

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting

Monday, August 22, 2016

—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Charles called the meeting to order at 7:00 p.m. in the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 13, 2016, proper notice was sent to the Courier Newspaper and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm. Hearing Assistance is available upon request. Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the Planning Department Secretary before the public meeting." However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary.

3. SALUTE TO FLAG:

There was salute to the flag.

4. ROLL CALL:

Stephen Rodzinak – present

James Franco – present

Chairman Ron Charles – present

Councilwomen Christine Henderson-Rose – present

Tricia Casamento – present

Mayor Dan Hayes – present

Evan Lerner – absent

Urvin Pandya, Alt. #1 – absent

Debra Albanese, Alt. #2 – present

Others present: Board Attorney Thomas Collins, Board Engineer David Battaglia, Board Planner Scarlett Doyle, Charles Holt, PE, traffic engineer, Recording Secretary Marianna Voorhees

5. APPROVAL OF BOARD MINUTES:

June 14, 2016, Regular Meeting – Motion by Mr. Franco, second by Mrs. Casamento, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Franco, Chairman Charles, Councilwoman Rose, Mayor Hayes Mrs. Casamento
ABSENT:	Mr. Lerner, Mr. Pandya
NOT ELIGIBLE:	Mrs. Albanese

6. MEMORIALIZATION OF RESOLUTIONS:

There were no resolutions pending.

7. LAND DEVELOPMENT APPLICATIONS:

BRIDGEWATER TVC-ARC, LLC- Route 202 and Fisher Place (Retail including Wawa with fuel)
Block 163 Lots 1, 1.01, 2, 3, 4, 5, 5.01, 5.02, 6, 8, 9 &10

#15-035-PB, Preliminary & Final Major Subdivision, Preliminary & Final Major Site Plan with Variances & Design Waivers

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting
Monday August 22, 2016

—MINUTES—

See attached Transcription dated August 22, 2016 prepared by: Latitisa Russell, C.C.R. of Schulman, Wiegman & Associates, 216 Stelton Road, Suite C-1, Piscataway, NJ 08854.

The application was carried to the meeting on September 26, 2016 at 7:00 pm with no further notice required.

8. **MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

9. **OTHER BOARD BUSINESS:**

There were no other matters of Board business.

10. **ADJOURNMENT**

It was the consensus of the Board to adjourn the meeting at approximately 10:30pm.

Respectfully submitted,
Ann Marie Lehberger
Secretary to the Planning Division

TOWNSHIP OF BRIDGEWATER
PLANNING BOARD

IN RE: BRIDGEWATER * AUGUST 22, 2016

TVC-ARC, LLC *

- - - - - *

SCHULMAN, WIEGMANN & ASSOCIATES

CERTIFIED COURT REPORTERS

216 STELTON ROAD

SUITE C-1

PISCATAWAY, NEW JERSEY 08854

732-752-7800

Page 2

1TRANSCRIPT of the stenographic notes

2of the proceedings in the above-entitled matter as

3taken by and before LATTISA RUSSELL, CCR

4#30XI00234100, RPR and Notary Public of the State of

5New Jersey, held at the Bridgewater Municipal

6Building, 100 Commons Way, Bridgewater, New Jersey,

7August 22, 2016 commencing at 7:05 p.m.

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24

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Page 4

1---

2INDEX

3---

4WITNESSDIRECT

5MARK WHITAKER14

6NICK VERDERESE88

7

8

9

10---

11EXHIBITS

12---

13NO. DESCRIPTIONPAGE

14A-18 Up-To-Date Rendered Site Plan15

15A-19 Cross Section of the Buffer Area44

16

17

18

19

20

21EXHIBITS RETAINED BY COUNSEL

22

23

24

25

Page 3

1APPEARANCES:

2

3PRIME LAW

4BY: TIMOTHY M. PRIME, ESQUIRE

514000 Horizon Way, Suite 325

6Mount Laurel, New Jersey 08054

7Counsel for Eden Woods

8

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10BOARD MEMBERS:

11Ron Charles, Chairman

12Stephen Rodzinak

13Evan Lerner

14Tricia Casamento

15Debra Albanese

16Christine Rose, Councilwoman

17Dan Hayes, Mayor

18Scarlett Doyle, P.P., Township Planner

19Thomas Collins, Board Attorney

20David Battaglia, Township Engineer

21Charles Hult, P.E. Board Traffic Engineer

22Marianna Voorhees, Board Clerk

23

24

25

Page 5

1---

2PUBLIC SPEAKERS

3---

4NAMEPAGE

5CRAIG HEPWORTH36, 63, 95, 154

6PATRICIA BARNES38, 128

7ANN MARIE GRACE55

8SHARON BARNES60, 82, 106

9BARBARA DIGRICOLI61, 83

10MARK GRACE64

11ELAINE SCHWARZKOPF66

12YUN CHANG68

13BARBARA MONTANO69

14BRENDA ESSLER71, 143

15BERNADETTE BENDA86

16DENNIS STERLACCI87, 124

17MARIA SEMPLE117

18ANGELA BODINO119

19THOMAS HORVATH122

20AGNES SZYMANOWSKA125

21RENEE BAXTER139

22DAVE LABISH140, 151

23JESSIE CHANG146

24LAURA WHEELER149

25GENE MILLER150

26MAHESH CHANDRA152

Page 6

1 - - -

2 **CHAIRMAN:** Call this meeting to order

3 of the Bridgewater Township regular meeting August 22,

4 2016. Adequate notice has been given in accordance

5 with the Open Public Meetings Act N.J.S.A. 10:4-6 on

6 January 18, 2016. Proper notice was sent to the

7 Courier newspaper and the Star Ledger filed with the

8 clerk in Bridgewater and posted on the bulletin board

9 in the municipal building. Please be aware the

10 planning board policy for public hearings. No new

11 applications will be heard after 10 p.m. No new

12 testimony will be taken after 10:15 p.m.

13 Hearing assistance is available upon

14 request. Accommodation will be made for individuals

15 with a disability pursuant to the Americans with

16 Disabilities Act provided the individual with the

17 disability provides 48 hours advanced notice to the

18 planning department secretary before the public

19 meeting. However, if the individual should require

20 special equipment or services, such as a cart

21 transcriber, seven days advanced notice, excluding

22 weekends and holidays may be necessary. Please rise

23 and join me in the salute to the flag.

24 - - -

25 (Salute to the flag)

Page 7

1 - - -

2 **CHAIRMAN:** Roll call, please.

3 **BOARD SECRETARY:** Mr. Rodzinak?

4 **MR. RODZINAK:** Here.

5 **BOARD SECRETARY:** Chairman Charles?

6 **CHAIRMAN:** Here.

7 **BOARD SECRETARY:** Mr. Franco?

8 **MR. FRANCO:** Here.

9 **BOARD SECRETARY:** Councilwoman Rose?

10 **COUNCILWOMAN ROSE:** Here.

11 **BOARD SECRETARY:** Mayor Hayes?

12 **MAYOR HAYES:** Here.

13 **BOARD SECRETARY:** Ms. Casamento?

14 **MS. CASAMENTO:** Here.

15 **BOARD SECRETARY:** Mr. Lerner? Mr.

16 Pandya? Ms. Albanese?

17 **MS. ALBANESE:** Here.

18 - - -

19 (At which time, other agenda items were

20 handled by the board.)

21 - - -

22 **CHAIRMAN:** This is the continuance of

23 Bridgewater TVC ARC, LLC, Route 202 and Fisher Place,

24 retail, including Wawa. Counselor?

25 **MR. PRIME:** Mr. Chairman, members of

Page 8

1 the board, good evening. Tim Prime again on behalf of

2 the applicant. This is our third public hearing on

3 this application. On June 14th, at the initial

4 hearing we presented the application and engineering

5 testimony from Mark Whitaker from Dynamic Engineering.

6 Mark is here again his evening.

7 At the July hearing the traffic

8 engineer, Nick Verderese testified and was questioned

9 by the board. At the July hearing, the application

10 was continued until tonight. At this time we

11 scheduled the testimony on behalf of the applicant by

12 our professional planner, Paul Phillips.

13 As we discussed in July we made

14 substantial revisions to the plans and submitted

15 updated plans to the board and the staff for tonight's

16 hearing. As a result of those revisions and the

17 meetings that we had with the staff, the applicant has

18 been able to eliminate or significantly reduce many of

19 the variances that were previously associated with the

20 project.

21 In particular, the building setbacks

22 that have been -- the variance has been reduced and

23 the building setbacks from 202 have been increased.

24 The parking setbacks previously were variances, they

25 have now been eliminated, except for the two buildings

Page 9

1 closest to Fisher Place where the site is the

2 narrowest. We've made significant reductions in the

3 number, size and of the area of signage for the

4 project that I know was a concern by the board.

5 The revisions have been summarized by

6 our office in a letter of August 18th, which I hope

7 the board has received a copy. I'm not going to go

8 through those word for word, line by line because Mark

9 Whitaker, our engineer, will summarize those for the

10 board in a moment and Mr. Phillips, our planner, will

11 address the variances in his testimony.

12 I would like to take the moment to

13 review the background of the application for the

14 board. It's been a couple months since we were here

15 and I would like to just summarize the application and

16 why we're here. There have been a number of

17 references by the public and by others concerning a

18 zoning change. I want to remind the board. I think

19 it's worth reminding the board and the public that

20 there is no zoning change associated with the Charles

21 Schwab building, the building on the end closest to

22 Charlotte Drive is part of the M-1 township zoning.

23 There was no zoning change to allow that use there.

24 That use has been allowed for decades in Bridgewater

25 and in fact, it's one of the most benign uses that you

<p style="text-align: right;">Page 10</p> <p>1 can have in an industrial zone.</p> <p>2 Thermo Fisher owns that land. We're</p> <p>3 subdividing it from them. They could have developed</p> <p>4 the site for a number of industrial uses expanding</p> <p>5 their own use even into that area and it would have</p> <p>6 been none of the buffer protections, the amount of</p> <p>7 landscaping, which has been increased even more since</p> <p>8 the last hearing. It would have been none of that to</p> <p>9 protect the nearby residents. We believe the plan is</p> <p>10 as the least impact to any of the adjacent residential</p> <p>11 uses that could be possibly developed on this site.</p> <p>12 The zone change occurred in the C-7</p> <p>13 zone. The use is near Fisher Place. The applicant</p> <p>14 first applied to the zoning board for a use variance</p> <p>15 just for the Wawa. At that time we reviewed the</p> <p>16 overall plan with the township and we decided that the</p> <p>17 whole area needed to be upgraded and redeveloped</p> <p>18 because it was between a major industrial user and a</p> <p>19 major state highway. There's some older residential</p> <p>20 homes. Some of them with business home office uses, a</p> <p>21 myriad of uses there and the area needed to be</p> <p>22 upgraded.</p> <p>23 At that time we developed an overall</p> <p>24 plan in conjunction with the C-7 zoning. That is a</p> <p>25 coordinated, organized plan with uses that hopefully</p>	<p style="text-align: right;">Page 12</p> <p>1 light. That was our traffic engineer's testimony, but</p> <p>2 for the traffic going down 202, they can come in and</p> <p>3 out particularly of the Wawa if they need gas, a</p> <p>4 convenience store. It's easy to get in and out. It's</p> <p>5 necessary for the convenience of the customers and</p> <p>6 necessary for the survival of the store to have those</p> <p>7 accesses. It's not because we're not listening to the</p> <p>8 board. It's not because we don't care about the</p> <p>9 issues. The market is driving some of the decisions</p> <p>10 that the applicant has had to make with this site.</p> <p>11 Our traffic engineer testified that the</p> <p>12 proposed traffic improvements are over and a</p> <p>13 million-and-a-half dollars. Again, that's not a</p> <p>14 bribe. That's not an effort to justify the variances</p> <p>15 just by money. What it reflects is the amount of</p> <p>16 economic commitment that the developer is making to</p> <p>17 the township. We're trying to do something here for</p> <p>18 Bridgewater Township that will make the intersection</p> <p>19 better and make the area better and provide uses that</p> <p>20 are complementary to other uses in the area.</p> <p>21 I think it's important that we remember</p> <p>22 it's an area with some older homes, as I indicated</p> <p>23 some with home occupations that are being totally</p> <p>24 revamped and redeveloped into a coordinated single</p> <p>25 plan. That's what we're trying to present to you this</p>
<p style="text-align: right;">Page 11</p> <p>1 will be complementary to each other and equal division</p> <p>2 that the township has laid out for the area in the C-7</p> <p>3 zone.</p> <p>4 It's important to remember that we are</p> <p>5 not looking to duplicate a traditional shopping</p> <p>6 center. We're not looking to have a Wegmans shopping</p> <p>7 center across the street. We are not looking to have</p> <p>8 vacancy problems or create a problem with the</p> <p>9 development. We've got significant uses that are</p> <p>10 separated. They have their own identity, but the</p> <p>11 separate and distinct pass-by uses are what the market</p> <p>12 are looking for and the reason we're proposing these</p> <p>13 pass sites is because we have to reflect the market.</p> <p>14 We have to reply to the market and have to have</p> <p>15 available what the market needs for this development</p> <p>16 to survive and thrive.</p> <p>17 The Wawa would be the economic driver.</p> <p>18 It's on the corner. It would be the one to capture a</p> <p>19 lot of pass-by traffic. Hopefully, it will capture</p> <p>20 that pass-by traffic and hopefully that pass-by</p> <p>21 traffic will have them in the development where they</p> <p>22 can also patronize the other uses. But the driveways</p> <p>23 are necessary to allow the tenants to easily access</p> <p>24 the site from Route 202 when they are going in that</p> <p>25 direction. Most of the traffic will still be at the</p>	<p style="text-align: right;">Page 13</p> <p>1 evening and what we've been trying to present all</p> <p>2 along. I hope you keep that in mind as we progress</p> <p>3 through the testimony. With that, I will call</p> <p>4 Mr. Whitaker.</p> <p>5 CHAIRMAN: Since the last meeting, we</p> <p>6 now have the detailed plan?</p> <p>7 MR. PRIME: Yes.</p> <p>8 CHAIRMAN: Has there been any other</p> <p>9 discussion with the township that has resulted with</p> <p>10 any other changes or anything that we should be aware</p> <p>11 of? I would like to make sure we are all on the same</p> <p>12 page.</p> <p>13 MR. PRIME: Yes. Scarlett's letter</p> <p>14 refers to some additional landscaping, additional work</p> <p>15 in that area. We haven't had a chance to redo the</p> <p>16 plan to reflect those and Mark, I think, will</p> <p>17 summarize those in his testimony.</p> <p>18 CHAIRMAN: I think we finished the last</p> <p>19 time, correct me if I'm wrong, I did listen to the</p> <p>20 tape, with the traffic engineer?</p> <p>21 MR. PRIME: Yes. We can bring him</p> <p>22 back. I just wanted to have Mark testify first to --</p> <p>23 CHAIRMAN: To tie it up, so the public</p> <p>24 and the board can ask questions.</p> <p>25 MR. PRIME: Yes, and the planner if we</p>

1 can get to him.

2 CHAIRMAN: Just to remind the public
3 the way this works is, as people come up and make
4 presentations and testimony, you're given the
5 opportunity to ask them specific questions about their
6 testimony. Not to make a general statement. Not to
7 ask questions of the board, but to ask questions of
8 that witness.

9 Later on in the process, it will be an
10 opportunity for you to come back to the stand and make
11 a statement if you'd like and I urge everyone to
12 refrain from any positive or negative outbursts, if
13 possible.

14 MR. PRIME: Thank you, Mr. Chairman.

15 - - -

16 MARK WHITAKER, after having been
17 first previously sworn, testified as follows:

18 - - -

19 MR. PRIME: Mark, you were sworn at the
20 June hearing. You were recognized as an expert in
21 site engineering. Mr. Whitaker, do you recall that
22 you're still under oath?

23 MR. WHITAKER: Yes.

24 MR. PRIME: Mark, why don't you just
25 summarize to the board what I just discussed as far as

1 building and the retail buildings. Previous gross
2 floor area was 9,982 square feet. That's been reduced
3 to 7,200 square feet. We replaced the Chick Fila
4 building with a generic retail building, retail
5 building B, which is 7,200. In essence, we've reduced
6 the overall gross floor area of the project from
7 44,231 square feet to 40,765 square feet.

8 With respect to the building locations,
9 we've shifted the retail A building, which is adjacent
10 to the proposed Wawa back to the south. The setback
11 now is 152.6 feet. Whereas, previously it was 111
12 feet. We also shifted retail buildings B and C. The
13 setback is now 167.1 feet. Whereas previously it was
14 111 feet. We've lessened the variances for both of
15 the building locations with regard to the front yard
16 setback.

17 The remaining variances associated with
18 the buildings included with the maximum parapet height
19 of three feet where we summarized previously what
20 we're proposing the parapets are proposed to screen
21 mechanical equipment. They are also providing a break
22 in the parapet for firefighter access, fire official.

23 Now our front setbacks where 200 feet
24 is require, our Wawa is 105.5 feet. Retail A is
25 102.6. B and C are 167.1 feet and the Charles Schwab

1 the revisions to the plans to that on the variance and
2 impact relief by the applicant.

3 MR. WHITAKER: Would you like me to
4 mark that?

5 - - -

6 (At which time, the up-to-date rendered
7 site plan was received and marked as A-18 for
8 identification.)

9 - - -

10 MR. PRIME: A-18 would be the
11 up-to-date rendered site plan being testified to by
12 Mr. Whitaker.

13 MR. WHITAKER: As Mr. Prime indicated
14 at the last hearing my colleague, Dan Dockerty,
15 presented the conceptual layout changes, which are
16 part of the revision to the preliminary site plans,
17 which are in front of you.

18 The exhibit A-18 is just a colored
19 version of the site plan along with the landscaping
20 that we proposed for site plan revision number three.
21 I'm going to go through the changes that were made.
22 Some of them will be similar to what you heard the
23 last hearing as far as the conceptual layout changes.

24 With respect to the buildings, we've
25 eliminated the mezzanine space of the Charles Schwab

1 office building is 167.1. While we moved the retail A
2 building back, it did create a rear yard setback
3 variance. The requirement is 50 feet. The retail A
4 building, which I mentioned is east of the proposed
5 Wawa is now 40.1 feet from the rear yard.

6 With respect to the parking layout, we
7 reduced the number of parking stalls by 57. We are
8 now at 377 parking spaces. We are eliminating the row
9 of parking closest to our residential neighbors to the
10 east and we've increased the parking setback along the
11 residential properties from 155.5 feet up to 182.1
12 feet, which is 26.6 foot. We've also shifted the
13 retail aid parking setback from 38.8 feet to 80.2
14 feet. So we've lessened that variance and the
15 remaining buildings, which are east of retail building
16 A, which B, C and the Charles Schwab now also comply
17 with the parking setback. We've eliminated that
18 variance. The only variance associated with parking
19 that remains is the required parking setback of 100
20 feet only for the Wawa, which is 33.6 feet and retail
21 building A, which is 80.2 feet.

22 With respect to the lighting, we've
23 reduced the height of the light poles that are closest
24 to our residential neighbors to the east. They are
25 now at 15 feet. We've added physical outside shields.

1 In addition to them being LED and cast light forward
2 back towards our development we'll actually put a
3 physical housing on the back of the lights so you
4 cannot see the luminaire from the perspective of the
5 residential neighbors.

6 There is also question in Ms. Doyle's
7 letter regarding the canopy lighting be flush to the
8 underside of the canopy. Since this is an angled
9 sloped, it's called a slope adapter. It's a housing
10 that attaches to the under so the light stays parallel
11 to the ground, but you can't see to the sides of the
12 light. So we will comply with that requirement.

13 With respect to the lighting, the only
14 other variances that remain are the mushroom-type
15 standards that are required for sidewalks. The
16 maximum intensity at a property line, which is one
17 foot candle. As I previously testified we have that
18 situation per along Fisher Place, which is actually
19 not a public right of way. It's a private property.
20 So we can see the intensity level of 6.7 and that's
21 because we have a driveway at that location and then
22 there is also the same intensity variance associated
23 with lighting between the two lots in a different
24 zone. They share one variance and that it's between
25 those two easements.

1 With respect to the lighting, we've
2 shifted the Route 202 monument signs back from 20 to
3 25 feet. So we've eliminated that variance. We've
4 reduced the Route 202 monument signs from 72 square
5 feet to 43 square feet. So it meets your ordinance.
6 We've eliminated that variance. The Wawa monument
7 sign has been reduced from 69.1 square feet to 63.87
8 square feet and we've eliminated that variance and
9 we've reduced the Wawa freestanding sign on Route 202
10 from 108 square feet to 90.63 square feet and we
11 eliminated that variance. We eliminated the Wawa
12 spanner signs on either end of the canopy and we
13 eliminated that variance and we've reduced the
14 wall-mounted signs from 13 to six. We still request
15 that the rear entrance of the Wawa have a building
16 mounted sign. So we are requesting a variance where
17 five are permitted and we're requesting six
18 building-mounted signs and the Charles Schwab building
19 wall mounted sign ws reduced from 86 square feet to
20 52.7, which also conforms with your variance. The
21 only sign variances that remain are the maximum amount
22 of monument signs in the C-7 zone and the maximum
23 number of building signs, which is five we are
24 proposing six.

25 As to landscaping this layout reduced

1 the impervious area from 282,515 square feet since
2 278,528 square feet. It's over one percent reduction.
3 We've added 219 trees in addition to the 73 that were
4 previously proposed for a total of 292, which meet
5 your ordinance require of 272. So we've eliminated
6 that design waiver. We've added 73 shrubs to the 868
7 that were proposed, which already exceeded your
8 requirement of 565. We also added 76 shade trees in
9 addition to 73 that were already proposed for a total
10 of 149, which exceeds your requirement.

11 We've eliminated any parking rows that
12 have more than 20 parking spaces, which require an
13 island. We've eliminated that design waiver. We've
14 added 37 shrubs along the frontage of the site to
15 bring that total to 277, which meets your ordinance
16 requirements of 411 and most importantly we've added
17 60 evergreen trees along our residential buffer. We
18 have a tiered wall. So we'll have two walls of
19 evergreen trees and evergreen at the top. So there is
20 a total of 126 evergreen trees in that location.

21 The only remaining variance associated
22 with landscaping is our foundation plantings, which I
23 testified to before more efficient 938 that are
24 required and 76 are proposed. This is a location
25 where litter tends to accumulate and becomes a

1 maintenance issue. That pretty much summarizes the
2 changes to the site plan, which I said is reflected in
3 the site plan revision three.

4 CHAIRMAN: Questions from the board?

5 COUNCILWOMAN ROSE: When you filed the
6 original application, you were requesting how many
7 variances?

8 MR. PRIME: I would have to get the
9 notices. The number of variances hasn't changed as
10 much as the scope of the variances. All of the
11 setback variances have been eliminated other than that
12 one building setback. So the variances that relate to
13 the C-7 zone have been virtually all eliminated. The
14 variances that remain are for the height of the trash
15 enclosure as eight feet, only the screen enclosure.
16 We've asked for the ATM sign on the Wawa sign because
17 that was approved by the zoning board on the other
18 Wawa and part of our deal with PNC Bank to have that.
19 Those variances are remaining, but the substantive
20 variances relating to the setbacks and zoning
21 requirement have all been eliminated.

22 COUNCILWOMAN ROSE: I was just trying
23 to give the public a sense of what kind of work you've
24 done since the middle of July to eliminate the
25 variances that I think we told you were too many of?

<p style="text-align: right;">Page 22</p> <p>1 MR. PRIME: Correct. And that was the</p> <p>2 reason for the August 18th letter and the reason for</p> <p>3 the changes to the plans, frankly.</p> <p>4 COUNCILWOMAN ROSE: We now have 292</p> <p>5 trees?</p> <p>6 MR. PRIME: Yes. The only variance</p> <p>7 relating to the foundation plans and we've compensated</p> <p>8 that by exceeding the buffer plantings between us and</p> <p>9 the neighbors.</p> <p>10 COUNCILWOMAN ROSE: Will you have</p> <p>11 somebody testify to the topography of the land between</p> <p>12 the residential houses and the M-I zone, the</p> <p>13 topography because it kind of goes up and down? There</p> <p>14 is a little bit of a gully.</p> <p>15 MR. PRIME: Because of the wall?</p> <p>16 COUNCILWOMAN ROSE: I've been on the</p> <p>17 property, so those properties. So I'm just trying to</p> <p>18 get a sense of what it's going to look like because</p> <p>19 behind one property it goes out a little bit and then</p> <p>20 there is a little bit of a gully and I don't know what</p> <p>21 you call it. A depression in the land and then comes</p> <p>22 back up. Is that the depression going to be filled?</p> <p>23 Do we know yet?</p> <p>24 MR. WHITAKER: Charlotte Drive, it's,</p> <p>25 approximately, 162 and our finished board for our</p>	<p style="text-align: right;">Page 24</p> <p>1 row of evergreen trees at the tier between the two</p> <p>2 walls and a row of evergreen trees at the top at our</p> <p>3 curb line.</p> <p>4 CHAIRMAN: That was all added since our</p> <p>5 last meeting here?</p> <p>6 MR. WHITAKER: We did not have</p> <p>7 landscaping design at the last hearing where we</p> <p>8 presented conceptual changes. We did have a staggered</p> <p>9 row of evergreen trees initially. We had about 60.</p> <p>10 So we, basically, doubled the plantings in that area</p> <p>11 since the original application.</p> <p>12 CHAIRMAN: Is there anymore room on</p> <p>13 that side of the property to add anymore evergreens</p> <p>14 and things such as that?</p> <p>15 MR. WHITAKER: Between our curb line</p> <p>16 and the existing --</p> <p>17 CHAIRMAN: From the wall to your</p> <p>18 property line?</p> <p>19 MR. PRIME: There is no more room.</p> <p>20 That is completely filled with landscaping.</p> <p>21 MS. DOYLE: Perhaps I can discuss what</p> <p>22 was agreed to. It's not shown on the plans.</p> <p>23 CHAIRMAN: Please.</p> <p>24 MS. DOYLE: But it's identified on my</p> <p>25 report dated August 19th. The applicant has provided</p>
<p style="text-align: right;">Page 23</p> <p>1 office building is 170. So it starts at 162 and goes</p> <p>2 down into a gully, which our drainage system goes to</p> <p>3 and that's where it is now. The elevation comes back</p> <p>4 up to 170. The relative elevation is eight foot</p> <p>5 differential. That's the reason for the wall.</p> <p>6 MR. PRIME: That's the reason for the</p> <p>7 wall and the additional landscape?</p> <p>8 THE WITNESS: Right.</p> <p>9 COUNCILWOMAN ROSE: Thank you.</p> <p>10 CHAIRMAN: Could you expand upon where</p> <p>11 the additional trees were put on the Charlotte Drive</p> <p>12 side? You quickly mentioned how many. Obviously,</p> <p>13 this is the change from the last meeting that we had.</p> <p>14 So knowing that would be important.</p> <p>15 MR. WHITAKER: So on the east side of</p> <p>16 the site we have a tiered wall system, which is a</p> <p>17 recommendation from your professionals not to have</p> <p>18 some big large, tiered that wall on the lower end</p> <p>19 we've planted evergreen trees. If you look at my</p> <p>20 finger on the side here, you can look at your handout,</p> <p>21 there is a whole row of evergreen trees.</p> <p>22 MR. COLLINS: Mr. Whitaker, if you</p> <p>23 stand on the other side of the drawing.</p> <p>24 MR. WHITAKER: There is a row of</p> <p>25 evergreen trees at the first tiered wall. There is a</p>	<p style="text-align: right;">Page 25</p> <p>1 at this point three rows of trees. Those trees are at</p> <p>2 the base of the wall that's closest to Charlotte Drive</p> <p>3 and then the wall will go vertically and then it will</p> <p>4 have a plateau. Then it will have horizontal then ten</p> <p>5 feet where they planted the second row of trees and</p> <p>6 then it will go up again with another wall vertically</p> <p>7 and then go horizontally until it hits the curb and in</p> <p>8 that area it will have a third set of trees. Now I</p> <p>9 have talked about -- I won't go into this species.</p> <p>10 The species they've selected will have to be revised.</p> <p>11 But irrespective of that, what I did recommend is that</p> <p>12 the arborvitae that was proposed behind some of the</p> <p>13 solid waste enclosures should be eliminated. Number</p> <p>14 one, they grow too big. Number two, they are a fire</p> <p>15 hazard.</p> <p>16 CHAIRMAN: Just to be clear for the</p> <p>17 public, these are not between the property and</p> <p>18 Charlotte Drive?</p> <p>19 MS. DOYLE: That is correct. These are</p> <p>20 behind the solid waste enclosure by the Fisher</p> <p>21 Scientific property well in the back. All of these</p> <p>22 trees I have suggested be planted at a minimum height</p> <p>23 of eight feet on the first in front of the first level</p> <p>24 of trees that I talked about which would be the lowest</p> <p>25 level by the wall. Come out another ten. So you have</p>

1 a double staggered row. So you'll have four, not
2 three, but four rows. It's not going to change their
3 count because we are taking trees that would otherwise
4 be a hazard, as my view and take them and making them
5 -- arborvitae are very, very effective for visual
6 screening.

7 CHAIRMAN: Still using that species,
8 but relocating them to provide more --

9 MS. DOYLE: Density. And I think the
10 applicant should confirm that is his understanding.

11 MR. PRIME: Yes, that's correct.

12 CHAIRMAN: And we also should confirm,
13 Scarlett, that you said the final plan with the
14 species will be agreed upon between the planning
15 department and the --

16 MR. PRIME: There are a number of
17 landscaping items that have to be addressed with final
18 plans.

19 CHAIRMAN: Other question of this
20 witness from the board.

21 MS. CASAMENTO: I have question about
22 signage, you're still asking for a variance. I see
23 that the township allows one freestanding sign; is
24 that correct?

25 MR. WHITAKER: One monument sign.

1 MS. CASAMENTO: You're asking for how
2 many?

3 MR. WHITAKER: We're proposing three.
4 We actually proposed another one in the M-1 zone, but
5 we positioned it C-7 zone. So they're shared.

6 MS. CASAMENTO: Could you show me where
7 those signs would be, please?

8 MR. WHITAKER: The Wawa monument sign,
9 which hasn't change and then we have one monument sign
10 in front of the proposed retail A and B buildings on
11 the approach to the driveway and similarly for retail
12 C in the Charles Schwab building, a shared monument
13 sign at that driveway location.

14 MS. CASAMENTO: Was there any
15 consideration to do just the one sign that's allowed
16 by the township?

17 MR. WHITAKER: We have not considered
18 that. We wanted to have monument signs at each of
19 those driveway locations to identify the two uses that
20 will be using those driveways.

21 MR. PRIME: That follows up on my
22 introduction. The pass sites need an identity. They
23 have the attached sign. We've eliminated the variance
24 for the attached signs except for the Wawa two signs,
25 front and back of the building. So the attached per

1 ordinance. Were the monument signs are shared. We
2 have five separate buildings. One for Wawa and two
3 shared with the other uses. So the idea is to give
4 the identity to the alternate tenant because they are
5 free standing buildings and it's typical I think to
6 have a freestanding sign, not a pole sign, but a
7 monument sign. They have a base that complements each
8 other. We think it's an addition to the plan that we
9 need.

10 MAYOR HAYES: Mr. Chairman, I don't
11 know if we want to go into a detailed discussion about
12 signs now or reserve? I have some comments. I would
13 like to go over of the signage in detail for the
14 buildings in the area. I don't know if this is the
15 time.

16 CHAIRMAN: You want to do that with the
17 planner or now?

18 MR. PRIME: Now, I think. Mark has
19 most of the answers. The planner will be testifying
20 about the variances and be talking about only the ones
21 that need a variance.

22 CHAIRMAN: I just have one
23 clarification that might feed what you asked Mayor and
24 Scarlett or Tom, maybe. You answer it. Since the
25 Charles Schwab is a separate lot, is it really one

1 sign approved or is it legally two separate lots where
2 you would have two, but because the sign is being on
3 the property of the other that it's counted against
4 that property? I just didn't know what the essence of
5 the separate lot meant in the M-1 zone.

6 MR. PRIME: I think the M-1 use would
7 be allowed to have its own freestanding sign, my
8 understanding of the ordinance, the M-1 use for that
9 one and C-3 could have one.

10 CHAIRMAN: It would probably have to be
11 on the --

12 MR. PRIME: On the M-1 and that's the
13 reason for the variance.

14 CHAIRMAN: I just wanted clarification.

15 MAYOR HAYES: Why don't we work from
16 the left to the Wawa, just understand the size of the
17 signs. If there are signs that are on the building
18 facades what are their size how do those compare to
19 our ordinance, those type of things?

20 MR. PRIME: Don't forget. We don't
21 have users for a number of the buildings. We may have
22 to, at some point in time, come back and revise them,
23 but for now we've just provided generic signage trying
24 to meet the ordinance. We can go through that
25 starting with the Schwab building.

Page 30

1 MR. WHITAKER: I can step through it,
 2 We comply with the ordinance size requirements for all
 3 the building mounted signs. We are only requesting a
 4 variance because we are proposing two building mounted
 5 signs for the Wawa. One at the front and one at the
 6 rear entrance.
 7 MAYOR HAYES: For the Charles Schwab
 8 building you're proposing no variance you meet the
 9 requirements for both building signs and you're
 10 entitled to a building sign and a monument sign?
 11 MR. WHITAKER: That's correct.
 12 MAYOR HAYES: You're not asking for any
 13 relief from the size?
 14 MR. WHITAKER: No, we're not.
 15 MAYOR HAYES: Let's go to the next
 16 building. That is the same? You're entitled to a
 17 facade sign. You're not asking for additional facades
 18 and the size requirements of that and the monument
 19 sign.
 20 MR. WHITAKER: They are shared so.
 21 MAYOR HAYES: For the lot you're
 22 looking at it and saying I'd like to have -- the ones
 23 that are on the C-7 instead of having one sign, you
 24 want to have a sign near each entrance?
 25 MR. PRIME: Yes.

Page 31

1 MR. WHITAKER: Two additional signs.
 2 MAYOR HAYES: If I look at the monument
 3 sign for the building next to south of the Schwab
 4 building, the next building next to the Schwab, that
 5 building would be on that monument and only that
 6 monument?
 7 MR. WHITAKER: That's correct.
 8 MAYOR HAYES: Then going to the next
 9 one, those buildings so --
 10 MR. PRIME: If it's easier C, B, A,
 11 Wawa.
 12 MAYOR HAYES: So for building B and
 13 building A, you're looking to put them on that
 14 monument sign?
 15 MR. WHITAKER: Correct.
 16 MAYOR HAYES: On the facades of those
 17 buildings you're looking for no additional height or
 18 area?
 19 MR. WHITAKER: That's correct.
 20 MAYOR HAYES: Their names will not be
 21 on any other monument sign?
 22 MR. WHITAKER: That's correct.
 23 MAYOR HAYES: And when you get over
 24 Wawa and you go over the signage for the Wawa for me,
 25 please.

Page 32

1 MR. WHITAKER: The monument sign for
 2 Wawa is actually along Fisher Place. We're permitted
 3 a service station sign, which is on sheet 33. That's
 4 a typical Wawa sign. Wawa pilon sign that would be
 5 pricing. That's what will be. On Route 202 you would
 6 have the Wawa pilon sign, which meets your ordinance
 7 then you would have the two Wawa signs east across the
 8 site.
 9 MAYOR HAYES: Show me where the
 10 monument signs are.
 11 MR. WHITAKER: The monument sign is off
 12 of Fisher Place, approximately, a quarter of the lot
 13 depth back.
 14 MS. DOYLE: I do have a slight
 15 variance. I have the freestanding fuel sign 66.7
 16 square feet and the monument sign, which must go from
 17 the top to the bottom at 37.3 square feet for a total
 18 of 104.
 19 MAYOR HAYES: What is allowed?
 20 MS. DOYLE: 100.
 21 MAYOR HAYES: It's right here.
 22 MS. DOYLE: Correct. It's after you
 23 get into Fisher Place.
 24 MAYOR HAYES: Right out of the turn?
 25 MS. DOYLE: Right.

Page 33

1 MR. WHITAKER: Those are building
 2 mounted signs you're referencing the 66.7.
 3 MS. DOYLE: That's on the --
 4 MR. WHITAKER: North facade that meets
 5 the 228. The 37.2 is on the rear. We're only
 6 permitted one building mounted sign. That's why there
 7 is a variance next to the area.
 8 MAYOR HAYES: Let me get back to be
 9 clear. I want to match the print here. So I have the
 10 one mounted sign on the corner, roughly on the corner
 11 monument sign. Is there another monument sign for
 12 Wawa?
 13 MR. WHITAKER: There is none. Just
 14 one.
 15 MAYOR HAYES: Where is the pilon one?
 16 MR. WHITAKER: It would be near the
 17 driveway near the store.
 18 MS. DOYLE: 30 feet by the road.
 19 MAYOR HAYES: So right by the
 20 stripped -- on your colored drawing right near the
 21 stripped walkway.
 22 MR. WHITAKER: I'm sorry. It's located
 23 between the store and the canopy. It's midway as you
 24 go across the Wawa.
 25 MAYOR HAYES: That's a permitted sign

1 and on that sign you're not asking for any extra area?
 2 MR. WHITAKER: That's correct.
 3 MAYOR HAYES: When you do that does
 4 that include your request for a PNC.
 5 MR. PRIME: That's a separate. I'm not
 6 sure it's a variance when the zoning board approved it
 7 on the Route 28 store. It was approved as part of the
 8 sign. It was no separate variance granted for it, but
 9 it was a reference to marketing material. If it's
 10 marketing we have asked for a variance or a waiver, if
 11 necessary, to have the PNC free ATM sign on the
 12 pricing sign.
 13 MAYOR HAYES: I also saw in the
 14 paperwork you're asking for a New Jersey lottery sign.
 15 That is not on there, right?
 16 MR. PRIME: No, that's in the window.
 17 We're not allowed to have window signs under the
 18 ordinance, but the lottery requires you to have a
 19 window sign. So we asked for the variance. Are there
 20 any discussions on the signs of the building, itself,
 21 asking for variance in either area or.
 22 MR. WHITAKER: Second rear facing
 23 identification sign on the building of the Wawa.
 24 MAYOR HAYES: Because you're going to
 25 enter the store and the sign there would be similar in

1 size to the front, not larger?
 2 MR. WHITAKER: It's actually almost
 3 half.
 4 MR. PRIME: Smaller.
 5 MAYOR HAYES: Thank you. What about
 6 signage, directional signage? Is there directional
 7 signage throughout the property?
 8 MR. WHITAKER: We're proposing four
 9 directional signs associated with Wawa and they meet
 10 your ordinance requirements.
 11 MAYOR HAYES: Presumably, they'll be
 12 showing people in or out?
 13 MR. WHITAKER: Correct.
 14 MS. DOYLE: How about for the other
 15 retail users didn't seem to need any directional signs
 16 that would help people get to Fisher Place.
 17 MR. PRIME: We talked about some way
 18 finder signage along the back driveway. We had to add
 19 to the plans. We weren't sure what of the direction
 20 from the board on that.
 21 CHAIRMAN: Just for clarity, what we're
 22 talking about there, people who leave the site and go
 23 out the back, there would be a sign there indicating
 24 an arrow or something saying to 202 east or west. So
 25 we can take that.

1 MAYOR HAYES: Just the look or the
 2 material design of all throughout would be consistent
 3 with the same design pallet?
 4 MR. WHITAKER: Using similar monument
 5 base, veneer, which matches for the Wawa. The brick
 6 has been previously discussed. We can have all the
 7 monument bases match.
 8 MAYOR HAYES: They would not be
 9 independently chosen?
 10 MR. WHITAKER: No, they would all be
 11 tied together.
 12 CHAIRMAN: Other board members with
 13 questions? Seeing none, if any member of the public,
 14 now is the opportunity to come up and address this
 15 witness based on their specific testimony?
 16 MR. HEPWORTH: Craig Hepworth. I live
 17 at 22 Edgewood Terrace and I've been there 1970.
 18 CHAIRMAN: Mr. Hepworth, have you been
 19 sworn in before?
 20 MR. HEPWORTH: No.
 21 - - -
 22 CRAIG HEPWORTH, after having
 23 been first duly sworn, testified as follows:
 24 - - -
 25 MR. HEPWORTH: My first question is, I

1 think Ms. Rose asked how many variances is the
 2 applicant still -- and he never came quantitative or
 3 numeric value and I'd like to know how many variances
 4 they are still looking for. They danced around it and
 5 didn't answer that question specifically.
 6 MR. PRIME: There is a number. I think
 7 it's 12 total.
 8 MR. HEPWORTH: There were 14
 9 originally. So you've reduced it?
 10 MR. PRIME: Yes.
 11 MR. HEPWORTH: Other reference that was
 12 made to Route 28 sign. I don't know why Route 28 came
 13 into play. We're on Route 202. So I would really
 14 like to what Route 28 has to do with 202?
 15 MR. PRIME: The zoning board two years
 16 ago approved a new Wawa construction on Route 28 with
 17 the same signage, which we are proposing.
 18 MR. HEPWORTH: Route 28 and --
 19 MR. PRIME: And Chimney Rock Road.
 20 CHAIRMAN: Bridgewater Board of
 21 Adjustment right across the street from Elliott
 22 Beverages.
 23 MR. HEPWORTH: That's all I have for
 24 this segment of it.
 25 CHAIRMAN: Any other questions for this

1 witness?
 2 MS. SCHWARZKOPF: Elaine Schwarzkopf,
 3 45 Charlotte Drive. Is it true that the EIS has to
 4 include the total property that you are proposing?
 5 MR. WHITAKER: I believe we answered
 6 these questions at the last hearing.
 7 MS. SCHWARZKOPF: No, it wasn't. I was
 8 here at the last meeting. I brought it up and nobody
 9 seemed to understand because you weren't here.
 10 MR. WHITAKER: Ordinance. The EIS
 11 conforms to the ordinance requirements.
 12 MS. SCHWARZKOPF: Did you do a field
 13 assessment of a section of the property where the
 14 tree --
 15 MR. WHITAKER: We did a field
 16 assessment of the entire property.
 17 MS. SCHWARZKOPF: All I see are field
 18 maps. It's my understanding that you have to
 19 delineate the names of trees, the type of trees, the
 20 size of the --
 21 MR. WHITAKER: That's all contained in
 22 the application.
 23
 24 MS. SCHWARZKOPF: I never got it.
 25 MR. WHITAKER: The trees that are going

1 to be removed and the ones that are going to stay is
 2 right on the tree conservation --
 3 MS. SCHWARZKOPF: You did not make a
 4 study of the area, correct, because I looked through
 5 this whole report and it's not there.
 6 MR. WHITAKER: Ma'am, as I just
 7 indicated the tree conservation has the material that
 8 you're requesting.
 9 MR. PRIME: Only the area we are
 10 proposing to develop. We're not developing the east
 11 side.
 12 MS. SCHWARZKOPF: Is it true that
 13 you're taking down three plus acres of trees?
 14 MR. WHITAKER: The entire property is
 15 not full of trees.
 16 MS. SCHWARZKOPF: I'm talking about the
 17 tree buffer zone.
 18 MR. WHITAKER: There is no tree buffer
 19 zone. There are trees --
 20 MS. SCHWARZKOPF: The one protecting
 21 people on Charlotte Drive.
 22 MR. WHITAKER: There are trees between
 23 our development and the residential properties.
 24 MS. SCHWARZKOPF: Yes, and what's
 25 going --

1 MR. WHITAKER: The area is
 2 delineated --
 3 MS. SCHWARZKOPF: It's not in your
 4 plan. It's not in your EIS.
 5 MR. WHITAKER: It's not in the EIS.
 6 It's in the conservation --
 7 MS. SCHWARZKOPF: Isn't that supposed
 8 to be given to the public.
 9 MR. WHITAKER: There is a summary
 10 regarding trees in the EIS.
 11 MS. SCHWARZKOPF: What I read in the
 12 EIS and the conclusions you come to is that there are
 13 trees in the EIS. It's a very negligible difference
 14 in air pollution, noise quality and I'm saying is that
 15 before or after the trees are removed?
 16 MR. WHITAKER: That's after the trees
 17 are removed.
 18 MS. SCHWARZKOPF: You believe there is
 19 no difference in air pollution quality when you take
 20 down three acres of trees.
 21 MR. WHITAKER: We're not taking down
 22 three acres of trees.
 23 MS. SCHWARZKOPF: Well, how many trees
 24 are you taking down?
 25 MR. WHITAKER: 156.

1 MS. SCHWARZKOPF: And how big is the
 2 buffer zone?
 3 MR. WHITAKER: We're planting more than
 4 that are there.
 5 MS. SCHWARZKOPF: You're planting pine?
 6 MR. WHITAKER: They are all deciduous,
 7 shade trees. We're actually improving air quality if
 8 you want to compare it to the amount of trees on the
 9 property.
 10 MS. SCHWARZKOPF: You're taking down
 11 trees and then it's going to be, like -- you're taking
 12 down two-thirds of the trees.
 13 MR. WHITAKER: 156 trees --
 14 MS. SCHWARZKOPF: What percentage is
 15 that of the trees that are there?
 16 MR. WHITAKER: Would you let me finish
 17 the question first.
 18 MS. SCHWARZKOPF: Okay.
 19 MR. WHITAKER: We're taking down 156
 20 trees. We're proposing 149 shade trees, 143 evergreen
 21 trees, 941 shrubs, 106 deciduous shrubs, ornamental
 22 grass covers and perennials.
 23 MS. SCHWARZKOPF: Where are they being
 24 planted. I didn't see it.
 25 MR. WHITAKER: It's all throughout the

<p style="text-align: right;">Page 42</p> <p>1 development.</p> <p>2 MS. SCHWARZKOPF: I'm talking about the</p> <p>3 buffer zone and in the buffer zone we have deciduous</p> <p>4 trees that have leaves. Those leaves prevent</p> <p>5 pollution and I'm concerned about the health of the</p> <p>6 people on Charlotte and from my understanding we're</p> <p>7 going to have less of a buffer zone and have all</p> <p>8 pollution because we are going to have more gridlock.</p> <p>9 I would like to know what impact this is making on</p> <p>10 Charlotte Drive, which is not included on your study.</p> <p>11 MR. WHITAKER: I think I provided that</p> <p>12 testimony already.</p> <p>13 MS. SCHWARZKOPF: That's supposed to be</p> <p>14 part of your environmental impact study. I don't know</p> <p>15 if the Bridgewater Township, can they accept a study</p> <p>16 that's not complete? I'm just wondering. This isn't</p> <p>17 a complete study and I think even if it doesn't make a</p> <p>18 difference --</p> <p>19 CHAIRMAN: You'll get a chance to make</p> <p>20 a statement at the end of the proceeding. Right now</p> <p>21 it's your question and the applicant has answered it.</p> <p>22 MS. SCHWARZKOPF: I wasn't aware of</p> <p>23 that. So I just want to ask then the affect of taking</p> <p>24 down those trees will that make any effect on flooding</p> <p>25 in that area because trees do absorb water?</p>	<p style="text-align: right;">Page 44</p> <p>1 - - -</p> <p>2 (At which time, a cross section of the</p> <p>3 buffer area was received and marked as A-19 for</p> <p>4 identification.)</p> <p>5 - - -</p> <p>6 MR. PRIME: That's a cross section of</p> <p>7 the buffer area.</p> <p>8 MR. WHITAKER: I believe that's what</p> <p>9 the board requested at the last hearing. Line of</p> <p>10 site. It's a cross section, basically, from standing</p> <p>11 at the house on the corner of Charlotte Drive looking</p> <p>12 west. It's a little hard to see from your vantage</p> <p>13 point, but these three evergreen trees on the right</p> <p>14 side are the three that we talked about the staggered</p> <p>15 rows with the tiered wall. These are all existing</p> <p>16 mature deciduous trees. We tried to represent some of</p> <p>17 the undergrowth with some color, but there is a</p> <p>18 substantial amount of undergrowth within that area.</p> <p>19 The two lines are, basically, just a</p> <p>20 vantage point from the perspective of the residents at</p> <p>21 Charlotte Drive to the Charles Schwab office building,</p> <p>22 itself. The visual of our development is to be</p> <p>23 impeded by the existing buffer in addition to the</p> <p>24 proposed evergreens part of our development.</p> <p>25 MR. FRANCO: Based on what Scarlett</p>
<p style="text-align: right;">Page 43</p> <p>1 MR. WHITAKER: The proposed design</p> <p>2 meets all stormwater management requirements of the</p> <p>3 ordinance.</p> <p>4 MS. SCHWARZKOPF: After those trees are</p> <p>5 removed?</p> <p>6 MR. WHITAKER: Yes.</p> <p>7 MS. SCHWARZKOPF: Thank you.</p> <p>8 MR. FRANCO: Mr. Chairman, I have one</p> <p>9 question. Mr. Whitaker, you were going to provide a</p> <p>10 cross section through that planted area of the buffer</p> <p>11 zone that everybody is referring to and I see a blue</p> <p>12 line on here. Does that represent where you took that</p> <p>13 cross section, do you have a copy of that cross</p> <p>14 section?</p> <p>15 MR. WHITAKER: Yes, we do.</p> <p>16 MR. PRIME: We presented it at the last</p> <p>17 hearing.</p> <p>18 MR. FRANCO: I thought it was the last</p> <p>19 hearing that we talked about having. If a full cross</p> <p>20 section showing stepped walls and everything.</p> <p>21 MR. PRIME. Okay. Maybe, we talked</p> <p>22 about it and didn't.</p> <p>23 MR. WHITAKER: I don't have an</p> <p>24 individual handout for this exhibit.</p> <p>25 MR. PRIME: Let's mark that as A-19.</p>	<p style="text-align: right;">Page 45</p> <p>1 mentioned earlier further to the right you're adding</p> <p>2 another row of trees right along the curb?</p> <p>3 MR. WHITAKER: Scarlett requested that</p> <p>4 we take the arborvitae that we're because they're</p> <p>5 someone and move that to the provide another row of</p> <p>6 evergreens, which provide additional --</p> <p>7 MR. FRANCO: But that's going to be up</p> <p>8 on top of the wall, right?</p> <p>9 MR. WHITAKER: I believe on the bottom.</p> <p>10 MS. DOYLE: Up on the top there is a</p> <p>11 limited span between the edge of the wall and the edge</p> <p>12 of the curbing by the parking lot and what you don't</p> <p>13 want to do is put too many in because they are going</p> <p>14 to die. So they have four rows of evergreens.</p> <p>15 CHAIRMAN: The mix of evergreens and</p> <p>16 deciduous trees, that is something you will work with</p> <p>17 the applicant to make sure that, I would submit that</p> <p>18 what's being taking down is replaced and either a</p> <p>19 similar fashion or improved based on your knowledge of</p> <p>20 what's best?</p> <p>21 MS. DOYLE: Yes, sir.</p> <p>22 MR. WHITAKER: Eight feet in height.</p> <p>23 They grow fairly rapidly. Almost like two feet per</p> <p>24 year and the middle is eastern red cedars and I think</p> <p>25 on the bottom white pine. Ms. Doyle requested</p>

1 something else.

2 COUNCILWOMAN ROSE: Based on what you

3 presented there, how many years would it take for

4 those new plantings to grow so that when the leaves

5 fall off of those trees the neighborhood would still

6 be buffered?

7 CHAIRMAN: I think they're starting at

8 eight feet.

9 MS. DOYLE: Minimum planting height

10 will be eight feet and of course, because of the

11 species are different, they are going to grow at

12 different rates, but the arborvitae and they Leland

13 cypress, you're talking substantial growth. The first

14 year, no.

15 CHAIRMAN: Once it takes like we saw at

16 Auto Sport Honda and the other places where we

17 required that.

18 MS. DOYLE: Correct.

19 COUNCILWOMAN ROSE: There is going to

20 be a period of time in which the neighborhood would

21 have an impact from the development when the leaves

22 fall off the trees.

23 MR. WHITAKER: There is a combination

24 of evergreen trees. They are not all deciduous trees.

25 COUNCILWOMAN ROSE: Am I missing

1 something? It's just the way it's drawn?

2 MR. PRIME: It's a rendering.

3 COUNCILWOMAN ROSE: So to follow up on

4 that, we don't really know of the trees that are

5 currently there and the trees you are going to take

6 down and the trees that you are going to replace what

7 the neighbors are going to see once the Charles Schwab

8 building is up and running?

9 MR. WHITAKER: I couldn't say for

10 certain what exactly. What's going to be. It's

11 impossible for me to testify to that. All I can say

12 is we're meeting the residential buffer requirements.

13 We're exceeding it. We're providing the four rows of

14 evergreen trees and maintain an fairly large area

15 mature.

16 MS. DOYLE: Would you please talk to

17 the microphone so everyone can hear?

18 MR. PRIME: It will be a substantial

19 buffer from the word go. I think that's probably what

20 the question is.

21 MR. WHITAKER: The distance is 182 feet

22 from our property line to our curb line. So it's a

23 pretty substantial buffer.

24 CHAIRMAN: Not to put words in your

25 mouth, but I just want to make sure I got it straight.

1 If there is any opportunity to improve this buffer

2 with plantings and the type or the amount then the

3 applicant has agreed to work with Scarlett to make

4 that happen?

5 MR. PRIME: Yes.

6 COUNCILWOMAN ROSE: Is somebody going

7 to go out and walk those properties to make sure the

8 buffer is what it needs to be. So they are not

9 impacted by that building?

10 MS. DOYLE: I will be more than happen

11 at the time the build is up, but it should be

12 reflected in the resolution to provide in-fill

13 plantings where it may cause a problem for whatever

14 reason.

15 MR. PRIME: It's not unusual to do

16 that. We'd be happy to do that. That's something

17 when the actual building is built and the landscaping

18 is in you may want to have your planner look at it and

19 supplement it in some fashion. They are called field

20 changes and we'll do that. That's fine.

21 COUNCILWOMAN ROSE: Who replaces the

22 trees when they die?

23 MR. PRIME: It's covered by a bond.

24 All the landscaping is bonded.

25 COUNCILWOMAN ROSE: So there would be

1 no question that a tree died, something else --

2 MR. PRIME: Is replaced.

3 MS. DOYLE: My report represents that

4 the board specify that the plantings should survive,

5 should thrive in perpetuity. There is sometimes

6 argument after that maintenance bond is over and

7 returned to the applicant that the applicant has no

8 further obligation and it might be a good idea not to

9 have that dialogue in this instance.

10 MR. PRIME: The Municipal Land Use Law

11 requires the bonds to be posted. There is a

12 performance guarantee that is posted and there is a

13 two-year maintenance guarantee that's posted after

14 that. The ongoing maintenance of the site is the

15 obligation by the developer. That goes without

16 saying. The bond, itself, is really to make sure that

17 what's supposed to be planted gets planted and what is

18 planted then is live and grows. The maintenance of

19 the site that goes on and on. My client is the

20 developer is the party responsible for the site. None

21 of these folks other than perhaps their individual

22 landscaping on their properties our client is

23 responsible to maintain the site.

24 MAYOR HAYES: So there is no issue with

25 including a statement about landscaping then? The

<p style="text-align: right;">Page 50</p> <p>1 comment that Scarlett made about maintenance being 2 very specific. The maintenance includes a landscape 3 plan similar to the original.</p> <p>4 MR. PRIME: That's correct. The bond 5 doesn't last forever. The law requires the timing.</p> <p>6 MAYOR HAYES: That part I understand.</p> <p>7 CHAIRMAN: Any other public questions? 8 Please step up. State your name and address if you 9 haven't be sworn in. Raise your right hand. I think 10 you were. You can restate your name.</p> <p>11 MS. SHARON BARNES: Sharon Barnes, 12 B-A-R-N-E-S, 38 Charlotte Drive, with the comparison 13 of the old versus new trees, what is that height of 14 the old trees in that buffer zone?</p> <p>15 MR. WHITAKER: It's similar.</p> <p>16 MS. SHARON BARNES: What is the height 17 of those woods?</p> <p>18 MR. WHITAKER: I'm not following.</p> <p>19 MS. SHARON BARNES: The height of the 20 existing trees?</p> <p>21 MR. WHITAKER: I think we'd modeled 22 that 40, 60 feet. Some are larger than that.</p> <p>23 MS. SHARON BARNES: Then the height of 24 the new plantings.</p> <p>25 MR. WHITAKER: Eight feet.</p>	<p style="text-align: right;">Page 52</p> <p>1 the green giant arborvitae probably be constrained by 2 how there is proximity to one another. Depends on how 3 they are maintained.</p> <p>4 MS. SHARON BARNES: The maximum will be 5 the third of the height and there are different kinds 6 of trees. So it's going to be a different kind of 7 buffering that was just discussed?</p> <p>8 MR. WHITAKER: That's correct.</p> <p>9 MS. SHARON BARNES: So none of your 10 studies really talked about not only the obvious, but 11 not only are we losing the buffer, but that it's not 12 going to be as effective, the new buffer.</p> <p>13 MR. WHITAKER: We're complying with the 14 ordinance requirements for the buffer.</p> <p>15 MR. PRIME: His testimony was many of 16 the existing trees were remaining.</p> <p>17 MS. SHARON BARNES: That's not the 18 point. The point is that what we're asking for, I 19 guess I'm still trying to get the concept of your 20 cutting down 156 trees and you're putting up a similar 21 amount, but they are different kinds of trees.</p> <p>22 MR. WHITAKER: That's correct.</p> <p>23 MS. SHARON BARNES: And then I guess my 24 last question is, what is -- I think it was asked, but 25 I don't think you ever answered, what is the acreage</p>
<p style="text-align: right;">Page 51</p> <p>1 MS. SHARON BARNES: What does the 2 environmental study that shows the affect of 3 difference between eight feet and 60 feet?</p> <p>4 MR. WHITAKER: We didn't provide any 5 environmental study with respect to that.</p> <p>6 MR. PRIME: Not required by the 7 ordinance.</p> <p>8 MS. SHARON BARNES: It's not required 9 by the ordinance. What you provided, though, was some 10 sort of environmental impact study?</p> <p>11 MR. PRIME: Right.</p> <p>12 MS. SHARON BARNES: So what did that 13 study say about the difference?</p> <p>14 MR. WHITAKER: It's not a requirement 15 in the ordinance to study that.</p> <p>16 MS. SHARON BARNES: It's not at all. 17 Okay. I guess, maybe, I should be rephrasing that 18 question then. I guess it goes back to the question 19 of the plantings that are eight feet now will never 20 get to 60 feet or how long will it take, 20 years?</p> <p>21 MR. WHITAKER: They are not intended to 22 get to 60 feet.</p> <p>23 MS. SHARON BARNES: How tall will they 24 get to?</p> <p>25 MR. WHITAKER: Depends on how they --</p>	<p style="text-align: right;">Page 53</p> <p>1 of the buffer zone now versus what's the acreage of 2 what's going to be?</p> <p>3 MR. WHITAKER: I didn't calculate the 4 area.</p> <p>5 MS. SHARON BARNES: Could you come back 6 with that information?</p> <p>7 MR. WHITAKER: We could do that.</p> <p>8 MS. SHARON BARNES: I would think that 9 would be in whatever basic study you did, wouldn't it 10 have been? What study -- that's right, you weren't 11 required to do any study at all, right? That can't be 12 right, can it?</p> <p>13 CHAIRMAN: I think the applicant said 14 they complied with the ordinances as per the planning 15 department as well as the engineering department as 16 well as the environmental requirements of the 17 township. I mean, to change those requirements is 18 probably a different path than through this 19 application.</p> <p>20 MS. BARNES: It doesn't really help us, 21 though. It doesn't help us.</p> <p>22 MR. FRANCO: Mr. Whitaker, each wall is 23 a ten-foot step; is that correct?</p> <p>24 MR. WHITAKER: Seven to eight feet.</p> <p>25 MR. FRANCO: Let's say the top tree</p>

1 that's in line with Schwab. So that's already, maybe,
2 15, 16 feet up in the air?

3 MR. WHITAKER: That's correct.

4 CHAIRMAN: I think that was the reason
5 why Mr. Rodzinak asked for the site line to make sure
6 it fundamentally remains the same or is improved. The
7 question of whether or not an eight foot versus a 40
8 foot how that changes the air or environment is not
9 something that township requires.

10 MS. BARNES: Even from a noise
11 perspective?

12 CHAIRMAN: I think and Scarlett can
13 comment from a noise perspective the types of things
14 Scarlett has put in place actually tends to be enough,
15 according to studies, even more effective.

16 MS. DOYLE: Well, in terms of noise.

17 CHAIRMAN: I know it's difficult to
18 answer.

19 MS. DOYLE: It's very difficult and
20 trees generally provide visual buffer, but don't
21 provide the acoustical buffer. Acoustical buffer are
22 walls, the highway walls.

23 CHAIRMAN: That's why they do them and
24 they are ugly.

25 MS. DOYLE: But trees do provide a

1 planning a three-foot wall with little bushes and
2 shrubs. You can put 500 little shrubs in. That's not
3 going to do anything for the noise, the pollution and
4 the visual aesthetics from my property up to your
5 property.

6 MR. WHITAKER: That's not what I
7 testified to. We're providing a tiered wall, seven to
8 eight feet in height with evergreens at the base at
9 the plateau between the walls eight feet in height.

10 MR. PRIME: Each wall eight feet and
11 eight feet trees on the top of them.

12 MS. GRACE: Eight feet in height from
13 my yard I'm looking up --

14 MR. PRIME: He answered your question.

15 MS. GRACE: Well, the trees are about
16 150 feet high. They are not 60 or 80 feet tall and if
17 your study didn't prove that I will testify that they
18 are that tall. If you can contradict me or prove me
19 wrong, I would like to see that in writing.

20 The other question is, you said that
21 you were going to put in arborvitaes. I don't know.
22 I guess you may be familiar if you've been through
23 that area there is a very large deer population out
24 there. That's like a salad for deer. Everybody in
25 Bridgewater, they don't really plant arborvitaes

1 feeling of distance visually and privacy visually, so
2 that there is that benefit.

3 MS. SHARON BARNES: I might have
4 another later. Thank you.

5 CHAIRMAN: Okay. Thank you.

6 MS. GRACE: My name is Ann Marie Grace.
7 I live at 42 Charlotte Drive.

8 MR. COLLINS: Were you previously
9 sworn?

10 MS. GRACE: Yes.

11 MR. COLLINS: You understand you're
12 still under oath?

13 MS. GRACE: Yes. My question is
14 looking at the pictures those trees are on Route 202.
15 Now Charlotte Drive goes off of 202. It intersects.
16 Looking through the woods that are existing right now
17 at -- I hate to say they are not 60 feet tall trees
18 because it's a complete incline. The roof of my home
19 is probably level with the ground at the top of that
20 hill where your property is going to be developed. So
21 it's an incline and it's a gully and it goes -- it's
22 way up a hill. I've lived there for many years and
23 it's filled with deer and many, many animals.

24 Now my question is at the top of that
25 hill you said you're going to put in -- you're

1 unless they have a fenced-in property. They grow
2 where they are completely chewed up about four, five
3 feet, six feet up and then a little flower at the top
4 of them and they are very difficult to maintain. My
5 question is based on that, who's going to be watering
6 and taking care of your 300 plants?

7 MR. WHITAKER: Developers.

8 CHAIRMAN: I think just to be clear,
9 the reason why we have the applicant work with
10 Scarlett to define those species at the right time is
11 because of those concerns and it's actually a mix that
12 has worked best in the township and the applicant has
13 agreed to work with Scarlett on that and bonding and
14 things like that, yes and anyplace where at least in
15 my time on the board there has been issues.

16 MS. GRACE: You mentioned that Fisher
17 Scientific has maintained that wooded area.

18 MR. WHITAKER: No, I did not say that.

19 MS. GRACE: When you first came in this
20 evening you said that property was Fisher Scientific's
21 to develop for many, many years.

22 MR. PRIME: It is.

23 MS. GRACE: How come it was never
24 fenced in then because the fence excludes that whole
25 wooded area.

1 MR. PRIME: I have no idea.
 2 MS. GRACE: They have a fence around
 3 that property and they said come on our side of the
 4 fence and you will be fined. If you throw any
 5 garbage, not that anybody did, but there was an issue
 6 quite a few years back where they said if there is any
 7 trespassing on their property. They maintained it.
 8 If a tree fell down and broke, the fence they came and
 9 fixed it or if a tree was hanging over somebody
 10 property, they came and you know, trimmed it or cut it
 11 down or whatever. But that wooded area all the way
 12 probably from 40 Charlotte Drive is where the fence
 13 starts up to the water tank and right out to the
 14 highway has been vacant and not under anybody's care.
 15 You said that Fisher Scientific --
 16 CHAIRMAN: They own the property.
 17 MR. PRIME: And could develop the
 18 property.
 19 CHAIRMAN: Whether or not they took
 20 care of it the same way, they did the other part of
 21 their property is clearly up to them.
 22 MS. GRACE: One other question I have
 23 again is regarding the traffic at that intersection.
 24 CHAIRMAN: Next witness is the traffic
 25 expert. Probably that question will be best held

1 until then.
 2 MS. GRACE: You mentioned earlier that
 3 there was going to be a screen of mechanical
 4 equipment. Whose mechanical equipment?
 5 MR. WHITAKER: The building.
 6 MS. GRACE: Which one?
 7 MR. WHITAKER: All of them. The HVAC
 8 that sits on top of the roof, that's why you have a
 9 parapet wall.
 10 MS. GRACE: What is the screen?
 11 MR. WHITAKER: It's part of the facade.
 12 It's similar to the -- stands up higher than that. So
 13 you can't see the mechanical equipment.
 14 MS. GRACE: On the roof?
 15 MR. WHITAKER: Yes. Pretty standard
 16 for a retail development.
 17 MS. GRACE: And what about the noise
 18 from that? We would hear that because again, it's
 19 downhill.
 20 MR. WHITAKER: There is no way the
 21 noise from these HVAC units would compare to the noise
 22 you hear from the roadway.
 23 MS. GRACE: Well, if it were put up
 24 like right now with all the trees there, we don't
 25 because we don't hear the noise on Route 202.

1 MR. WHITAKER: You would never hear it.
 2 MS. GRACE: Well, I've lived there for
 3 25 years. So I'm going to have to correct you on that
 4 because my bedrooms on are on the second story of my
 5 home and the worst we would hear is a fire truck or a
 6 police car out in front of Wegmans or going down 202
 7 or a motorcycle that used to pass about five o'clock
 8 in the morning everyday. I can count the noises
 9 because of the tree buffer that we have. It's a very,
 10 very quiet area and what you're planning is going to
 11 destroy that. That's all my questions. Thank you.
 12 CHAIRMAN: Thank you.
 13 MS. LYNN BARNES: Lynn Barnes, 38
 14 Charlotte Drive.
 15 CHAIRMAN: Already sworn in?
 16 MS. LYNN BARNES: Yes. I'm not sure
 17 this is for the planners or the board get away from
 18 the trees for a minute. With putting the Wawa as a
 19 gas station right next to a chemical warehouse, I'm
 20 just wondering what are the requirements and what's
 21 being put into place for fire safety and things like
 22 that?
 23 MR. WHITAKER: Wawa meets all the state
 24 requirement for fuel storage.
 25 MS. LYNN BARNES: If something does

1 happen, are there requirements for, like, fire
 2 personnel training and are they aware of that
 3 combination of whatever chemicals are in Fisher?
 4 MR. WHITAKER: I'm not aware of any
 5 specific requirements between the two types of uses
 6 that would regulate the development, but the Wawa
 7 meets all of the state requirements for the
 8 institution of fuel storage tanks.
 9 CHAIRMAN: I would assume that the
 10 corporate team has a huge fire safety capability for
 11 their stuff that the township works with. Fisher
 12 Scientific has their, taken that and as indicated
 13 there are very strict state regulations on gasoline
 14 stations and vapor recovery and all of that stuff. So
 15 Wawa I'm sure meets or exceeds all of those.
 16 MS. LYNN BARNES: It seems like kind of
 17 a volatile combination. Thanks.
 18 CHAIRMAN: Any other questions of this
 19 witness?
 20 MS. DIGRICOLI: Barbara Digricoli, 3103
 21 Johnson Circle. D-I-G-R-I-C-O-L-I.
 22 CHAIRMAN: Were you sworn in before?
 23 MS. DIGRICOLI: I believe so, yes.
 24 CHAIRMAN: You're still under oath.
 25 MS. DIGRICOLI: I have two questions.

<p style="text-align: right;">Page 62</p> <p>1 One is a rumor regarding Wawa, the one being currently 2 built in Bridgewater. Did the construction stop on 3 that. 4 MR. PRIME: There's other construction. 5 It's some environmental issues with the site that they 6 are working on remedying. 7 MS. DIGRICOLI: Can you tell me an 8 example of the environmental issue they are working 9 on? 10 MR. PRIME: I don't think that's 11 relevant to this application. 12 MS. DIGRICOLI: My second question is, 13 for the monument sign. Do you have a photo of that, 14 so I can see what it looks like? 15 MR. WHITAKER: I don't have a photo, 16 but it's in the site plan application, black and 17 white. You're talking about the Wawa monument sign? 18 MS. DIGRICOLI: Yes. 19 MR. PRIME: That's already been marked 20 A-10. 21 MR. WHITAKER: The Wawa monument sign 22 is in the middle right on that. 23 CHAIRMAN: You can go a take a look at 24 it closely if you'd like. 25 MS. DIGRICOLI: Thank you very much,</p>	<p style="text-align: right;">Page 64</p> <p>1 MR. HEPWORTH: I understand that, but 2 we've -- 3 MR. PRIME: Can I finish? 4 CHAIRMAN: Let him finish. 5 MR. HEPWORTH: Excuse me for 6 interrupting. I apologize. We could run into the 7 same. The Fisher Scientific has a property and 8 they've had problems for now 20 years it may be the 9 same thing that's occurring now it's still an 10 environmental issue that affects us and we still on 11 this side of 202, we have well water. We do not want 12 to have something that's going to interrupt that for 13 ourselves. We don't want city water when we have well 14 water right now. 15 CHAIRMAN: Name and address, please. 16 MR. GRACE: Mark Grace. I'm at 42 17 Charlotte Drive. 18 - - - 19 MARK GRACE, after having 20 been first duly sworn, testified as follows: 21 - - - 22 MR. GRACE: My question has to do with 23 Councilwoman Rose mentioned the gully that exists now 24 along the back of the properties on Charlotte Drive 25 West and I didn't hear an answer. Will that be filled</p>
<p style="text-align: right;">Page 63</p> <p>1 CHAIRMAN: Thank you. Any other 2 questions of this witness? 3 MR. HEPWORTH: Why is the environmental 4 issue at Route 28 not pertinent? However, reference 5 to the sign at Route 28 is? If you're going to 6 incorporate the Route 28 into this testimony, let's 7 find out what the environmental issue is at Route 28, 8 as well. 9 MR. PRIME: Mr. Chairman, there were 10 some acidic soils that were discovered during 11 construction that were preexisting at the Wawa site 12 and being removed and there's issues with the 13 landowner who's responsible for that cost escalating 14 construction. That's what the issues are. 15 MR. HEPWORTH: Thank you. Pursuant to 16 that, Fisher Scientific has had environmental issues 17 on their property prior requiring the Bradley Gardens 18 neighborhoods to go from well water to city water some 19 years ago. So how do we know that when they start 20 doing what they want to do, we are not going to 21 introduce the same type of environmental issues to our 22 area that are now occurring to the Chimney Rock 23 property? 24 MR. PRIME: We did not introduce any 25 environmental issues. These were preexisting soil --</p>	<p style="text-align: right;">Page 65</p> <p>1 in? Do we know what's going to happen with the gully 2 because my concern is flooding. 3 MR. WHITAKER: We're reducing the 4 amount of stormwater that discharges to that gully 5 under existing conditions. We're required by our 6 ordinance to do that. So a portion of our development 7 fills in the western side of that, but our discharge 8 point is we are actually reducing the quantity of 9 runoff to that point. 10 MR. GRACE: Are you filling in the 11 gully was my question. Not whatever studies, not 12 where you're directing the water. Are you filling in 13 the gully. 14 MR. WHITAKER: I was trying to answer 15 your question, which you mentioned the flooding 16 concerns and there should not be any flooding concerns 17 because we are reducing the amount of stormwater 18 runoff. 19 MR. GRACE: My second question is, are 20 you filling in the gully? 21 MR. WHITAKER: As I just indicated, we 22 are filling in a portion of the west side of that 23 development where there is a depression that runs 24 towards our discharge point. 25 MR. GRACE: On your study, because I</p>

1 see the houses, it's exhibit the house that's there
 2 and as my wife explained Charlotte Drive goes down and
 3 the gully runs along that side of our property.
 4 You're going to fill in some because it runs right
 5 along my property line that you're not going to fill
 6 in that because it's on the untouched portion of half
 7 trees that you're taking down?
 8 MR. WHITAKER: That's correct.
 9 MR. GRACE: Thank you.
 10 MR. WHITAKER: Thank you.
 11 CHAIRMAN: Other questions of this
 12 witness?
 13 MS. SCHWARZKOPF: Elaine Schwarzkopf,
 14 45 Charlotte Drive.
 15 CHAIRMAN: And you're still under oath.
 16 MS. SCHWARZKOPF: I just want to
 17 clarify something or ask Mark. As far as the type of
 18 tree, is it true that the deciduous trees and their
 19 leaves absorb much more carbon dioxide than the pine
 20 and that if you don't have those leaves with noise
 21 abatement because I don't know how many deciduous
 22 trees you're planting because our stand is all mature
 23 and they are all over 100-years old probably, also.
 24 Do they qualify as a specimen tree?
 25 MR. WHITAKER: The quantity of shade

1 trees we're planting is similar to what we're
 2 removing.
 3 MS. SCHWARZKOPF: Are they part of the
 4 buffer zone?
 5 MR. WHITAKER: They are throughout the
 6 entire development.
 7 MS. SCHWARZKOPF: No, I'm talking about
 8 the stand of trees that buffer Charlotte Drive.
 9 MR. WHITAKER: What you characterize
 10 the buffer zone they haven't been proposed, but the
 11 proposed trees are throughout on the property.
 12 MS. SCHWARZKOPF: That doesn't help us
 13 with the buffer because if you plant new trees in our
 14 buffer zone. It takes ten years for that tree to get
 15 to the pollution to absorb pollution. Ten years. So
 16 that the pollution level will be higher because that
 17 tree is going to take ten years to grow to a point
 18 where it absorbs this carbon dioxide. I mean, all the
 19 emissions. I just want to clarify that because we're
 20 talking about different types of trees and I'd like to
 21 relate it to the area of pollution and how it affects
 22 Charlotte Drive. Thank you.
 23 CHAIRMAN: Thank you. Any other
 24 questions of this witness? Just to remind you, this
 25 is an opportunity to ask specific questions about

1 testimony and not make a general statement.
 2 MR. YUN CHANG: My name is Yun Chang,
 3 35 Charlotte Drive, C-H-A-N-G.
 4 CHAIRMAN: Can you repeat your name and
 5 address?
 6 MR. YUN CHANG: Yun Chang, 35 Charlotte
 7 Drive. C-H-A-N-G. That's my last name.
 8 CHAIRMAN: You're still under oath.
 9 MR. YUN CHANG: I'll just try to follow
 10 up on my last question last time about the open 24
 11 hours. The Wawa, seven day, what is the benefit for
 12 the township? First, for the local people?
 13 MR. PRIME: Hours of operation are not
 14 restricted in Bridgewater and Wawa, all their fuel
 15 stores, with a couple of exceptions, are 24-hour
 16 operations.
 17 MR. YUN CHANG: I mean the benefit for
 18 local people in township? What is the benefit local
 19 people?
 20 MR. PRIME: Traditionally, shift
 21 workers, people who work different hours utilize the
 22 convenience store on off hours at night and off peak
 23 hours. That's a benefit to the public.
 24 MR. YUN CHANG: Another question is, I
 25 heard about Wawa, I don't know how many years ago

1 there was shooting over there. I don't want it to
 2 happen to our neighborhood.
 3 CHAIRMAN: None of us want that.
 4 MR. YUN CHANG: Do you know they were
 5 fighting, gunfight?
 6 MR. PRIME: I don't know about that.
 7 MR. YUN CHANG: Somebody must know.
 8 It's a Wawa store. They were arresting a criminal,
 9 but I don't want it because they are open 24 hours.
 10 Convenient for them.
 11 CHAIRMAN: Thank you. Do you have a
 12 more specific question for the engineer?
 13 MR. YUN CHANG: I don't understand what
 14 you say.
 15 CHAIRMAN: Do you have a question? I
 16 understand you don't want that to happen.
 17 MR. YUN CHANG: I just ask the Wawa
 18 people, do they know they have a shooting over there
 19 and I don't want it happen in my neighborhood because
 20 I cross through there and I worry about everyone
 21 safety. I don't want it to happen again. That's it.
 22 CHAIRMAN: Thank you. Other questions
 23 of this witness? Please state your name and address.
 24 MS. MONTANO: Barbara Montano, 34
 25 Charlotte Drive and I was sworn in before. I just

Page 70

1 have one quick question. You said something that
 2 triggered. Behind my property, I'm between Fisher
 3 Scientific and my property there is a wetlands and you
 4 can go on the New Jersey wetlands map and see it.
 5 Now, I realize that up closer to 202 that it's not a
 6 wetlands. It's not considered part of the wetlands.
 7 However, you made a comment that you're going to fill
 8 in that gully or part of the gully and you're going to
 9 reduce the water coming down and my question is, how
 10 will it impact that wetlands? I thought we weren't
 11 allowed to change wetlands.

12 MR. WHITAKER: There is no regulated
 13 wetlands on our property and we're required by
 14 ordinance to actually reduce the number of stormwater
 15 runoff.

16 MS. MONTANO: It's not on your
 17 property. It's further.

18 MR. WHITAKER: It's no wetlands on our
 19 property itself and we're not disturbing any wetlands.

20 MS. MONTANO: Be aware if you're going
 21 to reduce the water, it will impact the wetlands
 22 that's not on your property, but below it on the way
 23 to the river. Thank you.

24 CHAIRMAN: Any other questions of this
 25 witness? State your name and address.

Page 71

1 MS. ESSLER: Brenda Essler, 46
 2 Charlotte Drive.

3 CHAIRMAN: You were sworn in?

4 MS. ESSLER: Yes. The tree buffer area
 5 in M-1, is that part of lot one of Fisher's property?

6 MR. WHITAKER: I don't know what you
 7 mean by the tree buffer.

8 MS. ESSLER: The area of trees between
 9 Charlotte Drive and the proposed development in the
 10 M-1 zone is that part of lot one?

11 MR. PRIME: Yes.

12 MS. ESSLER: I just want to revisit an
 13 earlier question raised by my neighbor, Elaine. The
 14 environmental impact statement on page three says that
 15 lot one is include in the site plan application for
 16 the sole purpose of improvements to the signalized
 17 intersection for the purpose of this EIS. It has been
 18 omitted. Is that accurate?

19 MR. WHITAKER: Yes, it is accurate.

20 The EIS is focused on the area of development, which
 21 is where this residential buffer is.

22 MS. ESSLER: Doesn't the development
 23 include part of lot one because trees are being
 24 removed from lot one?

25 MR. WHITAKER: I just answered that

Page 72

1 question.

2 MR. PRIME: Lot one is the whole Fisher
 3 development.

4 MS. ESSLER: Isn't part of that lot in
 5 this development plan?

6 MR. PRIME: Currently the area. The
 7 testimony was only the area that's being developed.
 8 The testimony was only the area that's being developed
 9 was included in the study. Not the whole Fisher
 10 Scientific facility.

11 MS. ESSLER: I'm confused because I
 12 thought that if the tree buffer area is part of lot
 13 one, then it is not solely for the signalized
 14 intersection. That it's being disturbed or affected.
 15 Am I just not understanding it? Maybe, I'm
 16 misunderstanding.

17 MR. PRIME: I can't answer that.

18 MS. ESSLER: Does anyone understand
 19 what I mean?

20 MS. CASAMENTO: Go to this exhibit and
 21 maybe, point to the area that we're talking about.

22 MR. WHITAKER: The portion of lot one,
 23 it's on the east side of the property, the M-1 zone
 24 you're not going to be able to see it from there, but
 25 it's the dark dash line.

Page 73

1 MS. ESSLER: I still don't understand
 2 because isn't that area that you just indicated
 3 doesn't that include part of lot one that was omitted
 4 from the EIS?

5 MR. PRIME: Lot one is being
 6 subdivided. This portion of lot one and added to this
 7 development.

8 MS. ESSLER: Okay. So where it says
 9 that lot one is included in this site plan solely for
 10 the purpose of improvements to the signalized
 11 intersection, that's not entirely accurate because the
 12 signalized intersection is on the other western side
 13 of lot one.

14 MR. WHITAKER: It's all part of the
 15 entire development that we're proposing.

16 MS. ESSLER: So that's adequate then
 17 for the EIS? It doesn't have to be included?

18 MR. PRIME: It was included.

19 MR. FRANCO: Just so I understand.

20 MS. ESSLER: It says it's been omitted.

21 MR. FRANCO: When you say where the
 22 intersection is, that's also lot one?

23 MR. PRIME: Yes.

24 MR. FRANCO: And when you say it's part
 25 of the signalized intersection, it's that portion of

1 lot one, that's also lot one, but you're saying where
2 it's subdivide and where Schwab is being constructed
3 that's part of the EIS.

4 MS. ESSLER: The EIS says for the
5 purpose of this EIS lot one has been omitted.

6 MR. FRANCO: They're saying everything
7 above.

8 MR. WHITAKER: The intent is the
9 portion of lot one that is currently developed at
10 Thermo Fisher is omitted from the EIS. The EIS is
11 intended to study areas that we are developing.

12 MS. ESSLER: So the EIS does include
13 lot one?

14 MR. WHITAKER: I'm not sure I can
15 clarify it.

16 MS. ESSLER: I'll move on because I'm
17 still confused.

18 MAYOR HAYES: Let me take a shot for
19 you. Essentially, everything that is being proposed
20 in the application and all of that ground portion that
21 everybody has been speaking about throughout the
22 entire time, all of that is in the environmental
23 impact study. The part that is Thermo Fisher above it
24 is not part of this application, that has been
25 excluded from the environmental impact study. Do I

1 have that correct?

2 MR. WHITAKER: Correct.

3 MAYOR HAYES: The tree section that is
4 in this application was part of the environmental
5 impact study. The tree section that is beyond the
6 border of what is -- what will be sold from Thermo
7 Fisher is not in the environmental impact study.

8 MR. PRIME: They will be. They are in.

9 MS. ESSLER: I have a few other
10 questions if that's okay. I would like to refer to a
11 question that I posed through an e-mail that I believe
12 was communicated to Mr. Prime by Scarlett Doyle about
13 wetlands because several neighbors who have lived on
14 Charlotte Drive for many years have repeatedly told me
15 and my husband that there is a wetlands protected area
16 within that tree buffer and at one point we had
17 received a certified letter from an environmental firm
18 that was doing a study of that area required to be
19 able to put in solar panels.

20 So if I may read from this e-mail I was
21 copied on this communication from Scarlett Doyle to
22 Tim Prime. It says, the applicant's professional
23 shall be prepared to provide the mapping and
24 appropriate testimony to address the issue of wetlands
25 transition area on the property under consideration

1 for development commenting on the applicability of the
2 wetland rules.

3 So I was wondering if that testimony
4 would be presented at some point?

5 MR. WHITAKER: I am not aware of any
6 regulated wetlands.

7 MR. PRIME: If Thermo Fisher studied
8 the wetlands, it's someplace else.

9 MR. WHITAKER: The grading goes
10 downward in a westerly direction, but we're basically
11 uplands area, the highest point of the site. I'm not
12 aware of any regulated wetlands.

13 MS. ESSLER: So when you're mapping for
14 this development there are no wetlands on the area
15 that you're proposing.

16 MR. WHITAKER: As far as I'm aware,
17 that is correct.

18 MS. ESSLER: The 156 trees that will be
19 removed, are those all from the buffer area or do
20 those include trees on the residential lots?

21 MR. PRIME: Let me clarify something.
22 Everybody keeps referring to the buffer area, the
23 buffer area on this project is the 100 feet required
24 by ordinance in the M-1 zone. There is another 75
25 foot setback for the building, but that buffer is not

1 being impacted. The testimony is it's being enhanced.
2 There are additional trees being removed as part of
3 the development. Just like any development where
4 there is trees, there's trees being removed. The
5 buffer you keep referring to, the buffer area, this
6 area of woods that exists right now is not all buffer
7 area.

8 MS. ESSLER: A neighbor that lives
9 there backing up on the area would disagree. I think
10 from a resident's perspective we do see it as a
11 buffer. When the amount of trees that exists now is
12 being reduced, it's hard for us to see that as an
13 enhancement.

14 MR. PRIME: That's a difference of
15 opinion. I'm clarifying the fact everybody keeps
16 referring to this as a buffer area. It's not a buffer
17 area.

18 MS. ESSLER: To a residents it
19 absolutely is a buffer and I believe that the mayor
20 and the board --

21 CHAIRMAN: I think that counsel is
22 giving you the legal definition of the metes and
23 bounds of the property. The buffer area is there.
24 It's not being disturbed. There is additional space
25 that is being disturbed and that is what we've been

1 talking about.

2 MR. PRIME: Yes.

3 MS. ESSLER: I'll rephrase my question
4 then. The 156 trees that are being removed are all of
5 the them in that M-1 area concentrated there?

6 MR. WHITAKER: No. Throughout the
7 development.

8 MS. ESSLER: The C-7 zone, is Charles
9 Schwab an approved use within C-7?

10 MR. PRIME: Charles Schwab is not in
11 the C-7 zone. It's in the M-1 zone.

12 MS. ESSLER: I understand that. Would
13 it be an appropriate use for the C-7 zone?

14 MR. PRIME: Doesn't matter. We're not
15 proposing it.

16 MS. ESSLER: The reason I'm asking
17 is --

18 MR. COLLINS: Ma'am, yes, offices are
19 allowed in the C-7 zone. It's not relevant if it's
20 not in that zone.

21 MS. ESSLER: I'm just a little confused
22 as to why Charles Schwab cannot occupy either retail
23 A, B or C which have, as far as I know, no identified
24 tenants.

25 MR. PRIME: Because the applicant wants

1 to develop the M-1 zone, which they are purchasing
2 from Thermo Fisher and the permitted use in the is M-1
3 zone included offices.

4 MS. ESSLER: Are there any identified
5 tenants for retail A, B or C at this point?

6 MR. PRIME: No.

7 MS. ESSLER: In that case, I've said
8 this at the previous two meetings and I'll ask it
9 again. Is there a consideration to downsize this
10 development because I think the part the homeowners
11 and myself are struggling with there is there's plenty
12 of room there. There are five proposed buildings,
13 three which will be vacant and yet there is this
14 testimony that there is a need to put Charles Schwab
15 in M-1, which impacts the tree area if it's not a
16 buffer although 100 feet is the required amount there
17 is really no need for any of that tree buffer to be
18 taken down. There's plenty of room for an ample
19 development that would bring in plenty of revenue for
20 this developer. It seems very excessive to need to
21 put three retail unidentified building when Charles
22 Schwab could simply be moved over and I think satisfy
23 a lot of the neighbors that are here with these
24 concerns.

25 CHAIRMAN: I suggest you make that

1 statement again at the end of the process.

2 MS. ESSLER: I have one question about
3 the lighting. It says although the lighting has been
4 reduced from 20.5 feet to 15 feet high there is still
5 a variance that says that low or mushroom-type lights
6 are permitted. So with that in mind, I mean, are
7 there any concerns, I guess, with that much of a
8 discrepancy in what's permitted and what's been
9 requested?

10 MR. PRIME: There's not that much of a
11 discrepancy. The testimony by the engineer, sidewalks
12 are being lit by the parking lot lighting. There is
13 no separate ground lighting for the sidewalks, the
14 mushroom-type lighting. That's all.

15 MS. ESSLER: If there were originally
16 14 variance requests and there are currently 14 I've
17 counted in the most recent letter I thought that I
18 heard testimony that some of the variances have been
19 met?

20 MR. PRIME: Yes.

21 MS. ESSLER: I'm still confused why
22 there are still the same number of variances being
23 requested. Were new ones added?

24 MR. PRIME: Each paragraph of the legal
25 notice have subparts. There are different number of

1 variances associated with each area, signs, setbacks,
2 notice setbacks. The testimony earlier by the
3 engineer was they've been either eliminated or reduced
4 the bulk requirements of the C-7 or the M-1 zone.

5 MS. ESSLER: So parts of some were
6 eliminated, but the number is still the same?

7 MR. PRIME: The number of the
8 paragraphs are still the same, yes.

9 MS. ESSLER: Thank you.

10 COUNCILWOMAN ROSE: If I may, Mr.
11 Chairman? There were 14 --

12 MR. PRIME: 17 originally.

13 COUNCILWOMAN ROSE: There 14 now.

14 MR. PRIME: There are 14 now paragraphs
15 in the notice.

16 COUNCILWOMAN ROSE: Put that in
17 English. 14 paragraphs in the notice, what does that
18 mean?

19 MR. PRIME: The sign variances were all
20 included in a variance number, A, B, C. They've been
21 reduced. In the notice there are much less than there
22 were before. The total number in the paragraphs are
23 17 to 14, but the actual number of variances and
24 waivers are substantially less.

25 CHAIRMAN: You are back again.

<p style="text-align: right;">Page 82</p> <p>1 MS. LYNN BARNES: I'm back. I think I 2 have this, but I just want to make sure. So when we 3 talked about what was included in the environmental. 4 So what's included in the environmental study it's all 5 the land that will eventually be part of this 6 development if it goes through? 7 MR. WHITAKER: That's correct. 8 MS. LYNN BARNES: And the only 9 additional is just a little intersection point that 10 will continue to belong to Fisher, the intersection 11 light at Fisher Place is the only part that will 12 technically belong to Fisher, but was included? 13 MR. WHITAKER: Correct. 14 MS. LYNN BARNES: Everything else 15 besides that one little intersection will belong to 16 the development, if and when it goes through? 17 MR. WHITAKER: Correct. 18 MR. PRIME: Even that little area will 19 belong to the developer with an easement. It's not 20 changing ownership. 21 MS. LYNN BARNES: If this does go 22 through is there any remaining Fisher ownership 23 between M-1 and Charlotte or will the new 24 configuration being the M-1 is the border is the back 25 of the Charlotte Properties?</p>	<p style="text-align: right;">Page 84</p> <p>1 property? 2 CHAIRMAN: Health department. 3 MS. DIGRICOLI: The Bridgewater has. 4 CHAIRMAN: Mr. Poulsen. 5 MS. DIGRICOLI: P-A-U-L-S-O-N? 6 MS. DOYLE: P-O-U-L-S-E-N. 7 MR. RODZINAK: He's familiar with 8 what's going on over there. 9 CHAIRMAN: Any other questions of this 10 witness? Seeing none, we will take a five-minute 11 break. We'll come back at five of. 12 - - - 13 (At which time a short recess was 14 taken.) 15 - - - 16 CHAIRMAN: Roll call, please. Thank 17 you. 18 BOARD SECRETARY: Mr. Rodzinak? 19 MR. RODZINAK: Here. 20 BOARD SECRETARY: Chairman Charles? 21 CHAIRMAN: Here. 22 BOARD SECRETARY: Mr. Franco? 23 MR. FRANCO: Here. 24 BOARD SECRETARY: Councilwoman Rose? 25 COUNCILWOMAN ROSE: Here.</p>
<p style="text-align: right;">Page 83</p> <p>1 MR. PRIME: There is no other M-1 zone 2 owned by Fisher. 3 MS. LYNN BARNES: Fisher will just go 4 straight and it will be between M-1 and Charlotte. 5 MS. DOYLE: Mr. Chairman, that is not 6 quite, correct. The M-1 zone in this development, 7 there is nothing east/west between them. However, the 8 M-1 zone for Fisher goes all the way back to the 9 railroad. Even on the east it goes all the way back. 10 This will be M-1 and bordering on Fisher. That's all 11 M-1. Everything. Keep going up. Keep going up on 12 the map. That's all M-1. Everything Fisher owns is 13 M-1. 14 MR. PRIME: She's wondering if there is 15 anymore with this. 16 MS. DOYLE: I understood her to say is 17 there anymore Fisher property abutting Charlotte Drive 18 people. So further up there is. 19 MS. BARNES: Abutting M-1 or new M-1 20 and this will be new M-1 abutting Fisher. Okay. 21 Thank you. 22 MS. DIGRICOLI: Barbara Digricoli and 23 my question is for the board about my previous 24 environmental question. Who would I contact to find 25 out what the issues are at the other Bridgewater Wawa</p>	<p style="text-align: right;">Page 85</p> <p>1 BOARD SECRETARY: Mayor Hayes? 2 MAYOR HAYES: Here. 3 BOARD SECRETARY: Ms. Casamento? 4 MS. CASAMENTO: Here. 5 BOARD SECRETARY: Ms. Albanese? 6 MS. ALBANESE: Here. 7 BOARD SECRETARY: Thank you. 8 MR. PRIME: Before we go on, 9 Mr. Verderese, my client has asked a number of the 10 property owners and they would like to address the 11 board as part of the applicant's case. They would 12 like to do so now, if possible. 13 CHAIRMAN: They want to address the 14 board. 15 MR. PRIME: Provide testimony. 16 MR. COLLINS: By whom? 17 MR. PRIME: By property owners. 18 MR. COLLINS: There are some that you 19 spoke to. Do you want them to stand up. 20 MR. PRIME: Yes. 21 CHAIRMAN: So there's someone you spoke 22 to who wants to stand up? 23 MR. PRIME: Yes. 24 CHAIRMAN: Please approach the podium. 25 State your name and address.</p>

1 MS. BENDA: Bernadette Benda, 737
2 Highway 202 and I have not taken an oath.

3 - - -

4 BERNADETTE BENDA, after
5 having been first duly sworn, testified as follows:

6 - - -

7 MR. COLLINS: Can you please spell your
8 last name again?

9 MS. BENDA: B-E-N-D-A.

10 CHAIRMAN: Just for everyone who's
11 speaking, I think there is a need with this equipment
12 to have it up close to your mouth. If you can do
13 that, we'd really appreciate it.

14 MS. BENDA: My homestead, we've been
15 there across Wegmans for 64 years. I grew up, it was
16 a two-lane highway. The only thing across from us was
17 RCA. Behind us was a beautiful, beautiful peach tree
18 orchard.

19 Progress moves on. Fisher Scientific
20 comes in. The buffer for us, Fisher Scientific,
21 people are talking about buffers is the chain link
22 fence. Our buffer with Wegmans, once RCA was
23 demolished and Wegmans came in, the restaurants and
24 all of the other buildings over there was a four-lane
25 highway. I appreciate people are talking about trees,

1 but we have congestion, noise pollution, air pollution
2 and it's very dangerous. When we pull out of our
3 driveways, we have to be really, really careful.

4 I would beseech the board to consider
5 letting this project go through. We are really an
6 island of residential houses. There's, maybe, ten of
7 us, Fisher to the left, Fisher behind and a lot of
8 commercial activity across the street. So we really
9 are an isolated residential few families and I don't
10 know that any of you board members would want to live
11 across the street from Wegmans. It's very busy and I
12 just would ask you to please support this development.
13 Thank you.

14 CHAIRMAN: I just want to clarify, Tom.
15 Are we opening up --

16 MR. COLLINS: Not to all aspects. Do
17 you have anything further to add? Sir? Please state
18 your name.

19 MR. STERLACCI: I just want to add
20 support.

21 - - -

22 DENNIS STERLACCI, after
23 having been first duly sworn, testified as follows:

24 - - -

25 MR. COLLINS: Please state your name

1 and your spell your last name.

2 MR. STERLACCI: Dennis,
3 S-T-E-R-L-A-C-C-I, 737 Highway 202. I've also lived
4 there for all my life and being in a center of a
5 residential section of houses that has industrial and
6 commercial across the way, we're like an island. It's
7 extremely dangerous as far as getting onto the
8 highway. I would also support strongly the
9 development of that project because it really
10 shouldn't be residential. I don't think anyone other
11 than the folks at Charlotte Drive, would object to
12 that. Thank you.

13 CHAIRMAN: At the conclusion of all the
14 witnesses, everyone will have the opportunity to come
15 up and make a statement.

16 MR. PRIME: Thank you, Mr. Chairman.
17 We call Mr. Verderese, traffic engineer.

18 - - -

19 NICK VERDERESE, after having
20 been first duly sworn, testified as follows:

21 - - -

22 MR. PRIME: Nick, you've already been
23 sworn. You've been acknowledged as an expert in
24 traffic engineering and you've testified before the
25 board. Would you like to update the board on your

1 testimony based on the revised plans?

2 MR. VERDERESE: Yes. There were a few
3 questions at the last meeting. I want to give some
4 supplemental information. There were some questions
5 as to what we have as far as driveways and you know,
6 how that compares. There were some comparison to a
7 section of Route 22 near North Bridge Street. So I
8 went and looked at North Bridge Street to see how many
9 driveways they have and I looked at the section
10 between Davenport and North Bridge Street on the
11 eastbound Route 22. It's about 1,000 feet between two
12 intersections. There are ten curb cuts in that
13 section.

14 COUNCILWOMAN ROSE: It's also in
15 Somerville. Not in Bridgewater.

16 MR. VERDERESE: One of the board
17 members referenced that area of Route 22 and saying
18 that we were going to create something similar. So I
19 wanted board to understand the comparison of what's
20 actually there and what we're proposing here. So
21 there's ten curb cuts there in 1,000 feet. So a
22 driveway every 100 feet. Our proposal has three
23 driveways in 1400 feet, which is one driveway every
24 470 feet.

25 So to think that this is going to

1 create something that's similar to there and I
 2 understand the issues there. There are older
 3 properties there with existing driveways that were
 4 primarily created before the DOT came through with
 5 their standards. So those driveways have proliferated
 6 through time and kind of kept on an individual
 7 properties added some driveways. This is really a
 8 controlled area of 1400 feet of highway where we
 9 propose three driveways. The spacing between the
 10 driveways. So to give everyone some orientation on
 11 A-18, which is on the board with Fisher Place on the
 12 right, the distance from the stop bar at Fisher for
 13 someone making a right out and the location of the
 14 first driveway is 260 feet. The distance out from
 15 that same driveway to the next location is 260 feet
 16 and then the next location 320 feet from the driveway
 17 between A and B and the driveway between C and D.

18 This driveway spacing as I mentioned,
 19 the Department of Transportation has criteria for how
 20 many driveways you are allowed. It's based on the
 21 speed limit of the roadway. You look at the frontage
 22 of the property. They allow three driveways. In the
 23 instance that we have here we have 1400 feet of
 24 frontage. They allow three driveways potentially if
 25 you have 1320 feet. So we exceed the requirement to

1 have three driveways. So based on the Department of
 2 Transportation and they've done studies and they've
 3 come up with what they feel is safe spacing and they
 4 are the Department of Transportation. This is what
 5 they do. They determined that three driveways at this
 6 spacing is safe because they are allowing that many
 7 driveways. They do in their code. We still have to
 8 submit to them. They can come back and say they don't
 9 want three driveways. They want some other
 10 combination of driveways. We could be moving
 11 driveways left and right based on comments that they
 12 have, but as far as I'm concerned we're meeting their
 13 requirements. We're proposing a plan that meets their
 14 requirements. From my perspective as a traffic
 15 engineer, I've been doing this 26 years, the spacing
 16 these driveways really it's well done. It's evenly
 17 spaced throughout the property. As I said before,
 18 they are all ranging from about 250 to 300 feet in
 19 spacing. There aren't going to be a lot of
 20 interaction between the driveways. People coming in
 21 and going out of the other ones because we've spaced
 22 them far enough apart.

23 We've provided a new lane across the
 24 frontage that will help people get on and off the
 25 property, as well. So again, we feel that the three

1 driveways will work nicely for this site.

2 We've heard comments from our attorney.
 3 I've made some comments at the last meeting as far as
 4 the type of users that are proposed here. These are
 5 pass site users, who are relying on pass-by traffic.
 6 Traffic traveling the adjacent roadway and these users
 7 rely on the use of getting on and off the property.
 8 This is a very development than what is across the
 9 street. That's a full-on shopping center with large
 10 big box users and the smaller tenants in there rely on
 11 the traffic that comes on and off to the big box users
 12 and they draw from that. So they are able to
 13 accommodate smaller users of the size that we have
 14 between seven and 10,000 square feet because they have
 15 a lot of traffic coming on and off the property. So
 16 they don't need as much highway frontage visibility to
 17 be able to sustain their business.

18 With these types of users, the shallow
 19 property that we have really all that fits on the
 20 property are smaller users. Some are midway. Some
 21 are what we are showing here and those require
 22 convenient driveways and that's what we provide.
 23 We've essentially provided one between pairs of
 24 buildings. One between C and D. One between A and B
 25 and with Wawa being the largest generator, we gave

1 them their own driveway.

2 MR. PRIME: Just to follow up on that,
 3 Nick. For example, Wegmans, I think the testimony is
 4 we reduced the scope and size of our development down
 5 to about 40,000 square feet. We've reduced parking.
 6 Wegmans is four times larger than our development.
 7 Just the Wegmans alone; is that correct?

8 MR. VERDERESE: Plus, the retail across
 9 the street they have 470,000 square feet.

10 MR. PRIME: Ten times more.

11 MR. VERDERESE: Plus, they have 100,000
 12 square feet of office space. So they have a total of
 13 570,000 square feet.

14 MR. PRIME: You testified about the
 15 difficulty of getting in and out of there and impact.
 16 That's had an impact on businesses there. It's one of
 17 the things that we try to avoid.

18 MR. VERDERESE: Yes, their access, I
 19 guess, at the time was limited to the signalized
 20 intersection and what we considered two half
 21 driveways, one inbound driveway and one outbound
 22 driveway. So they essentially have two driveways and
 23 we are going to modify that as part of this proposal
 24 if approved to improve their circulation onsite and
 25 their access and the queuing that occurs now on Town

1 Center Road to provide the additional inbound at the
2 easterly driveway and the additional egress driveway
3 at the west end.

4 CHAIRMAN: I think the questions that I
5 heard on tape in listening to it, there's trade off
6 made getting in and out of the Wegmans, obviously,
7 there's difficulty there, but it's also a safety in
8 funneling everybody to that traffic light. I think
9 the intent of the township council when they
10 originally designed this was to put that paramount,
11 you know, versus the timing and I think there is some
12 options here in terms of these three entrances and
13 let's let the testimony take place. Let's ask some
14 questions, but I'm not sure we need three, to be
15 honest with you. I think the Wawa can be in only off
16 202 and then people be funneled out to the traffic
17 light. I think the middle one could be eliminated.
18 It would also eliminate one of the signs on that
19 variance and continue to down scope the variances and
20 then the third one, I think could be two-way just my
21 general observation and what I've seen and also what
22 I've seen, the one thing the state doesn't take into
23 consideration just by the laws the particularities of
24 this piece of property and the traffic right here and
25 that's what the board was concerned about and I think

1 the township was, too. Any other statement, testimony
2 or any questions from the board, of the traffic
3 engineer? Our traffic engineer, did I capture that
4 correct in terms of what you heard.

5 MR. HULT: Mr. Verderese, indicated
6 that the Jersey access code does potentially permit
7 three access points based upon the speed, frontage
8 that they have, but the access code has a provision in
9 that section that also indicates that the applicant
10 must demonstrate the second and third access points
11 will significantly benefit the safety and efficiency
12 of the state highway. Just because you have the
13 frontage and the speed doesn't mean that you're
14 entitled to all three.

15 CHAIRMAN: I think that's kind of
16 what's behind the board and the township council's
17 concerns. Other questions of the planning board for
18 this witness? Hearing none, I'll open it up to the
19 floor. Any particular questions to the traffic
20 engineer based upon his testimony last meeting and
21 this meeting? Please state your name and address.

22 MR. HEPWORTH: Mr. Charles, first thank
23 you because your point was right in line with mine. I
24 don't understand why they couldn't follow the same
25 pattern that they did with Wegmans in terms of

1 controlling the traffic coming out there because
2 Fisher seems to be, you know, part of this whole thing
3 why we can't reconfigure the whole intersection back
4 where all the traffic goes to that traffic light to
5 safely get traffic back onto the intersection. Both
6 southbound as well as northbound seems to make sense
7 to me. You know, one of the things about the
8 additional driveway that you're talking about, one of
9 the really difficult things about that intersection
10 stating from Milltown Road going up to that traffic
11 light and pursuant to it is the ability to keep
12 traffic flowing at a reasonable speed. There is just
13 too many stop/starts and then once traffic starts
14 moving as you get over top of that hill to have
15 another on flow of traffic is just going to impede the
16 flow of traffic, additionally. So I don't believe
17 that there should be any other entrances or exits onto
18 that.

19 Excuse me for speaking and not asking
20 questions. Has the process of the on flow and off
21 flow of traffic into this thing really been considered
22 beyond just what the law is permitting to you? Have
23 you really done the traffic study, driven that
24 corridor of road at specific times so that you can get
25 a better feel of what's actually going to happen

1 realtime and not just saying this is what the statutes
2 allow?

3 MR. VERDERESE: We've done traffic
4 counts. We've done analysis of the intersections and
5 the highway. We've visited the site, as well,
6 representatives of my firm, as well as myself during
7 peak hours. So we understand what the traffic issues
8 are.

9 I testified at the last meeting, if you
10 were here.

11 MR. HEPWORTH: I apologize. I missed
12 it.

13 MR. VERDERESE: Traffic traveling east
14 and how in the evening the traffic was backed up all
15 the way across where you live all the way down to our
16 site from intersection to the east. We talked about
17 DOT has an improvement plan. We have an improvement
18 plan going eastbound, as well to add a third lane
19 across the frontage, but going through the traffic
20 signal. So we are trying to address all of that with
21 this and you heard earlier spending a lot of money to
22 do it and in order to spend a lot of money we have to
23 have good retail tenants here that have convenient
24 access, as well and that will be successful.
25 Otherwise we can't spend a million-and-a-half dollars

1 to upgrade the intersection.

2 MR. HEPWORTH: To your point. I don't
3 think that Wegmans and all the occupants in that plaza
4 a hurting because there is a little bit of a traffic
5 issue trying to get out. Getting in there seems to be
6 pretty easy. Getting out may be a little bit
7 difficult, but we've learned to deal with it.

8 I have one other question. It has to
9 do with my side of the highway, the southbound side of
10 Route 202. Right now the current U-turn that allows
11 probably six, maximum seven vehicles, before the
12 traffic backs up onto 202 in the fast lane and pretty
13 much brings it to a stop. I have not seen within your
14 plans how that's going to be eliminated and now you're
15 adding businesses that are on the other side that more
16 people are going to want to try to get that U-turn and
17 what's going to happen when people coming up 202 in
18 the left lane and they are doing 55 to 60 miles per
19 hour and all of a sudden, they have to come to a
20 complete stop not because the light is green, but
21 because the traffic backed out there in front of them
22 that want to make a U-turn to access the businesses
23 you're trying to promote.

24 MR. VERDERESE: On our plan we have a
25 set of highway plans that were submitted to the board

1 and it shows a lengthening of that left-turn lane to
2 accommodate up to ten vehicles and that will be
3 acceptable to handle the 95th percentile queue, which
4 is the design queue value that is required.

5 MR. HEPWORTH: I disagree with you
6 strongly because I drive that all the time and I also
7 know that there is too much flow of traffic certain
8 times of today that ten cars is not going to
9 adequately give you space if people are going over
10 there. You're going to force people to make emergency
11 moves to the right and create incidences.

12 MR. VERDERESE: There is more than
13 that. There is a whole retiming of the intersection.
14 It's a whole package of things that we do. We add
15 lanes. We're lengthening turning lanes. We move time
16 around at the intersection and that optimizes certain
17 movements. We move time to that left turn which was
18 the less before. So we add some time. We add some
19 length to the lane. All of this will be reviewed by
20 the Department of Transportation.

21 MR. HEPWORTH: I honestly --

22 MR. VERDERESE: The capacity analysis
23 will be reviewed by the Department of Transportation.
24 Everything in our traffic study meets their criteria
25 as far as how we did our traffic counts, how we

1 projected new traffic, how we analyze the
2 intersection. All of that is put in. There's complex
3 computer models uses. All that is placed in there and
4 that's what we have to do and we have to show that
5 we're able to accommodate any impact from our project.

6 MR. HEPWORTH: If you put one tractor
7 trailer into that U-turn trying to either go into
8 Fisher Scientific or trying to do U-turn so they can
9 deliver fuel to the Wawa, if you are going to deliver
10 goods to the Wawa or if it's a tractor trailer trying
11 to go around for fuel for some reason to go over
12 there, one tractor trailer is going to eliminate four
13 of those alleged spots. I've been there. I do this
14 every morning. All right. I do it everyday.

15 CHAIRMAN: Point taken.

16 MR. HEPWORTH: Ten spots is not going
17 to be sufficient. I'm tell you that you have to drive
18 it to understand it.

19 MR. PRIME: We did testify to all the
20 truck turning templates on how the trucks will get in
21 and out of that site.

22 MR. HEPWORTH: I'm talking about going
23 down south and you have to turn around there. If you
24 put two tractor trailers you are putting everybody
25 who's coming up 202 going down the southbound side in

1 jeopardy because there is not going to be enough space
2 for people to go around them to continue on the
3 southbound side.

4 MR. COLLINS: You're making these
5 statements and you have to make them questions and the
6 plan shows the improvement. Maybe, you should ask the
7 witness to explain to you the changes being made to
8 the intersection on that drawing and why don't you go
9 over there together and go over this because you're
10 sort of speaking --

11 MR. HEPWORTH: You're right. I
12 apologize because I'm passionate about it. I
13 apologize, but I'm just asking the question.

14 MR. COLLINS: Take the time to let him
15 explain to you the changes to the existing conditions
16 and his proposed --

17 MR. VERDERESE: You can see on the plan
18 there is two different color pavement. There is a
19 light grey and dark grey. Dark grey represents new
20 pavement. The light grey on the left-turn lane,
21 you're talking about, so to orient everyone you're
22 talking about southbound 202. I'm following it with
23 my laser pointer. All of the grey pavement starting
24 from about short distance from the intersection will
25 be all new pavement to extend the lane and the

1 transition into the lane because that's substandard,
2 as well now. So we're extending that lane
3 significantly, doubling the length of the lane to
4 accommodate our project, our truck traffic, automobile
5 traffic and existing traffic that's going to Fisher.

6 MR. HEPWORTH: This is the existing
7 light.

8 MR. VERDERESE: Correct.

9 MR. HEPWORTH: This is what's existing
10 right now.

11 MR. VERDERESE: Yes.

12 MR. HEPWORTH: Are you going all the
13 way back there.

14 MR. VERDERESE: To the end of your
15 finger is the transition.

16 MR. HEPWORTH: That cut out so people
17 can come out that's a little more than ten.

18 MR. VERDERESE: There is a full width
19 of 12 feet up to 250 and it's a transition where it
20 goes from 12 feet down to zero. So essentially, cars
21 can get in the piece that's, maybe, not 9 or 10 feet
22 wide, but the full width weight of the lane from the
23 stop bar to the full width is 250 and it's about
24 200-foot transition.

25 MR. HEPWORTH: Honestly, I think back

1 here would be little bit safer. I understand what
2 you're talking about, but it's much space because once
3 they reach that hill when they reach the apex of the
4 hill coming up here, they are going down here. They
5 are racing their butts off and any kind of impedence
6 at this point in time is going to cause some issue.

7 MR. VERDERESE: What we're doing here
8 if you've driven into that lane it has a very short
9 transition. So you're driving in the left through
10 lane and you immediately have to jump over to the left
11 to get into the lane. We've provided a properly
12 designed transition where you can go from 50 miles per
13 hour, slow down to a stop within the lane within that
14 transit area.

15 MR. HEPWORTH: Where I'm trying to get
16 out and it takes us sometimes quite a bit of time to
17 get out of Edgewood Terrace on here and we had an
18 unfortunate incident a number of years ago where a
19 gentleman sitting here trying to pull out and a
20 distracted driver coming up the hill didn't realize
21 traffic had stopped all the way from this traffic
22 light that you're talking about. What's the distance
23 from your traffic light to Edgewood Terrace where all
24 of a sudden it's stopped and a young girl coming over
25 here, lost control of her vehicle took out a signal

1 ahead sign. She hit off a telephone pole right at the
2 base, took out the Edgewood Terrace sign and hit the
3 gentleman on a motorcycle and killed him instantly.
4 Those are the types of things that we see all the time
5 where we're trying to pull out here. We're sitting in
6 the car and we're watching people racing up here and
7 changing lanes and do all kinds of silly things and it
8 didn't matter whether this gentleman was on a
9 motorcycle, in a pickup truck or in a car. The way
10 this girl lost control of the vehicle, whoever was
11 sitting there would have been deceased.

12 So my concern is how are we going to be
13 able to just make sure that if this thing over here
14 starts backing up, the left-hand lane starts backing
15 up here. Then people all of a sudden start doing
16 crazy shit and we wind up have an incident where
17 somebody is just sitting there trying get off of our
18 street and off 202 and we're faced with an incident.
19 You don't want it to happen to anybody your family.
20 The gentleman's family that that happened to, I'm sure
21 never imagined something like that would happen to
22 him. He wasn't even driving on his motorcycle. He's
23 sitting dead still waiting to pull onto 202. Those
24 are the kinds of concerns that we have here and those
25 are still the kinds of concerns that we have people on

1 Edgewood Terrace and Charlotte Drive have. People are
2 doing careless and reckless things because they are
3 trying to do all kinds of stuff that we could be faced
4 with something like that. We're looking at making
5 both sides of this --

6 CHAIRMAN: Good points.

7 MR. HEPWORTH: I'm done. I apologize
8 for preaching, but I need to thank you for allowing me
9 to make my point.

10 CHAIRMAN: I guess one of the questions
11 on that is the length of that left turn run up, which
12 I think we can probably think more about because
13 there's room there to actually extend that.

14 MR. VERDERESE: We designed it to the
15 maximum peak hour queue. That's how the developer
16 would design to that's how the Department of
17 Transportation would design it. You don't over design
18 it just for the sake of over designing.

19 CHAIRMAN: No, you do it for the sake
20 of the amount and idiosyncrasies of the traffic in a
21 particular area.

22 MR. VERDERESE: That's why we designed
23 it to the 95th percentile queue, which accommodates
24 it.

25 CHAIRMAN: Ma'am, your name and

1 address?

2 MS. LYNN BARNES: Lynn Barnes, 38

3 Charlotte Drive. I have a similar question for the

4 Charlotte Drive side. I was kind of happy to hear you

5 use that 22, Davenport to Bridge example. I happen to

6 drive up on Bridge Street and try to make that right

7 turn onto 22 almost everyday. They just recently in

8 the past year or less finally added an access lane at

9 the end of 22 like that goes in front of the Wendy's

10 and Kentucky Fried. Before that because of all those

11 driveways in that short area, I could easily wait 10

12 or even 15 minutes out to 22. It was ridiculous and

13 we're already approaching that point at Charlotte

14 Drive without this development. We wait for the light

15 and that's the only way we can get out of Charlotte

16 Drive now and I haven't heard anything. So for about

17 providing an access lane for Charlotte Drive and I was

18 wondering if that's being considered.

19 MR. VERDERESE: Two things. I want to

20 go back to North Bridge since we got on that subject

21 again. That's on a section of Route 22 that doesn't

22 have traffic signals along it. So it's, basically, a

23 much more limited-type highway. It doesn't have

24 traffic stopping like it does have traffic signals

25 here in this situation. So one of the points, I

1 thought it brought it up last time, but if I didn't,

2 I'll bring it up now with the new project and the way

3 that we're redesigning the intersection if you're

4 sitting at Charlotte now, you essentially don't get a

5 break in the traffic stream. Either northbound

6 traffic is going or traffic is making a left out of

7 Wegmans.

8 Now with our project we have a phase

9 now for Fisher Place. So there is 12 seconds.

10 Actually, 18 to 20 seconds of time where you're not

11 going to have northbound traffic going or people

12 coming out of Wegmans. The only people that will in

13 fill here is our smaller development, which is

14 one-tenth the size of the Wegmans. So it will be lot

15 less traffic during that 20 seconds that you can exit

16 and that happens about once every two to

17 two-and-a-half minutes. The signal will go red and

18 you'll essentially have 18 to 20 seconds where you're

19 only sharing traffic with our project and we only send

20 about 100 people or so in that section an hour. So it

21 will be a lot of gaps in the traffic stream during

22 that time period until northbound traffic is to

23 allowed to go again.

24 MS. LYNN BARNES: 100 people an hour is

25 almost two a minute. That sounds like it's going to

1 fill up our small gap to get out of Charlotte Drive.

2 MR. VERDERESE: Over an hour three

3 cycles, let's say conservatively 20 cycles. So we put

4 five cars on the road each cycle. So five cars on the

5 road within 20 seconds, you're only going to have to

6 contend with versus 2000 cars in the other 120

7 seconds. So there is a lot more during that in a very

8 small amount and that's not unavailable to you now

9 because that phase signal isn't there. So really is

10 almost -- it really isn't something that we were

11 trying to do, but it's something that was a result of

12 the change we made or planning to make here at the

13 intersection. So there are going to be more gaps in

14 the traffic stream in the future condition of

15 Charlotte Drive than there are now.

16 MS. LYNN BARNES: I'm sorry. I'm not

17 convinced I have five cars pulling out in 20 seconds

18 does not sound like a gap for Charlotte Drive.

19 MR. VERDERESE: It's a difficult

20 concept to understand and we were at the zoning board

21 initially with this project and I had discussions with

22 some of the members of the public and you might have

23 been one of them after the meeting and I tried and

24 tried to explain how that's going to work and unless

25 you really understand how a traffic signal operates,

1 maybe, it's not something I could get across by just

2 explaining at this point.

3 MS. LYNN BARNES: If it were all for

4 the traffic signal, we would appreciate the gap and we

5 would be able to get out better than we do now. But

6 because of those extra two driveways, that gap is

7 going to be filled at five gaps in a 20 second gap

8 when you think about how those pull out with the

9 spacing to pull up, stop, look, safely pull out, only

10 three or four out of those five get out in that gap

11 and then we're still held captive on Charlotte Drive.

12 CHAIRMAN: Excuse me one moment. Our

13 traffic engineer has a comment.

14 MR. HULT: I've sat where Mr. Verderese

15 is sitting trying to explain the same technical item

16 and I'm wondering if potentially what could be

17 considered if you did a simulation model for that

18 segment of 22 and that would actually demonstrate the

19 gap where instead of reading levels of service letters

20 and numbers of seconds delay, we could actually show

21 how the traffic would flow along that section of 202

22 and you would actually see when the traffic is

23 stopping on the 202 main line and releasing the Fisher

24 Place traffic and seeing how that volume of traffic

25 during that signal phase is lessened and provides more

1 gaps for you to turn and make your right turn out of
2 Charlotte Drive. So I would recommend, maybe, to the
3 board to consider requesting this simulation model,
4 which should be able to be conducted essentially with
5 the data that the applicant has.

6 MR. LYNN BARNES: That would be
7 appreciated because we already have a terrible time
8 pulling out of Charlotte Drive as it is and it sounds
9 like it's going to get worse. So thank you.

10 COUNCILWOMAN ROSE: With the phasing of
11 that light, if it turns out that the worst-case
12 scenario comes true, do you not have the opportunity
13 to change the phasing on the light to platoon the
14 traffic better, if indeed what we predicted happens.

15 MR. VERDERESE: The Department of
16 Transportation about a year-and-a-half ago changed the
17 whole corridor they created a new platooning where it
18 prioritizes the highway. That's what their main goal
19 always is. What we've essentially done here is kind
20 of pushed it back in the other direction a little to
21 give some time to the side street and when you give
22 time to the side street, it creates gaps on the main
23 line.

24 So in essence, we're doing what you're
25 asking already just because we're adding this phase

1 and I can tell you just -- I've watched this video. I
2 have a simulation model in the office of this corridor
3 and I can see how the same thing happens with the
4 driveways that we're proposing. They essentially wait
5 for the signal to turn red and the exit just like
6 every other driveway along this stretch and Charlotte
7 Drive, as well and what Charlotte Drive is going to
8 get is 20 more seconds of opportunity where there's
9 going to be a lot less traffic on the road. It's
10 going to be a significant benefit.

11 MR. FRANCO: Just so I get an
12 understanding, the 100 cars per hour, that's not
13 strictly at the signal light, that's including the
14 other driveways?

15 MR. VERDERESE: Yes.

16 MR. FRANCO: So you could have 50 at
17 the light and the rest of them distributed with the
18 other three exits?

19 MR. VERDERESE: Give me one second.
20 I'm going to find that.

21 MR. FRANCO: The other part to that,
22 too, is those three driveways have a benefit of an
23 acceleration lane that should get them out and that
24 kind of takes me back to Chairman's point about having
25 ingress into the site and taking you back to the

1 traffic light. Because I do understand part of the
2 dilemma that Wegmans has. I don't know if it's being
3 addressed on this, the stores on the northern part of
4 the site have limited access because everyone has to
5 come all the way to the traffic light to get back to
6 where Olive Garden is and they don't do well and it
7 looks like you're addressing that on this side. I
8 don't know if that's part of something.

9 MR. VERDERESE: The Olive Garden that's
10 one of the improvement we're making. Olive Garden
11 sits on this east side. Right now you have to
12 continue to the signal, come down and around. We're
13 proposing to have a new entrance lane here which will
14 take -- what we're essentially -- what we were
15 initially trying to do, maybe selfishly, initially was
16 we -- there is a lot of traffic on the highway. So we
17 needed to do everything we could to assist this new
18 traffic signal in order to get a new signal phase on
19 Fisher.

20 So we needed time. So in order to get
21 time we had to take it from some of the other
22 movements. When you take it from some of the other
23 movements you're going to degrade the operation of
24 those movements. What we did was, by providing these
25 two outlets, the inbound and outbound on the Wegmans

1 side it eliminates a lot of volume that goes through
2 the intersection now so we don't have to process them
3 through the intersection. So all the people that were
4 traveling in the west direction southbound on 202 that
5 used to come up here and turn in that, maybe, wanted
6 to use something on the east side can now outlet or
7 exit to the center, not have to come all the way to
8 the intersection.

9 Same thing goes for somebody exiting
10 Town Center making a right we have a new right-turn
11 out past the traffic signal that they'll be able to
12 travel in the southbound west direction. So exactly
13 what you said is what came out of us trying to improve
14 the intersection. It became a benefit to the shopping
15 center across the street at the same time.

16 CHAIRMAN: That's actually funneling
17 the traffic away from the intersection and try to
18 lower.

19 MR. VERDERESE: Yes, again, because the
20 Department of Transportation came along and
21 prioritized the highway to the detriment of the side
22 streets. A lot of properties or public streets on the
23 side streets ended up with longer queues and longer
24 delays and particularly a private driveway such as
25 this, they don't give as much -- they are more looking

1 for the public roadways to benefit the public
2 roadways. That being a private roadway, they don't
3 give it as much a high scale of trying to accommodate
4 their traffic.

5 CHAIRMAN: What's the timing that
6 you'll before the state roughly assuming?

7 MR. VERDERESE: We're hoping to get
8 something positive out of this. So if we get a
9 positive result here, we will then go with any changes
10 that come out of this to the Department of
11 Transportation.

12 CHAIRMAN: How long does it take from
13 the time you go to them to actually have a hearing?

14 MR. VERDERESE: I wish it took a year,
15 but usually seems to take a year-and-a-half, two
16 years.

17 MR. PRIME: With a project with this
18 many improvements, it will take a while.

19 CHAIRMAN: Does the township get
20 notified of when that happens?

21 MR. VERDERESE: When we make our
22 submission, we submit to the town as well. In this
23 process, you can tell us who you want that to be.
24 Normally, it just goes to the clerk, which may get
25 lost. We could send it to Scarlett.

1 CHAIRMAN: It's an area that has a lot
2 of attention and clearly, it's not up to one applicant
3 to fix all the ills of this highway, but we certainly
4 don't want to make it worse than we have to.

5 MR. HULT: Mr. Chairman, in our review
6 letter we had indicated that the township made want a
7 copy to go directly to us to make sure that we know
8 it's been submitted to the state.

9 CHAIRMAN: Good.

10 MR. VERDERESE: Maybe to make the board
11 feel a little more comfortable, our neighbor across
12 the street who is going to be an applicant in our
13 submission to DOT, they have a traffic engineer, as
14 well that we've been coordinating with. So there is
15 another level of person making sure that they don't
16 get the short end of the stick on the other side of
17 the street. So you're looking out for the town. The
18 DOT is looking out. We have a neighbor across the
19 street. So there are a lot of people reviewing this.

20 COUNCILWOMAN ROSE: In terms of the
21 timing of all of this, you will not know from the
22 Department of Transportation whether or not you can do
23 this for two years?

24 MR. VERDERESE: We won't have final
25 signoff plans and ready to construct. We'll know

1 after the first review, which is supposed to be in
2 about three months. Our submission date, let's say,
3 six months from the time that we finish up here with
4 the board that we would know what their position is on
5 driveways and improvements, et cetera.

6 MR. PRIME: What's critical time wise
7 is this board's decision because if this board
8 approves the project, we know DOT will approve the
9 project in some fashion. They may not improvement the
10 number of driveways they may make modifications to the
11 light, which may make us have to come back here, but
12 we will get an approval. This approval allows the
13 developer to do a lot of things, purchase the
14 property, get other information that they needed to
15 finance that that time delay can also be used to do
16 other things that the developer needs to be done.

17 MS. LYNN BARNES: My original question
18 was about that access lane off Charlotte Drive and
19 that was all good information. Thank you, but
20 somebody made the comments about those second and
21 third non-metered entrance/exits out of the complex
22 would have access lanes, which means they have time to
23 pull out and get up to speed and please keep in mind
24 Charlotte Drive we're pulling out from a standstill
25 into a lane of traffic as it is. So we do need a

1 bigger gap than somebody who has an access lane.

2 MR. VERDERESE: Just to clear that up,
3 they don't all have a lane. The last driveway is in
4 the area where the lane is disappearing. So it's not
5 one for that. Just for clarification purposes.

6 CHAIRMAN: Thank you. Next? Further
7 questions of this witness? Your name and address,
8 please?

9 MS. SEMPLE: I have not been sworn yet.
10 My name is Maria Semple, S-E-M-P-L-E and I reside at
11 18 Charlotte.

12 - - -
13 MARIA SEMPLE, after having been
14 first duly sworn, testified as follows:

15 - - -
16 MS. SEMPLE: I have additional
17 questions about the new lane across the frontage, that
18 acceleration lane. I, too, have a lot of concerns
19 about it coming to us entering the highway and also,
20 exiting the highway. Will we lose the shoulder that
21 is currently there now once you put that lane in?
22 Will there be any shoulder as it exists now?

23 MR. VERDERESE: No, it's well before.
24 So on this exhibit all the way on the left end is
25 Charlotte. The end of our improvement is essentially

1 where the development portion of the site ends. So
2 there's about 400 feet. So the shoulder stays.

3 MS. SEMPLE: The acceleration lane ends
4 and it's 600 feet where they have to get merged onto
5 the two-lane highway that exists now; is that correct?

6 MR. VERDERESE: It's called an
7 auxiliary lane. So you can go through the traffic
8 signal at it. You can slow down. You can speed up.
9 So it will have acceleration/deceleration and it will
10 carry some through traffic through. I don't want to
11 call it an acceleration lane because it has a few
12 functions. It's an auxiliary lane. So it's a lane at
13 that location. So from this signal we have 1170 feet
14 from the stop bar. If you're traveling northbound 202
15 or to the east 1170 feet where it's at it's full
16 width, which comes up to about the location of the
17 last driveway the easterly most driveway and there is
18 a 300-foot taper where it goes from the full width of
19 the lane back to where it's existing, about ten foot
20 or so shoulder and that's about 400-plus feet from
21 Charlotte Drive. So it will be 400 feet of shoulder
22 at that ten-foot width.

23 MS. SEMPLE: Also, some additional
24 question about the U-turn heading southbound that is
25 currently being lengthened. So I do have a lot of

1 concerns about our ability to continue to make that
2 left because currently, I have been in situations
3 where I've really felt like I was going to be
4 rear-ended there.

5 Also, I'm concerned with our ability to
6 turn off onto Charlotte Drive with the current plans.
7 Exactly one month ago tonight. I was in a very bad
8 car accident on Route 202. I was stopped and I was
9 rear-ended. This is what my car liked like.
10 Completely totalled. I was stopped on Route 202. I'm
11 lucky to be here tonight and to be standing amongst my
12 Charlotte Drive neighbors. My husband is lucky to be
13 alive. If we had anybody in the backseat of the car,
14 we were told by police and fire department they would
15 be dead. I'm very thankful my children were not in the
16 backseat of that car. So I have a lot of concern. I
17 always thought I would get rear-ended on 202 and it
18 happened one month ago. Thank you.

19 CHAIRMAN: Thank you. Additional
20 questions? State your name and address.

21 MS. BODINO: Angela Bodino, 21 Deer Run
22 Drive, Bridgewater. Right off Meadow Road and I have
23 not sworn to this particular issue. I was involved at
24 the Quick Check. Not this one.

25 MR. COLLINS: You weren't sworn at the

1 last meeting on this case?

2 MS. BODINO: No, this is my first
3 meeting on this.

4 - - -
5 ANGELA BODINO, after having been
6 first duly sworn, testified as follows:

7 - - -
8 MR. COLLINS: Could you spell your last
9 name?

10 MS. BODINO: B-O-D-I-N-O.

11 CHAIRMAN: Your specific question for
12 this witness?

13 MS. BODINO: I've lived in Bridgewater
14 since 1968 and what I'm seeing recently --

15 CHAIRMAN: Do you have a question?

16 MS. BODINO: I do. A tremendous
17 increase in traffic and potential for accidents and
18 even before I heard this testimony I wanted to ask has
19 there been a study of the number of accidents in this
20 area between, say, 2012 and 2016 because I know where
21 I live we've had more and more accidents in this
22 period of time and are we really protecting the
23 quality of life that we've treasured and valued in
24 Bridgewater? I'm worried that it's really being
25 undermined, especially given the potential for

1 accidents and need for acceleration and so on. That's
2 my question. Have we done a traffic study to really
3 understand how this region has changed?

4 CHAIRMAN: If I may, I think that's a
5 great comment and question and concern. It's probably
6 more appropriately directed to the township council
7 opposed to this application. I think you can answer
8 in terms of what you looked at in terms of this
9 particular stretch of the roadway, but your broader
10 question is probably best asked there.

11 MR. VERDERESE: As far as accidents, we
12 didn't study any particular accidents in the corridor.
13 What we did is we analyzed traffic volumes, operation
14 of driveways and intersections. There's upgrades
15 required. As I said earlier, we're lengthening
16 left-turn lanes and the transitions into the left-turn
17 lanes to meet current standards. A lot of the design
18 elements on this highway does not meet current design
19 standards. So we're updating that. We're updating
20 some of the operation of the intersection adding
21 pedestrian accommodations at the intersection. Those
22 are safety improvements, as well that are required by
23 the Department of Transportation.

24 MS. BODINO: We have design elements
25 and we have human behavior and that stop and start is

1 deadly. It really is treacherous. So that's it.
 2 That's what I have to say. Thank you.
 3 CHAIRMAN: Thank you. Yes, state your
 4 name address.
 5 MR. HORVATH: My name is Tom Horvath,
 6 15 Charlotte Drive for the last 66 years and I have
 7 not been sworn in.
 8 - - -
 9 T O M H O R V A T H, after having been
 10 first duly sworn, testified as follows:
 11 - - -
 12 MR. COLLINS: Please spell your last
 13 name.
 14 MR. HORVATH: H-O-R-V-A-T-H.
 15 CHAIRMAN: Your question, sir?
 16 MR. HORVATH: My concerns are with the
 17 changes that you are going to put in three driveways.
 18 It's not so much for this time of the year because
 19 everybody is looking at it the current time of summer,
 20 but wintertime when the residents of Charlotte Drive
 21 have to get out, one of the things they have to
 22 contend with is the state pushing snow into their
 23 entrances and exits. So we're going to need more time
 24 and by putting in three driveways that's going to make
 25 it a lot tougher for us to get out because we have to

1 deal with this. If you add one driveway that would be
 2 fine, but with two driveways or two entrances to
 3 Charlotte Drive it makes it a lot tougher for us as
 4 residents.
 5 And my second point would be -- excuse
 6 me. I just got a mental block on that one, but the
 7 second point is with that lane that they were talking
 8 about, the third lane. I couldn't see that becoming a
 9 lane for people that are going into Johnson & Johnson
 10 because we do encounter that now and also people that
 11 will be passing say the slower traffic on the second
 12 lane and again, if you do approve this, I hope you
 13 take into things like that for the safety of the
 14 residents. Thank you.
 15 CHAIRMAN: Thank you.
 16 MR. VERDERESE: I don't know if that
 17 was a question, but the first point of number of
 18 driveways, having multiple driveways is not a negative
 19 to Charlotte. What it actually is going to do is
 20 spread out the traffic that exits the site. If
 21 everyone came out of one location as soon as our
 22 signal turned green, every car would pour out of there
 23 at the exact same time and there will be no gap in the
 24 traffic stream at all because they would all be
 25 following each other. Just like they do on 202 coming

1 out of Wegmans. So having the one driveway is
 2 actually going to reduce the gap because everyone is
 3 going to be following each other where they're spread
 4 out in three driveways they are going to be already
 5 separated from each other. So it's natural gaps
 6 between those cars.
 7 CHAIRMAN: Please State your name and
 8 address.
 9 MR. STERLACCI: Dennis Sterlacci, 737
 10 Highway 202. What percentage of lack of congestion
 11 that you think those two accesses to where Olive
 12 Garden is and where Wegmans going out is? What
 13 percentage of traffic do you think is going to
 14 eliminate that from that intersection that we're
 15 talking about? I think it's a great idea to do that,
 16 though.
 17 MR. VERDERESE: I couldn't say the
 18 exact percentage. I can get that number while we're
 19 talking, if you have a couple other questions.
 20 MR. STERLACCI: I've been driving that
 21 road since I was 17, 50 years. Whatever you're
 22 proposing, I think it's some good exceptions to the
 23 danger that it poses at this point in time to that
 24 intersection and that whole series of houses coming
 25 out onto the highway.

1 MR. VERDERESE: I got the number of the
 2 traffic coming and making the right-turn in we
 3 rerouted about 40 percent of that traffic into the
 4 first driveway from the traffic signal.
 5 CHAIRMAN: So 40 percent of the current
 6 traffic that goes down to Town Center Road that makes
 7 a right will now exit at that --
 8 MR. VERDERESE: 40 percent of what used
 9 to go into the signal moved back to the other
 10 driveway. There's also volume that goes into the next
 11 driveway. We haven't touched any of that. We assume
 12 they already want to go there. They want to go to
 13 Wegmans.
 14 CHAIRMAN: How about exiting from
 15 Wegmans all the way to that improvement?
 16 MR. VERDERESE: We estimated 30 percent
 17 of the rights out. Again, 30 percent of the rights
 18 out of the signal we approximated will be a right turn
 19 out at the unsignalized intersection by Wegmans.
 20 CHAIRMAN: Thank you. Next question?
 21 Any questions? State your name and address.
 22 MS. SZYMANOWSKA: Agnes Szymanowska, 47
 23 Charlotte Drive.
 24 CHAIRMAN: Were you already sworn in.
 25 MS. SZYMANOWSKA: Yes, I was.

1 MR. COLLINS: Could you just spell your
2 last name? I'm sorry.
3 MS. SZYMANOWSKI: S-Z-Y-M-A-N-O-W-S-K-A.
4 I have a question. Is Wegmans onboard with the change
5 of the intersection?
6 MR. PRIME: They have to be part of the
7 DOT application.
8 MS. SZYMANOWSKA: So they signed off on
9 all of the approvals and everything on their side?
10 MR. PRIME: I don't know if they have
11 yet, but they have to before DOT can approve the
12 project.
13 MS. SZYMANOWSKA: When you stated it
14 was 100 cars per hour, does that number include the
15 number of visitors for the buildings A, B and C, which
16 are currently not occupied?
17 MR. VERDERESE: It would be the whole
18 entire development if it were occupied.
19 MS. SZYMANOWSKA: Do you have a number
20 of visitors in your mind for these buildings?
21 MR. VERDERESE: Yes.
22 MS. SZYMANOWSKA: For the three
23 entrances or exits from the development, I hear
24 numerous times concern about the exit traffic light
25 going out from Wegmans. How about the safety of

1 Charlotte Drive residents and people trying to exit
2 out of Charlotte Drive, how is that going to improve
3 our traffic pattern?
4 MR. PRIME: He testified to that.
5 CHAIRMAN: You can summarize that one
6 more time.
7 MS. SZYMANOWSKA: I guess my
8 understanding was that I did not hear any
9 improvements.
10 MR. VERDERESE: Where the improvement
11 is going to occur is Fisher Place will now have a
12 green traffic signal when no traffic will be traveling
13 northbound 202 or making a left out of Wegmans and
14 that's where the heavy volume comes from. The
15 lightest volume will come out of Fisher making a right
16 or come out of one of the driveways. So there is 20
17 seconds of time for every cycle. So it's 20 seconds
18 out of about 150 or 160 seconds that no traffic will
19 be traveling north or making a left out of Wegmans.
20 It will only be traffic associated with our site,
21 which is a lot less than that volume. So the number
22 of vehicles per opinion is a lot lower. So during
23 that 20 seconds you're only to encounter the people
24 coming out of our property or off of Fisher
25 Scientific.

1 MR. PRIME: The present plan that would
2 be split up between the three driveways?
3 MR. VERDERESE: Yes.
4 MS. SZYMANOWSKA: You said it's too
5 early for comments?
6 CHAIRMAN: Yes. General comments after
7 all of the witnesses and people come up and ask him.
8 Then we open the floor for general comments. The
9 board would make a general comment if they'd like and
10 any member of the public can come up.
11 MS. SZYMANOWSKA: Thank you.
12 MS. SHARON BARNES: Sharon Barnes, 38
13 Charlotte Drive. I know you think this whole room is
14 dimwitted and can't possibly understand what you're
15 talking about.
16 MR. PRIME: No, we don't.
17 MS. SHARON BARNES: But let me give it
18 a try. What is the number of cars that you have in
19 your study coming out of driveways two and three at
20 rush hour?
21 MR. VERDERESE: Which driveways?
22 MS. SHARON BARNES: Two and three.
23 MR. VERDERESE: So the highest volume
24 coming out of that driveway in the p.m. peak hour, the
25 first driveway in the hour would be 33 and the next

1 one is 32. The next one is 34.
2 MS. SHARON BARNES: So the first one
3 though has the light so --
4 MR. VERDERESE: I was going the
5 opposite direction. I'm starting from your end,
6 Charlotte Drive end, working my back towards the
7 signal.
8 MS. SHARON BARNES: My concern isn't
9 the light because the way we have it now, as long as
10 you're patient, you wait your turn, you get a break
11 and so, you know, it's a long wait, but you get your
12 break and it's a safe break.
13 The way you're having the extra
14 driveways, your math doesn't quite add up because
15 there is still going to be 33 and 32 or whatever 34,
16 32, 60 cars in an hour that are coming out. That's
17 totally separate from the light so and then my
18 question is, is there anything that prevents the
19 people from going behind like that Fisher Place and
20 cutting through the parking lots and coming out
21 driveways two and three closer to Charlotte Drive
22 because you know human nature. You have a long line
23 of people coming out of a Wawa. They don't want to
24 wait at the light. So what they're going to do is cut
25 through the parking lot and come out higher. So they

1 don't have to wait for the light. Is there
2 anything that prevents cars from cutting through to
3 beat the light to up that 60, which is already too
4 many to get out of Charlotte Drive, but then that's
5 going to up it. Is there anything that prevents them
6 from cutting through?

7 MR. VERDERESE: I don't know that I
8 quite understood your question. I apologize.

9 MS. SHARON BARNES: Human nature is you
10 don't want to wait at the light. You're on your way
11 to work. You stop into Wawa. Have you been on that
12 road at rush hour?

13 MR. VERDERESE: Yes.

14 MS. SHARON BARNES: So, you know, it's
15 backed up all the way to Milltown Road. So you cut
16 in. You have to make up for time because you got your
17 coffee. Now you don't want to wait for your turn
18 coming out of the light. So what will keep people
19 from going behind Fisher Place and coming out
20 driveways two and three to avoid the light?

21 MR. VERDERESE: Doesn't matter which
22 driveway you come out. You're going to be waiting for
23 the signal to change. Just like you do at Charlotte.
24 So if I'm at driveway one, two or three on this plan,
25 I'm going to wait for that 20 second gap in the

1 traffic and then I'm going to exit.

2 MS. SHARON BARNES: You're not getting
3 it.

4 MR. VERDERESE: Doesn't matter what
5 driveway you're at, whether you're at the one on the
6 east end, the middle or the Wawa one. All of those
7 have to wait or enter into the traffic stream.

8 MS. SHARON BARNES: But they are all
9 coming out before Charlotte Drive.

10 MR. VERDERESE: Yes.

11 MS. SHARON BARNES: So where does
12 Charlotte Drive, where do they get their break because
13 the light -- the people are coming out.

14 AUDIENCE MEMBER: (Inaudible)

15 CHAIRMAN: If you have a comment,
16 please wait your turn and we'll give you an
17 opportunity.

18 MS. SHARON BARNES: You may not be
19 understanding what I'm saying. Like you said, we need
20 the little toy cars that come out. So you have 66 toy
21 cars coming out between driveway two and three on that
22 acceleration lane, auxiliary lane at the same time
23 that other people are waiting for the light. People
24 are waiting at the light while 66 cars are coming out
25 right? Well, it's in an hour still, but when you're

1 talking seconds.

2 MR. VERDERESE: I'm going to explain.
3 We have 20 seconds and we have 100 cars fill it, so
4 there's 20 second in the cycle. The cycle is 170
5 seconds long. 20 of it only 100 cars will be heading
6 in your direction. The other 150 seconds will be 2500
7 cars. So when you do the math there, we will have one
8 car. Of 100 to 20 seconds and they'll have 2500 to
9 150 seconds. So if you did the math and you said our
10 100 is to 20 and there 2500 is to 150, so if we
11 equaled those out and said we have 150 seconds, it
12 would be about seven times the time is how much the
13 other one has. So we'd have 700 cars and then they
14 have 2500 cars. So we have a third of the traffic
15 that they have coming in that direction at that time.
16 So there is going to be a lot less traffic driving by
17 you during 20 seconds that you can enter the traffic
18 stream because it's one third the intensity of traffic
19 during that 20 seconds than it's during 150 seconds.

20 MS. SHARON BARNES: Right now, we have
21 zero cars during that period.

22 MR. VERDERESE: Right now you have 150
23 seconds where all 2500 cars are coming. We've
24 lessened the intensity during 20 seconds of it. So
25 you can get out. We've stopped the traffic and given

1 you 20 seconds.

2 MS. SHARON BARNES: Reality is
3 different because you have everybody stops at a light.
4 It takes them a little bit of time to start up again.
5 So Charlotte Drive has more time to get out. If
6 people have an acceleration lane and they don't have a
7 light coming out of those driveways two and three
8 closer to Charlotte Drive, they are going to be
9 zooming out of there without that stance -- you know,
10 without a light and it's not going to be a designated
11 timeframe where we have a space to get out.

12 MR. VERDERESE: What you see right now,
13 when you have those gaps, that's when the signal is
14 red during all approaches. It's still going to be red
15 on all the approaches during those little seven
16 seconds of red time where 202 went, they stopped
17 before anyone came out of Wegmans you're still getting
18 that gap. So you're going to see those.

19 MS. SHARON BARNES: You're going to
20 prevent people from coming out of driveways two and
21 three.

22 MR. VERDERESE: What you're going to
23 see is during 150 seconds, it's going to be more
24 concentrated. During the 20 seconds, it's going to be
25 less concentrated. When the 20 seconds you're going

1 to get an opportunity that you don't have today.

2 MS. SHARON BARNES: How long does it
3 take to get out of a road that you stopped out, to get
4 out and clear so that you are in this flow of traffic,
5 how many seconds does Charlotte Drive need to get out
6 of their driveway safely.

7 MR. VERDERESE: First six seconds or
8 so. The second car follows up at three. So you get
9 the first two cars out in nine seconds.

10 MS. SHARON BARNES: Let's do one at a
11 time here.

12 MR. VERDERESE: That's the way traffic
13 engineering methodology works. It's the first car and
14 the follow-up car. The first car takes the full time.
15 The second car takes a shorter amount of time because
16 they are able to follow.

17 MS. SHARON BARNES: That's how many
18 seconds?

19 MR. VERDERESE: Six for the first one.
20 Three for the second.

21 MS. SHARON BARNES: How long does it
22 take for the cars coming out of Schwab to get to
23 Charlotte Drive.

24 MR. VERDERESE: Nine seconds plus to
25 accelerate over there. So you have the opportunity to

1 exit in front of him.

2 MS. SHARON BARNES: You have nine
3 seconds before one car -- how many cars are you
4 counting with Schwab because you're going to have
5 quite a few?

6 MR. VERDERESE: It's going to take that
7 car the same nine seconds it takes you to get out.

8 MS. SHARON BARNES: But there is no
9 light. So how do you know?

10 MR. VERDERESE: So after the cars
11 clear, ma'am, it will take them nine seconds to get
12 out. He'll make a right turn out. He'll accelerate.
13 Cars are going 55 miles per hour. He's not going to
14 catch up. He's going to be way behind. It's going to
15 be a gap in the stream.

16 MS. SHARON BARNES: Where's the gap if
17 he doesn't have a light?

18 MR. VERDERESE: The gap occurred at the
19 traffic signal and it created a big space and it was
20 filled with was the 30 cars, the 30 cars and the 30
21 cars.

22 MS. SHARON BARNES: Here's the traffic
23 light. That's going to give you a 150 seconds.
24 Here's driveways two and three. You have nine seconds
25 for that, but there is no light to ever say that there

1 ever is going to be a break. These could be at rush
2 hour you don't realize these are just constantly
3 flowing out. It's not going to be a break because
4 there is no light.

5 MR. VERDERESE: I tried to explain only
6 30 cars come out of there. It's not going to
7 constantly pour out. This isn't the Wegmans Shopping
8 Center with three or 400 cars making a left turn out.
9 You have 30 cars, 30 cars and 30 cars.

10 MS. SHARON BARNES: How do you know
11 it's going to be 30 cars?

12 MR. VERDERESE: Because we project the
13 traffic. I do this much work and I've been doing this
14 for 26 years and we have studies for all these
15 particular uses. We know in general how much traffic
16 it generates and Wawa is one of them and we take that
17 traffic and we put it on the existing traffic stream
18 and we do a pile of analysis. A lot of time and
19 effort goes in here. This is what we do everyday. I
20 understand that you drive roadway and you pull out and
21 it's hard to get out. I'm explaining to you what's
22 going to happen in real life. Fisher Place is going
23 to get green time that's not there now and all the
24 2500 cars are not going to be going only are 100. So
25 those 100 cars, you're going to be like at all this

1 time I get. Now it's one-seventh of the intensity of
2 vehicles.

3 MS. SHARON BARNES: How are you going
4 to stop people from going through here and into here,
5 through here.

6 MR. VERDERESE: It doesn't matter which
7 one. It's a 100 cars coming out making a right. It
8 doesn't matter if they came out of the first driveway,
9 the second or third. Our site has 100 vehicles making
10 a right turn out projected in our traffic study. 100
11 vehicles. That's what the projection is for this
12 project.

13 MS. SHARON BARNES: Have you been on
14 rush hour?

15 MR. VERDERESE: Not the highway the
16 site's traffic has 100 right turns.

17 MS. SHARON BARNES: How many people are
18 going to Wawa in a minute?

19 MR. VERDERESE: There is a whole
20 traffic study. I'm telling you how many are --

21 MS. SHARON BARNES: I just don't get
22 it. I just don't get that it's going less than that.
23 Do you have anyway of controlling people from avoiding
24 this light and coming back through here? That's my
25 big question because you know human nature is they are

1 going to cut through. They are not going to wait at
2 that light.

3 CHAIRMAN: I think one of the things is
4 everyone going into Wawa doesn't have to come out
5 right now the way the application is to that light.
6 Right now the way the application is that light isn't
7 going to be very backed up at all from this. The 100
8 plus cars that go in are going to come out the way
9 they came in and it will be no reason to go out to
10 that light. That would be self-defeating because
11 right now the way the application is, they will come
12 straight out and with that break at the light I think
13 that's what they are saying will give anyone further
14 down the opportunity to pull out that's the
15 assumption.

16 MS. SHARON BARNES: I just don't get it
17 and you do all your studies and I know it's okay for
18 the state, but we're not Woodbridge. We're
19 Bridgewater. We have a standard.

20 CHAIRMAN: Understood your point.
21 Thank you.

22 MS. SHARON BARNES: I need your study
23 to show little cars to see if I'm going to have a
24 break.

25 CHAIRMAN: Anyone else have questions

1 of this particular witness?

2 MS. BAXTER: Renee Baxter, 19 Charlotte
3 Drive.

4 CHAIRMAN: Have you been sworn in?

5 MS. BAXTER: No, I have not.

6 - - -

7 R E N E E B A X T E R, after having
8 been first duly sworn, testified as follows:

9 - - -

10 MR. COLLINS: Please spell your last
11 name.

12 MS. BAXTER: B-A-X-T-E-R. My question
13 is about the testimony that was given about the
14 entrance to Olive Garden you mentioned there would be
15 a new way of entering there. Is there also going to
16 be called a auxiliary lane there, as well or is that
17 going to be existing shoulder?

18 MR. VERDERESE: There is a lane. If
19 you look on the plan, the auxiliary lane starts couple
20 100 feet before the right-turn in. So the transition
21 and the auxiliary lane starts, runs all the way cross
22 and drops into the westerly drive.

23 MS. BAXTER: You said, approximately,
24 40 percent of all the traffic that currently goes to
25 that light to enter the rest of the stores would be

1 now consumed through that entrance?

2 MR. VERDERESE: The right-turn in. So
3 the evening peak hour that's 67 of the cars. On
4 Saturday it's 180 and in the a.m. it's 51.

5 MS. BAXTER: 40 percent of the total
6 cars that could go to the light, make a right into
7 Wegmans we suspect will now enter through that
8 auxiliary entrance near the Olive Garden?

9 MR. VERDERESE: Yes.

10 MS. BAXTER: Thank you.

11 CHAIRMAN: Name and address, please?

12 MS. BENDA: Bernadette Benda, 737

13 Highway 202. I'm happy that it's a smaller mega
14 complex than across the street. I think the design
15 for the highway looks great and if we had to stay on
16 202, it would be a lot easier for us to get out on the
17 highway because we are all at a dead stop. I have to
18 make a U-turn into the -- I have to come out a
19 driveway go into a U-turn and I have all the traffic
20 coming up from Wegmans including the other ten houses
21 up that street dead stop onto that highway. That
22 highway is a nightmare at all hours. Thank you.

23 CHAIRMAN: Thank you. Any other
24 questions of this witness?

25 MR. LABISH: David Labish, L-A-B-I-S-H,

1 718 Highway 202. The deceleration lane to enter this
2 new entrance to the Olive Garden and I feel so bad
3 that Olive Garden is suffering, by the way. But
4 regardless, the deceleration lane is not going to be
5 any longer than it is already?

6 MR. VERDERESE: No, it's an existing
7 lane. At this point it hasn't been submitted to DOT.

8 MR. LABISH: What's the deceleration
9 from highway speed to an entrance?

10 MR. VERDERESE: There is no requirement
11 for acceleration/deceleration.

12 MR. LABISH: Just the suggested length
13 of that deceleration? You would know better than I.

14 MR. VERDERESE: It's there because
15 there is a shoulder. So essentially, it's a
16 deceleration lane the entire length of the highway.

17 MR. LABISH: I took pictures tonight.
18 I feel Yogi Berra-ism. It's déjà vu all over again.
19 I testified when the Wegmans Shopping Center was being
20 built that it would be suicidal for me to get my mail
21 at 1718 Highway 202. It has been near suicidal.
22 Tonight on video and pictures that I can submit to
23 anybody that cares. Six people in the hour area
24 between 4:30 and 5:30 were well over the white line
25 encroaching blocking my driveway. So if I did attempt

1 to get my mail, I might have got clipped. This is not
2 a falsehood. This is a reality. I'm going to tie
3 into the fact that I thought Bridgewater at some point
4 said they were going to do an additional traffic study
5 or was that incorrect or was this just going to be a
6 review of the developer's traffic study. Do you know
7 the answer to that?

8 CHAIRMAN: We have our traffic expert,
9 who reviews what the situation is here and compares it
10 in very much the same way that any other traffic
11 engineer would do and just is a resource for us to
12 make sure that our concerns are answered.

13 MR. LABISH: And it was stated on the
14 record that Bridgewater would be doing their own
15 traffic study. Has that been done yet?

16 CHAIRMAN: Go back and explain what you
17 did in your role.

18 MR. HULT: We've performed a review of
19 the applicant's traffic study and submitted a review
20 letter dated July 11th, which highlights comments on
21 their study that includes items that they need to
22 address based upon our technical review of their
23 study. One of the other items that we note is they
24 still have to make their application to the State DOT,
25 which will include more formal design plans and

1 drawings for the improvements along Highway 202 and we
2 will receive a copy of that and also provide technical
3 comments on that design, as well. For the department
4 to take into consideration as part of their review of
5 their driveway permit application.

6 MR. LABISH: Okay. I guess I made my
7 point. It's on video. I invite anybody to park in my
8 driveway, any rush hour they'd wish to, to see the
9 suicide mission it has turned into. It's incredulous.
10 You're attempting to put ten pounds of potatoes in a
11 five pound bag. That's the bottom line. Can't do it.
12 Potatoes don't fit.

13 CHAIRMAN: Thank you.

14 MS. ESSLER: Brenda Essler, 46
15 Charlotte Drive. What percentage of cars visiting the
16 development will be in addition to the existing
17 traffic that's traveling that corridor now?

18 MR. VERDERESE: What I think you're
19 asking, I want to make sure I answer the right thing.
20 How much is new traffic?

21 MS. ESSLER: I recall when the proposal
22 was just for Wawa that you had testified that 80
23 percent of the traffic would be already on that
24 stretch and 20 percent would be new traffic. So with
25 this additional development, what is that figure now?

1 MR. VERDERESE: I don't think I
2 testified 80 and 20 because the numbers for Wawa is
3 about 65/35. The numbers for the retail in the
4 morning there's no data available. So we say it's all
5 new traffic. In the evening it's about 60 percent is
6 pass by and 40 percent is new. On Saturday it's
7 essentially the reverse. So 60 percent would be new
8 for the retail uses. Everything, other than the Wawa,
9 is lumped into retail and 40 approximate percent is
10 pass by.

11 MS. ESSLER: Does that mean it will be
12 a 60 percent increase of traffic along that stretch?

13 MR. VERDERESE: No, that's the amount
14 of traffic associated with the development that would
15 either be new to the roadway or just traffic driving
16 by. That's not a comparison to how much traffic also
17 already on the road today.

18 MS. ESSLER: So you said 40 percent is
19 drive by and 60 percent is new?

20 MR. VERDERESE: Yes. To answer maybe
21 to help you out on the versus existing traffic. I
22 looked at Charlotte Drive as an instance traffic
23 currently traveling toward Charlotte Drive, so
24 northbound to 202. In the morning there is
25 essentially 2,700 vehicles traveling that stretch.

1 Our project as proposed would generate 27 new
2 vehicles. So about one percent increase. 27 in the
3 hour.

4 In the evening peak hour, same thing
5 traveling northbound. It's about 1,800 vehicles. New
6 traffic from our project is 33 vehicles going in that
7 direction northbound against Charlotte. There's
8 traffic that goes straight across to the other
9 shopping center and traffic that goes south and
10 traffic that's entering from the other directions, but
11 the only traffic that's new driving on Charlotte --
12 most of the people here seem to be Charlotte. So I
13 want to use that as a reference point on Saturday
14 there's 1900 vehicles on northbound 202. We had 44.
15 So about 2.3 percent. So overall about 1.6 percent
16 increase in traffic volumes. The highest being of 44
17 and the Department of Transportation considers 100 new
18 trips, which would be significant where they require
19 you to do further studies. So if there was 100 new
20 cars say at the intersection to the east we would be
21 studying that intersection as well as impact from this
22 project because of the types of uses that are proposed
23 here a lot of traffic, more than half of it during if
24 the peak hours, is drawing from the existing traffic
25 where the smaller percentage is traffic that's new to

1 Route 202.
 2 MS. ESSLER: With considering the
 3 timeframe that the DOT approval process would all of
 4 these traffic pattern changes have to be completed
 5 before the development can be open for business?
 6 MR. VERDERESE: We testified to that
 7 previously.
 8 MR. PRIME: Yes.
 9 MR. VERDERESE: The entire improvement
 10 that we're proposing here would have to be operational
 11 before Wawa opens their doors, including the
 12 improvements on the other side of the street.
 13 MS. ESSLER: Thanks.
 14 CHAIRMAN: Any further questions of
 15 this specific witness?
 16 MR. JESSIE CHANG: My name is Jessie
 17 Chang. I live at 35 Charlotte Drive. I have not been
 18 sworn.
 19 - - -
 20 JESSIE CHANG, after having
 21 been first duly sworn, testified as follows:
 22 - - -
 23 MR. COLLINS: Spell your last name.
 24 MR. JESSIE CHANG: C-H-A-N-G. Your
 25 traffic studies are based off of actual numbers that

1 you have gathered for the past, however whatever time
 2 period, correct?
 3 MR. VERDERESE: Yeah, the existing data
 4 is from 2015.
 5 MR. JESSIE CHANG: 750 Route 202 South,
 6 that large office building within the parking lot of
 7 Wegmans, I worked there for five years and even during
 8 the five years, that office building has been if not
 9 more than 70 percent empty. This is also taking into
 10 account the building that was previously occupied by
 11 Expo, which is currently part of it is only occupied
 12 by Raymour & Flanigan. I understand the rest of that
 13 building is empty. Do any of your studies take into
 14 account when, if and when that office building 750 202
 15 South, the rest of that building where Raymour &
 16 Flanigan is are at maximum capacity?
 17 MR. VERDERESE: We actually discussed
 18 it with our neighbor across the street. It was about
 19 20,000 square feet was an occupied when we did our
 20 traffic study of the retail use the office is a small
 21 generator. It's 40,000 of that was unoccupied.
 22 Essentially, most shopping centers operate at 90
 23 percent occupancy. So we don't go and add ten percent
 24 to every other one. So we're comfortable with those
 25 numbers we've looked at it just to make sure it wasn't

1 doing anything crazy, but you know, it didn't do
 2 anything different than what we were already
 3 representing.
 4 CHAIRMAN: When you say you looked at,
 5 it, you factored in --
 6 MR. VERDERESE: We didn't for the study
 7 that was submitted, but we did factor that in after
 8 the fact when we were discussing with our neighbor if
 9 they occupy their space it was going to create any
 10 issues with their driveway and again, we don't have
 11 final signoff, but we had ongoing discussions. They
 12 seem comfortable with everything we've given them at
 13 this point. Again, we are not going to move forward
 14 if they are not comfortable. So they were comfortable
 15 when we did that analysis to tweak things by a second
 16 or two here or there. In 600,000 square feet shopping
 17 centers, 20,000 square feet of retail space, when you
 18 add that on top of your analysis because there is so
 19 much sharing of traffic in a shopping center it's such
 20 a small percentage of the traffic.
 21 MR. CHANG: Thank you. Good point.
 22 MS. WHEELER: Hi, Laura Wheeler, 22
 23 Charlotte Drive.
 24 MR. COLLINS: Were you sworn
 25 previously?

1 MS. WHEELER: Yes, I have been sworn.
 2 MR. COLLINS: You're still under oath.
 3 MS. WHEELER: The houses from your
 4 retail space that run up to 22 Charlotte Drive, where
 5 I live, what's happening with those houses that are on
 6 the Highway 202 that are impacted by your development?
 7 So there is a few houses there. I'm curious what
 8 would happen to them.
 9 MR. VERDERESE: I think there's only
 10 one looking at this area, looks like there is only one
 11 unit that faces 202 I'm assuming the house on the
 12 corner's driveway is on Charlotte. So looks like
 13 there is one remaining.
 14 MR. COLLINS: The houses that exist on
 15 202/206 are being demolished as part of this
 16 application. That was explained earlier.
 17 MS. WHEELER: Can I assume that your
 18 client has purchased that property?
 19 MR. VERDERESE: That's not on our
 20 property. It's between our property and the first
 21 house on Charlotte.
 22 MR. COLLINS: The properties that are
 23 in front of Fisher Scientific they are all part of
 24 that application. All those lots, except the one he's
 25 showing to you and they are part of the application.

<p style="text-align: right;">Page 150</p> <p>1 That is the land that they are proposing to build on.</p> <p>2 MS. WHEELER: What happens to the</p> <p>3 people who's buying their property from them?</p> <p>4 MR. COLLINS: The applicant is buying</p> <p>5 the property.</p> <p>6 MS. WHEELER: So then, I can then</p> <p>7 assume that the people who have come up here in favor</p> <p>8 of your retail space have something to gain</p> <p>9 financially.</p> <p>10 MR. COLLINS: You can assume that.</p> <p>11 It's part of the application, ma'am.</p> <p>12 MS. WHEELER: We have more to lose</p> <p>13 because our retail value of our homes will decline.</p> <p>14 You're not offering me anything for my house. So I'd</p> <p>15 like that testimony pretty much stricken.</p> <p>16 CHAIRMAN: Everyone has their right to</p> <p>17 testify.</p> <p>18 MS. WHEELER: Right, but I just want it</p> <p>19 to be in perspective.</p> <p>20 CHAIRMAN: Thank you.</p> <p>21 MR. MILLER: Gene Miller, 733 Route 202</p> <p>22 and I haven't been sworn in.</p> <p>23 - - -</p> <p>24 GENE MILLER, after having been</p> <p>25 first duly sworn, testified as follows:</p>	<p style="text-align: right;">Page 152</p> <p>1 for you to make a statement at the end. Sir, your</p> <p>2 name and address?</p> <p>3 MR. CHANDRA: Mahesh Chandra, 15</p> <p>4 Purcell Road.</p> <p>5 CHAIRMAN: Have you been sworn in, sir?</p> <p>6 MR. CHANDRA: No, I'm coming for the</p> <p>7 first time.</p> <p>8 - - -</p> <p>9 MAHESH CHANDRA, after having</p> <p>10 been first duly sworn, testified as follows:</p> <p>11 - - -</p> <p>12 MR. COLLINS: Spell your whole name,</p> <p>13 sir.</p> <p>14 MR. CHANDRA: M-A-H-E-S-H,</p> <p>15 C-H-A-N-D-R-A. My address is 15 Purcell Road. It's</p> <p>16 in Bridgewater. My question is about Olive Garden.</p> <p>17 You have entrance going 202 South. You have entrance</p> <p>18 now, from Olive Garden? That's a part of the plan.</p> <p>19 MR. VERDERESE: Yes.</p> <p>20 MR. CHANDRA: If you want to go to Home</p> <p>21 Depot or Wegmans or any of that development, why won't</p> <p>22 you go through the Olive Garden entrance? Why anybody</p> <p>23 will wait for the traffic light and go after? Why</p> <p>24 everybody will not enter from that entrance?</p> <p>25 MR. VERDERESE: If you enter from the</p>
<p style="text-align: right;">Page 151</p> <p>1 - - -</p> <p>2 MR. COLLINS: Please spell your last</p> <p>3 name.</p> <p>4 MR. MILLER: M-I-L-L-E-R. Will</p> <p>5 traffic get any better if we do nothing?</p> <p>6 MR. VERDERESE: No.</p> <p>7 MR. MILLER: My take is the traffic</p> <p>8 program you put together will benefit everybody in the</p> <p>9 area from a traffic standpoint.</p> <p>10 MR. VERDERESE: It won't make it any</p> <p>11 worse and as I've been saying from the modifications</p> <p>12 of the signal. It's going to make it easier to get</p> <p>13 out of Charlotte Drive.</p> <p>14 MR. MILLER: That's all I want.</p> <p>15 CHAIRMAN: Thank you. Name and</p> <p>16 address?</p> <p>17 MR. LABISH: Dave Labish, 718 Highway</p> <p>18 202. In reference to the last comments. It will not</p> <p>19 benefit me. I will get killed coming out for my mail</p> <p>20 and the exhaust from the extended wait lines for the</p> <p>21 U-turn will be horrific. Not a benefit for me.</p> <p>22 CHAIRMAN: Do you have a question?</p> <p>23 MR. LABISH: I do have a question, but</p> <p>24 I can't remember it right now.</p> <p>25 CHAIRMAN: There will be an opportunity</p>	<p style="text-align: right;">Page 153</p> <p>1 entrance, if you've ever done it, you hit a couple</p> <p>2 stop signs on the way and you have to cross the main</p> <p>3 aisle to get over to Wegmans. It's a lot easier to go</p> <p>4 up to the right turn especially since it's green a</p> <p>5 majority of the time and you can make the right turn.</p> <p>6 That's why we took 40. 40 percent is well more than</p> <p>7 - the square footage of the center is essentially</p> <p>8 most of it is to the west. So I would say 75 percent</p> <p>9 of the square footage is to the west. We only took 40</p> <p>10 percent of the traffic and only from the middle</p> <p>11 driveway.</p> <p>12 MR. COLLINS: He has said 40 percent of</p> <p>13 the traffic will go in that new driveway.</p> <p>14 MR. CHANDRA: I'm scared of all traffic</p> <p>15 studies we had gone through with Quick Check, similar</p> <p>16 studies and studies are just studies. You have to be</p> <p>17 on the ground. You have to see that, that it will not</p> <p>18 make sense. More people will go through that and it's</p> <p>19 going to create mess, accidents and problems. You</p> <p>20 have to be aware of that. I just want to be making</p> <p>21 sure that all of you know about this. Thank you.</p> <p>22 CHAIRMAN: Any other questions for this</p> <p>23 witness? Hearing none and looking at the time of</p> <p>24 10:30, I think we will continue this application.</p> <p>25 MR. COLLINS: Does anyone have a</p>

1 question of this witness only?

2 MR. HEPWORTH: Craig Hepworth, 22

3 Edgewood Terrace. Is the Wawa on here isolated from

4 the other four or five properties? In other words,

5 say tractor trailer pulls into the Wawa, does he have

6 to go out to the light in order to get onto 202 either

7 heading northbound or southbound? Is the Wawa

8 property isolated from the other proposed driveways or

9 is it going to have the same accident? I think this

10 question was asked earlier and I don't believe it

11 was --

12 MR. COLLINS: Look at the map with the

13 witness and make sure you understand what happens at

14 the Wawa.

15 MR. VERDERESE: It's not isolated.

16 Along the back of it is an aisle that runs along the

17 back of the all the properties.

18 MR. HEPWORTH: If you go into Wawa that

19 you have to go out and come around here they can do

20 all the things, come out. Is it possible to have at

21 least for the Wawa pull into Wawa and you have to go

22 around here because obviously, tractor trailer traffic

23 that's new traffic isn't going to go into your other

24 properties. If we isolate this that if you go into

25 Wawa you have to go out in the traffic light you can't

1 go through any of the other driveways. Is that

2 something that can be --

3 MR. PRIME: That's contrary to the

4 whole C-7 purpose of the zone plan. The plan was to

5 allow the uses to coexist and cooperate in tandem.

6 MR. HEPWORTH: Thank you.

7 CHAIRMAN: This witness is completed

8 and we'll continue with your next meeting,

9 MR. PRIME: We have our professional

10 planner. We'd like to set the date.

11 CHAIRMAN: Next available date.

12 BOARD SECRETARY: 26th.

13 CHAIRMAN: Does that work.

14 MS. DOYLE: We should take a poll of

15 the board. The other option would be November 22nd.

16 The only other thing we can do is have October 25th as

17 the special, what room could be reserved. I should we

18 should poll the board.

19 CHAIRMAN: September 26th good for the

20 board members? Good.

21 MR. FRANCO: I'm not available.

22 MAYOR HAYES: Good.

23 MS. CASAMENTO: As long as there is no

24 back to school night.

25 CHAIRMAN: If it's good for you, let's

1 target that 26th.

2 MR. PRIME: Seven o'clock.

3 MR. COLLINS: No additional notice is

4 required. Accepted. 26th, 7 p.m.

5 MR. PRIME: I will provide a transcript

6 of the hearing to the board secretary in case anybody

7 wants to be review it and I'll do the same thing for

8 the same thing at the 26th.

9 - - -

10 (The hearing concluded at 10:30 p.m.)

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1 CERTIFICATE

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4 I, LATITISA RUSSELL, a Certified Court

5 Reporter and Notary Public of the State of New Jersey,

6 certify that the foregoing is a true and accurate

7 transcript of the stenographic notes of the deposition

8 of said witness who was first duly sworn by me, on the

9 date and place hereinbefore set forth.

10 I FURTHER CERTIFY that I am neither

11 attorney, nor counsel for, nor related to or employed

12 by, any of the parties to the action in which this

13 deposition was taken, and further that I am not a

14 relative or employee of any attorney or counsel in

15 this case, nor am I financially interested in this

16 case,

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LATITISA RUSSELL, C.C.R.
LICENSE NO. 30XI00234100

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a10 62:20	100:5 102:4	82:9 94:1,2	154:16	104:19 119:13
a18 4:14 15:7,10	114:3	96:8 117:16	albanese 3:15	141:23 143:7
15:18 90:11	accommodates	118:23 119:19	7:16,17 85:5,6	152:22 156:6
a19 4:15 43:25	105:23	142:4 143:25	alive 119:13	anybodys 58:14
44:3	accommodation	156:3	alleged 100:13	anymore 24:12
abatement	6:14	additionally	allow 9:23 11:23	24:13 83:15,17
66:21	accommodati...	96:16	90:22,24 97:2	anyplace 57:14
ability 96:11	121:21	address 9:11	155:5	anyway 137:23
119:1,5	account 147:10	36:14 50:8	allowed 9:24	apart 91:22
able 8:18 72:24	147:14	64:15 68:5	27:15 29:7	apex 103:3
75:19 92:12,17	accumulate	69:23 70:25	32:19 34:17	apologize 64:6
100:5 104:13	20:25	75:24 85:10,13	70:11 78:19	97:11 101:12
109:5 110:4	accurate 71:18	85:25 95:21	90:20 107:23	101:13 105:7
113:11 134:16	71:19 73:11	97:20 106:1	allowing 91:6	130:8
aboveentitled	157:6	117:7 119:20	105:8	applicability
2:2	acidic 63:10	122:4 124:8	allows 26:23	76:1
absolutely 77:19	acknowledged	125:21 140:11	98:10 116:12	applicant 8:2,11
absorb 42:25	88:23	142:22 151:16	alternate 28:4	8:17 10:13
66:19 67:15	acoustical 54:21	152:2,15	americans 6:15	12:10 15:2
absorbs 67:18	54:21	addressed 26:17	amount 10:6	24:25 26:10
abutting 83:17	acreage 52:25	112:3	12:15 19:21	37:2 42:21
83:19,20	53:1	addressing	41:8 44:18	45:17 48:3
accelerate	40:20,22	112:7	48:2 52:21	49:7,7 53:13
134:25 135:12	act 6:5,16	adequate 6:4	65:4,17 77:11	57:9,12 78:25
acceleration	action 157:12	73:16	79:16 105:20	95:9 110:5
111:23 117:18	activity 87:8	adequately 99:9	108:8 134:15	115:2,12 150:4
118:3,9,11	actual 48:17	adjacent 10:10	144:13	applicants 75:22
121:1 131:22	81:23 146:25	16:9 92:6	ample 79:18	85:11 142:19
133:6 141:11	adapter 18:9	adjustment	analysis 97:4	application 8:3
accept 42:15	add 24:13 35:18	37:21	99:22 136:18	8:4,9 9:13,15
acceptable 99:3	87:17,19 97:18	advanced 6:17	148:15,18	21:6 24:11
accepted 156:4	99:14,18,18	6:21	analyze 100:1	38:22 53:19
access 11:23	123:1 129:14	aesthetics 56:4	analyzed 121:13	62:11,16 71:15
16:22 93:18,25	147:23 148:18	affect 42:23 51:2	angela 5:16	74:20,24 75:4
95:6,7,8,10	added 17:25	agenda 7:19	119:21	121:7 126:7
97:24 98:22	20:3,6,8,14,16	agnes 5:18	angled 18:8	138:5,6,11
106:8,17 112:4	24:4 73:6	125:22	animals 55:23	142:24 143:5
116:18,22	80:23 90:7	ago 37:16 63:19	ann 5:5 55:6	149:16,24,25
117:1	106:8	68:25 103:18	answer 28:24	150:11 153:24
accesses 12:7	adding 45:1	110:16 119:7	37:5 54:18	applications
124:11	98:15 110:25	119:18	64:25 65:14	6:11
accident 119:8	121:20	agreed 24:22	72:17 121:7	applied 10:14
154:9	addition 18:1	26:14 48:3	142:7 143:19	appreciate
accidents	20:3,9 28:8	57:13	144:20	86:13,25 109:4
120:17,19,21	44:23 143:16	ahead 104:1	answered 38:5	appreciated
121:1,11,12	additional 13:14	aid 17:13	42:21 52:25	110:7
153:19	13:14 23:7,11	air 40:14,19	56:14 71:25	approach 27:11
accommodate	30:17 31:1,17	41:7 54:2,8	142:12	85:24
92:13 99:2	45:6 77:2,24	87:1	answers 28:19	approaches
		aisle 153:3	anybody 58:5	133:14,15

approaching 106:13	77:17,23 78:5 79:15 81:1	attention 115:2	116:11 118:19	104:2
appropriate 75:24 78:13	82:18 89:17	attorney 3:19	125:9 129:6	based 36:15
appropriately 121:6	90:8 103:14	92:2 157:11,14	137:24 142:16	44:25 45:19
approval 116:12	105:21 106:11	audience 131:14	154:16,17	46:2 57:5 89:1
116:12 146:3	115:1 117:4	august 1:7 2:7	155:24	90:20 91:1,11
approvals 126:9	120:20 141:23	6:3 9:6 22:2	backed 97:14	95:7,20 142:22
approve 116:8	149:10 151:9	24:25	98:21 130:15	146:25
123:12 126:11	areas 74:11	auto 46:16	138:7	bases 36:7
approved 21:17	arent 91:19	automobile	background	basic 53:9
29:1 34:6,7	argument 49:6	102:4	9:13	basically 24:10
37:16 78:9	arresting 69:8	auxiliary 118:7	backing 77:9	44:10,19 76:10
93:24	arrow 35:24	118:12 131:22	104:14,14	106:22
approves 116:8	asked 21:16	139:16,19,21	backs 98:12	battaglia 3:20
approximate	28:23 34:10,19	140:8	backseat 119:13	baxter 5:19
144:9	37:1 52:24	available 6:13	119:16	139:2,2,5,12
approximated	54:5 85:9	11:15 144:4	bad 119:7 141:2	139:12,23
125:18	121:10 154:10	155:11,21	bag 143:11	140:5,10
approximately	asking 26:22	avoid 93:17	bank 21:18	beat 130:3
22:25 32:12	27:1 30:12,17	130:20	bar 90:12	beautiful 86:17
139:23	34:1,14,21	avoiding 137:23	102:23 118:14	86:17
arborvitae	52:18 78:16	aware 6:9 13:10	barbara 5:7,11	becoming 123:8
25:12 45:4	96:19 101:13	42:22 61:2,4	61:20 69:24	bedrooms 60:4
46:12 52:1	110:25 143:19	70:20 76:5,12	83:22	behalf 8:1,11
arborvitaes 26:5	aspects 87:16	76:16 153:20	barnes 5:4,6	behavior 121:25
56:21,25	assessment		50:11,11,12,16	believe 10:9
arc 7:23	38:13,16	B	50:19,23 51:1	38:5 40:18
area 4:15 9:3	assist 112:17	b 4:11 16:5,12	51:8,12,16,23	44:8 45:9
10:5,17,21	assistance 6:13	16:25 17:16	52:4,9,17,23	61:23 75:11
11:2 12:19,20	associated 8:19	27:10 31:10,12	53:5,8,20	77:19 96:16
12:22 13:15	9:20 16:17	78:23 79:5	54:10 55:3	154:10
16:2,6 20:1	17:18 18:22	81:20 86:4,4	60:13,13,16,25	belong 82:10,12
24:10 25:8	20:21 35:9	90:17 92:24	61:16 82:1,8	82:15,19
28:14 31:18	81:1 127:20	120:5 126:15	82:14,21 83:3	benda 5:13 86:1
33:7 34:1,21	144:14	139:7	83:19 106:2,2	86:1,9,9,14
39:4,9 40:1	associates 1:19	back 13:22	107:24 108:16	140:12,12
42:25 43:10	assume 61:9	14:10 16:10	109:3 110:6	benefit 55:2
44:3,7,18	125:11 149:17	17:2 18:2,3	116:17 128:12	68:11,17,18,23
47:14 53:4	150:7,10	19:2 22:22	128:12,17,22	95:11 111:10
56:23 57:17,25	assuming 114:6	23:3 25:21	129:2,8 130:9	111:22 113:14
58:11 60:10	149:11	27:25 29:22	130:14 131:2,8	114:1 151:8,19
63:22 67:21	assumption	32:13 33:8	131:11,18	151:21
71:4,8,20 72:6	138:15	35:18,23 51:18	132:20 133:2	benign 9:25
72:7,8,12,21	atm 21:16 34:11	53:5 58:6	133:19 134:2	bernadette 5:13
73:2 75:15,18	attached 27:23	64:24 81:25	134:10,17,21	86:1 140:12
75:25 76:11,14	27:24,25	82:1,24 83:8,9	135:2,8,16,22	berraism 141:18
76:19,22,23	attaches 18:10	84:11 91:8	136:10 137:3	beseech 87:4
77:5,6,7,9,16	attempt 141:25	96:3,5 102:13	137:13,17,21	best 45:20 57:12
	attempting	102:25 106:20	138:16,22	58:25 121:10
	143:10	110:20 111:24	base 25:2 28:7	better 12:19,19
		111:25 112:5	36:5 56:8	96:25 109:5

110:14 141:13 151:5 beverages 37:22 beyond 75:5 96:22 big 23:18 25:14 41:1 92:10,11 135:19 137:25 bigger 117:1 bit 22:14,19,20 98:4,6 103:1 103:16 133:4 black 62:16 block 123:6 blocking 141:25 blue 43:11 board 1:2 3:10 3:19,21,22 6:8 6:10 7:3,5,7,9 7:11,13,15,20 8:1,9,15 9:4,7 9:10,14,18,19 10:14 12:8 13:24 14:7,25 21:4,17 22:25 26:20 34:6 35:20 36:12 37:15,20 44:9 49:4 57:15 60:17 77:20 83:23 84:18,20 84:22,24 85:1 85:3,5,7,11,14 87:4,10 88:25 88:25 89:16,19 90:11 94:25 95:2,16,17 98:25 108:20 110:3 115:10 116:4,7 128:9 155:12,15,18 155:20 156:6 boards 116:7 bodino 5:16 119:21,21 120:2,10,10,13 120:16 121:24 bond 48:23 49:6 49:16 50:4 bonded 48:24	bonding 57:13 bonds 49:11 border 75:6 82:24 bordering 83:10 bottom 32:17 45:9,25 143:11 bounds 77:23 box 92:10,11 bradley 63:17 break 16:21 84:11 107:5 129:10,12,12 131:12 136:1,3 138:12,24 brenda 5:12 71:1 143:14 bribe 12:14 brick 36:5 bridge 89:7,8,10 106:5,6,20 bridgewater 1:1 1:7 2:5,6 6:3,8 7:23 9:24 12:18 37:20 42:15 56:25 62:2 68:14 83:25 84:3 89:15 119:22 120:13,24 138:19 142:3 142:14 152:16 bring 13:21 20:15 79:19 107:2 brings 98:13 broader 121:9 broke 58:8 brought 38:8 107:1 buffer 4:15 10:6 20:17 22:8 39:17,18 41:2 42:3,3,7 43:10 44:3,7,23 47:12,19,23 48:1,8 50:14 52:11,12,14 53:1 54:20,21 54:21 60:9	67:4,8,10,13 67:14 71:4,7 71:21 72:12 75:16 76:19,22 76:23,25 77:5 77:5,6,11,16 77:16,19,23 79:16,17 86:20 86:22 buffered 46:6 buffering 52:7 buffers 86:21 build 48:11 150:1 building 2:6 6:9 8:21,23 9:21 9:21 16:1,4,4,5 16:8,9,15 17:1 17:2,4,15,21 19:15,18,23 21:12 23:1 27:12,25 29:17 29:25 30:3,4,8 30:9,10,16 31:3,4,4,5,12 31:13 33:1,6 34:20,23 44:21 47:8 48:9,17 59:5 76:25 79:21 147:6,8 147:10,13,14 147:15 buildingmoun... 19:18 buildings 8:25 15:24 16:1,12 16:18 17:15 27:10 28:2,5 28:14 29:21 31:9,17 79:12 86:24 92:24 126:15,20 built 48:17 62:2 141:20 bulk 81:4 bulletin 6:8 bushes 56:1 business 10:20 92:17 146:5 businesses 93:16	98:15,22 busy 87:11 butts 103:5 buying 150:3,4 <hr/> C c 2:1 3:1 16:12 16:25 17:16 27:12 31:10 36:22 64:19 78:23 79:5 81:20 87:22,22 88:19 90:17 92:24 126:15 146:20 152:9 157:1,1,20,20 c1 1:22 c3 29:9 c7 10:12,24 11:2 19:22 21:13 27:5 30:23 78:8,9,11,13 78:19 81:4 155:4 calculate 53:3 call 6:2 7:2 13:3 22:21 84:16 88:17 118:11 called 18:9 48:19 118:6 139:16 candle 18:17 canopy 18:7,8 19:12 33:23 cant 18:11 53:11 59:13 72:17 96:3 97:25 128:14 143:11 151:24 154:25 capability 61:10 capacity 99:22 147:16 captive 109:11 capture 11:18 11:19 95:3 car 57:6 60:6 104:6,9 119:8 119:9,13,16 123:22 132:8 134:8,13,14,14	134:15 135:3,7 carbon 66:19 67:18 care 12:8 58:14 58:20 careful 87:3 careless 105:2 cares 141:23 carry 118:10 cars 99:8 102:20 108:4,4,6,17 111:12 124:6 126:14 128:18 129:16 130:2 131:20,21,24 132:3,5,7,13 132:14,21,23 134:9,22 135:3 135:10,13,20 135:20,21 136:6,8,9,9,9 136:11,24,25 137:7 138:8,23 140:3,6 143:15 145:20 cart 6:20 casamento 3:14 7:13,14 26:21 27:1,6,14 72:20 85:3,4 155:23 case 79:7 85:11 120:1 156:6 157:15,16 cast 18:1 catch 135:14 cause 48:13 103:6 ccr 2:3 cedars 45:24 center 11:6,7 88:4 92:9 94:1 113:7,10,15 125:6 136:8 141:19 145:9 148:19 153:7 centers 147:22 148:17 certain 47:10 99:7,16
---	---	--	--	---

certainly 115:3	139:4 140:11	79:14,21 84:20	city 63:18 64:13	come 12:2 14:3
certified 1:20	140:23 142:8	95:22	clarification	14:10 25:25
75:17 157:4	142:16 143:13	charlotte 9:22	28:23 29:14	29:22 36:14
certify 157:6,10	146:14 148:4	22:24 23:11	117:5	40:12 53:5
cetera 116:5	150:16,20	25:2,18 38:3	clarify 66:17	57:23 58:3
chain 86:21	151:15,22,25	39:21 42:6,10	67:19 74:15	84:11 88:14
chairman 3:11	152:5 153:22	44:11,21 50:12	76:21 87:14	91:3,8 98:19
6:2 7:2,5,6,22	155:7,11,13,19	55:7,15 58:12	clarifying 77:15	102:17 112:5
7:25 13:5,8,18	155:25	60:14 64:17,24	clarity 35:21	112:12 113:5,7
13:23 14:2,14	chairmans	66:2,14 67:8	clear 25:16 33:9	114:10 116:11
21:4 23:10	111:24	67:22 68:3,6	57:8 117:2	127:15,16
24:4,12,17,23	chance 13:15	69:25 71:2,9	134:4 135:11	128:7,10
25:16 26:7,12	42:19	75:14 82:23,25	clearly 58:21	129:25 130:22
26:19 28:10,16	chandra 5:24	83:4,17 88:11	115:2	131:20 136:6
28:22 29:10,14	152:3,3,6,14	105:1 106:3,4	clerk 3:22 6:8	138:4,8,11
35:21 36:12,18	152:15,20	106:13,15,17	114:24	140:18 150:7
37:20,25 42:19	153:14	107:4 108:1,15	client 49:19,22	154:19,20
43:8 45:15	chang 5:10,21	108:18 109:11	85:9 149:18	comes 22:21
46:7,15 47:24	68:2,2,3,6,6,7	110:2,8 111:6	clipped 142:1	23:3 86:20
50:7 53:13	68:9,17,24	111:7 116:18	close 86:12	92:11 110:12
54:4,12,17,23	69:4,7,13,17	116:24 117:11	closely 62:24	118:16 127:14
55:5 57:8	146:16,17,24	117:25 118:21	closer 70:5	comfortable
58:16,19,24	146:24 147:5	119:6,12 122:6	129:21 133:8	115:11 147:24
60:12,15 61:9	148:21	122:20 123:3	closest 9:1,21	148:12,14,14
61:18,22,24	change 9:18,20	123:19 125:23	17:9,23 25:2	coming 70:9
62:23 63:1,9	9:23 10:12	127:1,2 128:13	code 91:7 95:6,8	91:20 92:15
64:4,15 66:11	23:13 26:2	129:6,21 130:4	coexist 155:5	96:1 98:17
66:15 67:23	27:9 53:17	130:23 131:9	coffee 130:17	100:25 103:4
68:4,8 69:3,11	70:11 108:12	131:12 133:5,8	colleague 15:14	103:20,24
69:15,22 70:24	110:13 126:4	134:5,23 139:2	collins 3:19	107:12 117:19
71:3 77:21	130:23	143:15 144:22	23:22 55:8,11	123:25 124:24
79:25 81:11,25	changed 21:9	144:23 145:7	78:18 85:16,18	125:2 127:24
83:5 84:2,4,9	110:16 121:3	145:11,12	86:7 87:16,25	128:19,24
84:16,20,21	changes 13:10	146:17 148:23	101:4,14	129:16,20,23
85:13,21,24	15:15,21,23	149:4,12,21	119:25 120:8	130:18,19
86:10 87:14	21:2 22:3 24:8	151:13	122:12 126:1	131:9,13,21,24
88:13,16 94:4	48:20 54:8	check 119:24	139:10 146:23	132:15,23
95:15 100:15	101:7,15 114:9	153:15	148:24 149:2	133:7,20
105:6,10,19,25	122:17 146:4	chemical 60:19	149:14,22	134:22 137:7
109:12 113:16	changing 82:20	chemicals 61:3	150:4,10 151:2	137:24 140:20
114:5,12,19	104:7	chewed 57:2	152:12 153:12	151:19 152:6
115:1,5,9	characterize	chick 16:3	153:25 154:12	commencing 2:7
117:6 119:19	67:9	children 119:15	156:3	comment 50:1
120:11,15	charles 3:11,21	chimney 37:19	color 44:17	54:13 70:7
121:4 122:3,15	7:5 9:20 15:25	63:22	101:18	109:13 121:5
123:15 124:7	16:25 17:16	chosen 36:9	colored 15:18	128:9 131:15
125:5,14,20,24	19:18 27:12	christine 3:16	33:20	commenting
127:5 128:6	28:25 30:7	circle 61:21	combination	76:1
131:15 138:3	44:21 47:7	circulation	46:23 61:3,17	comments 28:12
138:20,25	78:8,10,22	93:24	91:10	91:11 92:2,3

116:20 128:5,6 128:8 142:20 143:3 151:18 commercial 87:8 88:6 commitment 12:16 commons 2:6 communicated 75:12 communication 75:21 compare 29:18 41:8 59:21 compares 89:6 142:9 comparison 50:12 89:6,19 144:16 compensated 22:7 complementary 11:1 12:20 complements 28:7 complete 42:16 42:17 55:18 98:20 completed 146:4 155:7 completely 24:20 57:2 119:10 complex 100:2 116:21 140:14 complied 53:14 comply 17:16 18:12 30:2 complying 52:13 computer 100:3 concentrated 78:5 133:24,25 concept 52:19 108:20 conceptual 15:15,23 24:8 concern 9:4 65:2 104:12 119:16 121:5 126:24	129:8 concerned 42:5 91:12 94:25 119:5 concerning 9:17 concerns 57:11 65:16,16 79:24 80:7 95:17 104:24,25 117:18 119:1 122:16 142:12 concluded 156:10 conclusion 88:13 conclusions 40:12 condition 108:14 conditions 65:5 101:15 conducted 110:4 configuration 82:24 confirm 26:10 26:12 conforms 19:20 38:11 confused 72:11 74:17 78:21 80:21 congestion 87:1 124:10 conjunction 10:24 conservation 39:2,7 40:6 conservatively 108:3 consider 87:4 110:3 consideration 27:15 75:25 79:9 94:23 143:4 considered 27:17 70:6 93:20 96:21 106:18 109:17 considering	146:2 considers 145:17 consistent 36:2 constantly 136:2 136:7 constrained 52:1 construct 115:25 constructed 74:2 construction 37:16 62:2,4 63:11,14 consumed 140:1 contact 83:24 contained 38:21 contend 108:6 122:22 continuance 7:22 continue 82:10 94:19 101:2 112:12 119:1 153:24 155:8 continued 8:10 contradict 56:18 contrary 155:3 control 103:25 104:10 controlled 90:8 controlling 96:1 137:23 convenience 12:4,5 68:22 convenient 69:10 92:22 97:23 convinced 108:17 cooperate 155:5 coordinated 10:25 12:24 coordinating 115:14 copied 75:21 copy 9:7 43:13 115:7 143:2 corner 11:18	33:10,10 44:11 corners 149:12 corporate 61:10 correct 13:19 22:1 25:19 26:11,24 30:11 31:7,15,19,22 32:22 34:2 35:13 39:4 46:18 50:4 52:8,22 53:23 54:3 60:3 66:8 75:1,2 76:17 82:7,13,17 83:6 93:7 95:4 102:8 118:5 147:2 corridor 96:24 110:17 111:2 121:12 143:17 cost 63:13 couldnt 47:9 95:24 123:8 124:17 council 94:9 121:6 councils 95:16 councilwoman 3:16 7:9,10 21:5,22 22:4 22:10,16 23:9 46:2,19,25 47:3 48:6,21 48:25 64:23 81:10,13,16 84:24,25 89:14 110:10 115:20 counsel 3:7 4:20 77:21 157:11 157:14 counselor 7:24 count 26:3 60:8 counted 29:3 80:17 counting 135:4 counts 97:4 99:25 couple 9:14 68:15 124:19 139:19 153:1	courier 6:7 course 46:10 court 1:20 157:4 covered 48:23 covers 41:22 craig 5:3 36:16 154:2 crazy 104:16 148:1 create 11:8 17:2 89:18 90:1 99:11 148:9 153:19 created 90:4 110:17 135:19 creates 110:22 criminal 69:8 criteria 90:19 99:24 critical 116:6 cross 4:15 43:10 43:13,13,19 44:2,6,10 69:20 139:21 153:2 curb 24:3,15 25:7 45:2 47:22 89:12,21 curbing 45:12 curious 149:7 current 98:10 119:6 121:17 121:18 122:19 125:5 currently 47:5 62:1 72:6 74:9 80:16 117:21 118:25 119:2 126:16 139:24 144:23 147:11 customers 12:5 cut 58:10 102:16 129:24 130:15 138:1 cuts 89:12,21 cutting 52:20 129:20 130:2,6 cycle 108:4 127:17 132:4,4 cycles 108:3,3
---	--	---	---	--

cypress 46:13	deer 55:23 56:23 56:24 119:21	105:18	die 45:14 48:22	discharges 65:4
D	define 57:10	destroy 60:11	died 49:1	discovered 63:10
d 4:2 86:4,4	definition 77:22	detail 28:13	difference 40:13	discrepancy 80:8,11
87:22 88:19	degrade 112:23	detailed 13:6	40:19 42:18	discuss 24:21
90:17 92:24	delay 109:20	28:11	51:3,13 77:14	discussed 8:13
120:5 152:9	116:15	determined 91:5	different 18:23	14:25 36:6
dan 3:17 15:14	delays 113:24	detriment 113:21	46:11,12 52:5	52:7 147:17
danced 37:4	delineate 38:19	develop 39:10	52:6,21 53:18	discussing 148:8
danger 124:23	delineated 40:2	57:21 58:17	67:20 68:21	discussion 13:9
dangerous 87:2	deliver 100:9,9	79:1	80:25 101:18	28:11
88:7	demolished 86:23 149:15	developed 10:3	133:3 148:2	discussions 34:20 108:21
dark 72:25	demonstrate 95:10 109:18	10:11,23 55:20	differential 23:5	148:11
101:19,19	dennis 5:14 88:2	72:7,8 74:9	difficult 54:17	distance 47:21
dash 72:25	124:9	developer 12:16	54:19 57:4	55:1 90:12,14
data 110:5 144:4	density 26:9	49:15,20 79:20	96:9 98:7	101:24 103:22
147:3	department 6:18 26:15	82:19 105:15	108:19	distinct 11:11
date 116:2	53:15,15 84:2	116:13,16	difficulty 93:15	distracted 103:20
155:10,11	90:19 91:1,4	developers 57:7	94:7	distributed 111:17
157:9	99:20,23	142:6	digricoli 5:7	disturbed 72:14
dated 24:25	105:16 110:15	developing 39:10 74:11	61:20,20,21,23	77:24,25
142:20	113:20 114:10	development 11:9,15,21	61:25 62:7,12	disturbing 70:19
dave 5:20	115:22 119:14	18:2 39:23	62:18,25 83:22	division 11:1
151:17	121:23 143:3	42:1 44:22,24	83:22 84:3,5	dockerty 15:14
davenport 89:10	145:17	46:21 59:16	dilemma 112:2	doesnt 42:17
106:5	depends 51:25	61:6 65:6,23	dimwitted 128:14	50:5 53:20,21
david 3:20	52:2	67:6 71:9,20	dioxide 66:19	67:12 71:22
140:25	deposition 157:7	71:22 72:3,5	67:18	73:3,17 78:14
day 68:11	157:13	73:7,15 76:1	direct 4:4	94:22 95:13
days 6:21	depot 152:21	76:14 77:3,3	directed 121:6	106:21,23
dead 104:23	depression 22:21,22 65:23	78:7 79:10,19	directing 65:12	129:14 130:21
119:15 140:17	depth 32:13	82:6,16 83:6	direction 11:25	131:4 135:17
140:21	description 4:13	87:12 88:9	35:19 76:10	137:6,8 138:4
deadly 122:1	design 20:6,13	92:8 93:4,6	110:20 113:4	doing 63:20
deal 21:18 98:7	24:7 36:2,3	106:14 107:13	113:12 129:5	75:18 91:15
123:1	43:1 99:4	118:1 126:18	132:6,15 145:7	98:18 103:7
debra 3:15	105:16,17,17	126:23 143:16	directional 35:6	104:15 105:2
decades 9:24	121:17,18,24	143:25 144:14	35:6,9,15	110:24 136:13
deceased 104:11	140:14 142:25	146:5 149:6	directions 145:10	142:14 148:1
deceleration 118:9 141:1,4	143:3	152:21	directly 115:7	dollars 12:13
141:8,11,13,16	designated 133:10	dialogue 49:9	disabilities 6:16	97:25
decided 10:16	designed 94:10	didnt 29:4 35:15	disability 6:15	dont 12:8 14:24
deciduous 41:6	103:12 105:14	37:5 41:24	6:17	22:20 28:10,14
41:21 42:3	105:22	43:22 51:4	disagree 77:9	29:15,20,20
44:16 45:16	designing	53:3 56:17	99:5	37:12 42:14
46:24 66:18,21		64:25 103:20	disappearing 117:4	
decision 116:7		104:8 107:1	discharge 65:7	
decisions 12:9		121:12 148:1,6	65:24	
decline 150:13				

43:23 45:12	83:16 84:6	94:2,2 96:8	e 3:1,1,21 4:2,11	effort 12:14
47:4 52:25	155:14	111:6 113:24	14:16 36:22	136:19
54:20 56:21,25	doyles 18:6	117:3 118:17	64:19 86:4,4,4	egress 94:2
59:24,25 62:10	drainage 23:2	118:17 123:1	86:4 87:22,22	eight 21:15 23:4
62:15 64:13	draw 92:12	124:1 125:4,10	88:19,19,19,19	25:23 45:22
66:20,21 68:25	drawing 23:23	125:11 128:24	117:13,13	46:8,10 50:25
69:1,6,9,13,16	33:20 101:8	128:25 130:22	120:5 139:7,7	51:3,19 53:24
69:19,21 71:6	145:24	130:24 131:5	139:7,7 146:20	54:7 56:8,9,10
73:1 87:9	drawings 143:1	131:21 134:6	146:20 150:24	56:11,12
88:10 91:8	drawn 47:1	137:8 140:19	150:24,24	eis 38:3,10 40:4
92:16 95:24	drive 9:22 22:24	141:25 143:5,8	152:9 157:1,1	40:5,10,12,13
96:16 98:2	23:11 25:2,18	148:10 149:12	earlier 45:1 59:2	71:17,20 73:4
101:8 104:19	38:3 39:21	153:11,13	71:13 81:2	73:17 74:3,4,5
105:17 107:4	42:10 44:11,21	driveways 11:22	97:21 121:15	74:10,10,12
112:2,6,8	50:12 55:7,15	27:20 87:3	149:16 154:10	either 19:12
113:2,25 114:2	58:12 60:14	89:5,9,23 90:3	early 128:5	34:21 45:18
115:4,15 117:3	64:17,24 66:2	90:5,7,9,10,20	easement 82:19	78:22 81:3
118:10 123:16	66:14 67:8,22	90:22,24 91:1	easements 18:25	100:7 107:5
126:10 128:16	68:3,7 69:25	91:5,7,9,10,11	easier 31:10	144:15 154:6
129:23 130:1,7	71:2,9 75:14	91:16,20 92:1	140:16 151:12	elaine 5:9 38:2
130:10,17	83:17 88:11	92:22 93:21,22	153:3	66:13 71:13
133:6 134:1	99:6 100:17	106:11 109:6	easily 11:23	elements 121:18
136:2 137:21	105:1 106:3,4	111:4,14,22	106:11	121:24
137:22 138:16	106:6,14,16,17	116:5,10	east 17:4,10,15	elevation 23:3,4
143:12 144:1	108:1,15,18	121:14 122:17	17:24 23:15	eliminate 8:18
147:23 148:10	109:11 110:2,8	122:24 123:2	32:7 35:24	21:24 94:18
154:10	111:7,7 116:18	123:18,18	39:10 72:23	100:12 124:14
doors 146:11	116:24 118:21	124:4 127:16	83:7,9 97:13	eliminated 8:25
dot 90:4 97:17	119:6,12,22	128:2,19,21	97:16 112:11	15:25 17:17
115:13,18	122:6,20 123:3	129:14,21	113:6 118:15	19:3,6,8,11,11
116:8 126:7,11	125:23 127:1,2	130:20 133:7	131:6 145:20	19:13 20:5,11
141:7 142:24	128:13 129:6	133:20 135:24	eastbound 89:11	20:13 21:11,13
146:3	129:21 130:4	154:8 155:1	97:18	21:21 25:13
double 26:1	131:9,12 133:5	driving 12:9	easterly 94:2	27:23 81:3,6
doubled 24:10	133:8 134:5,23	103:9 104:22	118:17	94:17 98:14
doubling 102:3	136:20 139:3	124:20 132:16	eastern 45:24	eliminates 113:1
downhill 59:19	139:22 143:15	144:15 145:11	easy 12:4 98:6	eliminating 17:8
downsize 79:9	144:19,22,23	drops 139:22	economic 11:17	elliott 37:21
downward	146:17 148:23	duly 36:23 64:20	12:16	email 75:11,20
76:10	149:4 151:13	86:5 87:23	eden 3:7	emergency
doyle 3:18 24:21	driven 96:23	88:20 117:14	edge 45:11,11	99:10
24:24 25:19	103:8	120:6 122:10	edgewood 36:17	emissions 67:19
26:9 32:14,20	driver 11:17	139:8 146:21	103:17,23	employed
32:22,25 33:3	103:20	150:25 152:10	104:2 105:1	157:11
33:18 35:14	driveway 18:21	157:8	154:3	employee
45:10,21,25	27:11,13,19	duplicate 11:5	effect 42:24	157:14
46:9,18 47:16	33:17 35:18	dynamic 8:5	effective 26:5	empty 147:9,13
48:10 49:3	89:22,23 90:14	déjà 141:18	52:12 54:15	enclosure 21:15
54:16,19,25	90:15,16,17,18		efficiency 95:11	21:15 25:20
75:12,21 83:5	93:1,21,22		efficient 20:23	enclosures
		E		

25:13	54:8	144:5 145:4	existing 24:16	facades 29:18
encounter	environmental	evenly 91:16	44:15,23 50:20	30:17 31:16
123:10 127:23	42:14 51:2,5	eventually 82:5	52:16 55:16	faced 104:18
encroaching	51:10 53:16	evergreen 20:17	65:5 90:3	105:3
141:25	62:5,8 63:3,7	20:19,19,20	101:15 102:5,6	faces 149:11
ended 113:23	63:16,21,25	23:19,21,25	102:9 118:19	facility 72:10
ends 118:1,3	64:10 71:14	24:1,2,9 41:20	136:17 139:17	facing 34:22
engineer 3:20,21	74:22,25 75:4	44:13 46:24	141:6 143:16	fact 9:25 77:15
8:8 9:9 12:11	75:7,17 82:3,4	47:14	144:21 145:24	142:3 148:8
13:20 69:12	83:24	evergreens	147:3	factor 148:7
80:11 81:3	equal 11:1	24:13 44:24	exists 64:23 77:6	factored 148:5
88:17 91:15	equaled 132:11	45:6,14,15	77:11 117:22	fairly 45:23
95:3,3,20	equipment 6:20	56:8	118:5	47:14
109:13 115:13	16:21 59:4,4	everybody	exit 107:15	fall 46:5,22
142:11	59:13 86:11	43:11 56:24	111:5 113:7	falsehood 142:2
engineering 8:4	escalating 63:13	74:21 76:22	125:7 126:24	familiar 56:22
8:5 14:21	especially	77:15 94:8	127:1 131:1	84:7
53:15 88:24	120:25 153:4	100:24 122:19	135:1	families 87:9
134:13	esquire 3:4	133:3 151:8	exiting 113:9	family 104:19
engineers 12:1	essence 16:5	152:24	117:20 125:14	104:20
english 81:17	29:4 110:24	everyday 60:8	exits 96:17	far 14:25 15:23
enhanced 77:1	essentially 74:19	100:14 106:7	111:18 116:21	66:17 76:16
enhancement	92:23 93:22	136:19	122:23 123:20	78:23 88:7
77:13	102:20 107:4	exact 123:23	126:23	89:5 91:12,22
enter 34:25	107:18 110:4	124:18	expand 23:10	92:3 99:25
131:7 132:17	110:19 111:4	exactly 47:10	expanding 10:4	121:11
139:25 140:7	112:14 117:25	113:12 119:7	expert 14:20	fashion 45:19
141:1 152:24	141:15 144:7	example 62:8	58:25 88:23	48:19 116:9
152:25	144:25 147:22	93:3 106:5	142:8	fast 98:12
entering 117:19	153:7	exceed 90:25	explain 101:7,15	favor 150:7
139:15 145:10	essler 5:12 71:1	exceeded 20:7	108:24 109:15	feed 28:23
entire 38:16	71:1,4,8,12,22	exceeding 22:8	132:2 136:5	feel 91:3,25
39:14 67:6	72:4,11,18	47:13	142:16	96:25 115:11
73:15 74:22	73:1,8,16,20	exceeds 20:10	explained 66:2	141:2,18
126:18 141:16	74:4,12,16	61:15	149:16	feeling 55:1
146:9	75:9 76:13,18	exceptions	explaining	feet 16:2,3,7,7
entirely 73:11	77:8,18 78:3,8	68:15 124:22	109:2 136:21	16:11,12,13,14
entitled 30:10	78:12,16,21	excessive 79:20	expo 147:11	16:19,23,24,25
30:16 95:14	79:4,7 80:2,15	excluded 74:25	extend 101:25	17:3,5,11,12
entrance 19:15	80:21 81:5,9	excludes 57:24	105:13	17:13,14,20,20
30:6,24 112:13	143:14,14,21	excluding 6:21	extended 151:20	17:21,25 19:3
116:21 139:14	144:11,18	excuse 64:5	extending 102:2	19:5,5,7,8,10
140:1,8 141:2	146:2,13	96:19 109:12	extra 34:1 109:6	19:10,19 20:1
141:9 152:17	estimated	123:5	129:13	20:2 21:15
152:17,22,24	125:16	exhaust 151:20	extremely 88:7	25:5,23 32:16
153:1	et 116:5	exhibit 15:18		32:17 33:18
entrances 94:12	evan 3:13	43:24 66:1	F	45:22,23 46:8
96:17 122:23	evening 8:1,6	72:20 117:24	f 157:1	46:10 47:21
123:2 126:23	13:1 57:20	exhibits 4:20	facade 30:17	50:22,25 51:3
environment	97:14 140:3	exist 149:14	33:4 59:11	51:3,19,20,22

55:17 56:8,9 56:10,11,12,16 56:16 57:3,3 76:23 79:16 80:4,4 89:11 89:21,22,23,24 90:8,14,15,16 90:23,25 91:18 92:14 93:5,9 93:12,13 102:19,20,21 118:2,4,13,15 118:20,21 139:20 147:19 148:16,17 fell 58:8 felt 119:3 fence 57:24 58:2 58:4,8,12 86:22 fenced 57:24 fencedin 57:1 field 38:12,15,17 48:19 fighting 69:5 figure 143:25 fila 16:3 filed 6:7 21:5 fill 66:4,5 70:7 107:13 108:1 132:3 filled 22:22 24:20 55:23 64:25 109:7 135:20 filling 65:10,12 65:20,22 fills 65:7 final 26:13,17 115:24 148:11 finally 106:8 finance 116:15 financially 150:9 157:15 find 63:7 83:24 111:20 finder 35:18 fine 48:20 123:2 fined 58:4 finger 23:20	102:15 finish 41:16 64:3 64:4 116:3 finished 13:18 22:25 fire 16:22 25:14 60:5,21 61:1 61:10 119:14 firefighter 16:22 firm 75:17 97:6 first 10:14 13:22 14:17 23:25 25:23,23 36:23 36:25 41:17 46:13 57:19 64:20 68:12 86:5 87:23 88:20 90:14 95:22 116:1 117:14 120:2,6 122:10 123:17 125:4 128:25 129:2 134:7,9 134:13,14,19 137:8 139:8 146:21 149:20 150:25 152:7 152:10 157:8 fisher 7:23 9:1 10:2,13 18:18 25:20 32:2,12 32:23 35:16 57:16,20 58:15 61:3,11 63:16 64:7 70:2 72:2 72:9 74:10,23 75:7 76:7 79:2 82:10,11,12,22 83:2,3,8,10,12 83:17,20 86:19 86:20 87:7,7 90:11,12 96:2 100:8 102:5 107:9 109:23 112:19 127:11 127:15,24 129:19 130:19 136:22 149:23 fishers 71:5 fit 143:12	fits 92:19 five 19:17,23 28:2 57:2 60:7 79:12 84:11 108:4,4,17 109:7,10 143:11 147:7,8 154:4 fiveminute 84:10 fix 115:3 fixed 58:9 flag 6:23,25 flanigan 147:12 147:16 flooding 42:24 65:2,15,16 floor 16:2,6 95:19 128:8 flow 96:15,16,20 96:21 99:7 109:21 134:4 flower 57:3 flowing 96:12 136:3 flush 18:7 focused 71:20 folks 49:21 88:11 follow 47:3 68:9 93:2 95:24 134:16 following 50:18 101:22 123:25 124:3 follows 14:17 27:21 36:23 64:20 86:5 87:23 88:20 117:14 120:6 122:10 134:8 139:8 146:21 150:25 152:10 followup 134:14 foot 17:12 18:17 23:4 54:7,8 76:25 118:19 footage 153:7,9 force 99:10 foregoing 157:6	forever 50:5 forget 29:20 formal 142:25 forth 157:9 forward 18:1 148:13 foundation 20:22 22:7 four 26:1,2 35:8 45:14 47:13 57:2 93:6 100:12 109:10 154:4 furlane 86:24 franco 7:7,8 43:8,18 44:25 45:7 53:22,25 73:19,21,24 74:6 84:22,23 111:11,16,21 155:21 frankly 22:3 free 28:5 34:11 freestanding 19:9 26:23 28:6 29:7 32:15 fried 106:10 front 15:17 16:15,23 25:23 27:10,25 30:5 35:1 60:6 98:21 106:9 135:1 149:23 frontage 20:14 90:21,24 91:24 92:16 95:7,13 97:19 117:17 fuel 32:15 60:24 61:8 68:14 100:9,11 full 39:15 43:19 102:18,22,23 118:15,18 134:14 fullon 92:9 functions 118:12 fundamentally 54:6	funneled 94:16 funneling 94:8 113:16 further 45:1 49:8 70:17 83:18 87:17 117:6 138:13 145:19 146:14 157:10,13 future 108:14 G g 36:22 64:19 120:5 146:20 150:24 gain 150:8 gap 108:1,18 109:4,6,7,10 109:19 117:1 123:23 124:2 130:25 133:18 135:15,16,18 gaps 107:21 108:13 109:7 110:1,22 124:5 133:13 garbage 58:5 garden 112:6,9 112:10 124:12 139:14 140:8 141:2,3 152:16 152:18,22 gardens 63:17 gas 12:3 60:19 gasoline 61:13 gathered 147:1 gene 5:23 150:21 general 14:6 68:1 94:21 128:6,8,9 136:15 generally 54:20 generate 145:1 generates 136:16 generator 92:25 147:21 generic 16:4 29:23
---	--	--	---	---

gentleman	49:19 51:18	131:1 132:2,16	grow 25:14	77:12 136:21
103:19 104:3,8	55:15,21 66:2	133:8,10,14,18	45:23 46:4,11	hasnt 21:9 27:9
gentlemen	76:9 82:6,16	133:19,22,23	57:1 67:17	141:7
104:20	83:8,9 96:4	133:24,25	grows 49:18	hate 55:17
getting 88:7	102:20 106:9	135:4,6,13,13	growth 46:13	havent 13:15
92:7 93:15	113:1,9 114:24	135:14,14,23	guarantee 49:12	50:9 67:10
94:6 98:5,6	118:18 125:6	136:1,3,6,11	49:13	106:16 125:11
131:2 133:17	125:10 136:19	136:22,22,24	guess 51:17,18	150:22
giant 52:1	139:24 145:8,9	136:24,25	52:19,23 56:22	hayes 3:17 7:11
girl 103:24	going 9:7 11:24	137:3,4,18,22	80:7 93:19	7:12 28:10
104:10	12:2 15:21	138:1,1,4,7,8	105:10 127:7	29:15 30:7,12
give 21:23 28:3	22:18,22 26:2	138:23 139:15	143:6	30:15,21 31:2
89:3 90:10	31:8 34:24	139:17 141:4	gully 22:14,20	31:8,12,16,20
99:9 110:21,21	38:25 39:1,25	142:2,4,5	23:2 55:21	31:23 32:9,19
111:19 113:25	41:11 42:7,8	145:6 148:9,13	64:23 65:1,4	32:21,24 33:8
114:3 128:17	43:9 45:7,13	151:12 152:17	65:11,13,20	33:15,19,25
131:16 135:23	46:11,19 47:5	153:19 154:9	66:3 70:8,8	34:3,13,24
138:13	47:6,7,10 48:6	154:23	gunfight 69:5	35:5,11 36:1,8
given 6:4 14:4	52:6,12 53:2	good 8:1 49:8		49:24 50:6
40:8 120:25	55:20,25 56:3	97:23 105:6	H	74:18 75:3
132:25 139:13	56:21 57:5	115:9 116:19	h 4:11 14:16	85:1,2 155:22
148:12	59:3 60:3,6,10	124:22 148:21	36:22,22 122:9	hazard 25:15
giving 77:22	63:5,20 64:12	155:19,20,22	122:9 146:20	26:4
go 9:7 15:21	65:1 66:4,5	155:25	152:9,9,9	heading 118:24
25:3,6,7,9	67:17 70:7,8	goods 100:10	half 35:3 66:6	132:5 154:7
28:11,13 29:24	70:20 72:24	grace 5:5,8 55:6	93:20 145:23	health 42:5 84:2
30:15 31:24	83:11,11 84:8	55:6,10,13	hand 50:9	hear 47:17
32:16 33:24	89:18,25 91:19	56:12,15 57:16	handle 99:3	59:18,22,25
35:22 47:19	91:21 93:23	57:19,23 58:2	handled 7:20	60:1,5 64:25
48:7 62:23	96:10,15,25	58:22 59:2,6	handout 23:20	106:4 126:23
63:18 70:4	97:18,19 98:14	59:10,14,17,23	43:24	127:8
72:20 82:21	98:16,17 99:8	60:2 64:16,16	hanging 58:9	heard 6:11
83:3 85:8 87:5	99:9,10 100:9	64:22 65:10,19	happen 48:4,10	15:22 68:25
100:7,11,11	100:12,16,22	65:25 66:9	61:1 65:1 69:2	80:18 92:2
101:2,8,9	100:25 101:1	grading 76:9	69:16,19,21	94:5 95:4
103:12 106:20	102:5,12 103:4	granted 34:8	96:25 98:17	97:21 106:16
107:17,23	103:6 104:12	grass 41:22	104:19,21	120:18
114:9,13 115:7	107:6,11,11,25	great 121:5	106:5 136:22	hearing 6:13 8:2
118:7 125:9,12	108:5,13,24	124:15 140:15	149:8	8:4,7,9,16 10:8
125:12 138:8,9	109:7 110:9	green 52:1 98:20	happened	14:20 15:14,23
140:6,19	111:7,9,10,20	123:22 127:12	104:20 119:18	24:7 38:6
142:16 147:23	112:23 115:12	136:23 153:4	happening	43:17,19 44:9
152:20,22,23	119:3 122:17	grew 86:15	149:5	95:18 114:13
153:3,13,18	122:23,24	grey 101:19,19	happens 107:16	153:23 156:6
154:6,18,19,21	123:9,19 124:2	101:19,20,23	110:14 111:3	156:10
154:23,24,25	124:3,4,12,13	gridlock 42:8	114:20 150:2	hearings 6:10
155:1	126:25 127:2	gross 16:1,6	154:13	heavy 127:14
goal 110:18	127:11 129:4	ground 18:11	happy 48:16	height 16:18
goes 22:13,19	129:15,19,24	55:19 74:20	106:4 140:13	17:23 21:14
23:1,2 49:15	130:5,19,22,25	80:13 153:17	hard 44:12	25:22 31:17

45:22 46:9	140:21,22	68:23 69:9	60:19 61:4,15	93:24 113:13
50:13,16,19,23	141:1,9,16,21	97:7 140:22	64:16 67:7	127:2
52:5 56:8,9,12	143:1 149:6	145:24	70:2 72:11,15	improved 45:19
held 2:5 58:25	151:17	house 44:11	74:14,16 76:11	54:6
109:11	hill 55:20,22,25	66:1 149:11,21	76:16 77:15	improvement
hell 135:12,12	96:14 103:3,4	150:14	78:16,21 80:21	97:17,17 101:6
help 35:16 53:20	103:20	houses 22:12	82:1 91:12	112:10 116:9
53:21 67:12	hit 104:1,2	66:1 87:6 88:5	94:14 100:17	117:25 125:15
91:24 144:21	153:1	124:24 140:20	100:22 101:12	127:10 146:9
hepworth 5:3	hits 25:7	149:3,5,7,14	101:13,22	improvements
36:16,16,18,20	holidays 6:22	housing 18:3,9	103:15 104:20	12:12 71:16
36:25 37:8,11	home 10:20	huge 61:10	105:7 108:16	73:10 114:18
37:18,23 63:3	12:23 55:18	hult 3:21 95:5	108:16 109:16	116:5 121:22
63:15 64:1,5	60:5 152:20	109:14 115:5	111:20 119:5	127:9 143:1
95:22 97:11	homeowners	142:18	119:10,15	146:12
98:2 99:5,21	79:10	human 121:25	120:14,24	improving 41:7
100:6,16,22	homes 10:20	129:22 130:9	126:2 129:5	inaudible
101:11 102:6,9	12:22 150:13	137:25	130:24,25	131:14
102:12,16,25	homestead	hurting 98:4	131:1,19 132:2	inbound 93:21
103:15 105:7	86:14	husband 75:15	136:21 137:20	94:1 112:25
154:2,2,18	honda 46:16	119:12	138:23 140:13	incidences 99:11
155:6	honest 94:15	hvac 59:7,21	142:2 149:7,11	incident 103:18
hereinbefore	honestly 99:21		152:6 153:14	104:16,18
157:9	102:25	I	155:21	incline 55:18,21
heres 135:22,24	hope 9:6 13:2	id 30:22 37:3	imagined	include 34:4
hes 84:7 104:22	123:12	67:20 150:14	104:21	38:4 71:15,23
135:13,14	hopefully 10:25	idea 28:3 49:8	immediately	73:3 74:12
149:24	11:19,20	58:1 124:15	103:10	76:20 126:14
hi 148:22	hoping 114:7	identification	impact 10:10	142:25
high 56:16 80:4	horizon 3:5	15:8 34:23	15:2 42:9,14	included 16:18
114:3	horizontal 25:4	44:4	46:21 51:10	42:10 72:9
higher 59:12	horizontally	identified 24:24	70:10,21 71:14	73:9,17,18
67:16 129:25	25:7	78:23 79:4	74:23,25 75:5	79:3 81:20
highest 76:11	horrific 151:21	identify 27:19	75:7 93:15,16	82:3,4,12
128:23 145:16	horvath 5:17	identity 11:10	100:5 145:21	includes 50:2
highlights	122:5,5,14,14	27:22 28:4	impacted 48:9	142:21
142:20	122:16	idiosyncrasies	77:1 149:6	including 7:24
highway 10:19	hour 98:19	105:20	impacts 79:15	49:25 111:13
54:22 58:14	103:13 105:15	ill 68:9 74:16	impede 96:15	140:20 146:11
86:2,16,25	107:20,24	78:3 79:8	impeded 44:23	incorporate
88:3,8 90:8	108:2 111:12	95:18 107:2	impedence	63:6
92:16 95:12	126:14 128:20	156:7	103:5	incorrect 142:5
97:5 98:9,25	128:24,25	ills 115:3	impervious 20:1	increase 120:17
106:23 110:18	129:16 130:12	im 9:7 13:19	important 11:4	144:12 145:2
112:16 113:21	131:25 135:13	15:21 22:17	12:21 23:14	145:16
115:3 117:19	136:2 137:14	33:22 34:5	importantly	increased 8:23
117:20 118:5	140:3 141:23	39:16 40:14	20:16	10:7 17:10
121:18 124:10	143:8 145:3,4	42:2,5,16	impossible	incredulous
124:25 137:15	hours 6:17	50:18 52:19	47:11	143:9
140:13,15,17	68:11,13,21,22	56:13 60:3,16	improve 48:1	independently

36:9	108:13 113:2,3	136:13 151:11	68:25 69:4,6,7	103:10,11,13
indicated 12:22	113:8,14,17	J	69:18 71:6	104:14 106:8
15:13 39:7	121:20,21	j 6:5 146:20	78:23 87:10	106:17 111:23
61:12 65:21	124:14,24	january 6:6	89:5 94:11	112:13 116:18
73:2 95:5	125:19 126:5	jeopardy 101:1	96:2,7 99:7	116:25 117:1,3
115:6	145:20,21	jersey 1:23 2:5,6	112:2,8 115:7	117:4,17,18,21
indicates 95:9	intersections	3:6 34:14 70:4	115:21,25	118:3,7,11,12
indicating 35:23	89:12 97:4	95:6 157:5	116:4,8 120:20	118:12,19
individual 6:16	121:14	jessie 5:21	123:16 126:10	123:7,8,9,12
6:19 43:24	intersects 55:15	146:16,16,24	128:13 129:11	131:22,22
49:21 90:6	introduce 63:21	147:5	129:22 130:7	133:6 139:16
individuals 6:14	63:24	johnson 61:21	130:14 133:9	139:18,19,21
industrial 10:1,4	introduction	123:9,9	135:9 136:10	141:1,4,7,16
10:18 88:5	27:22	join 6:23	136:15 137:25	lanes 99:15,15
infill 48:12	invite 143:7	july 8:7,9,13	138:17 141:13	104:7 116:22
information	involved 119:23	21:24 142:20	142:6 148:1	121:16,17
53:6 89:4	irrespective	jump 103:10	153:21	large 23:18
116:14,19	25:11	june 8:3 14:20	knowing 23:14	47:14 56:23
ingress 111:25	island 20:13	justify 12:14	knowledge	92:9 147:6
initial 8:3	87:6 88:6		45:19	larger 35:1
initially 24:9	isnt 40:7 42:16	K	L	50:22 93:6
108:21 112:15	72:4 73:2	k 14:16,16 64:19	187:22 117:13	largest 92:25
112:15	108:9,10 129:8	88:19	120:5 150:24	laser 101:23
instance 49:9	136:7 138:6	keep 13:2 77:5	150:24	latitisa 2:3 157:4
90:23 144:22	154:23	83:11,11 96:11	labish 5:20	157:20
instantly 104:3	isolate 154:24	116:23 130:18	140:25,25,25	laura 5:22
institution 61:8	isolated 87:9	keeps 76:22	141:8,12,17	148:22
intended 51:21	154:3,8,15	77:15	142:13 143:6	laurel 3:6
74:11	issue 21:1 49:24	kentucky	151:17,17,23	law 3:3 49:10
intensity 18:16	58:5 62:8 63:4	106:10	lack 124:10	50:5 96:22
18:20,22	63:7 64:10	kept 90:6	laid 11:2	laws 94:23
132:18,24	75:24 98:5	killed 104:3	land 10:2 22:11	layout 15:15,23
137:1	103:6 119:23	151:19	22:21 49:10	17:6 19:25
intent 74:8 94:9	issues 12:9	kind 21:23	82:5 150:1	learned 98:7
interaction	57:15 62:5	22:13 52:6	landowner	leave 35:22
91:20	63:12,14,16,21	61:16 90:6	63:13	leaves 42:4,4
interested	63:25 83:25	95:15 103:5	landscape 23:7	46:4,21 66:19
157:15	90:2 97:7	106:4 110:19	50:2	66:20
interrupt 64:12	148:10	111:24	landscaping	led 18:1
interrupting	item 109:15	kinds 52:5,21	10:7 13:14	ledger 6:7
64:6	items 7:19 26:17	104:7,24,25	15:19 19:25	left 29:16 87:7
intersection	142:21,23	105:3	20:22 24:7,20	91:11 98:18
12:18 58:23	ive 22:16 36:17	know 9:4 22:20	26:17 48:17,24	99:17 103:9,10
71:17 72:14	55:22 60:2	22:23 28:11,14	49:22,25	105:11 107:6
73:11,12,22,25	79:7 80:16	29:4 37:3,12	lane 91:23 97:18	117:24 119:2
82:9,10,15	88:3 91:15	42:9,14 47:4	98:12,18 99:1	127:13,19
93:20 96:3,5,9	92:3 94:21,22	54:17 56:21	99:19 101:20	136:8
97:16 98:1	100:13 109:14	58:10 63:19	101:25 102:1,2	lefthand 104:14
99:13,16 100:2	111:1 119:3	65:1 66:21	102:3,22 103:8	leftturn 99:1
101:8,24 107:3	120:13 124:20			101:20 121:16

80:24	lighting 17:22	20:20,24 27:13	107:14,21	maam 39:6
legally 29:1	18:7,13,23	90:13,15,16	108:7 111:9	78:18 105:25
leland 46:12	19:1 80:3,3,12	118:13,16	112:16 113:1	135:11 150:11
length 99:19	80:13,14	123:21	113:22 115:1	mahesh 5:24
102:3 105:11	lights 18:3 80:5	locations 16:8	115:19 116:13	152:3,14
141:12,16	liked 119:9	16:15 27:19	117:18 118:25	mail 141:20
lengthened	limit 90:21	long 51:20	119:16 121:17	142:1 151:19
118:25	limited 45:11	114:12 129:9	122:25 123:3	main 109:23
lengthening	93:19 112:4	129:11,22	127:21,22	110:18,22
99:1,15 121:15	limitedtype	132:5 134:2,21	129:25 132:16	153:2
lerner 3:13 7:15	106:23	155:23	136:18 140:16	maintain 47:14
lessened 16:14	line 9:8,8 18:16	longer 113:23	145:23 147:6	49:23 57:4
17:14 109:25	24:3,15,18	113:23 141:5	153:3	maintained 52:3
132:24	43:12 44:9	look 22:18 23:19	lots 18:23 29:1	57:17 58:7
letter 9:6 13:13	47:22,22 54:1	23:20 31:2	76:20 129:20	maintenance
18:7 22:2	54:5 66:5	36:1 48:18	149:24	21:1 49:6,13
75:17 80:17	72:25 95:23	62:23 90:21	lottery 34:14,18	49:14,18 50:1
115:6 142:20	109:23 110:23	109:9 139:19	low 80:5	50:2
letters 109:19	129:22 141:24	154:12	lower 23:18	major 10:18,19
letting 87:5	143:11	looked 39:4 89:8	113:18 127:22	majority 153:5
level 18:20	lines 44:19	89:9 121:8	lowest 25:24	making 12:16
25:23,25 55:19	151:20	144:22 147:25	lucky 119:11,12	26:4 42:9
67:16 115:15	link 86:21	148:4	luminare 18:4	90:13 101:4
levels 109:19	listen 13:19	looking 11:5,6,7	lumped 144:9	105:4 107:6
license 157:20	listening 12:7	11:12 30:22	lynn 60:13,13,16	112:10 113:10
life 88:4 120:23	94:5	31:13,17 37:4	60:25 61:16	115:15 125:2
136:22	lit 80:12	44:11 55:14,16	82:1,8,14,21	127:13,15,19
light 12:1 17:23	litter 20:25	56:13 105:4	83:3 106:2,2	136:8 137:7,9
18:1,10,12	little 22:14,19	113:25 115:17	107:24 108:16	153:20
82:11 94:8,17	22:20 44:12	115:18 122:19	109:3 110:6	management
96:4,11 98:20	56:1,2 57:3	149:10 153:23	116:17	43:2
101:19,20	78:21 82:9,15	looks 62:14	M	map 70:4 83:12
102:7 103:22	82:18 98:4,6	112:7 140:15	m 2:7 3:4 6:11	154:12
103:23 106:14	102:17 103:1	149:10,12	6:12 14:16	mapping 75:23
110:11,13	110:20 115:11	lose 117:20	64:19 117:13	76:13
111:13,17	131:20 133:4	150:12	117:13 122:9	maps 38:18
112:1,5 116:11	133:15 138:23	losing 52:11	128:24 140:4	maria 5:15
126:24 129:3,9	live 36:16 49:18	lost 103:25	150:24 152:9	117:10
129:17,24	55:7 87:10	104:10 114:25	156:4,10	marianna 3:22
130:1,3,10,18	97:15 120:21	lot 11:19 28:25	m1 9:22 22:12	marie 5:5 55:6
130:20 131:13	146:17 149:5	29:5 30:21	27:4 29:5,6,8	mark 4:5 5:8 8:5
131:23,24	lived 55:22 60:2	32:12 45:12	29:12 71:5,10	8:6 9:8 13:16
133:3,7,10	75:13 88:3	71:5,10,15,23	72:23 76:24	13:22 14:19,24
135:9,17,23,25	120:13	71:24 72:2,4	78:5,11 79:1,2	15:4 28:18
136:4 137:24	lives 77:8	72:12,22 73:3	79:15 81:4	43:25 64:16
138:2,5,6,10	llc 1:8 7:23	73:5,6,9,13,22	82:23,24 83:1	66:17
138:12 139:25	local 68:12,18	74:1,1,5,9,13	83:4,6,8,10,11	marked 15:7
140:6 152:23	68:18	79:23 80:12	83:12,13,19,19	44:3 62:19
154:6,25	located 33:22	87:7 91:19	83:20	market 11:11,13
lightest 127:15	location 18:21	92:15 97:21,22		11:14,15 12:9

marketing 34:9 34:10	95:20,21 97:9 108:23 120:1,3 155:8	mine 95:23	86:12	30:24 33:16,17 33:20 89:7 140:8 141:21
match 33:9 36:7	meetings 6:5 8:17 79:8	minimum 25:22 46:9	move 45:5 74:16 99:15,17 148:13	nearby 10:9
matches 36:5	meets 19:5 20:15 32:6 33:4 43:2	minute 60:18 107:25 137:18	moved 17:1 79:22 125:9	necessary 6:22 11:23 12:5,6 34:11
material 34:9 36:2 39:7	mega 140:13	minutes 106:12 107:17	movements 99:17 112:22 112:23,24	need 12:3 27:22 28:9,21 35:15 79:14,17,20 86:11 92:16 94:14 105:8 116:25 121:1 122:23 131:19 134:5 138:22 142:21
math 129:14 132:7,9	member 36:13 128:10 131:14	missed 97:11	moves 86:19 99:11	needed 10:17,21 112:17,20 116:14
matter 2:2 78:14 104:8 130:21 131:4 137:6,8	members 3:10 7:25 36:12 87:10 89:17 108:22 155:20	missing 46:25	moving 91:10 96:14	needs 11:15 48:8 116:16
mature 44:16 47:15 66:22	mentioned 17:4 23:12 45:1 57:16 59:2 64:23 65:15 90:18 139:14	mission 143:9	multiple 123:18	negative 14:12 123:18
maximum 16:18 18:16 19:21,22 52:4 98:11 105:15 147:16	merged 118:4	misunderstan... 72:16	municipal 2:5 6:9 49:10	negligible 40:13
mayor 3:17 7:11 7:12 28:10,23 29:15 30:7,12 30:15,21 31:2 31:8,12,16,20 31:23 32:9,19 32:21,24 33:8 33:15,19,25 34:3,13,24 35:5,11 36:1,8 49:24 50:6 74:18 75:3 77:19 85:1,2 155:22	mess 153:19	modeled 50:21	mushroomtype 18:14 80:5,14	neighbor 71:13 77:8 115:11,18 147:18 148:8
meadow 119:22	met 80:19	models 100:3	myriad 10:21	neighborhood 46:5,20 69:2 69:19
mean 53:17 67:18 68:17 71:7 72:19 80:6 81:18 95:13 144:11	metes 77:22	modifications 116:10 151:11	N	neighborhoods 63:18
means 116:22	methodology 134:13	modify 93:23	n 2:1 3:1 4:2 6:5 86:4,4 87:22 87:22 88:19 120:5,5 139:7 146:20 150:24 152:9	neighbors 17:9 17:24 18:5 22:9 47:7 75:13 79:23 119:12
meant 29:5	mezzanine 15:25	moment 9:10,12 109:12	name 5:2 50:8 50:10 55:6 64:15 68:2,4,7 69:23 70:25 85:25 86:8 87:18,25 88:1 95:21 105:25 117:7,10 119:20 120:9 122:4,5,13 124:7 125:21 126:2 139:11 140:11 146:16 146:23 151:3 151:15 152:2 152:12	neither 157:10
mechanical 16:21 59:3,4 59:13	microphone 47:17	money 12:15 97:21,22	names 31:20 38:19	never 37:2 38:24 51:19 57:23 60:1 104:21
meet 20:4 29:24 30:8 35:9 121:17,18	middle 21:24 45:24 62:22 94:17 131:6 153:10	montano 5:11 69:24,24 70:16 70:20	narrowest 9:2	new 1:23 2:5,6 3:6 6:10,11 34:14 37:16 46:4 50:13,24 52:12 67:13 70:4 80:23 82:23 83:19,20 91:23 100:1 101:19,25
meeting 6:2,3,19 13:5 23:13 24:5 38:8 47:12 89:3 91:12 92:3	midway 33:23 92:20	months 9:14 116:2,3	nature 129:22 130:9 137:25	
	miles 98:18 103:12 135:13	monument 19:2 19:4,6,22 26:25 27:8,9 27:12,18 28:1 28:7 30:10,18 31:2,5,6,14,21 32:1,10,11,16 33:11,11 36:4 36:7 62:13,17 62:21	near 10:13	
	millertown 96:10 130:15	morning 60:8 100:14 144:4 144:24		
	mind 13:2 80:6 116:23 126:20	motorcycle 60:7 104:3,9,22		
		mount 3:6 19:19 30:3,4 33:2,6,10		
		mouth 47:25		

107:2 110:17	number 9:3,16	64:9	operates 108:25	112:25
112:13,17,18	10:4 15:20	occurs 93:25	operation 68:13	outbursts 14:12
113:10 117:17	17:7 19:23	oclock 60:7	112:23 121:13	outlet 113:6
139:15 141:2	21:9 25:13,14	156:2	121:20	outlets 112:25
143:20,24	26:16 29:21	october 155:16	operational	outside 17:25
144:5,6,7,15	37:6 70:14	offering 150:14	146:10	overall 10:16,23
144:19 145:1,5	80:22,25 81:6	office 9:6 10:20	operations	16:6 145:15
145:11,17,19	81:7,20,22,23	17:1 23:1	68:16	owned 83:2
145:25 153:13	85:9 103:18	44:21 93:12	opinion 77:15	owners 85:10,17
154:23 157:5	116:10 120:19	111:2 147:6,8	127:22	ownership
newspaper 6:7	123:17 124:18	147:14,20	opportunity	82:20,22
nicely 92:1	125:1 126:14	offices 78:18	14:5,10 36:14	owns 10:2 83:12
nick 4:6 8:8	126:15,19	79:3	48:1 67:25	
88:22 93:3	127:21 128:18	official 16:22	88:14 110:12	P
night 68:22	numbers 109:20	okay 41:18	111:8 131:17	p 2:1,7 3:1,1,18
155:24	144:2,3 146:25	43:21 51:17	134:1,25	3:18,21 6:11
nightmare	147:25	55:5 73:8	138:14 151:25	6:12 36:22
140:22	numeric 37:3	75:10 83:20	opposed 121:7	117:13 128:24
nine 134:9,24	numerous	138:17 143:6	opposite 129:5	156:4,10
135:2,7,11,24	126:24	old 50:13,14	optimizes 99:16	package 99:14
noise 40:14		66:23	option 155:15	page 4:13 5:2
54:10,13,16	O	older 10:19	options 94:12	13:12 71:14
56:3 59:17,21	o 36:22 120:5,5	12:22 90:2	orchard 86:18	pairs 92:23
59:21,25 66:20	122:9,9	olive 112:6,9,10	order 6:2 97:22	pallet 36:3
87:1	oath 14:22 55:12	124:11 139:14	112:18,20	pandya 7:16
noises 60:8	61:24 66:15	140:8 141:2,3	154:6	panels 75:19
nonmetered	68:8 86:2	152:16,18,22	ordinance 19:5	paperwork
116:21	149:2	omitted 71:18	20:5,15 28:1	34:14
normally 114:24	object 88:11	73:3,20 74:5	29:8,19,24	paragraph
north 33:4 89:7	obligation 49:8	74:10	30:2 32:6	80:24
89:8,10 106:20	49:15	onboard 126:4	34:18 35:10	paragraphs
127:19	observation	once 46:15 47:7	38:10,11 43:3	81:8,14,17,22
northbound	94:21	86:22 96:13	51:7,9,15	parallel 18:10
96:6 107:5,11	obvious 52:10	103:2 107:16	52:14 65:6	paramount
107:22 118:14	obviously 23:12	117:21	70:14 76:24	94:10
127:13 144:24	94:6 154:22	ones 28:20 30:22	ordinances	parapet 16:18
145:5,7,14	occupancy	39:1 80:23	53:14	16:22 59:9
154:7	147:23	91:21	organized 10:25	parapets 16:20
northern 112:3	occupants 98:3	oneseventh	orient 101:21	park 143:7
notary 2:4 157:5	occupations	137:1	orientation	parking 8:24
note 142:23	12:23	onetenth 107:14	90:10	17:6,7,8,9,10
notes 2:1 157:7	occupied 126:16	ongoing 49:14	original 21:6	17:13,17,18,19
notice 6:4,6,17	126:18 147:10	148:11	24:11 50:3	20:11,12 45:12
6:21 80:25	147:11,19	onsite 93:24	116:17	80:12 93:5
81:2,15,17,21	occupy 78:22	open 6:5 68:10	originally 37:9	129:20,25
156:3	148:9	69:9 95:18	80:15 81:12	147:6
notices 21:9	occur 127:11	128:8 146:5	94:10	part 9:22 15:16
notified 114:20	occurred 10:12	opening 87:15	ornamental	21:18 34:7
november	135:18	opens 146:11	41:21	42:14 44:24
155:15	occurring 63:22	operate 147:22	outbound 93:21	50:6 58:20

59:11 67:3	121:21	permit 95:6	12:25 13:6,16	please 6:9,22 7:2
70:6,8 71:5,10	people 14:3	143:5	15:7,11,19,20	24:23 27:7
71:23 72:4,12	35:12,16,22	permitted 19:17	21:2,3 26:13	31:25 47:16
73:3,14,24	39:21 42:6	32:2 33:6,25	28:8 40:4 50:3	50:8 64:15
74:3,23,24	68:12,18,19,21	79:2 80:6,8	62:16 71:15	69:23 84:16
75:4 77:2	69:18 83:18	permitting	72:5 73:9	85:24 86:7
79:10 82:5,11	86:21,25 91:20	96:22	91:13 97:17,18	87:12,17,25
85:11 93:23	91:24 94:16	perpetuity 49:5	98:24 101:6,17	95:21 116:23
96:2 111:21	98:16,17 99:9	person 115:15	128:1 130:24	117:8 122:12
112:1,3,8	99:10 101:2	personnel 61:2	139:19 152:18	124:7 131:16
126:6 143:4	102:16 104:6	perspective 18:4	155:4,4	139:10 140:11
147:11 149:15	104:15,25	44:20 54:11,13	planner 3:18	151:2
149:23,25	105:1 107:11	77:10 91:14	8:12 9:10	plenty 79:11,18
150:11 152:18	107:12,20,24	150:19	13:25 28:17,19	79:19
particular 8:21	113:3 115:19	pertinent 63:4	48:18 155:10	plus 39:13 93:8
95:19 105:21	123:9,10 127:1	phase 107:8	planners 60:17	93:11 134:24
119:23 121:9	127:23 128:7	108:9 109:25	planning 1:2	138:8
121:12 136:15	129:19,23	110:25 112:18	6:10,18 26:14	pnc 21:18 34:4
139:1	130:18 131:13	phasing 110:10	53:14 56:1	34:11
particularities	131:23,23	110:13	60:10 95:17	podium 85:24
94:23	133:6,20 137:4	phillips 8:12	108:12	point 25:1 29:22
particularly	137:17,23	9:10	plans 8:14,15	44:13,20 52:18
12:3 113:24	141:23 145:12	photo 62:13,15	15:1,16 22:3,7	52:18 65:8,9
parties 157:12	150:3,7 153:18	physical 17:25	24:22 26:18	65:24 67:17
parts 81:5	percent 20:2	18:3	35:19 89:1	72:21 75:16
party 49:20	125:3,5,8,16	pickup 104:9	98:14,25	76:4,11 79:5
pass 11:13 27:22	125:17 139:24	pictures 55:14	115:25 119:6	82:9 95:23
60:7 92:5	140:5 143:23	141:17,22	142:25	98:2 100:15
144:6,10	143:24 144:5,6	piece 94:24	plant 56:25	103:6 105:9
passby 11:11,19	144:7,9,12,18	102:21	67:13	106:13 109:2
11:20,20 92:5	144:19 145:2	pile 136:18	planted 23:19	111:24 123:5,7
passing 123:11	145:15,15	pilon 32:4,6	25:5,22 41:24	123:17 124:23
passionate	147:9,23,23	33:15	43:10 49:17,17	138:20 141:7
101:12	153:6,8,10,12	pine 41:5 45:25	49:18	142:3 143:7
path 53:18	percentage	66:19	planting 41:3,5	145:13 148:13
patient 129:10	41:14 124:10	piscataway 1:23	46:9 66:22	148:21
patricia 5:4	124:13,18	place 7:23 9:1	67:1	pointer 101:23
patronize 11:22	143:15 145:25	10:13 18:18	plantings 20:22	points 95:7,10
pattern 95:25	148:20	32:2,12,23	22:8 24:10	105:6 106:25
127:3 146:4	percentile 99:3	35:16 54:14	46:4 48:2,13	pole 28:6 104:1
paul 8:12	105:23	60:21 82:11	49:4 50:24	poles 17:23
paulson 84:5	perennials	90:11 94:13	51:19	police 60:6
pavement	41:22	107:9 109:24	plants 57:6	119:14
101:18,20,23	performance	127:11 129:19	plateau 25:4	policy 6:10
101:25	49:12	130:19 136:22	56:9	poll 155:14,18
peach 86:17	performed	157:9	platoon 110:13	pollution 40:14
peak 68:22 97:7	142:18	placed 100:3	platooning	40:19 42:5,8
105:15 128:24	period 46:20	places 46:16	110:17	56:3 67:15,15
140:3 145:4,24	107:22 120:22	plan 4:14 10:9	play 37:13	67:16,21 87:1
pedestrian	132:21 147:2	10:16,24,25	plaza 98:3	87:1

population 56:23	98:6,12 150:15	85:23 88:16,22	projected 100:1	101:16 145:1
portion 65:6,22	prevent 42:4	93:2,10,14	137:10	145:22 154:8
66:6 72:22	133:20	100:19 114:17	projection	proposing 11:12
73:6,25 74:9	prevents 129:18	116:6 126:6,10	137:11	16:20 19:24
74:20 118:1	130:2,5	127:4 128:1,16	proliferated	27:3 30:4,8
posed 75:11	previous 16:1	146:8 155:3,9	90:5	35:8 37:17
poses 124:23	79:8 83:23	156:2,5	promote 98:23	38:4 39:10
position 116:4	previously 8:19	print 33:9	proper 6:6	41:20 73:15
positioned 27:5	8:24 14:17	prior 63:17	properly 103:11	76:15 78:15
positive 14:12	16:11,13,19	prioritized	properties 17:11	89:20 91:13
114:8,9	18:17 20:4	113:21	22:17 39:23	111:4 112:13
possible 14:13	36:6 55:8	prioritizes	48:7 49:22	124:22 146:10
85:12 154:20	146:7 147:10	110:18	64:24 82:25	150:1
possibly 10:11	148:25	privacy 55:1	90:3,7 113:22	protect 10:9
128:14	pricing 32:5	private 18:19	149:22 154:4	protected 75:15
posted 6:8 49:11	34:12	113:24 114:2	154:17,24	protecting 39:20
49:12,13	primarily 90:4	probably 29:10	property 18:16	120:22
potatoes 143:10	prime 3:3,4 7:25	47:19 52:1	18:19 22:17,19	protections 10:6
143:12	8:1 13:7,13,21	53:18 55:19	24:13,18 25:17	prove 56:17,18
potential 120:17	13:25 14:14,19	58:12,25 66:23	25:21 29:3,4	provide 12:19
120:25	14:24 15:10,13	98:11 105:12	35:7 38:4,13	26:8 43:9 45:5
potentially	21:8 22:1,6,15	121:5,10	38:16 39:14	45:6 48:12
90:24 95:6	23:6 24:19	problem 11:8	41:9 47:22	51:4 54:20,21
109:16	26:11,16 27:21	48:13	55:20 56:4,5	54:25 75:23
poulsen 84:4,6	28:18 29:6,12	problems 11:8	57:1,20 58:3,7	85:15 92:22
pound 143:11	29:20 30:25	64:8 153:19	58:10,16,18,21	94:1 143:2
pounds 143:10	31:10 34:5,16	proceeding	63:17,23 64:7	156:5
pour 123:22	35:4,17 37:6	42:20	66:3,5 67:11	provided 6:16
136:7	37:10,15,19	proceedings 2:2	70:2,3,13,17	24:25 29:23
preaching 105:8	39:9 43:16,21	process 14:9	70:19,22 71:5	42:11 51:9
predicted	43:25 44:6	80:1 96:20	72:23 75:25	91:23 92:23
110:14	47:2,18 48:5	113:2 114:23	77:23 83:17	103:11
preexisting	48:15,23 49:2	146:3	84:1 85:10,17	provides 6:17
63:11,25	49:10 50:4	professional	90:22 91:17,25	109:25
preliminary	51:6,11 52:15	8:12 75:22	92:7,15,19,20	providing 16:21
15:16	56:10,14 57:22	155:9	94:24 116:14	47:13 56:7
prepared 75:23	58:1,17 62:4	professionals	127:24 149:18	106:17 112:24
present 12:25	62:10,19 63:9	23:17	149:20,20	provision 95:8
13:1 128:1	63:24 64:3	program 151:8	150:3,5 154:8	proximity 52:2
presentations	68:13,20 69:6	progress 13:2	proposal 89:22	public 2:4 5:1
14:4	71:11 72:2,6	86:19	93:23 143:21	6:5,10,18 8:2
presented 8:4	72:17 73:5,18	project 8:20 9:4	propose 90:9	9:17,19 13:23
15:15 24:8	73:23 75:8,12	16:6 76:23	proposed 12:12	14:2 18:19
43:16 46:3	75:22 76:7,21	87:5 88:9	15:20 16:10,20	21:23 25:17
76:4	77:14 78:2,10	100:5 102:4	17:4 20:4,7,9	36:13 40:8
presumably	78:14,25 79:6	107:2,8,19	20:24 25:12	50:7 68:23
35:11	80:10,20,24	108:21 114:17	27:4,10 43:1	108:22 113:22
pretty 21:1	81:7,12,14,19	116:8,9 126:12	44:24 67:10,11	114:1,1 128:10
47:23 59:15	82:18 83:1,14	136:12 137:12	71:9 74:19	157:5
	85:8,15,17,20	145:1,6,22	79:12 92:4	pull 87:2 103:19

104:5,23 109:8	54:7 55:13,24	R	54:4 57:9	referencing 33:2
109:9,9 116:23	56:14,20 57:5	r 2:1,1 3:1 14:16	78:16 100:11	referring 43:11
136:20 138:14	58:22,25 62:12	14:16 36:22,22	138:9	76:22 77:5,16
154:21	64:22 65:11,15	64:19,19 86:4	reasonable	refers 13:14
pulling 108:17	65:19 68:10,24	87:22 88:19,19	96:12	reflect 11:13
110:8 116:24	69:12,15 70:1	117:13 122:9	recall 14:21	13:16
pulls 154:5	70:9 71:13	139:7,7 150:24	143:21	reflected 21:2
purcell 152:4,15	72:1 75:11	152:9 157:1,20	receive 143:2	48:12
purchase 116:13	78:3 80:2	racing 103:5	received 9:7	reflects 12:15
purchased	83:23,24 98:8	104:6	15:7 44:3	refrain 14:12
149:18	101:13 106:3	railroad 83:9	75:17	regard 16:15
purchasing 79:1	116:17 118:24	raise 50:9	recess 84:13	regarding 18:7
purpose 71:16	120:11,15	raised 71:13	reckless 105:2	40:10 58:23
71:17 73:10	121:2,5,10	ranging 91:18	recognized	62:1
74:5 155:4	122:15 123:17	rapidly 45:23	14:20	regardless 141:4
purposes 117:5	125:20 126:4	rates 46:12	recommend	region 121:3
pursuant 6:15	129:18 130:8	raymour 147:12	25:11 110:2	regular 6:3
63:15 96:11	137:25 139:12	147:15	recommendat...	regulate 61:6
pushed 110:20	151:22,23	rea 86:17,22	23:17	regulated 70:12
pushing 122:22	152:16 154:1	reach 103:3,3	reconfigure	76:6,12
put 18:2 23:11	154:10	read 40:11	96:3	regulations
31:13 45:13	questioned 8:8	75:20	record 142:14	61:13
47:24 54:14	questions 13:24	reading 109:19	recovery 61:14	relate 21:12
55:25 56:2,21	14:5,7,7 21:4	ready 115:25	red 45:24	67:21
59:23 60:21	36:13 37:25	real 136:22	107:17 111:5	related 157:11
75:19 79:14,21	38:6 50:7	reality 133:2	133:14,14,16	relating 21:20
81:16 94:10	60:11 61:18,25	142:2	redesigning	22:7
100:2,6,24	63:2 66:11	realize 70:5	107:3	relative 23:4
108:3 117:21	67:24,25 69:22	103:20 136:2	redeveloped	157:14
122:17 136:17	70:24 75:10	really 28:25	10:17 12:24	releasing 109:23
143:10 151:8	84:9 89:3,4	37:13 47:4	redo 13:15	relevant 62:11
putting 52:20	94:4,14 95:2	49:16 52:10	reduce 8:18 70:9	78:19
60:18 100:24	95:17,19 96:20	53:20 56:25	70:14,21 124:2	relief 15:2 30:13
122:24	101:5 105:10	79:17 86:13	reduced 8:22	relocating 26:8
	117:7,17	87:3,3,5,8 88:9	16:2,5 17:7,23	rely 92:7,10
Q	119:20 124:19	90:7 91:16	19:4,7,9,13,19	relying 92:5
qualify 66:24	125:21 138:25	92:19 96:9,21	19:25 37:9	remain 18:14
quality 40:14,19	140:24 146:14	96:23 108:9,10	77:12 80:4	19:21 21:14
41:7 120:23	153:22	108:25 119:3	81:3,21 93:4,5	remaining 16:17
quantitative	queue 99:3,4	120:22,24	reducing 65:3,8	17:15 20:21
37:2	105:15,23	121:2 122:1	65:17	21:19 52:16
quantity 65:8	queues 113:23	realtime 97:1	reduction 20:2	82:22 149:13
66:25	queuing 93:25	rear 17:2,5	reductions 9:2	remains 17:19
quarter 32:12	quick 70:1	19:15 30:6	refer 75:10	54:6
question 18:6	119:24 153:15	33:5 34:22	reference 34:9	remedying 62:6
26:19,21 36:25	quickly 23:12	rearended 119:4	37:11 63:4	remember 11:4
37:5 41:17	quiet 60:10	119:9,17	145:13 151:18	12:21 151:24
42:21 43:9	quite 58:6 83:6	reason 11:12	referenced	remind 9:18
47:20 49:1	103:16 129:14	22:2,2 23:5,6	89:17	14:2 67:24
51:18,18 52:24	130:8 135:5	29:13 48:14	references 9:17	reminding 9:19

removed 39:1 40:15,17 43:5 63:12 71:24 76:19 77:2,4 78:4	70:13 75:18 76:23 79:16 99:4 121:15,22 156:4	restricted 68:14 result 8:16 108:11 114:9 resulted 13:9 retail 7:24 16:1 16:4,4,9,12,24 17:1,3,13,15 17:20 27:10,11 35:15 59:16 78:22 79:5,21 93:8 97:23 144:3,8,9 147:20 148:17 149:4 150:8,13	66:4 77:6 90:12,13 91:11 94:24 95:23 98:10 99:11 100:14 101:11 102:10 104:1 106:6 110:1 112:11 113:10 119:22 125:7 125:18 127:15 131:25 132:20 132:22 133:12 135:12 137:7 137:10,16 138:5,6,11 140:6 143:19 150:16,18 151:24 153:4,5	79:12,18 105:13 128:13 155:17 rose 3:16 7:9,10 21:5,22 22:4 22:10,16 23:9 37:1 46:2,19 46:25 47:3 48:6,21,25 64:23 81:10,13 81:16 84:24,25 89:14 110:10 115:20 roughly 33:10 114:6 route 7:23 11:24 19:2,4,9 32:5 34:7 37:12,12 37:13,14,16,18 55:14 59:25 63:4,5,6,7 89:7 89:11,17 98:10 106:21 119:8 119:10 146:1 147:5 150:21
removing 67:2 rendered 4:14 15:6,11 rendering 47:2 renee 5:19 139:2 repeat 68:4 repeatedly 75:14 rephrase 78:3 rephrasing 51:17 replace 47:6 replaced 16:3 45:18 49:2 replaces 48:21 reply 11:14 report 24:25 39:5 49:3 reporter 157:5 reporters 1:20 represent 43:12 44:16 representatives 97:6 representing 148:3 represents 49:3 101:19 request 6:14 19:14 34:4 requested 44:9 45:3,25 80:9 80:23 requesting 19:16,17 21:6 30:3 39:8 110:3 requests 80:16 require 6:19 16:24 20:5,12 92:21 145:18 required 17:19 18:15 20:24 46:17 51:6,8 53:11 65:5	requirement 17:3 18:12 20:8,10 21:21 51:14 60:24 90:25 141:10 requirements 20:16 30:2,9 30:18 35:10 38:11 43:2 47:12 52:14 53:16,17 60:20 61:1,5,7 81:4 91:13,14 requires 34:18 49:11 50:5 54:9 requiring 63:17 rerouted 125:3 reserve 28:12 reserved 155:17 reside 117:10 residential 10:10,19 17:9 17:11,24 18:5 20:17 22:12 39:23 47:12 71:21 76:20 87:6,9 88:5,10 residents 10:9 44:20 77:10,18 122:20 123:4 123:14 127:1 resolution 48:12 resource 142:11 respect 15:24 16:8 17:6,22 18:13 19:1 51:5 responsible 49:20,23 63:13 rest 111:17 139:25 147:12 147:15 restate 50:10 restaurants 86:23	retained 4:20 retiming 99:13 returned 49:7 revamped 12:24 revenue 79:19 reverse 144:7 review 9:13 115:5 116:1 142:6,18,19,22 143:4 156:7 reviewed 10:15 99:19,23 reviewing 115:19 reviews 142:9 revise 29:22 revised 25:10 89:1 revision 15:16 15:20 21:3 revisions 8:14 8:16 9:5 15:1 revisit 71:12 ridiculous 106:12 right 18:19 23:8 32:21,24,25 33:19,20 34:15 37:21 39:2 42:20 44:13 45:1,2,8 50:9 51:11 53:10,11 53:12 55:16 57:10 58:13 59:24 60:19 62:22 64:14	rights 125:17,17 rightturn 113:10 125:2 139:20 140:2 rise 6:22 river 70:23 road 1:21 33:18 37:19 94:1 96:10,24 108:4 108:5 111:9 119:22 124:21 125:6 130:12 130:15 134:3 144:17 152:4 152:15 roadway 59:22 90:21 92:6 114:2 121:9 136:20 144:15 roadways 114:1 114:2 rock 37:19 63:22 rodzinak 3:12 7:3,4 54:5 84:7 84:18,19 role 142:17 roll 7:2 84:16 ron 3:11 roof 55:18 59:8 59:14 room 24:12,19	roughly 33:10 114:6 route 7:23 11:24 19:2,4,9 32:5 34:7 37:12,12 37:13,14,16,18 55:14 59:25 63:4,5,6,7 89:7 89:11,17 98:10 106:21 119:8 119:10 146:1 147:5 150:21 row 17:8 23:21 23:24 24:1,2,9 25:5 26:1 45:2 45:5 rows 20:11 25:1 26:2 44:15 45:14 47:13 rpr 2:4 rules 76:2 rumor 62:1 run 64:6 105:11 119:21 149:4 running 47:8 runoff 65:9,18 70:15 runs 65:23 66:3 66:4 139:21 154:16 rush 128:20 130:12 136:1 137:14 143:8 russell 2:3 157:4 157:20 S

s 2:1 3:1 4:11 6:5 87:22,22 88:19 117:13 146:20,20 152:9 safe 91:3,6 129:12 safely 96:5 109:9 134:6 safer 103:1 safety 60:21 61:10 69:21 94:7 95:11 121:22 123:13 126:25 sake 105:18,19 salad 56:24 salute 6:23,25 sat 109:14 satisfy 79:22 saturday 140:4 144:6 145:13 saw 34:13 46:15 saying 30:22 35:24 40:14 49:16 74:1,6 89:17 97:1 131:19 138:13 151:11 says 71:14 73:8 73:20 74:4 75:22 80:3,5 scale 114:3 scared 153:14 scarlett 3:18 26:13 28:24 44:25 45:3 48:3 50:1 54:12,14 57:10 57:13 75:12,21 114:25 scarletts 13:13 scenario 110:12 scheduled 8:11 school 155:24 schulman 1:19 schwab 9:21 15:25 16:25 17:16 19:18 27:12 28:25	29:25 30:7 31:3,4 44:21 47:7 54:1 74:2 78:9,10,22 79:14,22 134:22 135:4 schwarzkopf 5:9 38:2,2,7,12,17 38:24 39:3,12 39:16,20,24 40:3,7,11,18 40:23 41:1,5 41:10,14,18,23 42:2,13,22 43:4,7 66:13 66:13,16 67:3 67:7,12 scientific 25:21 57:17 58:15 61:12 63:16 64:7 70:3 72:10 86:19,20 100:8 127:25 149:23 scientifics 57:20 scope 21:10 93:4 94:19 screen 16:20 21:15 59:3,10 screening 26:6 second 25:5 34:22 60:4 62:12 65:19 95:10 109:7 111:19 116:20 123:5,7,11 130:25 132:4 134:8,15,20 137:9 148:15 seconds 107:9 107:10,15,18 108:5,7,17 109:20 111:8 127:17,17,18 127:23 132:1,3 132:5,6,8,9,11 132:17,19,19 132:23,24 133:1,16,23,24 133:25 134:5,7	134:9,18,24 135:3,7,11,23 135:24 secretary 6:18 7:3,5,7,9,11,13 7:15 84:18,20 84:22,24 85:1 85:3,5,7 155:12 156:6 section 4:15 38:13 43:10,13 43:14,20 44:2 44:6,10 75:3,5 88:5 89:7,9,13 95:9 106:21 107:20 109:21 see 18:4,11,20 26:22 38:17 41:24 43:11 44:12 47:7 56:19 59:13 62:14 66:1 70:4 72:24 77:10,12 89:8 101:17 104:4 109:22 111:3 123:8 133:12 133:18,23 138:23 143:8 153:17 seeing 36:13 84:10 109:24 120:14 seen 94:21,22 98:13 segment 37:24 109:18 selected 25:10 selfdefeating 138:10 selfishly 112:15 semple 5:15 117:9,10,10,16 118:3,23 send 107:19 114:25 sense 21:23 22:18 96:6 153:18 sent 6:6	separate 11:11 28:2,25 29:1,5 34:5,8 80:13 129:17 separated 11:10 124:5 september 155:19 series 124:24 service 32:3 109:19 services 6:20 set 25:8 98:25 155:10 157:9 setback 16:10 16:13,16 17:2 17:10,13,17,19 21:11,12 76:25 setbacks 8:21,23 8:24 16:23 21:20 81:1,2 seven 6:21 53:24 56:7 68:11 92:14 98:11 132:12 133:15 156:2 shade 20:8 41:7 41:20 66:25 shallow 92:18 share 18:24 shared 27:5,12 28:1,3 30:20 sharing 107:19 148:19 sharon 5:6 50:11,11,16,19 50:23 51:1,8 51:12,16,23 52:4,9,17,23 53:5,8 55:3 128:12,12,17 128:22 129:2,8 130:9,14 131:2 131:8,11,18 132:20 133:2 133:19 134:2 134:10,17,21 135:2,8,16,22 136:10 137:3 137:13,17,21	138:16,22 sheet 32:3 shes 83:14 shields 17:25 shift 68:20 shifted 16:9,12 17:12 19:2 shit 104:16 shooting 69:1,18 shopping 11:5,6 92:9 113:14 136:7 141:19 145:9 147:22 148:16,19 short 84:13 101:24 103:8 106:11 115:16 shorter 134:15 shot 74:18 shoulder 117:20 117:22 118:2 118:20,21 139:17 141:15 shouldnt 88:10 show 27:6 32:9 100:4 109:20 138:23 showing 35:12 43:20 92:21 149:25 shown 24:22 shows 51:2 99:1 101:6 shrubs 20:6,14 41:21,21 56:2 56:2 side 23:12,15,20 23:23 24:13 39:11 44:14 58:3 64:11 65:7,22 66:3 72:23 73:12 98:9,9,15 100:25 101:3 106:4 110:21 110:22 112:7 112:11 113:1,6 113:21,23 115:16 126:9 146:12
---	--	--	--	--

sides 18:11 105:5	102:3	107:4 109:15	152:17	split 128:2
sidewalks 18:15 80:11,13	signoff 115:25 148:11	situation 18:18 106:25 142:9	southbound 96:6 98:9	spoke 85:19,21
sign 19:7,9,16 19:19,21 21:16	signs 19:2,4,12 19:14,18,22,23	situations 119:2 19:14,17,24	100:25 101:3	sport 46:16
21:16 26:23,25	27:7,18,24,24	six 57:3 98:11	101:22 113:4	spots 100:13,16
27:8,9,13,15	28:1,12 29:17	116:3 134:7,19	113:12 118:24	spread 123:20 124:3
27:23 28:6,6,7	29:17 30:3,5,9	141:23	154:7	square 16:2,3,7 16:7 19:4,5,7,8
29:1,2,7 30:10	31:1 32:7,10	size 9:3 29:16,18	space 15:25 77:24 93:12	19:10,10,19
30:10,17,19,23	33:2 34:17,20	30:2,13,18	99:9 101:1	20:1,2 32:16
30:24 31:3,14	35:9,15 81:1	35:1 38:20	103:2 133:11	32:17 92:14
31:21 32:1,3,4	94:18 153:2	92:13 93:4	135:19 148:9	93:5,9,12,13
32:4,6,11,15	silly 104:7	107:14	148:17 149:4	147:19 148:16
32:16 33:6,10	similar 15:22 34:25 36:4	slight 32:14	150:8	148:17 153:7,9
33:11,11,25	45:19 50:3,15	slope 18:9	spaced 91:17,21	staff 8:15,17
34:1,8,11,12	52:20 59:12	sloped 18:9	spaces 17:8 20:12	staggered 24:8 26:1 44:14
34:14,19,23,25	67:1 89:18	slow 103:13 118:8	spacing 90:9,18 91:3,6,15,19	stalls 17:7
35:23 37:12	90:1 106:3	slower 123:11	109:9	stance 133:9
62:13,17,21	153:15	small 108:1,8 147:20 148:20	span 45:11	stand 14:10 23:23 66:22
63:5 81:19	similarly 27:11	smaller 35:4 92:10,13,20	spanner 19:12	67:8 85:19,22
104:1,2	simply 79:22	107:13 140:13	speakers 5:1	standard 59:15 138:19
signage 9:3 26:22 28:13	simulation 109:17 110:3	145:25	speaking 74:21 86:11 96:19	standards 18:15 90:5 121:17,19
29:23 31:24	111:2	snow 122:22	101:10	standing 28:5 44:10 119:11
35:6,6,7,18	single 12:24	soil 63:25	special 6:20 155:17	standpoint 151:9
37:17	sir 45:21 87:17	soils 63:10	species 25:9,10 26:7,14 46:11	stands 59:12
signal 97:20 103:25 107:17	122:15 152:1,5	solar 75:19	57:10	standstill 116:24
108:9,25 109:4	152:13	sold 75:6	specific 14:5 36:15 50:2	star 6:7
109:25 111:5	site 4:14 9:1 10:4,11 11:24	sole 71:16	61:5 67:25	start 63:19 104:15 121:25
111:13 112:12	12:10 14:21	solely 72:13 73:9	69:12 96:24	133:4
112:18,18	15:7,11,16,19	solid 25:13,20	120:11 146:15	starting 29:25 46:7 101:23
113:11 118:8	15:20 20:14	somebody 22:11 48:6 58:9 69:7	specimen 66:24	129:5
118:13 123:22	21:2,3 23:16	104:17 113:9	speed 90:21 95:7 95:13 96:12	starts 23:1 58:13 96:13,13
125:4,9,18	32:8 35:22	116:20 117:1	116:23 118:8	104:14,14
127:12 129:7	44:10 49:14,19	someplace 76:8	141:9	139:19,21
130:23 133:13	49:20,23 54:5	somerville 89:15	spell 86:7 88:1 120:8 122:12	state 2:4 10:19 50:8 60:23
135:19 151:12	62:5,16 63:11	soon 123:21	126:1 139:10	61:7,13 69:23
signalized 71:16 72:13 73:10,12	71:15 73:9	sorry 33:22 108:16 126:2	146:23 151:2	70:25 85:25
73:25 93:19	76:11 92:1,5	sort 51:10 101:10	152:12	87:17,25 94:22
signals 106:22 106:24	97:5,16 100:21	sound 108:18	spend 97:22,25	95:12,21 114:6
signed 126:8	111:25 112:4	sounds 107:25 110:8	spending 97:21	115:8 119:20
significant 9:2 11:9 111:10	118:1 123:20	south 16:10 31:3 100:23 145:9		
145:18	127:20 137:9	147:5,15		
significantly 8:18 95:11	sites 11:13 27:22 137:16			
	sits 59:8 112:11			
	sitting 103:19 104:5,11,17,23			

122:3,22 124:7 125:21 138:18 142:24 157:5 stated 126:13 142:13 statement 14:6 14:11 42:20 49:25 68:1 71:14 80:1 88:15 95:1 152:1 statements 101:5 stating 96:10 station 32:3 60:19 stations 61:14 statutes 97:1 stay 39:1 140:15 stays 18:10 118:2 stelton 1:21 stenographic 2:1 157:7 step 30:1 50:8 53:23 stephen 3:12 stepped 43:20 sterlacci 5:14 87:19 88:2,3 124:9,9,20 stick 115:16 stop 62:2 90:12 96:13 98:13,20 102:23 103:13 109:9 118:14 121:25 130:11 137:4 140:17 140:21 153:2 stopped 103:21 103:24 119:8 119:10 132:25 133:16 134:3 stopping 106:24 109:23 stops 133:3 storage 60:24 61:8 store 12:4,6 33:17,23 34:7	34:25 68:22 69:8 stores 68:15 112:3 139:25 stormwater 43:2 65:4,17 70:14 story 60:4 straight 47:25 83:4 138:12 145:8 stream 107:5,21 108:14 123:24 131:7 132:18 135:15 136:17 street 11:7 37:21 87:8,11 89:7,8 89:10 92:9 93:9 104:18 106:6 110:21 110:22 113:15 115:12,17,19 140:14,21 146:12 147:18 streets 113:22 113:22,23 stretch 111:6 121:9 143:24 144:12,25 stricken 150:15 strict 61:13 strictly 111:13 stripped 33:20 33:21 strongly 88:8 99:6 struggling 79:11 studied 76:7 studies 52:10 54:15 65:11 91:2 136:14 138:17 145:19 146:25 147:13 153:15,16,16 153:16 study 39:4 42:10 42:14,15,17 51:2,5,10,13 51:15 53:9,10 53:11 56:17	65:25 72:9 74:11,23,25 75:5,7,18 82:4 96:23 99:24 120:19 121:2 121:12 128:19 137:10,20 138:22 142:4,6 142:15,19,21 142:23 147:20 148:6 studying 145:21 stuff 61:11,14 105:3 subdivide 74:2 subdivided 73:6 subdividing 10:3 subject 106:20 submission 114:22 115:13 116:2 submit 45:17 91:8 114:22 141:22 submitted 8:14 98:25 115:8 141:7 142:19 148:7 subparts 80:25 substandard 102:1 substantial 8:14 44:18 46:13 47:18,23 substantially 81:24 substantive 21:19 successful 97:24 sudden 98:19 103:24 104:15 suffering 141:3 sufficient 100:17 suggest 79:25 suggested 25:22 141:12 suicidal 141:20 141:21	suicide 143:9 suite 1:22 3:5 summarize 9:9 9:15 13:17 14:25 127:5 summarized 9:5 16:19 summarizes 21:1 summary 40:9 summer 122:19 supplement 48:19 supplemental 89:4 support 87:12 87:20 88:8 supposed 40:7 42:13 49:17 116:1 sure 13:11 34:6 35:19 45:17 47:25 48:7 49:16 54:5 60:16 61:15 74:14 82:2 94:14 104:13 104:20 115:7 115:15 142:12 143:19 147:25 153:21 154:13 survival 12:6 survive 11:16 49:4 suspect 140:7 sustain 92:17 sworn 14:17,19 36:19,23 50:9 55:9 60:15 61:22 64:20 69:25 71:3 86:5 87:23 88:20,23 117:9 117:14 119:23 119:25 120:6 122:7,10 125:24 139:4,8 146:18,21 148:24 149:1 150:22,25	152:5,10 157:8 system 23:2,16 szymanowska 5:18 125:22,22 125:25 126:3,8 126:13,19,22 127:7 128:4,11 szymanowski 126:3 <hr/> T t 2:1,1 4:11 14:16 36:22 86:4,4 87:22 122:9,9 139:7 157:1,1 take 9:12 26:4 35:25 40:19 45:4 46:3 47:5 51:20 62:23 67:17 74:18 84:10 94:13,22 101:14 112:14 112:21,22 114:12,15,18 123:13 134:3 134:22 135:6 135:11 136:16 143:4 147:13 151:7 155:14 taken 2:3 6:12 61:12 79:18 84:14 86:2 100:15 157:13 takes 46:15 67:14 103:16 111:24 133:4 134:14,15 135:7 talk 47:16 talked 25:9,24 35:17 43:19,21 44:14 52:10 82:3 97:16 talking 28:20 35:22 39:16 42:2 46:13 62:17 67:7,20 72:21 78:1 86:21,25 96:8
---	--	--	--	---

100:22 101:21	15:11 18:17	153:21 155:6	143:17 144:13	50:9,21 52:24
101:22 103:2	20:23 36:23	thanks 61:17	144:16 145:10	52:25 53:8,13
103:22 123:7	56:7 64:20	146:13	145:11,25	54:4,12 57:8
124:15,19	86:5 87:23	thats 12:13,14	149:19 151:14	62:10 77:9,21
128:15 132:1	88:20,24 93:14	12:25 16:2	152:18 153:6	79:10,22 82:1
tall 51:23 55:17	97:9 117:14	18:20 23:3,5,6	154:23 155:3	86:11 88:10
56:16,18	120:6 122:10	25:2 26:11	theres 10:19	89:25 93:3
tandem 155:5	127:4 139:8	27:15 29:12	62:4 63:12	94:4,8,11,15
tank 58:13	141:19 143:22	30:11 31:7,19	77:4 79:11,18	94:17,20,25
tankful 119:15	144:2 146:6,21	31:22 32:3,5	80:10 85:21	95:15 98:3
tanks 61:8	150:25 152:10	33:3,6,25 34:2	87:6 89:21	102:25 105:12
tape 13:20 94:5	testify 13:22	34:5,16 37:23	94:5,7 100:2	105:12 109:8
taper 118:18	22:11 47:11	38:21 40:16	105:13 111:8	121:4,7 124:11
target 156:1	56:17 100:19	42:13,16 44:6	118:2 121:14	124:13,15,22
team 61:10	150:17	44:8 45:7	125:10 132:4	128:13 138:3
technical 109:15	testifying 28:19	47:19 48:16,20	144:4 145:7,14	138:12 140:14
142:22 143:2	testimony 6:12	49:13 50:4	149:9	143:18 144:1
technically	8:5,11 9:11	52:8,17,22	thermo 10:2	149:9 153:24
82:12	12:1 13:3,17	53:10 54:1,1,3	74:10,23 75:6	154:9
telephone 104:1	14:4,6 36:15	54:23 56:2,6	76:7 79:2	third 8:2 25:8
tell 62:7 100:17	42:12 52:15	56:24 59:8	theyll 35:11	52:5 94:20
111:1 114:23	63:6 68:1 72:7	60:11 62:10,19	113:11 132:8	95:10 97:18
telling 137:20	72:8 75:24	63:14 64:9,12	theyre 27:5 45:4	116:21 123:8
templates	76:3 77:1	66:1,8 68:7,23	46:7 74:6	132:14,18
100:20	79:14 80:11,18	69:21 70:22	124:3 129:24	137:9
ten 25:4,25	81:2 85:15	72:7,8 73:11	theyve 25:10	thomas 3:19
67:14,15,17	89:1 93:3	73:16,22 74:1	64:8 81:3,20	5:17
87:6 89:12,21	94:13 95:1,20	74:3 75:10	91:2,2	thought 43:18
93:10 99:2,8	120:18 139:13	77:14 80:14	thing 64:9 86:16	70:10 72:12
100:16 102:17	150:15	82:7 83:10,12	94:22 96:2,21	80:17 107:1
118:19 140:20	thank 14:14	90:1 92:9,22	104:13 111:3	119:17 142:3
143:10 147:23	23:9 35:5 43:7	93:16 94:25	113:9 143:19	three 15:20
tenant 28:4	55:4,5 60:11	95:15 98:14	145:4 155:16	16:19 21:3
tenants 11:23	60:12 62:25	100:4 102:1,5	156:7,8	25:1 26:2 27:3
78:24 79:5	63:1,15 66:9	102:17,21	things 24:14	39:13 40:20,22
92:10 97:23	66:10 67:22,23	105:15,16,22	29:19 54:13	44:13,14 71:14
tends 20:25	69:11,22 70:23	106:15,18,21	57:14 60:21	79:13,21 89:22
54:14	81:9 83:21	108:8,24	93:17 96:7,9	90:9,22,24
tenfoot 53:23	84:16 85:7	110:18 111:12	99:14 104:4,7	91:1,5,9,25
118:22	87:13 88:12,16	111:13 112:8,9	105:2 106:19	94:12,14 95:7
terms 54:16	95:22 105:8	113:16 118:20	116:13,16	95:14 108:2
94:12 95:4,25	110:9 116:19	121:1,4 122:1	122:21 123:13	109:10 111:18
115:20 121:8,8	117:6 119:18	122:2,24	138:3 148:15	111:22 116:2
terrace 36:17	119:19 122:2,3	127:14 129:16	154:20	122:17,24
103:17,23	123:14,15	130:4 133:13	think 9:18 12:21	124:4 126:22
104:2 105:1	125:20 128:11	134:12,17	13:16,18 21:25	128:2,19,22
154:3	138:21 140:10	135:23 136:23	26:9 28:5,8,18	129:21 130:20
terrible 110:7	140:22,23	137:11,24	29:6 37:1,6	130:24 131:21
testified 8:8	143:13 148:21	138:13,14	42:11,17 45:24	133:7,21 134:8
12:11 14:17	150:20 151:15	140:3 143:11	46:7 47:19	134:20 135:24

136:8	told 21:25 75:14	11:19,20,21,25	145:6,8,9,10	75:16 79:15,17
threefoot 56:1	119:14	12:1,2,11,12	145:11,16,23	86:17
thrive 11:16	tom 28:24 87:14	13:20 58:23,24	145:24,25	trees 20:3,8,17
49:5	122:5	88:17,24 91:14	146:4,25	20:19,20 22:5
throw 58:4	tonight 8:10	92:5,6,11,15	147:20 148:19	23:11,19,21,25
tie 13:23 142:2	119:7,11	94:8,16,24	148:20 151:5,7	24:1,2,9 25:1,1
tied 36:11	141:17,22	95:2,3,19 96:1	151:9 152:23	25:5,8,22,24
tier 24:1	tonights 8:15	96:4,4,5,10,12	153:10,13,14	26:3 38:19,19
tiered 20:18	top 20:19 24:2	96:13,15,16,21	154:22,23,25	38:25 39:13,15
23:16,18,25	32:17 45:8,10	96:23 97:3,7	trailer 100:7,10	39:19,22 40:10
44:15 56:7	53:25 55:19,24	97:13,14,19	100:12 154:5	40:13,15,16,20
tim 8:1 75:22	56:11 57:3	98:4,12,21	154:22	40:22,23 41:7
time 7:19 8:10	59:8 96:14	99:7,24,25	trailers 100:24	41:8,11,12,13
10:15,23 13:19	148:18	100:1 102:4,5	training 61:2	41:15,20,20,21
15:6 28:15	topography	102:5 103:21	transcriber 6:21	42:4,24,25
29:22 44:2	22:11,13	103:21,23	transcript 156:5	43:4 44:13,16
46:20 48:11	total 20:4,9,15	105:20 106:22	157:7	45:2,16 46:5
57:10,15 68:10	20:20 32:17	106:24,24	transit 103:14	46:22,24,24
74:22 84:13	37:7 38:4	107:5,6,6,11	transition 75:25	47:4,5,6,14
90:6 93:19	81:22 93:12	107:15,19,21	102:1,15,19,24	48:22 50:13,14
99:6,15,17,18	140:5	107:22 108:14	103:9,12	50:20 52:6,16
101:14 103:6	totalled 119:10	108:25 109:4	139:20	52:20,21 54:20
103:16 104:4	totally 12:23	109:13,21,22	transitions	54:25 55:14,17
107:1,10,22	129:17	109:24,24	121:16	56:11,15 59:24
110:7,21,22	touched 125:11	110:14 111:9	transportation	60:18 66:7,18
112:20,21	tougher 122:25	112:1,5,16,18	90:19 91:2,4	66:22 67:1,8
113:15 114:13	123:3	113:11,17	99:20,23	67:11,13,20
116:3,6,15,22	town 93:25	114:4 115:13	105:17 110:16	71:8,23 76:18
120:22 122:18	113:10 114:22	116:25 118:7	113:20 114:11	76:20 77:2,4,4
122:19,23	115:17 125:6	118:10 120:17	115:22 121:23	77:11 78:4
123:23 124:23	township 1:1	121:2,13	145:17	86:25
127:6,17	3:18,20 6:3	123:11,20,24	trash 21:14	tremendous
130:16 131:22	9:22 10:16	124:13 125:2,3	travel 113:12	120:16
132:12,15	11:2 12:17,18	125:4,6 126:24	traveling 92:6	trespassing 58:7
133:4,5,16	13:9 26:23	127:3,12,12,18	97:13 113:4	tricia 3:14
134:11,14,15	27:16 42:15	127:20 131:1,7	118:14 127:12	tried 44:16
136:18,23	53:17 54:9	132:14,16,17	127:19 143:17	108:23,24
137:1 147:1	57:12 61:11	132:18,25	144:23,25	136:5
152:7 153:5,23	68:12,18 94:9	134:4,12	145:5	triggered 70:2
timeframe	95:1,16 114:19	135:19,22	treacherous	trimmed 58:10
133:11 146:3	115:6 121:6	136:13,15,17	122:1	trips 145:18
times 93:6,10	toy 131:20,20	136:17 137:10	treasured	truck 60:5
96:24 99:8	tractor 100:6,10	137:16,20	120:23	100:20 102:4
126:24 132:12	100:12,24	139:24 140:19	tree 38:14 39:2	104:9
timing 50:5	154:5,22	142:4,6,8,10	39:7,17,18	trucks 100:20
94:11 114:5	trade 94:5	142:15,19	49:1 53:25	true 38:3 39:12
115:21	traditional 11:5	143:17,20,23	58:8,9 60:9	66:18 110:12
timothy 3:4	traditionally	143:24 144:5	66:18,24 67:14	157:6
today 99:8 134:1	68:20	144:12,14,15	67:17 71:4,7	try 68:9 93:17
144:17	traffic 3:21 8:7	144:16,21,22	72:12 75:3,5	98:16 106:6

113:17 128:18	135:24 148:16	unit 149:11	vacancy 11:8	108:2,19
trying 12:17,25	twoandahalf	units 59:21	vacant 58:14	109:14 110:15
13:1 21:22	107:17	unoccupied	79:13	111:15,19
22:17 29:23	twolane 86:16	147:21	value 37:3 99:4	112:9 113:19
52:19 65:14	118:5	unsignalized	150:13	114:7,14,21
97:20 98:5,23	twothirds 41:12	125:19	valued 120:23	115:10,24
100:7,8,10	twoway 94:20	untouched 66:6	vantage 44:12	117:2,23 118:6
103:15,19	twoyear 49:13	unusual 48:15	44:20	121:11 123:16
104:5,17 105:3	type 29:19 38:19	update 88:25	vapor 61:14	124:17 125:1,8
108:11 109:15	48:2 63:21	updated 8:15	variance 8:22	125:16 126:17
112:15 113:13	66:17 92:4	updating 121:19	10:14 15:1	126:21 127:10
114:3 127:1	types 54:13 61:5	121:19	17:3,14,18,18	128:3,21,23
turn 32:24 99:17	67:20 92:18	upgrade 98:1	18:22,24 19:3	129:4 130:7,13
100:23 105:11	104:4 145:22	upgraded 10:17	19:6,8,11,13	130:21 131:4
106:7 110:1,1	typical 28:5 32:4	10:22	19:16,20 20:21	131:10 132:2
111:5 113:5		upgrades	22:6 26:22	132:22 133:12
119:6 125:18	U	121:14	27:23 28:21	133:22 134:7
129:10 130:17	ugly 54:24	uplands 76:11	29:13 30:4,8	134:12,19,24
131:16 135:12	unavailable	uptodate 4:14	32:15 33:7	135:6,10,18
136:8 137:10	108:8	15:6,11	34:6,8,10,19	136:5,12 137:6
153:4,5	undergrowth	urge 14:11	34:21 80:5,16	137:15,19
turned 123:22	44:17,18	use 9:23,24 10:5	81:20 94:19	139:18 140:2,9
143:9	undermined	10:13,14 29:6	variances 8:19	141:6,10,14
turning 99:15	120:25	29:8 49:10	8:24 9:11	143:18 144:1
100:20	underside 18:8	78:9,13 79:2	12:14 16:14,17	144:13,20
turns 110:11	understand	92:7 106:5	18:14 19:21	146:6,9 147:3
137:16	29:16 38:9	113:6 145:13	21:7,9,10,11	147:17 148:6
tvc 7:23	50:6 55:11	147:20	21:12,14,19,20	149:9,19 151:6
tvcare 1:8	64:1 69:13,16	user 10:18	21:25 28:20	151:10 152:19
tweak 148:15	72:18 73:1,19	users 29:21	37:1,3 80:18	152:25 154:15
two 8:25 18:23	78:12 89:19	35:15 92:4,5,6	80:22 81:1,19	version 15:19
18:25 20:18	90:2 95:24	92:10,11,13,18	81:23 94:19	versus 50:13
24:1 25:14	97:7 100:18	92:20	vehicle 103:25	53:1 54:7
27:19,24 28:2	103:1 108:20	uses 9:25 10:4	104:10	94:11 108:6
29:1,2 30:4	108:25 112:1	10:11,20,21,25	vehicles 98:11	144:21
31:1 32:7	121:3 128:14	11:9,11,22	99:2 127:22	vertically 25:3,6
37:15 44:19	136:20 147:12	12:19,20 27:19	137:2,9,11	video 111:1
45:23 61:5,25	154:13	28:3 61:5	144:25 145:2,5	141:22 143:7
79:8 89:11	understanding	100:3 136:15	145:6,14	view 26:4
93:20,22	26:10 29:8	144:8 145:22	veneer 36:5	virtually 21:13
100:24 101:18	38:18 42:6	155:5	verderese 4:6	visibility 92:16
106:19 107:16	72:15 111:12	usually 114:15	8:8 85:9 88:17	visited 97:5
107:25 109:6	127:8 131:19	utilize 68:21	89:2,16 93:8	visiting 143:15
112:25 114:15	understood	uturn 98:10,16	93:11,18 95:5	visitors 126:15
115:23 123:2,2	83:16 130:8	98:22 100:7,8	97:3,13 98:24	126:20
124:11 128:19	138:20	118:24 140:18	99:12,22	visual 26:5
128:22 129:21	unfortunate	140:19 151:21	101:17 102:8	44:22 54:20
130:20,24	103:18		102:11,14,18	56:4
131:21 133:7	unidentified	V	103:7 105:14	visually 55:1,1
133:20 134:9	79:21	v 88:19 122:9	105:22 106:19	volatile 61:17

volume 109:24 113:1 125:10 127:14,15,21 128:23 volumes 121:13 145:16 voorhees 3:22 vu 141:18	104:19 106:19 114:23 115:4,6 118:10 125:12 125:12 129:23 130:10,17 143:19 145:13 150:18 151:14 152:20 153:20	146:11 154:3,5 154:7,14,18,21 154:21,25 way 2:6 3:5 14:3 18:19 35:17 47:1 55:22 58:11,20 59:20 70:22 83:8,9 88:6 97:15,15 102:13 103:21 104:9 106:15 107:2 112:5 113:7 117:24 125:15 129:9 129:13 130:10 130:15 134:12 135:14 138:5,6 138:8,11 139:15,21 141:3 142:10 153:2	139:22 western 65:7 73:12 wetland 76:2 wetlands 70:3,4 70:6,6,10,11 70:13,18,19,21 75:13,15,24 76:6,8,12,14 weve 9:2 11:9 13:1 15:24 16:5,9,14 17:10,12,14,17 17:22,25 19:1 19:3,3,6,8,9,13 20:3,5,6,11,13 20:13,16 21:16 22:7 23:19 27:23 29:23 64:2 77:25 86:14 91:21,23 92:2,23 93:5 97:3,4,5 98:7 103:11 110:19 115:14 120:21 120:23 132:23 132:25 142:18 147:25 148:12	27:3,8,17 30:1 30:11,14,20 31:1,7,15,19 31:22 32:1,11 33:1,4,13,16 33:22 34:2,22 35:2,8,13 36:4 36:10 38:5,10 38:15,21,25 39:6,14,18,22 40:1,5,9,16,21 40:25 41:3,6 41:13,16,19,25 42:11 43:1,6,9 43:15,23 44:8 45:3,9,22 46:23 47:9,21 50:15,18,21,25 51:4,14,21,25 52:8,13,22 53:3,7,22,24 54:3 56:6 57:7 57:18 59:5,7 59:11,15,20 60:1,23 61:4 62:15,21 65:3 65:14,21 66:8 66:10,25 67:5 67:9 70:12,18 71:6,19,25 72:22 73:14 74:8,14 75:2 76:5,9,16 78:6 82:7,13,17
w 14:16 36:22 wait 106:11,14 111:4 129:10 129:11,24 130:1,10,17,25 131:7,16 138:1 151:20 152:23 waiting 104:23 130:22 131:23 131:24 waiver 20:6,13 34:10 waivers 81:24 walk 48:7 walkway 33:21 wall 19:19 20:18 22:15 23:5,7 23:16,18,25 24:17 25:2,3,6 25:25 44:15 45:8,11 53:22 56:1,7,10 59:9 wallmounted 19:14 walls 20:18 24:2 43:20 54:22,22 56:9 want 9:18 28:11 28:16 30:24 33:9 41:8 42:23 45:13 47:25 48:18 63:20 64:11,13 66:16 67:19 69:1,3,9,16,19 69:21 71:12 82:2 85:13,19 87:10,14,19 89:3 91:9,9 98:16,22	wanted 13:22 27:18 29:14 89:19 113:5 120:18 wants 78:25 85:22 156:7 warehouse 60:19 wasnt 38:7 42:22 104:22 147:25 waste 25:13,20 watched 111:1 watching 104:6 water 42:25 58:13 63:18,18 64:11,13,14 65:12 70:9,21 watering 57:5 wawa 7:24 10:15 11:17 12:3 16:10,24 17:5,20 19:6,9 19:11,15 21:16 21:18 27:8,24 28:2 29:16 30:5 31:11,24 31:24 32:2,4,4 32:6,7 33:12 33:24 34:23 35:9 36:5 37:16 60:18,23 61:6,15 62:1 62:17,21 63:11 68:11,14,25 69:8,17 83:25 92:25 94:15 100:9,10 129:23 130:11 131:6 136:16 137:18 138:4 143:22 144:2,8	wed 48:16 50:21 86:13 132:13 155:10 weekends 6:22 wegmans 11:6 60:6 86:15,22 86:23 87:11 93:3,6,7 94:6 95:25 98:3 107:7,12,14 112:2,25 124:1 124:12 125:13 125:15,19 126:4,25 127:13,19 133:17 136:7 140:7,20 141:19 147:7 152:21 153:3 weight 102:22 wendys 106:9 went 89:8 133:16 west 35:24 44:12 64:25 65:22 83:7 94:3 113:4,12 153:8 153:9 westerly 76:10	whats 39:24 45:18,20 47:10 49:17 53:1,2 60:20 65:1 80:8,8 82:4 84:8 89:19 95:16 96:25 98:17 102:9 103:22 114:5 116:6 136:21 141:8 149:5 wheeler 5:22 148:22,22 149:1,3,17 150:2,6,12,18 wheres 135:16 whitaker 4:5 8:5 9:9 13:4 14:21 14:23 15:3,12 15:13 22:24 23:15,22,24 24:6,15 26:25	71:6,19,25 72:22 73:14 74:8,14 75:2 76:5,9,16 78:6 82:7,13,17 white 45:25 62:17 141:24 whos 57:5 63:13 86:10 100:25 150:3 wide 102:22 width 102:18,22 102:23 118:16 118:18,22 wiegmann 1:19 wife 66:2 wind 104:16 window 34:16 34:17,19 wintertime 122:20

wise 116:6	worry 69:20	46:13 52:20	79:3 81:4 83:1	12 37:7 102:19
wish 114:14	worse 110:9	55:11,25,25	83:6,8 155:4	102:20 107:9
143:8	115:4 151:11	60:10 61:24	zoning 9:18,20	120 108:6
witness 4:4 14:8	worst 60:5	62:17 63:5	9:22,23 10:14	122 5:17
23:8 26:20	worstcase	65:12 66:4,5,7	10:24 21:17,20	124 5:14
36:15 38:1	110:11	66:15,22 68:8	34:6 37:15	125 5:18
58:24 61:19	worth 9:19	70:7,8,20	108:20	126 20:20
63:2 66:12	wouldnt 53:9	72:24 74:1	zooming 133:9	128 5:4
67:24 69:23	writing 56:19	76:13,15 95:13	<hr/>	13 19:14
70:25 84:10	wrong 13:19	96:8 98:14,23	0	1320 90:25
95:18 101:7	56:19	99:10 101:4,9	000 89:11,21	139 5:19
117:7 120:12	ws 19:19	101:11,21,21	92:14 93:5,9	14 4:5 37:8
139:1 140:24	<hr/>	103:2,9,22	93:11,13	80:16,16 81:11
146:15 153:23	X	107:3,10,18	147:19,21	81:13,14,17,23
154:1,13 155:7	<hr/>	108:5 110:24	148:16,17	140 5:20
157:8	Y	112:7,23	05 2:7	1400 89:23 90:8
witnesses 88:14	<hr/>	115:17 118:14	08054 3:6	90:23
128:7	yard 16:15 17:2	124:21 127:23	08854 1:23	14000 3:5
wondering	17:5 56:13	128:14 129:10	<hr/>	143 5:12 41:20
42:16 60:20	yeah 147:3	129:13 130:10	1	146 5:21
76:3 83:14	year 45:24 46:14	130:22 131:2,5	1 16:13,25 17:1	149 5:22 20:10
106:18 109:16	106:8 114:14	131:5,25	17:5,11 19:7	41:20
wont 25:9	122:18	133:17,18,19	89:11,21 145:5	14th 8:3
115:24 151:10	yearandahalf	133:22,25	145:15	15 4:14 6:12
152:21	110:16 114:15	135:4 136:25	10 6:5,11,12	17:25 54:2
woodbridge	years 37:15 46:3	143:10,18	92:14 102:21	80:4 106:12
138:18	51:20 55:22	149:2 150:14	106:11 153:24	122:6 152:3,15
wooded 57:17	57:21 58:6	youve 21:23	156:10	150 5:23 56:16
57:25 58:11	60:3 63:19	37:9 56:22	100 2:6 17:19	127:18 132:6,9
woods 3:7 50:17	64:8 67:14,15	88:22,23,24	32:20 76:23	132:10,11,19
55:16 77:6	67:17 68:25	103:8 153:1	79:16 89:22	132:22 133:23
word 9:8,8	75:14 86:15	yun 5:10 68:2,2	93:11 107:20	135:23
47:19	91:15 103:18	68:6,6,9,17,24	107:24 111:12	151 5:20
words 47:24	114:16 115:23	69:4,7,13,17	126:14 132:3,5	152 5:24 16:11
154:4	122:6 124:21	<hr/>	132:8,10	154 5:3
work 13:14	136:14 147:7,8	Z	136:24,25	155 17:11
21:23 29:15	yogi 141:18	zero 102:20	137:7,9,10,16	156 40:25 41:13
45:16 48:3	youd 14:11	132:21	138:7 139:20	41:19 52:20
57:9,13 68:21	62:24	zone 10:1,12,13	145:17,19	76:18 78:4
92:1 108:24	youll 26:1 42:19	11:3 18:24	100years 66:23	16 54:2
130:11 136:13	107:18 114:6	19:22 21:13	102 16:25	160 127:18
155:13	young 103:24	22:12 27:4,5	104 32:18	162 22:25 23:1
worked 57:12	youre 14:4,22	29:5 39:17,19	105 16:24	167 16:13,25
147:7	26:22 27:1	41:2 42:3,3,7	106 5:6 41:21	17:1
workers 68:21	30:8,9,12,16	43:11 50:14	108 19:10	17 81:12,23
working 62:6,8	30:17,21 31:13	53:1 67:4,10	111 16:11,14	124:21
129:6	31:17 33:2	67:14 71:10	117 5:15	170 23:1,4 132:4
works 14:3	34:1,14,24	72:23 76:24	1170 118:13,15	1718 141:21
61:11 134:13	39:8,13 41:5	78:8,11,11,13	119 5:16	18 6:6 107:10,18
worried 120:24	41:10,11 45:1	78:19,20 79:1	11th 142:20	117:11

180 140:4	144:24 145:14	300 57:6 91:18	80:4 141:24	73 20:3,6,9
182 17:11 47:21	146:1 147:5,14	300foot 118:18	50 17:3 103:12	7327527800
18th 9:6 22:2	149:6,11,15	30xi00234100	111:16 124:21	1:24
19 139:2	150:21 151:18	2:4 157:20	500 56:2	733 150:21
1900 145:14	152:17 154:6	3103 61:20	51 140:4	737 86:1 88:3
1968 120:14	206 149:15	32 129:1,15,16	515 20:1	124:9 140:12
1970 36:17	21 119:21	320 90:16	52 19:20	75 76:24 153:8
19th 24:25	216 1:21	325 3:5	528 20:2	750 147:5,14
2	219 20:3	33 17:20 32:3	55 5:5 98:18	76 20:8,24
2 17:13,21 33:5	22 1:7 2:7 6:3	128:25 129:15	135:13	765 16:7
144:25 145:15	36:17 89:7,11	145:6	565 20:8	8
20 19:2 20:12	89:17 106:5,7	34 69:24 129:1	57 17:7	8 17:13
51:20 64:8	106:9,12,21	129:15	570 93:13	80 17:13,21
80:4 107:10,15	109:18 148:22	35 68:3,6 144:3	6	56:16 143:22
107:18 108:3,5	149:4 154:2	146:17	6 16:11,25 17:12	144:2
108:17 109:7	228 33:5	36 5:3	17:20 18:20	800 145:5
111:8 127:16	22nd 155:15	37 20:14 32:17	145:15	82 5:6
127:17,23	231 16:7	33:5	60 5:6 20:17	83 5:7
130:25 132:3,4	24 68:10 69:9	377 17:8	24:9 50:22	86 5:13 19:19
132:5,8,10,17	24hour 68:15	38 5:4 17:13	51:3,20,22	868 20:6
132:19,24	25 19:3 60:3	50:12 60:13	55:17 56:16	87 5:14 19:7
133:1,24,25	250 91:18	106:2 128:12	98:18 129:16	88 4:6
143:24 144:2	102:19,23	4	130:3 144:5,7	9
147:19 148:17	2500 132:6,8,10	4 141:24	144:12,19	9 16:2 102:21
200 16:3,5,23	132:14,23	40 16:7 17:5	600 118:4	90 19:10 147:22
2000 108:6	136:24	50:22 54:7	148:16	938 20:23
200foot 102:24	25th 155:16	58:12 93:5	61 5:7	941 41:21
2012 120:20	26 17:12 91:15	125:3,5,8	63 5:3 19:7,10	95 5:3
2015 147:4	136:14	139:24 140:5	64 5:8 86:15	95th 99:3 105:23
2016 1:7 2:7 6:4	260 90:14,15	144:6,9,18	65 144:3	982 16:2
6:6 120:20	26th 155:12,19	147:21 153:6,6	66 5:9 32:15	
202 7:23 8:23	156:1,4,8	153:9,12	33:2 122:6	
11:24 12:2	27 145:1,2	400 118:2,21	131:20,24	
19:2,4,9 32:5	272 20:5	136:8	67 140:3	
35:24 37:13,14	277 20:15	400plus 118:20	68 5:10	
55:14,15 59:25	278 20:2	411 20:16	69 5:11 19:7	
60:6 64:11	28 34:7 37:12,12	42 55:7 64:16	7	
70:5 86:2 88:3	37:14,16,18	43 19:5	72:7 16:3,5	
94:16 98:10,12	63:4,5,6,7	44 4:15 16:7	18:20 19:20	
98:17 100:25	282 20:1	145:14,16	32:15 33:2	
101:22 104:18	292 20:4 22:4	45 38:3 66:14	156:4	
104:23 109:21	3	46 6:5 71:1	70 147:9	
109:23 113:4	3 32:17 145:15	143:14	700 132:13	
118:14 119:8	30 33:18 125:16	47 125:22	144:25	
119:10,17	125:17 135:20	470 89:24 93:9	71 5:12	
123:25 124:10	135:20,20	48 6:17	718 141:1	
127:13 133:16	136:6,9,9,11	5	151:17	
140:13,16	141:24,24	5 16:24 17:11	72 19:4	
141:1,21 143:1	153:24 156:10			