24	137:9 159:14
scenario 37:8	117:23 118:1	119:16,20	10:2 13:20	164:18 175:19
38:11 87:6	seemingly 60:12	120:9,10,11	45:25	176:11 180:16
90:7	seen 43:19,20	122:9 160:15	sheets 9:9	190:18
schedule 203:3	108:10 171:24	160:16 163:22	shield 32:12,13	sides 18:10
203:21	172:1 188:13	164:18,19	shielded 48:23	sidewalk 11:18
schools 169:12	segue 61:3,25	175:22 176:3	shift 174:4	71:10,12
science 6:22	select 111:19	176:11 179:24	shifts 173:22	190:15,17
Scott 3:9 62:22	selected 125:4	180:12 188:19	shopping 132:23	sidewalks 11:19
107:15	132:5	188:20,25	shore 192:10	11:19,21,21
scratch 97:18	selecting 151:6	194:6	short 116:21	80:9,11,11
screen 49:10	selling 192:13	setbacks 114:25	short-circuiting	128:19,21
Sea 141:10	send 23:19	118:23 119:3	61:9	176:23
Sean 1:19 24:1	sense 119:2,5,22	167:2 168:11	Shorthand	sight 65:2,2
147:10 150:10	119:25 125:19	176:8 179:16	207:4,18	sightlines 65:2
173:24 196:7	191:15	180:15 201:5	shoulder 36:14	122:4 181:11
second 75:8	sent 15:24	201:10	show 15:8 16:1	sign 35:10
80:20 87:3	186:12	settlement 138:9	16:6,25,25	significant
97:22 103:11	separate 123:25	140:19,22	17:3 24:10	34:10 41:4
125:10 134:2	separated 180:6	142:5,8 150:6	25:6 34:23	46:8 107:18
153:1 160:12	separating	157:3	192:10	121:16 187:7
162:17 200:11	180:2	settlements	showed 15:11	192:25 193:5
Secondly 87:19	separation	131:4	showing 46:13	significantly
Secretary 2:2	179:12 180:4,9	seven 10:12 36:8	137:3	39:15 119:18
9:1 23:15,22	190:5,6,9,16	39:19,21 56:1	shown 15:4	151:21 152:20
23:25 24:4	series 39:3	65:21,22 72:16	78:11	175:1 180:21
26:17 109:4,9	service 1:24	74:25 75:7,20	shows 86:18	182:17 184:20
204:3	65:8	75:21 76:4	127:3	191:9
section 14:7,8	services 104:15	86:24,25	SHREWSBE...	similar 43:15
16:10 18:7,19	106:20	128:16 149:16	1:16 52:8,15	46:2 70:4
18:25 66:18	serving 104:23	149:24 175:19	52:22 53:3	82:21 83:21
116:6,23 121:6	set 9:8 17:3	192:12 204:13	54:8,12	84:3,4 132:25
123:7,12	31:15 34:10	204:14	shuffle 71:19	173:12
sediment 47:21	52:2 75:9	sewer 169:11	82:18 85:4	similarly 196:22
see 9:25 10:2	112:13,17	shade 47:4	shut 136:15	sincere 90:4

single 10:8 82:8	193:10 194:7	39:8,9,14	91:6	77:15 85:15,17
single-family	sizes 70:12	41:12 42:9	special 115:9,10	87:10 88:4,11
93:17 106:22	skilled 72:20	44:5,6,13,20	146:24	88:12 120:24
110:5 112:2	skip 9:17	47:2 57:9,12	specific 12:25	121:15 173:23
130:10,25	slate 97:14	65:20 72:9	19:2 20:5 48:4	standards 42:5
140:4 159:15	sleep 113:24	75:13,23 77:3	123:7 159:22	70:7 114:24
181:15 184:14	slight 11:2	85:18,21 86:5	179:3	115:4 121:10
sir 63:13 91:9,21	slightly 32:25	87:4,4 88:14	specifically 13:8	129:6 193:8,12
94:19 95:8,23	slow 55:20	88:19,19 89:14	21:7 29:23	start 12:20
96:18 97:4	small 32:7 64:13	90:17 93:17	30:3 148:18	56:18 163:15
134:2 161:22	159:3 164:12	119:10,18	160:10 169:18	196:3
162:24 166:5	smaller 32:25	124:15 178:6	173:11,15	started 56:15,20
204:23	34:1 51:5	179:15,21	180:13 200:19	195:5
site 1:7 3:20,21	164:9	180:11 188:8	specificity 27:12	starting 97:18
4:9,24,25 5:9	smiled 156:23	193:10 201:15	speculate 41:15	starts 17:13
8:2,17,18 9:12	So-and-So 44:7	spaces 10:11,13	speculation	state 88:17
9:20,21 10:4	softball 97:5	10:16 11:1,4	41:16 55:16	104:17 146:11
10:19 11:17,19	soften 32:18	11:10,10,12,12	speech 136:9	147:4,15
12:11 32:20	softening 190:20	11:17 36:21,22	speed 133:21	168:22 169:5
38:1,25 39:1	soil 47:21	39:19,22 40:23	spell 6:5 62:19	169:14 170:25
39:16 42:5	sole 146:6	44:8 55:15,23	80:2 91:16	171:23 186:3
43:9 45:22	solution 187:4,8	56:1,12 57:13	94:25 96:25	207:4
46:18 51:11	somebody 54:6	65:21 67:18	99:7 104:8	stated 99:11
56:22 58:22	76:24 121:11	74:22 75:1,11	spelled 19:9	200:16
59:1,3,6 63:19	124:25 166:4	75:20 76:6,21	spillage 47:6	statement 63:23
63:25 64:19	someone's 16:18	85:8,20,24	spoke 15:14	168:20
65:8 66:9 68:7	36:12	86:1,24 87:5,9	82:4	station 64:12
70:6 76:2 78:4	somewhat 33:5	87:12,25 89:19	spoken 55:18,23	73:12,12
85:9,10 98:16	33:7 149:9	97:23 121:12	64:18	stations 107:5
118:16 137:6	sorry 10:25 18:8	121:13,15	spot 71:17,17,17	stay 124:10
137:10 151:6	25:12 35:4,15	128:11,11,13	78:5 87:3	164:17
152:12,13,15	41:14 47:16	128:15,17	spots 95:17 98:9	stenographica...
158:19 173:19	55:10,19 58:18	175:17,18,19	sprawl 169:6,7	207:7
174:5 193:7,23	58:18 100:10	193:11	Spring 173:10	stick 159:25
201:21	102:11 117:12	speak 8:11	sprinkled 159:7	stock 130:6,9,11
site-specific	118:22 150:12	22:11 27:6	sprinklered	stone 33:14
157:20	153:5 158:10	65:9 87:7	49:21 50:2	stood 185:22
sites 154:18	162:25 165:10	114:20 123:22	sprinklers 49:24	stop 75:10 96:1
situated 110:10	192:3	185:19	square 112:1	137:22 140:23
129:8 159:1	sort 185:3	speaker 52:18	173:8,13	storage 106:24
situation 33:21	Sounds 62:9	52:25 100:10	staff 4:6	store 37:14 74:2
67:16 72:2	south 105:2	100:15 126:25	stage 72:12	stores 106:20
situations 16:22	106:15	133:25 136:5	stairs 17:3	stories 32:21
172:1	southerly 89:22	162:15 163:2	stairway 48:10	34:22 105:24
six 47:16 58:17	southernmost	165:18,22	stairways 12:1	160:23 161:15
110:11 111:21	89:14	183:25 192:2	stall 121:7,8	161:18 162:2
six-story 131:8	space 33:12	199:7	standard 38:17	163:18 167:18
size 38:2 90:17	34:16 35:25	speaking 27:14	47:19 69:14,21	168:7,8 188:3
121:7 193:1,9	36:1,9 37:3,23	60:6 76:12	70:21 72:8,15	stormwater 5:6

46:1,7 88:21 straight 46:14 173:4 street 14:16 18:5 19:13 41:12 53:16 65:14 82:16 85:3 86:20 94:2 97:20 109:25 111:3 115:19 116:12,15,18 116:22 117:3,4 117:5,6 119:9 119:11,17 124:13 125:19 164:13 180:1,8 180:14 190:16 streets 18:3 56:7 77:11 82:7 84:19,19,25 92:23 93:9,15 115:19 116:11 116:17,21 129:21 180:1 streetscape 122:21 stresses 101:8 strict 117:7,14 177:12 strictest 188:21 stringent 30:24 strong 86:13 strongly 57:1 58:11 structure 110:19 110:21 structures 123:25 131:8 stuff 156:19 197:21 subject 63:19 123:23 submission 186:17 submit 22:15 83:6 submitted 7:17 7:22 subsequent	129:16 subsidize 154:13 substantial 32:3 33:22 90:6 131:15 148:20 200:7 201:21 substantially 64:10,16 65:15 substantiate 27:13 subsumed 61:1 suburban 38:24 169:6 sufficient 175:14 sufficiently 148:6 suggest 26:3 76:9 suggestion 195:8 suited 153:20 summary 13:22 22:12 summer 152:1 152:24 178:13 178:18 Sunday 92:18 Super 92:16,17 superior 143:12 181:19,20 supersede 193:8 supersedes 20:8 123:18 supplement 81:5 116:1 supplies 106:25 support 21:11 22:4 101:23 130:4 141:3 supported 21:19 21:23 sure 24:2,11,17 25:15 39:24 45:2,5 51:6 55:20 62:22 87:13,18 104:12 108:25 135:23 142:23 144:1 145:9	155:14 203:10 surface 42:22 90:10 128:12 128:23 175:17 surprise 44:4 surrounding 122:16 152:4 surroundings 159:24 survey 42:21 127:3 swear 62:7 swimming 5:2 sworn 6:2,7 62:16 79:24 91:13 94:22 96:22 99:4 104:5 system 46:1 169:25	126:6,9,24 128:6 133:24 136:4,7 144:2 162:14 163:1,4 163:5 165:17 165:21 171:19 183:24 192:1 199:6 talked 34:6 75:19 78:25 121:5 185:6 201:4 talking 24:16 93:16,18 95:16 137:3 140:7 145:1 160:16 173:15 179:1 203:19 talks 23:5 tall 32:5,11 33:1 105:24 161:14 tandem 10:13 35:13,17,20 36:9 37:6 38:9 39:2,7,9,17 40:23 42:1 44:24 55:15,23 56:12 65:9,15 67:2,13 71:3 71:16,17 72:7 75:1,7,12,20 77:8,18,22 82:3,11,20 84:23 85:4 86:19 87:25 91:22 128:17 170:22 171:19 171:20,24 172:5 175:19 tap 36:14 tape 166:15 tax 133:3,15 134:10,12,20 134:22 154:20 team 26:14 50:23 81:19 technically 167:25 Technology	104:22 tell 116:23 telling 91:22 tells 85:19 temporary 93:3 ten 63:6 70:15 122:24 tenants 172:11 terms 17:20 105:15 110:7 114:1 116:2 118:10 119:23 119:24 120:14 121:17 125:22 140:7 154:14 168:3 171:16 172:2 174:9,21 177:6,11 179:1 179:12,24 180:4,10,24 181:6 182:7,18 190:19 201:11 test 124:20 131:12 132:14 148:10 152:11 154:15,16 173:11 180:24 testified 6:3,25 53:9 62:17 63:3,24 79:25 91:14 94:23 96:2,22 99:4 99:20 104:6 107:16 181:10 182:1 193:22 201:19 testify 79:11 175:11 testimony 8:20 13:3 43:19,21 46:8 53:14 58:7,21 60:2 61:13 64:4 66:12 68:12 74:20 79:14,18 81:4 83:11 86:9 90:23 94:6,19 96:10 99:2,17,22
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

100:14 101:2 101:14,15 102:2,15,19 105:16 111:6 111:14 126:9 126:13 127:5 139:23 140:1 145:13 152:19 157:18 169:23 174:25 181:3 194:24 195:12 197:3,20 200:9 201:25 202:4 202:12,17 205:4 207:7 thank 4:4,12 7:4 7:11 9:6 24:4 26:17 31:12 45:18 51:13,14 57:21 61:16 62:2 63:13 66:13 74:5 76:18 80:17 90:19,21 94:16 94:17 95:12 96:16,17 98:24 98:25 100:6 103:22,25 105:11,19 109:8,9 113:1 168:11 178:23 202:1 204:4 Thanks 25:9 80:18 that.' 166:14 themes 133:10 theoretically 113:16 theory 204:7 thing 37:9 48:24 54:15 72:10 80:20 89:5 92:2 93:2,3 131:10 132:6 195:12 203:9 things 34:20 51:1 76:20 82:13 86:7 87:15 111:6	124:5 129:12 130:15 131:5 171:22,25 172:19 180:25 185:22 186:12 think 8:20 9:11 12:10,19 13:3 13:4 14:12,20 16:5,7,12,23 17:4,8,15,16 17:18 18:8 21:24 22:10 23:17 24:5 28:21,23 29:11 31:13 33:8,17 33:18,21 34:16 37:25 38:4 39:19,21 45:20 46:8,17 47:8 47:23 48:7,11 50:10,20 52:14 54:2 56:1 58:7 60:21,22,22 61:11 63:12 69:6 72:1,2,25 78:21 79:3,5 81:20,21 85:14 88:24 90:1,14 92:16 93:5 94:5,9 96:2 97:12,13,13 98:3 101:7,11 101:22,22 105:4,8 121:16 129:15 143:1,2 143:22 157:13 159:16 172:8 178:18,19 180:20 186:20 189:2,3 194:12 194:25 third 40:14 138:11,14 thought 20:3 91:7 97:6 125:24 thousand 63:3 73:15 threatening	152:10 three 10:8 27:16 32:21 34:22 38:24 79:6 81:13 93:9 97:4 105:23 115:19 141:11 167:18 168:7 184:22 188:3 three-bedrooms 113:13 three-story 10:8 175:5 192:11 threw 139:25 through-lot 16:13 18:9 through-put 67:22 throw 196:12 throwing 83:1 142:19 tie 13:9 130:13 tiers 147:17 till 40:1 time 16:21 37:13 50:13 60:16 78:19 79:11,16 83:25 84:18 96:9,11 104:1 109:3 111:13 131:5 136:9,11 151:25 178:5 195:18 196:5 197:6 198:9 200:3 205:1,2 205:12 207:8 times 4:15 90:5 152:3,8 178:4 178:6 184:22 timetable 195:9 today 9:4 34:17 42:14 58:9 109:7 113:20 113:21 125:5 127:23 136:22 174:12 176:5 176:24 181:19 188:24 191:1 192:19	today's 9:3 told 84:1 tomorrow 23:20 23:21 Toms 105:3 131:6 tonight 64:20 102:5,7,12 194:25 197:19 204:9 top 10:4 17:3 106:5 110:16 119:15 156:3 total 11:11,14 65:21 138:17 149:10 158:12 totality 197:2 totally 78:12 touch 45:16 48:5 48:17 touched 46:22 town 19:2 29:14 84:16 86:18 91:23 99:14 130:24 153:16 153:17 town's 186:17 townhouse 69:22,25 70:25 71:4 72:1 130:19 188:3 townhouses 111:18 113:14 168:1 187:13 187:18 192:11 towns 27:19 township 8:4 15:13 104:25 108:1 Traditional 47:10 traffic 55:25 61:20 63:23 64:1,2,9,16 66:10 68:13 73:13 107:16 122:2 169:24 177:10 181:1,3 181:9,16,17	204:19 transcript 1:5 196:15 197:1,5 197:6 203:12 203:13 207:6 transcripts 101:19 transformer 46:15 transient 65:23 72:18 76:25 transition 196:2 198:11 transitional 159:9 transitioning 32:23 transportation 62:25 132:24 170:7 trash 11:6 48:8 48:10 49:10,17 98:13 128:22 128:24 129:7 177:14 181:1 181:13 182:3,7 182:9 200:10 tree 97:20 trees 12:16 32:5 32:11 33:1 46:24 47:4 49:7 97:7,11 137:7,11 tried 8:8 12:15 33:2,21 85:25 trip 66:18 trips 64:5,6,7 73:3,8,14,15 73:23 170:5 Troncone 143:13 truck 49:11 true 207:6 truth 156:1,9 try 4:17 7:15 14:5 81:5 169:5 trying 13:8 29:3 30:19 33:6,17
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

59:22 72:19	two-sided	94:14 127:2	142:4 145:18	157:22 158:25
75:8 84:13	110:11	142:18 161:7	145:18 147:9	159:13 168:17
88:5 95:21	two-story	192:20 196:17	147:21 148:8	168:21 169:15
125:23 133:20	161:12 167:16	197:24 199:3	148:22,24	169:17 170:4,9
142:25 155:13	167:17 189:16	understood	149:11,16	171:16 172:2
156:5,8 162:20	two-way 70:14	31:11	150:8 151:19	172:21,24
162:23 163:3,4	122:24 123:9	underutilized	153:8 154:11	173:4,15,16
163:5 164:11	type 72:18 80:23	130:1	154:13,14	174:2 178:2,2
165:4 166:23	81:16 172:18	unfair 51:9	155:4,5 157:8	178:3,4,15,15
189:21	types 173:3	unfortunate	157:9 159:2,4	182:9,17
turn 11:2 103:10	200:19	97:16	159:18 160:7	188:12
turned 187:1	typical 16:20	Unfortunately	164:23 165:11	uses 64:11,17
Turning 110:22	41:24 67:2,4	96:14 123:18	165:12 167:14	73:9 106:18
turnout 89:4	67:15,20	UNIDENTIFI...	174:8,19 175:3	107:4,15 110:3
turnover 37:11	typically 35:23	100:10,15	175:4,15	152:8 159:10
72:16 74:3	49:17 75:22	unit 11:13 36:2	177:13 184:5	170:2
twenty 5:5 10:10	146:23 180:25	39:8 72:23	186:10,15,18	utilities 46:10,13
112:15	typo 66:22	75:12,13 85:18	186:25 187:1,2	utility 46:17
Twenty-four	typographical	92:7 172:14	191:14,21	utilized 37:4,16
92:4 98:5	66:17	188:16	200:23	37:20
twice 189:23		units 5:4,6 10:9	universal 116:2	utilizing 56:3
190:3		10:15 21:5	University 6:23	
two 7:15 16:17	U	35:1,3,4,6 36:5	151:4	V
30:2 36:6,10	ultimately 74:14	36:6,8 38:2,6,7	unmet 141:9	v 94:21 96:21
40:23 62:13	143:11 156:18	39:4,7 43:25	unnecessary	173:9
65:18 71:6	157:14,17	57:16,25 58:7	88:22	vacant 130:1
79:10,19 81:13	158:13 166:9	58:8,11,16,19	unsafe 66:1	132:11 140:12
86:25 87:14	182:24	58:22 64:2	unsightly	VALERIE 1:17
92:7 98:9,12	undated 139:14	65:23 70:16	174:20	valid 186:18
102:22 112:19	underlying 5:12	72:16 75:7,21	update 45:23	validity 186:7
112:19 115:18	106:8 107:12	75:23 92:4	upgrading	valuable 168:25
115:23 116:20	107:19 151:21	99:12 100:3	129:24	valuation 95:20
124:1 128:13	152:22 174:14	108:24 110:2	upper 12:3,7,7	96:3
149:25 150:2,3	177:15 181:21	110:20 111:3	urban 38:13	Van 138:7
160:22 161:15	182:12,16	111:18,21,22	39:11,12	139:14 142:2
161:17 162:2	183:4	112:4,17 113:8	urge 79:15	144:6
163:18 168:8	undermine	113:10,11,15	urgent 107:3	Vandercoy
173:3 193:6,14	200:12	113:17,21	use 4:9 5:17 9:2	108:13
197:25 200:5	undermining	122:25 123:24	30:8,23 36:22	var 20:14
two-bedroom	201:3	124:12 125:3,5	43:9 54:17	variance 4:9
5:6 10:10	underneath	125:11,11,13	77:2 87:12	5:18 20:15,18
11:14 36:5	10:10 35:22	125:16,20	103:18,21	61:2 85:8
39:3 75:21	41:25 47:17,18	126:1 128:9	129:21,23	86:11 99:24,25
112:15 113:13	87:2,9 89:13	130:12,21	131:23 144:22	100:2,5 101:23
172:14	understand	133:3,5,13	145:4 146:3,9	103:16,19
two-bedrooms	16:11 18:12	134:6,9,25	146:18,25	108:9 113:6
44:18	24:20 28:13	135:8 138:14	147:3,13 150:1	120:9,10,11
two-movement	30:18 40:21	138:16,18,25	151:22,25	144:22 145:4
129:3	41:19 72:21	139:4 141:11	153:6,15	145:25 146:16
	74:18,21 84:23			

160:11 173:1,2 173:3,4 187:6 191:8 192:25 196:1 variances 4:10 5:17 20:16 21:12,15 106:10 113:2 125:23 173:6 187:6 192:16 variety 110:23 154:19 200:17 200:18 various 108:14 168:13 vegetation 49:6 49:20 vehicle 72:12 89:20 107:6 128:24 163:25 164:6 vehicles 65:7 71:6 82:19 VENI 1:16 verified 112:23 version 9:19,21 versus 34:17 53:25 182:8 Vice 1:13 video 107:8 view 30:6 110:16 152:9 168:16 Village 141:10 violate 180:12 virtue 180:7 visit 91:24 92:8 visiting 76:1 visitor 76:24 visitors 75:25 visual 190:6 191:2,6 voice 205:19 voir 6:14 62:5 104:9 volunteer 162:17 volunteers 101:8 vote 205:19	W	195:16 197:15 199:3 203:10 wanted 48:16 69:17 80:20 90:14 194:24 199:24 wants 78:3 wasn't 30:24 58:2 63:19 91:8 127:13 189:18 water 46:14 169:11 waterfront 29:14 way 10:3,24 15:11 16:12,16 20:21 22:1,8 25:24 26:9 32:16,22 33:8 38:18 49:13 51:3,10 60:23 61:6 74:19 76:15 77:1 78:14 86:7 87:1 90:12 99:18 115:7,8 115:9,10 119:24 142:24 156:10,12 163:6 167:5 ways 7:16 154:19 we'll 13:7 43:1 60:13 75:6 79:9 103:3 130:13 150:3 170:21 198:8 202:9 we're 4:1 11:7 11:11 12:19 14:11 16:7 23:6 24:16 30:12,19 33:6 33:17,25 34:1 34:5,14,24 38:1 39:11 42:10,13 46:13 46:19 47:5,7	59:1,14 64:1 70:22 72:15 78:4 79:8 86:8 86:8 88:10 97:12,13 100:16 102:17 103:2 105:13 109:4 111:7 113:2 131:3,5 147:20 154:24 160:8 164:25 165:16 168:4 172:25 173:14 174:10 175:3,4 175:8,9,21 176:2,23 177:9 179:1,2,17,23 180:11 188:23 188:24 201:8 201:18 204:24 we've 4:14,15,17 14:2,20 17:16 27:24 31:16 32:4 33:22 78:11 79:10 81:4 94:20 99:2 101:13 136:13 172:1 201:19 weaker 86:12 Wear 83:23 weaves 31:24 website 203:15 205:7 Wednesday 1:9 weekends 178:5 178:6,12 weeks 102:22 197:25 weigh 124:10,21 125:25 152:5 152:11 154:17 weighing 118:10 124:6 156:20 welcome 7:3 63:8 74:7 welfare 147:7 149:1 150:18 well-being	150:23 well-known 84:22 Wenke's 176:1 176:12 went 42:2 178:1 185:20 weren't 15:16 west 46:12 106:14 westerly 11:1 Whalers 8:19 35:11 whatnot 12:16 32:5 whatsoever 53:21 Whoa 24:14 whoever's 76:1 wholesale 106:23 wide 69:9,14 107:13 123:1 width 24:13 35:24 67:4 70:15 90:16 114:13 120:7 wife 36:14 71:21 wife's 40:1 willing 124:25 wipe 97:14 wish 188:9 witness 3:2 6:8 6:16 7:4,11 8:11,15,23 9:4 9:7 17:10,15 18:23 20:2 22:5,17,20,23 23:1,12,17 24:20,25 26:12 26:22 27:1 28:20 35:15,19 37:25 38:14,22 40:10,15 41:1 41:6 43:7,11 43:14 44:14 45:2,6,10 48:21,25 49:22 50:1,9,20
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

51:13,18,23	167:11 168:12	73:2,2,3	199:22,22,23	183:1
56:14 58:2,6	171:2,7,12,15	wrote 184:2	year 63:24	<hr/>
58:17 62:22	178:19,25	<hr/>	year-round	0
63:14 66:21	183:10,18,21	X	152:1	<hr/>
67:6,8 68:2,20	184:1,17	<hr/>	years 6:24 62:25	0.9 5:13
69:10,15,21	185:14 186:5	x 1:3,8 25:5	63:6,18,21	<hr/>
70:19 71:8,13	186:20 187:9	XI01201 207:18	92:19 108:22	1
72:5 73:5,11	188:1 189:11	<hr/>	145:21	<hr/>
73:19 74:7,24	189:17 190:2,8	Y	yellow 109:14	1 1:7 4:8 5:10
75:2,17 76:17	191:16,22	<hr/>	Yep 103:2	66:18 75:12
76:19 77:9	192:3,9,18	Y 91:12	York 172:7	134:13,15
78:6 83:10	193:2 194:9	yard 11:8 13:25	<hr/>	136:12 138:9
85:6 86:23	195:4,24 196:6	13:25 14:1,13	Z	1-acre 133:4
88:7 89:10,13	198:6,10,13,21	14:15,21,24	zero 138:13	134:9
94:13 97:25	198:25 199:4	15:1,2,7,19,21	zone 5:11,12,15	1.1 134:15
98:3 104:12	199:10 200:4	15:22,23 16:1	18:21,22 19:3	1.17 133:12
105:6,11,13,20	204:13	16:2,19 18:20	19:19,20 20:1	1.8 11:13
109:6,10 113:1	witnesses 165:25	18:20 19:17,21	20:5,7 21:3,4,8	1/2 49:5
125:13,16	word 21:21	19:21,24 28:1	21:12 29:22	10 121:7
126:11,15,22	words 139:22	28:2,3 30:9,13	30:22,23 31:1	10,000-square...
127:8,15,22	work 27:18	30:14 31:5	31:4 34:25	73:21
128:1,5 133:14	32:22 39:10,17	34:5,6,7 94:2	106:4 107:20	100 63:4 153:24
133:18,23	44:8,9,10	114:23,25,25	108:2 115:25	154:17 155:6
134:3,8,12,24	56:23 75:15	115:1,2,5	141:1,13,14,17	156:13 170:5
135:5,11,15,19	86:8 90:2,3	116:24 117:17	142:10 143:9	1009 80:6
135:24 136:11	95:18 155:1	119:19 120:3,7	144:18 149:12	105 3:15
136:21,25	156:2 177:24	120:9 122:9,11	149:22 151:21	109 3:23
137:7,11,14,18	188:10	175:20 176:11	167:20,21	11 98:4 110:13
138:4,21 139:2	worked 45:3	180:17 193:17	177:11,16,18	11:26 205:25
139:13,19	184:7	yards 14:5,5,6	179:10,22	110 3:24
140:3,9 141:5	working 65:13	16:17 27:23	181:21 182:15	12 7:22 64:5
142:14,16,20	works 36:3	48:8 107:1	182:16 183:4,5	136:10 141:14
143:6,19,23	43:23 44:16	114:19 117:12	184:19 185:16	13 9:9 129:18
144:1,4,21	57:2 86:10,10	yeah 12:20	186:9	130 184:5
145:2,14	88:23 90:18	15:14 17:15	zone's 112:4	134.2 13:17
149:13,19,23	world 54:5	22:20 23:4	zoned 152:6	114:6,14
150:2,10,14	worry 84:12	26:18 29:12	zones 28:7	14 76:4 129:18
153:9,14,22	wouldn't 71:1,9	35:19 36:25	129:23	206:1
154:7 157:6,10	77:5 153:19	38:14 40:11	zoning 1:2 12:18	1431 62:24
158:4,8,17	160:4 192:4,7	44:14 47:16	13:5,10,21	14th 204:12,25
160:18,22	195:16	48:21 49:22	22:7 24:6,9	15 16:4,6,25
161:1,6,10,15	wow 164:14	59:20 67:7	34:4 45:20	17:21 18:5
161:19,24	wrap 115:23	81:18 83:2	59:9 106:8	19:17 30:9
162:2,6,10,20	wrapping	94:13 96:7	107:13,13	31:15,17,24
162:24 163:8	158:18 196:1	97:15 98:3,6	115:6,8,12,16	33:9 34:3,7
163:11,18,23	write 74:19	98:11 103:13	116:4,6 148:4	75:14 116:13
164:5,10,20,25	written 184:3	128:4 133:16	151:8 152:23	117:10,11,12
165:7,10,15	185:7 187:25	143:6,23	159:23 174:14	117:25 123:25
166:5,17 167:8	wrong 25:24	160:20 161:6	174:23 182:22	141:14 176:7
		161:10 165:13		15-foot 14:17
		178:25 197:9		15:5 16:24
				17:1,3 18:19

30:13 117:18 119:15 15-foot-wide 65:19 15-page 185:15 150 13:14 114:5 114:13 16 10:15 99:14 163:25 17 64:6 76:4,6 123:25 164:23 17.7 133:13 134:7,16 135:3 135:4 159:2 175 64:7 73:3 18 121:8,14 134:18 160:6 163:25 19 18:25 19-15C.4 113:7 19-28.5.a 121:20 19-28.5.c 122:7 19-3 18:25 19-5.3 18:25 116:6 19-unit 172:10 19.28.4.b.1 121:6 1960 124:4 1988 63:16 1990s 168:23 1999 129:15	20-07 1:5 4:7 20-foot 58:25 200-foot-long 187:20 2009 129:18 2019 139:16 2020 109:11 110:13 139:16 2021 1:9 9:7,23 206:1 2025 138:15 144:5,8 22 3:22 160:6 23 10:11,16 98:6 128:15 24 1:9 5:4 10:9 35:6 43:25 44:15 57:16,25 58:6,11,22 64:2 67:9,11 69:8,24 70:17 71:6 73:4,5 98:1,4,6 99:11 99:15 105:22 108:24,24 112:11 113:20 113:21 123:1,2 123:24 124:11 125:3,4,11,11 125:13,16,20 126:1 128:9,11 128:13 145:18 148:18 151:19 152:17 153:8 160:6 174:8,19 175:3,4,15,17 182:14 200:23 24-foot 67:12 72:9 88:11 123:9 24-foot-wide 69:18 70:3,4 24-hour 64:7 73:16,24 24-unit 4:22 249 13:15 24th 9:5 203:25 25 31:18 121:20 164:2,9 193:25	25-foot 188:2 25-foot-wide 187:18 250 73:25 26.64 99:12 26.7 35:4,7 99:12 100:4 113:9 2612 97:3 2613 1:6 4:8 51:24 2613-2615 5:10 27 175:17 27.6 113:10 28 31:21 33:10 34:2 291 13:16 2A 18:7	<hr/> 3 <hr/> 3 13:20 3-to-1 78:3 30 6:24 16:5 67:9 69:14 70:16 88:8 92:10 119:5 122:25 176:17 180:5 30-foot 14:21 15:3,6 16:2 119:19 176:11 30,000 156:22 300 73:25 315 104:15 32 162:5,10 33 76:5 33,650-gross-s... 5:3 34 104:15 343 138:14 35 29:11,13,16 30:12 62:25 36 69:14 70:16 88:9 122:25 135:8 161:11 164:15	189:9 4.5 123:8,12 40 73:23 75:10 92:10 113:18 40-plus-foot-tall 190:1 40:55D 146:25 41 29:23 41.46 34:24 42 30:13 34:22 160:25 161:2 161:18,19,21 167:21 168:1,6 171:3 198:19 198:23 199:9 42-foot-high 30:14 436 138:16 44 59:2 45 1:7 4:8 5:10 47 11:11,12,16 35:8,8 57:15 74:21,22,22 76:5 98:6 128:10 47.2 11:15 4th 92:8	<hr/> 5 <hr/> 5 17:8,9 19:9 122:9 140:4 5-foot 72:3 5,000 112:1 5,000-square-f... 112:3 5.1 130:11 5.21-416 123:7 5.21.4.6 123:12 5.36 118:3 176:12 5.5-ish 33:24 5/20/2019 109:13 50 14:25 17:19 19:24 33:9 119:14 184:4 50-by-100 112:5 133:7 135:7 159:5,18	50-by-100-foot 112:1 50-foot 14:10,20 15:4,20 30:8 31:4,5 114:23 523 99:10 525 95:10
<hr/> 2 <hr/> 2 66:19 98:4 2.0 11:14 2.2 192:13 2/24/21 9:21 20 31:18 32:1 33:10 34:2 44:15 100:18 110:2 117:23 121:7 133:2,5 133:22 134:5,9 134:19,25 141:17 145:16 149:22 155:17 185:23 186:14 186:25	<hr/> 4 <hr/> 4 11:9 15:7 17:9 118:4 176:1	<hr/> 6 <hr/> 6 49:5,5 6:30 204:13 60 6:19 35:24 184:4 601 91:19 60s 174:18 62 3:10 642-4299 1:24 66 3:11 66.13 34:14 120:20	<hr/> 7 <hr/> 7 3:5 43:25 44:15 204:12 205:1 7:00 206:1 70 34:14 35:24 120:17 177:6 184:4 700 139:3 142:4 148:8 700-plus-unit 144:9 779 138:18 79 3:7,12	<hr/> 8 <hr/> 8 3:20 35:3 99:13 100:3 113:8,11 189:10 8.0 35:4 8.24 34:9,11 118:1 175:25 8:14 1:10 80 153:24 177:3 177:5 82.4 120:19 88 5:10 9:14 10:2,24 11:19		

13:15 14:11,12
15:20 37:22
46:24 47:7
50:7 52:4,11
53:8,13,15,25
54:17 65:1
66:5 68:24
71:18 80:6,9
105:25 106:3
109:14 110:4
110:17 115:20
116:21,25
117:4,9,22
118:23 120:4
122:12,22
124:2 128:12
128:20,23,25
129:2,9 131:18
132:3,4 141:12
141:13 159:10
181:14 187:17
193:19,21

88/Curtis 97:24

8th 9:22

9

9 3:21 98:4

112:3 121:8,13

9-acre 105:24

9-by-18-foot

88:14,18

9:48 103:3

9:53 103:4

90-degree 123:9

127:18

908 1:24

94 140:1,4

95 130:24