

TOWNSHIP OF WATCHUNG
PLANNING BOARD
SPECIAL MEETING

In the Matter of: :
: Transcript
FILE PB19-01 :
: of
BONNIE BURN/BNE :
BONNIE BURN ROAD REDEVELOPMENT : Proceedings
Block 7402/7403, Lots 19.01 :
19.02, 5 and 10 :

-----x

Tuesday, October 27, 2021
GoToMeetings Videoconference
Commencing at 6:31 p.m.

BOARD MEMBERS PRESENT:

TRACEE SCHAEFER, Chairwoman
DON SPEENEY, Vice Chairman
KEITH S. BALLA, Mayor
PIETRO MARTINO, Councilman
STEPHEN POTE
ALBERT ELLIS
KAREN PENNETT
ELLEN SPINGLER
PAUL FIORILLA
TROY SIMS, Alternate #1
YVETTE NORA, Alternate #2
THERESA SNYDER, Board Secretary
RICK MATIAS, Board Engineer
JOHN JAHR, Traffic Engineer

MICHAEL LOMBARDOZZI,
Certified Shorthand Reporter

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

FRANCIS P. LINNUS, ESQUIRE
Attorney for the Board

CONNELL FOLEY, LLP

BY: NICOLE B. DORY, ESQUIRE
Attorneys for the Applicant

BUTLER & BUTLER

BY: WILLIAM B. BUTLER, ESQUIRE
Attorneys for Weldon

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

TABLE OF CONTENTS

WITNESS	PAGE
(No witnesses sworn.)	

PUBLIC TESTIMONY

NAME	PAGE
(No public sworn.)	

E X H I B I T S

NO.	DESCRIPTION	PAGE
	(No exhibits marked.)	

1 CHAIRWOMAN SCHAEFER: Okay. Good
2 evening, everyone. I am calling the Borough of
3 Watchung Planning Board meeting of October 27,
4 2021 to order.

5 Notice of this special meeting has
6 been given pursuant to Open Public Meetings Act
7 N.J.S.A. 10:4-6. In order to comply with the
8 executive order signed by the governor, and in
9 effort to follow best practices recommended by
10 the CDC, and in compliance with the DCA
11 requirements, emergency meeting protocols, this
12 meeting is being held virtually for all board
13 members, board professionals, the applicant, the
14 applicant's professionals, interested parties,
15 and members of the public.

16 Any remote public meeting where sworn
17 testimony is being taken shall be broadcast by
18 video, as well as audio, and all individuals
19 giving sworn testimony shall appear by video.
20 Because of the quasi-judicial nature of the
21 hearing, written public comment and questions
22 cannot be accepted prior to this hearing. And
23 this is resolution PB20-R-14.

24 Notice has been posted on the borough
25 website, at borough hall, in compliance with DCA

1 requirements, emergency meeting protocol, and has
2 been given to the Echo Sentinel, the Courier
3 News, and the Star Ledger. Notice has been filed
4 with the Borough Clerk.

5 Can we all stand, please, and salute
6 the flag?

7 (Whereupon, the pledge of allegiance
8 is recited.)

9 CHAIRWOMAN SCHAEFER: Thank you,
10 everyone.

11 Roll call, please, Theresa.

12 MS. SNYDER: Mr. Ellis?

13 COMMISSIONER ELLIS: I'm here.

14 MS. SNYDER: Ms. Pennett?

15 COMMISSIONER PENNETT: Here.

16 MS. SNYDER: Councilman Martino?

17 COUNCILMAN MARTINO: Present.

18 MS. SNYDER: Mayor Balla?

19 MAYOR BALLA: Here.

20 MS. SNYDER: Mr. Speeney?

21 VICE CHAIR SPEENEY: Here.

22 MS. SNYDER: Ms. Spingler?

23 COMMISSIONER SPINGLER: Here.

24 MS. SNYDER: Mr. Pote?

25 COMMISSIONER POTE: Here.

1 MS. SNYDER: Mr. Fiorilla?

2 COMMISSIONER FIORILLA: Here.

3 MS. SNYDER: Mr. Sims?

4 COMMISSIONER SIMS: Here.

5 MS. SNYDER: Ms. Nora?

6 COMMISSIONER NORA: Here.

7 MS. SNYDER: Madame Chair?

8 CHAIRWOMAN SCHAEFER: Here.

9 MS. SNYDER: Mr. Linnus?

10 MR. LINNUS: Here.

11 MS. SNYDER: Mr. Matias?

12 MR. MATIAS: Here.

13 MS. SNYDER: Mr. Healey?

14 Mr. Jahr?

15 MR. JAHR: Here.

16 CHAIRWOMAN SCHAEFER: Okay. Please
17 indicate that we have a quorum to conduct
18 business.

19 Ellen, can you please -- yeah. Can
20 you please call the next agenda item?

21 COMMISSIONER SPINGLER: Yes, Madame
22 Chair.

23 Resolution PB21-R-12, case number
24 PB19-01, Bonnie Burn/BNE, Bonnie Burn Road
25 Development, Block 7402/7403, Lot 19.01, 19.02,

1 5, and 10, represented by Nicole B. Dory,
2 esquire, BBRA zone, expiration 12/26/21.

3 MR. LINNUS: All right. Madame
4 Chair, before we proceed, just to recap where we
5 are and where we might be going, as the board
6 members might recall, we last met -- it seems
7 like a week ago, and I guess it was a week ago,
8 on October 19th. At that meeting, a draft
9 resolution was read into the record. There were
10 comments made by the board professionals, and by
11 the board members, and the board was prepared to
12 take some action last week.

13 Mr. Butler, on behalf of the
14 objector, Weldon, interjected that he did not
15 have an opportunity to review and comment on the
16 resolution, and as a result of that, the board
17 took a vote and determined that we would continue
18 the resolution action or nonaction tonight, and
19 that's where we are.

20 I note that, since the last meeting,
21 Mr. Butler had issued a letter indicating that he
22 would be present here tonight, and I hear that he
23 is present here tonight can, and he would provide
24 some comments. I also note that Nicole Dory, the
25 applicant's attorney, may present some comments,

1 but that's what it's limited to.

2 This public hearing is completed.
3 Public comment is over. Tonight would be the
4 night to take action on the application, and the
5 only thing that's left to be done is, if the
6 board wants to listen to any comments from both
7 attorneys, they certainly can listen to them; you
8 don't have to accept any of the comments.

9 So that's where we are, Madame Chair.

10 CHAIRWOMAN SCHAEFER: Thank you,
11 Frank.

12 So since we had read the resolution
13 into the record at our last meeting, and we went
14 line item by line item by line item, I am not
15 going to have the resolution reread into the
16 record. The planning board made its comments;
17 the professionals had made their comments;
18 Ms. Dory, the applicant -- representing the
19 applicant, they made their comments.

20 So as Frank said, we did allow
21 Mr. Butler to review the resolution. He's only
22 allowed to make comments on the resolution. So
23 -- and I will open it up to Ms. Dory afterwards.
24 And as Frank said, we can accept these comments,
25 we can deny the comments, but bottom line, we are

1 going to be having a vote this evening.

2 So with that said, Mr. Butler, would
3 you like to make your comments, but again, on the
4 resolution only?

5 MR. BUTLER: Yes, I -- thank you,
6 Madame Chair. I'll be as brief as possible.

7 The first thing I'd like to -- what
8 I'm going to work off of, talk about, is the
9 resolution that was revised pursuant to the last
10 meeting, pursuant to comments and a red-lining
11 done by the attorney for the applicant. And I
12 have a draft 10/13/21, which was redrafted from
13 the original draft, and it's the final draft as
14 of -- as of the last meeting. That's all I'm
15 going to comment on.

16 CHAIRWOMAN SCHAEFER: Okay.

17 MR. LINNUS: Mr. Butler, for the
18 record, that's the draft that was sent out by
19 Theresa Snyder to the board members and to
20 yourself, as well as to Ms. Dory, on October
21 20th.

22 MR. BUTLER: And I think, Frank, I
23 might be wrong, I think you sent it to me too.

24 MR. LINNUS: Okay.

25 MR. BUTLER: I might be wrong, but I

1 think you sent it to me too.

2 MR. LINNUS: I just want today
3 identify the resolution you're referring to,
4 that's all.

5 MR. BUTLER: Okay.

6 MS. DORY: I'm sorry to interrupt,
7 Mr. Linnus and Mr. Butler, but the -- I have a
8 version; it was a clean version of the resolution
9 that was sent to me, on the 20th. Is that the
10 version that Mr. Butler's working off? Because
11 there was a prior draft that was presented at the
12 last meeting --

13 MR. BUTLER: The clean version of the
14 resolution.

15 MS. DORY: Okay. The clean version
16 sent on October 20th. Thank you.

17 CHAIRWOMAN SCHAEFER: Mr. Butler --

18 MR. BUTLER: Okay -- pardon?

19 CHAIRWOMAN SCHAEFER: Mr. Butler,
20 just to clarify, the resolution that you have in
21 front of you, that you're going to be commenting
22 on, is the resolution that the planning board, as
23 a whole, went over with the applicant, and our
24 professionals and our members, at our last
25 meeting last week. Correct?

1 MR. BUTLER: That's correct, as
2 changed. There were changes made regarding
3 comments that was made at the last meeting eight
4 days ago.

5 CHAIRWOMAN SCHAEFER: As amended.
6 Okay.

7 MR. BUTLER: And so I'm working on --
8 working off of the resolution that you're going
9 to vote upon near the end of the meeting, but for
10 my objections.

11 CHAIRWOMAN SCHAEFER: Okay,
12 Mr. Butler. Again, just comments on the --

13 MR. BUTLER: And most -- a lot of
14 these comments are going to be towards Mr. Linus
15 (ph).

16 MR. LINNUS: It's Mr. Linnus,
17 Mr. Butler, please.

18 MR. BUTLER: Mr. Linnus.

19 The first thing I'd like to point out
20 is, on paragraph 4, the resolution enumerates the
21 five documents that were marked by Hal Simoff,
22 Weldon's traffic engineer, when he testified on
23 September 14, 2021. And in there, it just says
24 "Whereas the following exhibits were referred to
25 by the objector's witness, Hal Simoff, during the

1 presentation, and were marked as follows," and
2 you give them markings.

3 Now, if you go to page 2, and you
4 look at the same thing regarding the applicant,
5 it says "Whereas, as part of the application, the
6 applicant also admitted the following plans and
7 documents," -- and this was left out, what I'm
8 about to read and emphasize, this was left out
9 when you referred to Hal Simoff's exhibits --
10 "which were made part of the record." I would
11 request that that language also be added to
12 Weldon's exhibits "and made part of the record."

13 CHAIRWOMAN SCHAEFER: Frank?

14 MR. LINNUS: Yeah, I'm not sure I
15 understand you, Mr. Butler.

16 MR. BUTLER: Well, the --

17 MR. LINNUS: Your -- let me talk.
18 Your objector's exhibits were delineated in the
19 whereas clause, and they are part of the record.

20 MR. BUTLER: Well, then, why
21 shouldn't it so state as it did with the
22 applicant's documents?

23 MR. LINNUS: I don't think that's
24 necessary.

25 MR. BUTLER: How would that hurt, to

1 add the words "and made part of the record"?

2 MR. LINNUS: What is your specific
3 suggestion?

4 MR. BUTLER: Right after the words --

5 MR. LINNUS: What page, Mr. Butler?

6 MR. BUTLER: Page 4.

7 MR. LINNUS: Okay.

8 MR. BUTLER: The whereas clause about
9 the -- Hal Simoff's exhibits.

10 MR. LINNUS: What is your suggestion
11 as to language changes?

12 MR. BUTLER: Excuse me?

13 MR. LINNUS: What is your suggestion
14 as to language changes?

15 MR. BUTLER: It doesn't change, but
16 I'm talking about adding the following after the
17 words "mark as follows": "and made part of the
18 record."

19 MR. LINNUS: I have no objection to
20 that.

21 MR. BUTLER: I didn't think you
22 would.

23 CHAIRWOMAN SCHAEFER: Ms. Dory?

24 MS. DORY: I have no objection.

25 CHAIRWOMAN SCHAEFER: Okay. Next

1 page, Mr. Butler?

2 MR. BUTLER: Okay. Now, the next
3 thing I'm going to, and what I'm going to spend
4 most the time tonight, if I may, is on page 11 of
5 the resolution, paragraph 11, where it gives a
6 synopsis of "Hal Simoff, objector's traffic
7 engineer testified as follows." Now, Mr. Linnus
8 outlined the testimony of all the witnesses for
9 both the applicant and the objector, and we have
10 some problems. We think certain things ought to
11 be added and certain things ought to be deleted
12 from paragraph 11, and every suggestion I'm going
13 to make is in the record, and Hal Simoff's
14 testimony is only about 60 pages on September
15 24th, and his exhibits are only five. So
16 everything I'm going to talk about tonight is
17 either in both of those, the transcript, the
18 exhibits, and in most cases both.

19 I would like to start off with
20 paragraph A -- actually, paragraph A and B, and
21 it indicates that the plans -- the most important
22 plan, the one that A and B refers to is sheet 4
23 of 22 of Bowman Consulting. It was revised
24 latest 06/04/21. It shows the driveway, the
25 ingress and egress, it shows Bonnie Burn Road,

1 and it shows the light.

2 Now, in paragraph A, it -- or
3 paragraph A and B combined, it says -- you know,
4 it shows the ingress and egress, there's an
5 ingress and egress, it's one lane each, and it's
6 20 feet wide, and that shows on the plan;
7 however, in the report of the traffic engineer
8 for the applicant, they -- it refers to the
9 traffic evaluation plan, and it shows two lanes
10 in each direction, not one lane in each
11 direction, and that's inconsistent, and I think
12 that should be noted after paragraph B.

13 And I can cite to you the testimony
14 of Hal Simoff, if you want me to, the testimony
15 isn't long, and you can long at the exhibits --
16 the Exhibit 2C-5 shows two lanes. So the traffic
17 report and the plan is inconsistent, in that the
18 plan shows one lane and the report shows two
19 lanes in each direction.

20 CHAIRWOMAN SCHAEFER: Mr. Butler, I'm
21 going to -- Mr. Butler, I'm going to stop you for
22 one moment. Can you please just --

23 MR. BUTLER: I'm through on that
24 issue, Madame.

25 CHAIRWOMAN SCHAEFER: No, I know, but

1 can you just tell us what do you want us to
2 change? Just tell us the verbiage.

3 MR. BUTLER: Okay. Sure. The --
4 after paragraph B, I would respectfully suggest,
5 Mr. Simoff pointed out that there's an
6 inconsistency between the plans, the site plans,
7 and the traffic engineering report of Mr. Keller,
8 and that the plan shows one lane in each
9 direction and the report shows two lanes in each
10 direction. I would suggest that that be put in
11 after little B.

12 CHAIRWOMAN SCHAEFER: So can you
13 please repeat that? Because we can't write that
14 fast, and then I'll run that by --

15 MR. BUTLER: Oh, sure. Hey, listen,
16 the -- if I had had more time -- and I don't
17 really think I should be dealing with Frank with
18 a contested matter, but if it wasn't a contested
19 matter, I probably, if I had time, I would have
20 written it out.

21 MR. LINNUS: I just want to point
22 out, Mr. Butler, to the board, that should the
23 board adopt any resolution, it is subject to
24 appeal, and the appeal would be based on the
25 record.

1 MR. BUTLER: Absolutely, and there's
2 case law, Frank.

3 MR. LINNUS: You don't have to tell
4 me about case law, Frank, I think I know the case
5 law, Frank.

6 MR. BUTLER: I'm sorry you know so
7 much. I wish I knew as much as you. That's all
8 I can say. All right?

9 CHAIRWOMAN SCHAEFER: Can we just get
10 back to what verbiage you'd like to see there?
11 You started with Mr. Simoff pointed out
12 inconsistency between the site plan and?

13 MR. BUTLER: And the traffic report
14 of the applicant's traffic engineer. And when
15 you get through with that, would you let me know?
16 There's another sentence.

17 CHAIRWOMAN SCHAEFER: Okay.

18 MR. BUTLER: Madame Chair, are you
19 ready for me?

20 CHAIRWOMAN SCHAEFER: I'm ready.

21 MR. BUTLER: Who's taking this down,
22 Theresa?

23 CHAIRWOMAN SCHAEFER: Theresa and
24 myself.

25 MR. BUTLER: Okay. All right.

1 Theresa, let me know when you're ready.

2 MS. SNYDER: I'm ready.

3 MR. BUTLER: Okay. The site plan --
4 and that would be page 4, revised 06/04/21, shows
5 a single lane in each direction.

6 CHAIRWOMAN SCHAEFER: Go ahead.

7 MR. BUTLER: And the applicant's
8 traffic report, and in parentheses, you can put
9 Roman Numeral IIC-5.

10 CHAIRWOMAN SCHAEFER: You going to
11 finish that thought?

12 MR. BUTLER: That reflects two lanes
13 in each direction.

14 CHAIRWOMAN SCHAEFER: Is that it for
15 that part?

16 MR. BUTLER: That is, Madame Chair.

17 CHAIRWOMAN SCHAEFER: Okay. So what
18 you want to add is Mr. Simoff -- and on page 11,
19 as a continuation of 12B, "Mr. Simoff pointed out
20 inconsistency between site plan and testimony of
21 the traffic report of the applicant's traffic
22 engineer. The site plan, revised June 4, 2021,
23 shows a single lane in each direction, and the
24 applicant's traffic report, and in parentheses
25 Roman Numeral IIC-5, reflects two lanes in each

1 direction."

2 Ms. Dory -- actually, Frank, are you
3 okay with that?

4 MR. LINNUS: I have no objection.

5 CHAIRWOMAN SCHAEFER: Ms. Dory?

6 MS. DORY: Madame Chair, I do object.
7 I hope that we are not going to go down the road
8 this evening of repeating every single portion of
9 the transcript in Mr. Butler's portion of the
10 resolution that he's looking at, because if we
11 are going to do that, then I'm going to have to
12 go back to other points of the resolution and
13 point out -- well, first of all, I think
14 Mr. Butler's wrong, because there were two lanes
15 out and one in, but nonetheless, Mr. Keller
16 explained that his report, his traffic report
17 from 2019, was prepared before the plans were
18 revised.

19 So I really think it's unnecessary.
20 The inconsistency, as Mr. Butler was referring to
21 it, was addressed and clarified by Mr. Keller in
22 his testimony. So I think it's unnecessary,
23 superfluous. As Mr. Linnus stated, this is based
24 upon the record. The entire record will be
25 submitted to any court that will review this.

1 And Mr. Butler understands, as he said, that
2 Mr. Linnus outlined the testimony of all
3 witnesses. He outlined the testimony; he did not
4 repeat every single word.

5 So I object, I think it's
6 unnecessary, and I ask that that language be
7 stricken.

8 MR. BUTLER: May I respond, Madame
9 Chair?

10 CHAIRWOMAN SCHAEFER: Go ahead.

11 MR. BUTLER: Paragraph 11, the
12 synopsis of the testimony of Hal Simoff, this is
13 what he testified to. She's arguing that what
14 Hal testified to is wrong.

15 CHAIRWOMAN SCHAEFER: No, she's not
16 arguing with what -- she's not arguing that fact.
17 What she's arguing is that we don't have to have
18 every single sentence in there, because the
19 transcripts and the record speak for itself.

20 MR. BUTLER: Oh, we won't have every
21 sentence -- I don't have a whole lot.

22 CHAIRWOMAN SCHAEFER: Mr. Butler, how
23 many revisions do you have?

24 MR. BUTLER: I probably have another
25 five.

1 CHAIRWOMAN SCHAEFER: Ms. Dory, I'm
2 going to ask that you please just go with this,
3 because we're going to get through this a lot
4 quicker than if we -- it's still up to the
5 planning board, ultimately, whether or not
6 they'll accept these comments.

7 MS. DORY: Okay. I'll save my
8 objections to the end.

9 CHAIRWOMAN SCHAEFER: Mr. Butler,
10 continue on. You left off --

11 MR. BUTLER: Thank you, Madame Chair.

12 CHAIRWOMAN SCHAEFER: You said you
13 have five, so let's please --

14 MR. BUTLER: I know I have five. I
15 approximated five. I'm looking at my sheet here.
16 I've got my notes all over the place. I'm going
17 to go as quickly as possible. It's not my
18 intention to delay this case.

19 All right. Now, paragraph D of the
20 resolution, paragraph 11, subparagraph little D,
21 said there is a contour issue with the driveway,
22 in that it is not straight and level, which
23 interferes with sight distance. And all due
24 respect, Mr. Simoff never testified a word as to
25 the contour of the driveway.

1 CHAIRWOMAN SCHAEFER: We're not going
2 through the testimony; I just want to know what
3 are the revisions that you want in the language.

4 MR. BUTLER: I want paragraph little
5 D removed, because it doesn't reflect his
6 testimony. He didn't testify as to the driveway.

7 CHAIRWOMAN SCHAEFER: Okay.

8 MR. LINNUS: The resolution was a
9 collaboration of the board attorney, as well as
10 the board professionals, and reviewed by the
11 planning board at the last meeting. Ms. Dory is
12 100 percent correct that, if this matter goes to
13 court, the entire record will be the transcript
14 and everything in the resolution, and the entire
15 proceedings. And Mr. Butler, if he -- if the
16 board adopts the resolution tonight,
17 notwithstanding his comments, he'll have that
18 opportunity to argue on an appeal.

19 MR. BUTLER: So that request is
20 rejected?

21 CHAIRWOMAN SCHAEFER: Frank?

22 MR. LINNUS: It's up to the board.

23 MR. BUTLER: I mean, it's not
24 asking --

25 MR. LINNUS: I don't -- yeah, I don't

1 think that the board should get involved, at this
2 late stage, in rehashing the testimony of all the
3 witnesses.

4 CHAIRWOMAN SCHAEFER: Nor do I, and
5 I'm going to speak to the board. I just think
6 that, as Frank said, this was all compiled by our
7 professionals and the applicant, but most
8 importantly, our professionals, who reviewed all
9 the transcripts, all the testimony, and they put
10 this all together, they met -- it wasn't just
11 emails, they actually had, you know, meetings on
12 this. I do not think that that should be
13 removed.

14 MR. BUTLER: Madame Chair, I would
15 like any consultant that's here tonight to
16 confirm that Mr. Simoff gave testimony regarding
17 the driveway, because there isn't any. I don't
18 hear any consultants saying that there was
19 testimony about the driveway by Mr. Simoff, who I
20 specifically kept him away from that issue.

21 MR. MATIAS: This is Rick Matias; I
22 would have to review the transcript. I can't
23 recall, offhand, specifically, for this one item.

24 CHAIRWOMAN SCHAEFER: You know,
25 Mr. Butler, without reviewing everything -- we've

1 been spending so many hours on this between the
2 last meeting, the meeting before, and now this
3 one. This was put in here for a purpose.
4 Apparently, it had been reviewed. I mean, Rick,
5 with all due respect, you had to have reviewed it
6 before you agreed to what was in the language
7 that was written in this resolution.

8 MR. MATIAS: Agreed.

9 CHAIRWOMAN SCHAEFER: So I'm going to
10 say it is going to remain, unless there is an
11 opposing factor on the planning board -- you
12 know, any of the planning board members. I want
13 to see this remain.

14 COMMISSIONER SPINGLER: Madame Chair?

15 CHAIRWOMAN SCHAEFER: Yes, Ellen.

16 COMMISSIONER SPINGLER: I have, in my
17 notes of 09/13/21 -- and, again, they're notes --
18 from Mr. Simoff, and I have the words "curved
19 alignment."

20 MR. BUTLER: That has to do with
21 Bonnie Burn Road.

22 COMMISSIONER SPINGLER: And under
23 that, I have proposed widening for the turning
24 lane, so I assumed I was talking about -- it
25 referred to the driveway. But that is in my

1 notes.

2 CHAIRWOMAN SCHAEFER: Again, this is
3 going to remain, unless somebody on the planning
4 board, planning board members only, agrees that
5 it should be removed. I think we're going to
6 leave it, because, again, our professionals
7 reviewed this line item by line item, even prior
8 to us receiving it, and I'm going to rely on
9 their expertise. That's what they're getting
10 paid for. And I personally think it should just
11 remain, and we need to move on.

12 MR. BUTLER: Okay. Okay. I'll move
13 on. I'll move on. I'm not going to -- you made
14 your decision.

15 CHAIRWOMAN SCHAEFER: Okay.

16 MR. BUTLER: Now, continuing with the
17 synopsis of Mr. Simoff's testimony, the -- the
18 resolution -- one second now -- on subparagraph
19 L, talks about the queueing of 31 vehicles, and
20 that was predicated upon the Florida highway
21 capacity -- University of Florida highway
22 capacity software, 2019.

23 And Florida came out with a new
24 highway capacity software manual, which Hal
25 Simoff testified to, and had marked, and it

1 showed even greater -- it showed even greater
2 queueing, and the resolution only mentions the
3 shorter queueing under the 2019 plan, and not the
4 longer queueing under the 2021 Florida plan.

5 And that is set forth as Exhibit
6 OW-4, and it shows queueing greater than what the
7 resolution now reflects. That OW-4 that was
8 drafted by Mr. Simoff, and he testified to, shows
9 queueing in a.m. going west, peak hour --

10 CHAIRWOMAN SCHAEFER: So, Mr. Butler,
11 again, I'm going to stop you. What do you --
12 what verbiage do you want added, and on what
13 subparagraph?

14 MR. BUTLER: Okay. What I'd like
15 added -- excuse me, subparagraph N, where the
16 resolution goes to OW-4.

17 CHAIRWOMAN SCHAEFER: What do you
18 want added or changed?

19 MR. BUTLER: After OW-4, I would like
20 these words added "reflects a backup in queueing
21 of 1,125 feet, and a queueing of 45 cars, during
22 a.m. peak hour, going west."

23 CHAIRWOMAN SCHAEFER: A queueing of
24 45 cars -- finish that, please.

25 MR. BUTLER: Did you get the 1,125?

1 CHAIRWOMAN SCHAEFER: No, you said
2 10,025 feet (sic).

3 MR. BUTLER: I did, yeah, the backup
4 is 1,125 feet, and that reflects a queueing of 45
5 cars. The resolution reflected the queueing of
6 31 vehicles, but that was under the 2019 plan --

7 CHAIRWOMAN SCHAEFER: But,
8 Mr. Butler, I'm going back to -- you gave a short
9 sentence for item N. After item N, OW-4, you
10 want it inserted "reflects a backup in queueing
11 of 1,125 feet, and a queueing of 45 cars" --

12 MR. BUTLER: Of vehicles.

13 CHAIRWOMAN SCHAEFER: And that's it?

14 MR. BUTLER: Yeah. And then, you
15 know, you finish the rest of paragraph N, and it
16 depicts what the resolution says.

17 CHAIRWOMAN SCHAEFER: Frank, are you
18 okay with that?

19 MR. LINNUS: If it's part of the -- I
20 don't think it's necessary, but if the board will
21 accept his comments, I'd like to hear from
22 Ms. Dory whether she thinks that was the
23 testimony.

24 MR. BUTLER: It's not a -- it's an
25 exhibit. It's OW-4. I can cite you the

1 testimony, and you have the exhibit. It's been
2 marked.

3 MS. DORY: I think one of the
4 distances that Mr. Butler listed was not correct.
5 I agree with Mr. Linnus, that I don't think it's
6 necessary.

7 MR. BUTLER: Well, Mr. Linnus
8 mentioned the backup of 31 vehicles. Why
9 wouldn't he mention the 2021 report, which
10 increases the backup vehicles from 31 vehicles to
11 45 vehicles?

12 CHAIRWOMAN SCHAEFER: Okay. I'm
13 going to put this in front of the planning board
14 members. Do the planning board members have any
15 objections to this particular verbiage going in?

16 COMMISSIONER POTE: No.

17 COMMISSIONER SPINGLER: I don't,
18 either. I have 45 vehicles in my notes.

19 CHAIRWOMAN SCHAEFER: You have what?

20 COMMISSIONER SPINGLER: I have OW-4
21 plus 45 vehicles in my notes. So I have no
22 objection.

23 CHAIRWOMAN SCHAEFER: Okay.

24 MR. BUTLER: Can I just ask who
25 spoke? I'm sorry.

1 CHAIRWOMAN SCHAEFER: That was Ellen
2 Spingler.

3 MR. BUTLER: Thank you very much.

4 CHAIRWOMAN SCHAEFER: And it was
5 Mr. Pote.

6 So, at this point, we will add that
7 in item N.

8 What is your next one, Mr. Butler?
9 Mr. Butler?

10 MR. BUTLER: Yeah, I'm trying to get
11 organized here a little bit. I'm trying to
12 present it in such a way that it's -- paragraph
13 K. All right. Now, they -- Mr. Simoff --

14 CHAIRWOMAN SCHAEFER: What page are
15 you on, Mr. Butler, and what item number?

16 MR. BUTLER: Well, it's a new
17 paragraph, M, and it reflects Mr. Simoff's
18 testimony that the application violates the
19 redevelopment ordinance; specifically, paragraph
20 K, which is the traffic section. And I can cite
21 to you exactly where he said that.

22 CHAIRWOMAN SCHAEFER: You're saying
23 paragraph 11M?

24 MR. BUTLER: Yeah, 11, I would
25 respectfully suggest that you add a new

1 paragraph, subparagraph M, like in Mary.

2 CHAIRWOMAN SCHAEFER: We have an M,
3 like in Mary. It's a Q-3, depicts the latest
4 University of Florida highway capacity software,
5 2021, which was not used by the applicant. We
6 have an M.

7 MR. BUTLER: That, I asked to be put
8 in subparagraph N, like in Nancy, where it says
9 OW-4. OW-4 reflects the queueing of the 45 cars.

10 CHAIRWOMAN SCHAEFER: OW-3 out?

11 MR. BUTLER: N, like in Nancy, not M,
12 like in Mary.

13 CHAIRWOMAN SCHAEFER: Mr. Butler,
14 this is getting a little bit too much. I'm
15 getting frustrated.

16 Subparagraph M, as in Mary, is, on
17 your evidence of OW-3, what you gave us for N,
18 like Nancy, the verbiage that you just gave us
19 before was on N, like Nancy, for OW-4. Now, what
20 are you giving us, back to M?

21 MR. BUTLER: Now, I'm suggesting a
22 new subparagraph M, like in Mary.

23 CHAIRWOMAN SCHAEFER: So you're
24 removing our current M, like Mary, sentence? Is
25 that what you're doing?

1 MR. BUTLER: Madame Chair, I'm sorry,
2 I didn't hear you.

3 CHAIRWOMAN SCHAEFER: We have an M
4 currently, and it's depicting OW-3. You want to
5 remove that paragraph, and replace --

6 MR. BUTLER: No, I do not want to
7 remove it. I want paragraph N, like in Nancy, to
8 continue OW-4, with the added language about the
9 queueing, and then a continuation of everything
10 else that's in paragraph N.

11 CHAIRWOMAN SCHAEFER: But you're
12 talking about paragraph M, like Mary --

13 MR. BUTLER: No, N, like Nancy.

14 CHAIRWOMAN SCHAEFER: We already
15 dealt with N, like Nancy.

16 MR. BUTLER: All right. Now, we're
17 dealing with paragraph -- a new -- I'm suggesting
18 a new paragraph M, to indicate that Mr. Simoff
19 testified that the application violates the
20 redevelopment ordinance; specifically, paragraph
21 K, which covers traffic impact study.

22 CHAIRWOMAN SCHAEFER: Again,
23 Mr. Butler, I'm going to come back to you: Our
24 paragraph M, like Mary, is -- refers to OW-3, and
25 it states depicts --

1 MR. BUTLER: No, paragraph M has
2 nothing to do with OW-3.

3 CHAIRWOMAN SCHAEFER: It is in our
4 resolution. In our resolution, on page 11,
5 item -- under your testimony of item 11, item M
6 is in there, OW-3. Now, you're either removing
7 it --

8 MR. BUTLER: No, I'm not removing it.
9 Is your problem that I'm -- there's testimony
10 that I'm saying Simoff testified that the site
11 plan application violated paragraph K. Is your
12 problem that you don't like the fact that I'm
13 calling it subparagraph M, and you want to call
14 it another letter?

15 CHAIRWOMAN SCHAEFER: Mr. Butler, all
16 due respect, we have an M currently. We are not
17 going to be replacing M, like Mary, currently.
18 If you want to add another paragraph, then you
19 would be adding paragraph Q, because we have --
20 we go through P, A through P.

21 MR. BUTLER: Okay. Then I stand
22 corrected, we'll change that, instead of M, it'll
23 be Q.

24 CHAIRWOMAN SCHAEFER: No, that's not
25 what I'm saying. You add a Q. We have an M

1 already. The M, which reads, please listen, OW-3
2 depicts "The latest University of Florida highway
3 capacity software (2021), which was not used by
4 the applicant." That's what the current M.

5 MR. BUTLER: You are right. You are
6 right, and I am wrong, and I apologize.

7 Then what I want to add is paragraph
8 Q. You're right and I'm wrong. You're right.

9 CHAIRWOMAN SCHAEFER: Okay. What do
10 you want Q to read as?

11 MR. BUTLER: I want Q to read that
12 Mr. Simoff testified that the site plan
13 application --

14 CHAIRWOMAN SCHAEFER: Hold on.
15 Testified that the site plan application.

16 MR. BUTLER: -- application --

17 CHAIRWOMAN SCHAEFER: All right.

18 MR. BUTLER: -- violated paragraph
19 K --

20 CHAIRWOMAN SCHAEFER: Okay.

21 MR. BUTLER: -- of the
22 reorganizational ordinance --

23 MS. SNYDER: Redevelopment.

24 MR. LINNUS: You mean redevelopment,
25 Mr. Butler?

1 MR. BUTLER: Redevelopment ordinance,
2 which covers traffic impact study.

3 CHAIRWOMAN SCHAEFER: Frank?

4 MR. LINNUS: Yes, once again, this is
5 a board resolution. This calls for the
6 collective recollection of the board as to what
7 Mr. Butler attributes to Mr. Simoff's testimony.
8 In short, if the board recalls that that was part
9 of Mr. Simoff's testimony, I have no objection.

10 CHAIRWOMAN SCHAEFER: Ms. Dory?

11 MR. BUTLER: I can give you the
12 citation, if you want it.

13 CHAIRWOMAN SCHAEFER: No.

14 Ms. Dory.

15 MS. DORY: I'm just going to
16 reiterate my same objection as before, I don't
17 think this is necessary. I don't recall that
18 Mr. Simoff specifically stated that it violated
19 the site plan --

20 CHAIRWOMAN SCHAEFER: That, I recall,
21 Ms. Dory. I have it in my notes. He did state
22 that.

23 MS. DORY: Okay. Well --

24 CHAIRWOMAN SCHAEFER: I'm just trying
25 to move this along, so that we can get to a vote

1 this evening. Okay?

2 MS. DORY: Okay.

3 CHAIRWOMAN SCHAEFER: I'll now asking
4 my planning board members: Would anyone have an
5 objection to adding item Q to the resolution? As
6 I said, I do have that in my notes from his
7 testimony.

8 COMMISSIONER SPINGLER: I have it in
9 my notes as well, Madame Chair.

10 CHAIRWOMAN SCHAEFER: Thank you,
11 Ellen.

12 MR. BUTLER: Madame Chair, may I
13 continue?

14 CHAIRWOMAN SCHAEFER: Mr. Butler, let
15 me finish. We're moving on. We're going to add
16 item Q.

17 Next insertion?

18 MR. BUTLER: Thank you.

19 CHAIRWOMAN SCHAEFER: Next insertion.
20 What page?

21 MR. BUTLER: Now, the next thing I
22 would like to do would be add paragraph R, and
23 this is the last paragraph I'm suggesting we add.
24 Okay?

25 CHAIRWOMAN SCHAEFER: What is it?

1 MR. BUTLER: Or you can make it
2 paragraph K, when you hear it. And here's what
3 I'm going to ask -- and I have a citation, I can
4 read it to you -- and Mr. Simoff's testimony that
5 paragraph K was violated was not contradicted and
6 there was no rebuttal testimony refuting it. And
7 I have -- I have from the transcript, I can read
8 exactly where that was said.

9 CHAIRWOMAN SCHAEFER: Mr. Simoff's
10 testimony that paragraph K was violated was not
11 contradicted -- please finish.

12 MR. BUTLER: It was not contradicted
13 by the traffic engineer of the applicant, and
14 there was no rebuttal testimony.

15 CHAIRWOMAN SCHAEFER: Frank?

16 MR. LINNUS: Once again, it's the
17 board's recollection. Mr. Butler insists on
18 going through the -- what he says is the
19 testimony of the witness. It's certainly -- it's
20 the board's resolution, and if the board has a
21 recollection as to what Mr. Butler attributes to
22 Mr. Simoff, I would have no objection. This is a
23 board resolution.

24 MR. BUTLER: Mr. Linnus, I can give
25 you the citation --

1 MR. LINNUS: Don't give me the
2 citation; give it to the board and let them
3 recollect.

4 MR. BUTLER: May I give it to the
5 board, please? Madame Chair, may I read two
6 paragraphs from the record that indicates that
7 the violation of -- the testimony regarding the
8 violation of paragraph K was not contradicted and
9 there was no rebuttal? Because I have it right
10 here. For everything I say, I have testimony,
11 the page and the lines, right in front of me.

12 CHAIRWOMAN SCHAEFER: Go ahead.

13 MR. BUTLER: Okay. Mr. Simoff
14 testified on only one day, September 14, 2021.
15 And I'd like to start --

16 CHAIRWOMAN SCHAEFER: Not start --
17 what page?

18 MR. BUTLER: Excuse me?
19 I'd like to start with page 59.

20 CHAIRWOMAN SCHAEFER: What are you
21 looking at, Mr. Butler?

22 MR. BUTLER: I'm looking at the
23 transcript. I'm about to read -- I'm about to
24 read from two sections of the transcript.

25 CHAIRWOMAN SCHAEFER: Okay. Go

1 ahead.

2 MR. BUTLER: Okay. Now, the first
3 section I'm going to read is page 59, line 8, to
4 line 16. Okay? And line 8 -- and I'm quoting:

5 "CHAIRPERSON: So" -- this was after
6 Mr. Simoff testified -- "So, John, Rick, Mark,
7 questions?

8 "BOARD TRAFFIC CONSULTANT: Tracee,
9 it would definitely be our preference to allow
10 Mr. Keller or the developer's team to answer any
11 of the queries of the objector first. We would
12 be curious to see what they have to say about
13 Mr. Simoff's testimony prior to providing any
14 guidance to the board."

15 And then we go down a couple lines,
16 we're still on page 59, line 19, and I'm going to
17 quote the exact testimony of Attorney Dory, the
18 attorney for the applicant.

19 "ATTORNEY DORY: Okay. You know, the
20 applicant is not intending only presenting any
21 additional testimony from Mr. Keller, at this
22 time, on traffic. You know, our position is that
23 these issues are before Union County, and these
24 relate to the traffic light, and this is --
25 information will be presented to Union County, so

1 we're not intending on either addressing it."

2 Now, what I'm talking about is the
3 local ordinance; your ordinance. Traffic
4 testimony will be considered by the Union County,
5 I agree, but when the objector's attorney
6 testifies that the redevelopment ordinance -- the
7 traffic section is being violated, I don't think
8 she can put -- the applicant's attorney can push
9 that off and say let the county handle it, when
10 it's your ordinance.

11 CHAIRWOMAN SCHAEFER: Okay. You are
12 no longer reading from the transcript. Correct?

13 MR. BUTLER: No, you're right.

14 CHAIRWOMAN SCHAEFER: Okay. No
15 testimony, just reading from the transcript.

16 In my opinion, you proved what you
17 wanted. I'm going to see if any of the planning
18 board members have any objections to it.

19 MS. DORY: Madame Chair?

20 CHAIRWOMAN SCHAEFER: Yes, Ms. Dory.

21 MS. DORY: I'm sorry, before you poll
22 the board, I just wanted to point out that
23 Mr. Butler left out the last portion of my
24 testimony, as he called it, in which, on page 60
25 of the transcript, I stated "We believe we have

1 established that there's -- we have done a
2 conservative analysis, and that we have met the
3 requirements of the redevelopment plan in section
4 K, because we have submitted a traffic impact
5 evaluation that meets those requirements, and
6 that has been supported by the board's traffic
7 engineer."

8 CHAIRWOMAN SCHAEFER: And Ms. Dory, I
9 totally understand where you're coming from, but
10 this is on Mr. Simoff's testimony.

11 MS. DORY: So the statement that the
12 applicant did not refute that statement about
13 compliance with the redevelopment plan is false,
14 because we provided lots of testimony from
15 Mr. Keller to show how we complied with the
16 redevelopment plan.

17 CHAIRWOMAN SCHAEFER: So,
18 Mr. Butler -- I'm sorry, Ms. Dory, I get where
19 you're coming from. I'm getting really
20 frustrated, as I'm sure the rest of the planning
21 board is. So I'm going to go back to Mr. Butler.

22 She has made a very good -- Ms. Dory
23 has made a very good point that it was in the
24 transcripts that she stated what the rebuttal
25 was. So if you want this language in the

1 resolution, we need to remove "and no rebuttal
2 testimony."

3 MR. BUTLER: We have to remove what?

4 CHAIRWOMAN SCHAEFER: "No rebuttal
5 testimony." She's just proven, in the
6 transcript, Ms. Dory's just proven, in the
7 transcript, that there was rebuttal testimony.

8 MR. BUTLER: That's her argument.
9 She's arguing. That's her argument.

10 CHAIRWOMAN SCHAEFER: We either add
11 it or we don't, Mr. Butler. So if you want your
12 paragraph added, then I suggest we remove "and no
13 rebuttal testimony;" otherwise, we don't add it
14 at all, your choice.

15 MR. BUTLER: Well, no, I want the "no
16 rebuttal testimony" to remain.

17 CHAIRWOMAN SCHAEFER: Frank?

18 MR. LINNUS: Again, I think, once
19 again, if this goes to court -- and I assume it
20 will, if the board approves the resolution --
21 Mr. Butler can make his arguments, Ms. Dory can
22 make her arguments, and the court will entertain
23 both arguments.

24 The intent of the resolution is not
25 to incorporate the entire transcript of

1 proceedings. Once again, the transcript of
2 proceedings, all of the hearings -- all of the
3 hearings that are in transcript form, are part of
4 the record.

5 CHAIRWOMAN SCHAEFER: So with that
6 being said, I'm going to ask our planning board
7 members how they feel in not allowing item R to
8 be written into the resolution, since it is
9 covered in the transcript. Can anybody give --

10 COMMISSIONER FIORILLA: You know, I
11 was just about to say what Mr. Linnus said. I
12 mean, this, to me, is a little bit -- I mean,
13 last week, I objected to this whole hearing, but
14 the idea that the resolution has to contain, you
15 know, the entirety of the testimony is -- I don't
16 know -- I mean, I don't think that's what the
17 purpose of the resolution is, and I think we're
18 going too far down the road of indulging all of
19 this stuff. You know, I wouldn't add any of this
20 paragraph, but at the very least, you know, I
21 would keep out the words -- the three words at
22 the end that were referenced.

23 CHAIRWOMAN SCHAEFER: Paul, I totally
24 understand what you're saying; I am just trying
25 to keep everybody complacent in this, and trying

1 to move it forward. I would rather not see the
2 paragraph at all than to remove words that
3 someone may object to.

4 Do I have any other comments from
5 other board members?

6 Don?

7 VICE CHAIR SPEENEY: Thank you,
8 Tracee.

9 I certainly believe that the
10 transcript captures everything that was said, and
11 attorneys who may object to issues can refer to
12 that transcript, they don't have to refer to our
13 resolution specifically. So I'm all in favor of
14 relying on the recorded documentation of the
15 hearings, and not go through all these
16 last-minute machinations on the resolution of the
17 board.

18 MR. BUTLER: Well, you know,
19 Mr. Speeney, you got to remember, last meeting, I
20 didn't have the resolution. So it's not a
21 last-minute type of thing, I just got the
22 resolution.

23 VICE CHAIR SPEENEY: You didn't have
24 that, and we thought that was something that we
25 could let you have for one week, but you could

1 have at least sent us an email saying here's my
2 suggested changes. To do this online, it's just
3 time consuming, and I don't think it's necessary.

4 MR. BUTLER: Well, I didn't have time
5 to do that, and I think, when you have a
6 contested matter, with attorneys, and each one of
7 them presenting witnesses, it's really improper
8 to have any communication with the board
9 attorney, I really do.

10 CHAIRWOMAN SCHAEFER: So, Mr. Butler,
11 it looks like we're not going to allow item R
12 into the resolution, because it is part of the
13 transcripts. Do you have another --

14 MR. BUTLER: Paragraph 11 is supposed
15 to reflect Hal's testimony, Simoff's testimony,
16 that's in the transcript. That's the purpose of
17 it.

18 CHAIRWOMAN SCHAEFER: And it does --
19 and it's also in the transcript, and it's also in
20 the video. So it's covered more than once.

21 MR. BUTLER: It's in the record,
22 there's no doubt about it. I just think it
23 should be in the resolution. There's no doubt
24 about it, it's in the record.

25 CHAIRWOMAN SCHAEFER: Okay. So,

1 then, you just answered it. R is out.

2 Next?

3 MR. BUTLER: Excuse me, Madame Chair,
4 I lost you.

5 CHAIRWOMAN SCHAEFER: I said you just
6 answered the question: R is out. Let's move on
7 to the next, because R is part of a transcript
8 and part of the record. Let's --

9 MR. BUTLER: Okay. I would also --
10 and this is the last thing I have on page 11, and
11 then I have one other item back further in the
12 resolution. I think that the transcript should
13 reflect page 2 of OW-1, which is Hal Simoff's
14 report of 07/29/21, which sets forth the actual
15 traffic on Bonnie Burn Road. And the a.m. peak
16 hour going west -- going westbound is 498
17 vehicles and going eastbound at the same time is
18 522 (sic), which is 2,020, and that, in the peak
19 hour, going westbound, there's 634 vehicles, and
20 going eastbound is 1,180. In other words, the
21 traffic -- most of the traffic in the morning is
22 going to the west, and most of the traffic at
23 night is going to the east.

24 But I think the resolution should
25 reflect Hal's report, OW-1, page 2, reflecting

1 actual traffic on Bonnie Burn Road.

2 CHAIRWOMAN SCHAEFER: Again, it's in
3 the transcript. We have an item L, which is --

4 MR. BUTLER: It's the exhibit, OW-1.

5 CHAIRWOMAN SCHAEFER: I have -- we
6 just said OW-2.

7 MR. BUTLER: No, OW-1, page 2.

8 MR. LINNUS: No, he did -- he did say
9 OW-1, but the point is OW-1 is part of the
10 record; it's listed as an exhibit.

11 MR. BUTLER: It is part of the
12 record. Everything that you cite, Mr. Linnus,
13 the testimony of all the witnesses, is in the
14 record, but I -- I just think this important
15 testimony of Weldon's traffic engineer should be
16 depicted as part of this testimony. That's the
17 purpose of tonight.

18 MR. LINNUS: I disagree with you. I
19 think the entire record includes the transcripts.

20 MR. BUTLER: Of course it does.

21 MR. LINNUS: And you can certainly
22 argue -- you're rehashing what might have been
23 your closing argument, and you were -- you did
24 have an opportunity to make a closing argument.
25 Right now, we're here -- the board's here tonight

1 to review the resolution, and if they're happy
2 with the resolution, to adopt the resolution; if
3 they're not happy with the resolution, then they
4 won't adopt it.

5 MR. BUTLER: Okay. Let me go to my
6 last point.

7 MS. SNYDER: Tracee, if he's moving
8 to another page, can we just confirm everything
9 under 11? I think, for B, Mr. Simoff pointed out
10 that there is an inconsistency between the site
11 plan and the traffic report. Did we decide to
12 keep that?

13 CHAIRWOMAN SCHAEFER: Yes --

14 MS. SNYDER: We are keeping that.
15 Okay.

16 CHAIRWOMAN SCHAEFER: "Mr. Simoff
17 pointed out inconsistency between site plan and
18 testimony of the traffic report of the
19 applicant's traffic engineer. The site plan,
20 revised June 4, 2021, shows a single lane in each
21 direction, and the applicant's traffic report,
22 and in parentheses Roman Numeral IIC-5, reflects
23 two lanes in each direction."

24 MS. SNYDER: I got it. Thank you.

25 We are not removing D.

1 CHAIRWOMAN SCHAEFER: Correct, we're
2 going down to N, like Nancy, and we're going to,
3 right after OW-4, put "reflects backup and
4 queueing of 1,125 feet, and queueing of 45
5 vehicles," in front of "depicts."

6 MS. SNYDER: Okay.

7 CHAIRWOMAN SCHAEFER: Then we add Q:
8 "Mr. Simoff testified that the site plan
9 application violated paragraph K of the
10 redevelopment ordinance, which covers traffic
11 impact study."

12 MS. SNYDER: Great. Thank you.

13 CHAIRWOMAN SCHAEFER: You're welcome.
14 What's your final one, Mr. Butler?

15 MR. BUTLER: Okay. My final one --
16 wait a minute now. Excuse me, bear with me one
17 minute. Okay. Paragraph -- page 13, paragraph
18 10, I think the first sentence should be removed.
19 The first sentence says this: "The board
20 specifically finds that the traffic issues will
21 be resolved satisfactorily in the event Union
22 County approves the traffic signal at the site
23 entrance."

24 Now, here's my reasoning to take that
25 out. When Mr. Simoff did his traffic report, he

1 assumed that there was a traffic light, because
2 this case is conditioned upon a traffic light.
3 So all his reports and his testimony was with a
4 traffic light. And notwithstanding the traffic
5 light, he still gets this queueing of 45 cars.

6 MR. LINNUS: All right. Mr. Butler,
7 you're -- excuse me, Mr. Butler, let me speak for
8 a second, please. You're now in the section of
9 the resolution that talks about the board's
10 findings. If, indeed, the board wants to insist
11 that the finding of fact in number 10 is their
12 decision, I would respectfully suggest to the
13 board that they keep it in there.

14 MR. BUTLER: Okay. Now, how --

15 MR. LINNUS: Now, you could argue in
16 any appeal that they should not have made that
17 finding, but the fact of the matter remains that,
18 if they include that in there, that is a board
19 finding.

20 MR. BUTLER: Okay. Let me make it
21 even more practical. In Mr. Simoff's report, he
22 talks about horizontal and vertical contour of
23 the road; in other words, it goes up and down and
24 it goes sideways. Now, how's the light going to
25 change that?

1 CHAIRWOMAN SCHAEFER: But we're not
2 having testimony anymore, Mr. Butler.

3 MR. BUTLER: No, he already
4 testified. This is --

5 MR. LINNUS: There's no testimony --
6 Mr. Butler, again, this is a specific finding by
7 the board. They can either vote on it as a
8 finding or reject it.

9 CHAIRWOMAN SCHAEFER: Mr. Butler, do
10 you have -- Mr. Butler, we're moving on. Do you
11 have any other changes? If not, I'm going to
12 open it up to Ms. Dory, and then we are going to
13 go to a vote.

14 MR. BUTLER: I have -- I have no
15 further comments. I mean, as far as I'm
16 concerned, paragraph -- the resolution doesn't
17 adequately -- in all due respect, doesn't
18 adequately reflect the testimony of Mr. Simoff.

19 CHAIRWOMAN SCHAEFER: But it does in
20 transcripts and video recordings.

21 So, Ms. Dory, do you have comments?
22 Ms. Dory?

23 MS. DORY: I'm sorry, I was still on
24 mute.

25 I don't have any further comments to

1 Mr. Butler's, you know, proposed changes. I just
2 wanted to just correct one date. The October 14,
3 2019 report of Thomas Herits of Maser, who was
4 the former board engineer --

5 CHAIRWOMAN SCHAEFER: What page?

6 MS. DORY: I'm sorry?

7 CHAIRWOMAN SCHAEFER: What page?

8 MS. DORY: Well, on page 2 of the
9 resolution, it has the correct date, which is
10 October 14, 2019, but then, on pages 5 and 16,
11 the date is October 4th. So I think you should
12 correct it to October 14th.

13 CHAIRWOMAN SCHAEFER: Okay. What --
14 can you give us the --

15 MS. DORY: Sure. It's page 5,
16 subparagraph G, Roman Numeral III.

17 CHAIRWOMAN SCHAEFER: And that should
18 be October 14th?

19 MS. DORY: Correct.

20 And then, again, on page 16,
21 paragraph number 29, it should also be October
22 14, 2019.

23 CHAIRWOMAN SCHAEFER: Okay. Got it.

24 MS. DORY: That's all.

25 CHAIRWOMAN SCHAEFER: Okay. All

1 right. Well, we've come to that time. Chair
2 seeks a motion to approve resolution PB21-R-13,
3 and adopt the application as amended. Do I have
4 a motion?

5 MR. LINNUS: Is that R-12 or R-13,
6 Madame Chair?

7 CHAIRWOMAN SCHAEFER: Sorry, R-12.

8 MR. LINNUS: As amended.

9 CHAIRWOMAN SCHAEFER: As amended,
10 yep.

11 VICE CHAIR SPEENEY: Move.

12 CHAIRWOMAN SCHAEFER: Thank you, Don.
13 Do we have a second?

14 COMMISSIONER FIORILLA: I'll second.

15 CHAIRWOMAN SCHAEFER: Thank you,
16 Paul.

17 Discussion?

18 Don?

19 VICE CHAIR SPEENEY: Yeah, thank you,
20 Tracee. I've considered multiple issues in
21 arriving at my decision, and those are the
22 legal -- the legal agreement, the site plan
23 presented, and traffic.

24 Now, under the legal agreement, I
25 indicate that Watchung Borough recognized that it

1 has an affordable housing obligation; as such,
2 the borough created the Bonnie Burn Road
3 Redevelopment Plan to meet part of our total
4 obligation.

5 And then, Watchung entered into a
6 court settlement with the applicant and the Fair
7 Share Housing Center, and this was done under the
8 guidance of Judge Miller, and the settlement now
9 represents mutual agreement from the interested
10 parties as one of the borough's acceptable
11 affordable housing plans towards its total
12 obligation.

13 I looked at the site plan application
14 itself. The applicant presented a site plan for
15 review and approval that did not have variances.
16 The applicant agreed to the board's policy of
17 bifurcating application of significance, and
18 asked for preliminary approval. The plans call
19 for 230 rental units with a 20 percent set-aside
20 of 46 affordable units that will go towards the
21 borough's total affordable housing obligation.

22 Among other elements of the site
23 plan, there are offerings of exercise potentials
24 and amenities, such as the pool, recreational
25 areas, clubhouse, and sidewalks for walking

1 throughout the site.

2 On-site pickup for schoolchildren at
3 the clubhouse was agreed upon.

4 Bioretention basins are proposed to
5 aide in water runoff control.

6 Only the use of organic fertilizer
7 has been agreed to, as well as the use of calcium
8 chloride, when called for.

9 Fifty-eight percent of the land is
10 set aside as a conservation easement.

11 The applicant also worked with the
12 board and adjacent neighbors to improve
13 vegetation and fencing buffers over what was
14 initially offered.

15 Apartment residents are required to
16 acknowledge that they are neighbors of a working
17 quarry.

18 And when I looked at traffic, the
19 site will have a total of 475 parking spaces
20 available, 350 surface spaces, and 925 garage
21 spaces.

22 Ingress and egress are limited to
23 only one entrance road and one exit road.

24 Traffic control by traffic light is
25 proposed.

1 There is an objector, Weldon quarry,
2 that has entered into the record that the
3 development and the signalling scheme create
4 undue hardships on Bonnie Burn Road traffic, and
5 impact the Weldon quarry business. All traffic
6 concerns will be reviewed by Union County upon
7 preliminary approval. Approval for this
8 signalling system is under control of Union
9 County, and because of this jurisdiction issue,
10 the board has been cautioned not to evaluate the
11 proposed traffic signal. Considering the
12 objector's traffic analysis, I believe that
13 Bonnie Burn Road traffic will be negatively
14 impacted, but expect a thorough and independent
15 traffic analysis, and recommendation by Union
16 County, in this matter.

17 So based on the borough's legal
18 agreement to provide affordable housing utilizing
19 this site, and the applicant's proposed and
20 subsequently modified site plan that meets the
21 zoning law, and the previous cited legal
22 agreement, I support this application for
23 preliminary approval.

24 Thank you.

25 CHAIRWOMAN SCHAEFER: Thank you, Don.

1 VICE CHAIR SPEENEY: You're welcome.

2 CHAIRWOMAN SCHAEFER: Any other
3 discussion?

4 Roll call, please.

5 COUNCILMAN MARTINO: Madame Chair, if
6 I may real quick.

7 CHAIRWOMAN SCHAEFER: Councilman?

8 COUNCILMAN MARTINO: Yeah, I want to
9 thank Mr. Speeney, that was a lot more thorough
10 than what I want to say. But I agree with what
11 Mr. Speeney said.

12 I would also like to remind, through
13 Ms. Dory, that the developers technically are --
14 there's going to be a partnership here, and I
15 hope they understand that. And I know, as a
16 representative of the borough, I had a few -- you
17 know, I had a few concerns. And, again, I think
18 it was pretty simple, on the life safety side, we
19 were looking for an additional access road; we
20 were looking for the perimeter sidewalk. Also,
21 maybe a little bit of a higher amount of
22 retention that could be connected to the pumping
23 station, just in case of an emergency. I know
24 those are probably not -- they're not part of
25 this resolution; I hope that they may reconsider

1 in the future, no pressure there.

2 But I know this is a partnership
3 between the borough and a private developer. We
4 have to make this equitable for both sides, and
5 our residents have to be part of this, and the
6 residents of this community that we're building,
7 this complex, have to be taken into consideration
8 too.

9 So I hope, you know, before this gets
10 started, maybe we can have a little bit more
11 conversation; maybe we can adjust a few things as
12 time goes on, prior to construction starting. So
13 I hope that Ms. Dory will convey that back to the
14 owners, and hopefully we can have a lucrative --
15 I don't want to call it partnership, but it is.

16 So, thank you, Madame Chair.

17 CHAIRWOMAN SCHAEFER: Thank you,
18 Councilman.

19 Any other discussion?

20 Don really summed it up for me, so I
21 don't need to repeat what Don said. So, Don,
22 thank you very much.

23 And if I don't hear any other
24 discussion, I do want a roll call, please,
25 Theresa.

1 MS. SNYDER: Ms. Spingler?

2 MR. LINNUS: We would have nine
3 members voting. I think we have ten -- ten
4 members here. I don't think the second alternate
5 will be voting.

6 MS. SNYDER: Correct, no alternates
7 will be voting. And, on the record, every member
8 is eligible to vote.

9 MR. LINNUS: Okay.

10 MS. SNYDER: Ms. Spingler?

11 COMMISSIONER SPINGLER: Yes.

12 MS. SNYDER: Mr. Ellis? Mr. Ellis?
13 You're muted.

14 COMMISSIONER ELLIS: I vote yes, and
15 I want to thank Mr. Speeney for his recitation.

16 MS. SNYDER: Are you -- are you a
17 yes?

18 COMMISSIONER ELLIS: Yes again.

19 MS. SNYDER: Councilman Martino?

20 COUNCILMAN MARTINO: Yes.

21 MS. SNYDER: Ms. Pennett?

22 COMMISSIONER PENNETT: No. I agree
23 with most things you said, but I just -- I had a
24 problem with only one way in and one way out. I
25 don't think it's safe.

1 MS. SNYDER: Mayor Balla?

2 MAYOR BALLA: Yes.

3 MS. SNYDER: Mr. Speeney?

4 VICE CHAIR SPEENEY: Yes.

5 MS. SNYDER: Mr. Pote?

6 COMMISSIONER POTE: Yes.

7 MS. SNYDER: Mr. Fiorilla?

8 COMMISSIONER FIORILLA: Yes.

9 MS. SNYDER: Madame Chair?

10 CHAIRWOMAN SCHAEFER: Yes.

11 Okay. So we have -- we have the
12 vote, and the motion's been carried.

13 I do want to thank all of our
14 planning board members [inaudible]. We, for
15 several years, have been listening to this, and
16 it's been a lot of input -- a lot of input --
17 from every single member, along with our
18 professionals, and I truly an appreciate how
19 seriously everyone took this. This isn't an easy
20 vote, by any means, and it's not one that is
21 taken lightly. We all are residents here of the
22 town, all planning board members, and, you know,
23 it's a very hard decision. But the consequences,
24 on the other hand, aren't good, either.

25 You know, it's now up to the

1 applicant to move forward with going to Union
2 County, and they've agreed to allow our traffic
3 engineer to go with them, or to be part of the
4 meeting with Union County, and they will come
5 back to us with their final. So we're moving
6 along, and I just wanted to say thank you for all
7 the hard work that everybody did.

8 MS. DORY: Thank you, Madame Chair.

9 MR. HOLLENBACK: Madame Chair, I
10 would just like to say, also, that we cannot
11 thank the borough, yourself, Mayor Balla,
12 everyone on the board. As Mr. Martino said, this
13 is the first step, getting an approval here
14 tonight, but it's going to be a long
15 relationship. We can't wait to bring a
16 beautiful, successful, positive project to the
17 town, and be great neighbors, bring wonderful
18 people to the borough, and we look forward to
19 making this a fantastic project, and one that you
20 will not regret.

21 Thank you very much.

22 CHAIRWOMAN SCHAEFER: And I
23 appreciate that, and I do want to make one last
24 comment. I know there's been a lot of rumors
25 circulating out there over the years, and this

1 board siphoned through all those rumors, and we
2 went with hard facts in making our decisions.

3 So to Sterling Properties, we wish
4 you the best, and don't let us down. And, you
5 know, we'll be working closely with our mayor and
6 council, and our engineers, and whomever.

7 So, Mr. Speeney, you wanted to say
8 something?

9 VICE CHAIR SPEENEY: Yeah, I
10 wanted -- Tracee, I want to say thank you to you
11 for handling such a tough situation, and I
12 thought you did a fantastic job all the way
13 around.

14 CHAIRWOMAN SCHAEFER: Thank you.
15 It's very hard. Very hard. And if anybody
16 thinks this is easy, it's not. But we got --

17 COMMISSIONER SPINGLER: Madame Chair?

18 CHAIRWOMAN SCHAEFER: Yes, Ellen.

19 COMMISSIONER SPINGLER: I would like
20 to say thank you to Frank and our professionals,
21 who did an excellent job in guiding us, and
22 helping us make a solid decision.

23 CHAIRWOMAN SCHAEFER: Yep. I second
24 that.

25 MR. LINNUS: Thank you.

1 CHAIRWOMAN SCHAEFER: Okay. I'm
2 going to open it up to the public just for
3 comments.

4 MS. KIM: Yes, I have a comment.

5 CHAIRWOMAN SCHAEFER: Would you
6 please state your name and address?

7 MS. KIM: Yes, my name is Shamin (ph)
8 Kim. I live at 138 Hill Hollow Road, Watchung.

9 My comment is that, after watching
10 the vote and a lot of previous meetings, I am
11 saddened. It's a dark day in Watchung politics,
12 where, again, the representatives of Watchung,
13 and this board, has bowed to the pressure from
14 the developer, and voted against will, and
15 wishes, and best interests of residents.

16 The scale of this development really
17 constitutes over development for this town of
18 5,987 residents. Okay? 230 units apartment
19 complex, seven buildings with 419 bedrooms, and
20 all just to fulfill the affordable housing
21 obligation of 38 units by 2025. Okay? This is
22 our affordable housing obligation, 38 units by
23 2025.

24 We really do not need to build this
25 massive complex, okay, to fulfill our affordable

1 housing obligations, and yet, again, we're
2 arriving at this point, where I'm sure a lot of
3 residents are disappointed by this board's
4 decision. Okay? I know the builder's remedy has
5 been wielded often by the developers, but in this
6 case, we do not need to build 230 units, and now
7 we're introducing, what, 800, also, new residents
8 to this town? Okay? I don't know how many new
9 students are going to flood our schools.

10 And where -- I can remind you that
11 the student -- the renters do not pay property
12 taxes. Again, also, the developer was given
13 special tax breaks. This is unconscionable.

14 Okay. I have counted everybody's
15 vote. I know who voted yes and who voted no.
16 Okay? So residents will know.

17 I conclude my remark.

18 CHAIRWOMAN SCHAEFER: Anyone else
19 from the public?

20 The one comment I will make to you,
21 if you think this was an easy -- an easy and
22 uneducated decision, I have lived here my entire
23 life, was born in Watchung, I still live in
24 Watchung, so don't think that it doesn't sadden
25 me as well; however, there were no other

1 locations that were brought in front of the mayor
2 and council to be able to deal with our
3 affordable housing. This has been going on for a
4 very long time. It's been fought in the courts
5 since 2015. It's been brought in front of the
6 mayor and council through BNE; then, BNE backed
7 out, and it then came as through Sterling
8 Properties.

9 The last thing I'm going to do is put
10 this borough in a position where we're going to
11 be fighting a builder's remedy, number one, that
12 could actually create hundreds more units. I do
13 not take this lightly. I take offense to anybody
14 who will make the comment that I took this
15 lightly, because I did not, and I can venture to
16 say that the majority of our -- in fact, every
17 single one of our planning board members did not
18 take this lightly, whether they voted yes or no,
19 they voted the way that they felt for the
20 protection and for the best interests for the
21 borough as a whole.

22 I cannot answer how many children
23 will be going into the schools. I don't have
24 that answer. But I do have the answer of this
25 town has worked diligently for decades to try to

1 whittle those numbers down by doing overlay
2 zones, removing certain zones, like Weldon
3 quarry, from the count, because that would have
4 created hundreds of more units. There was a lot
5 of work done by the mayor and council to bring
6 these numbers down. There are no other spots for
7 it.

8 And guess what? This only takes us
9 through 2025. Wait until next round comes. What
10 do we do? The people that you need to be angry
11 with are not the citizens of this town who are
12 truly working very hard and long hours, and
13 volunteers, but you need to take this up with
14 your state legislator, because they're the ones
15 who are creating this monster within the
16 communities, not just Watchung, but the
17 surrounding communities as well.

18 Any other comments from the public?

19 COMMISSIONER ELLIS: Thank you,
20 Tracee. You couldn't have said it any better. I
21 support your comments terrifically. Thank you
22 very, very much.

23 COUNCILMAN MARTINO: If I may, Madame
24 Chair?

25 CHAIRWOMAN SCHAEFER: Yes,

1 Councilman.

2 COUNCILMAN MARTINO: I want to thank
3 you. Over the last two years, I've had a great
4 respect -- a greater respect for this board; all
5 volunteer, okay, which is probably something that
6 is dwindling from this borough on a yearly basis.
7 And I do believe, from my heart, someone who has
8 volunteered for the last 40 years on many
9 different levels, that if more people
10 volunteered, more people would be educated, more
11 people would be understanding, more people would
12 show compassion. I think it's very, very
13 important to serve, okay, because you see it
14 through many different eyes.

15 And, yes, am I ecstatic about 230
16 units? No. But guess what? We went through
17 this 18 years ago, on Route 22, and I think it --
18 if my numbers are correct, there's 334 units on
19 24 acres; not all ours, some belong to North
20 Plainfield. 334 units to 24 acres; this is 230
21 units, if I'm not mistaken, to a little over 42
22 acres. Mr. Speeney explained that.

23 You know what? We have the same
24 thing when Watchung square was being built. We
25 have the same thing when the movie theater came

1 back to town. Progress. This is what we call
2 progress. All right? And, yes, sometimes we're
3 strong-armed by the law.

4 But I'll be 100 percent honest with
5 you: I'm proud to sit on this board. I'm proud
6 of everybody that's on this board. It's been a
7 he can of a couple of years with a lot of
8 information being thrown around and a lot of
9 pressures.

10 And this is not a political
11 situation. All right? Maybe it's a couple days
12 before the election, or a week before the
13 election, but that's just the way the chips fell.
14 This is not politics. All right? For I am not a
15 politician.

16 Again, I looked at the laws; I looked
17 at what could happen. Okay? And for us to enter
18 a long, drawn-out lawsuit, and end up with 500
19 units, yeah, people could say that's a threat,
20 but let me tell you something: With the 6,000
21 people in this town, I don't think I'm going to
22 take a chance like that. Okay?

23 So, again, I appreciate everybody's
24 time, and, again, I hope this is going to be a
25 lucrative partnership. And, again, I'm going to

1 go back to the same thing: PMart@WatchungNJ.gov,
2 (908) 447-7987. I have received no questions
3 with regards to this, and everybody on this board
4 knows I will speak to anyone at lengths to try to
5 pass on information. And if you know any -- this
6 is it, man. If you want to help us out, and you
7 know the secret to getting around this affordable
8 housing -- and I say this to everyone -- please
9 share it with me, because I have not been able to
10 find it yet.

11 So, again, thank you for indulging me
12 for a few minutes, Madame Chair. I'll get off my
13 soap box now.

14 CHAIRWOMAN SCHAEFER: Thank you,
15 councilman.

16 MS. DORY: Thank you very much,
17 Madame Chair. This is Ms. Dory. I just wanted
18 to say thank you for all of your time and effort.
19 I know it's a very arduous process, and I
20 appreciate your patients, and all of your
21 professionals as well. Thank you.

22 CHAIRWOMAN SCHAEFER: We appreciate
23 that.

24 Okay. Hearing -- Paul? Can't hear
25 you, Paul. Can't hear you, Paul.

1 COMMISSIONER FIORILLA: Can you hear
2 me now?

3 CHAIRWOMAN SCHAEFER: Yes.

4 COMMISSIONER FIORILLA: Okay. I
5 wasn't -- my phone wasn't muted.

6 But just to respond to the comment,
7 you know, that we were pressured or something,
8 you know, there was absolutely no pressure by
9 anybody on any side in this. You know, we've
10 been hearing it for two years. You know, we've
11 spent an awful lot of personal time and -- you
12 know, for no reward. And, you know, we followed
13 the law. You know, there are laws governing, you
14 know, the owning of properties, and we did what
15 the law called for, and nothing more or nothing
16 less.

17 So, you know, I just don't want that
18 to go unremarked, either. I mean, I'll have
19 people responding to different elements of that
20 comment, but just, you know, there was no
21 pressure, and, you know, we followed the law in
22 everything that we did.

23 Thank you.

24 CHAIRWOMAN SCHAEFER: Thank you,
25 Paul.

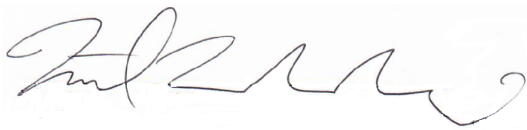
1 Okay. Hearing no more from the
2 public, I'm going to close the public session,
3 and we're going look to adjourn the meeting.

4 (Whereupon, the hearing concluded at
5 8:02 p.m.)
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, Michael Lombardozzi, a Notary Public and Certified Court Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth.

I do further certify that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel and that I am not financially interested in this action.



Michael Lombardozzi,
Certified Court Reporter, State of New Jersey
CERT #: 30X100239700
Date: November 9, 2021

&	2	40 66:8	absolutely 17:1
& 2:5	2 1:16 12:3 45:13	419 62:19	69:8
0	45:25 46:6,7 51:8	42 66:21	accept 8:8,24 21:6
06/04/21 14:24	2,020 45:18	447-7987 68:2	27:21
18:4	20 15:6 53:19	45 26:21,24 27:4	acceptable 53:10
07/29/21 45:14	2015 64:5	27:11 28:11,18,21	accepted 4:22
09/13/21 24:17	2019 19:17 25:22	30:9 48:4 49:5	access 56:19
1	26:3 27:6 51:3,10	46 53:20	accurate 71:8
1 1:15 45:13,25	51:22	475 54:19	acknowledge
46:4,7,9,9	2021 1:8 4:4 11:23	498 45:16	54:16
1,125 26:21,25	18:22 26:4 28:9	4th 51:11	acres 66:19,20,22
27:4,11 48:4	30:5 33:3 37:14	5	act 4:6
1,180 45:20	47:20 71:21	5 1:6 7:1 15:16	action 7:12,18 8:4
10 1:6 7:1 48:18	2025 62:21,23 65:9	18:9,25 47:22	71:14,17
49:11	20th 9:21 10:9,16	51:10,15	actual 45:14 46:1
10,025 27:2	22 14:23 66:17	5,987 62:18	add 13:1 18:18
10/13/21 9:12	230 53:19 62:18	500 67:18	29:6,25 32:18,25
100 22:12 67:4	63:6 66:15,20	522 45:18	33:7 35:15,22,23
10:4-6 4:7	24 66:19,20	59 37:19 38:3,16	41:10,13 42:19
11 14:4,5,12 18:18	24th 14:15	6	48:7
20:11 21:20 29:24	27 1:8 4:3	6,000 67:20	added 12:11 14:11
32:4,5 44:14	29 51:21	60 14:14 39:24	26:12,15,18,20
45:10 47:9	2c 15:16	634 45:19	31:8 41:12
1101 71:19	3	6:31 1:9	adding 13:16
11m 29:23	3 30:3,10,17 31:4	7	32:19 35:5
12 6:23 52:5,7	31:24 32:2,6 33:1	7402/7403 1:6	additional 38:21
12/26/21 7:2	30x100239700	6:25	56:19
12b 18:19	71:21	8	address 62:6
13 48:17 52:2,5	31 25:19 27:6 28:8	8 38:3,4	addressed 19:21
138 62:8	28:10	800 63:7	addressing 39:1
14 4:23 11:23	334 66:18,20	8:02 70:5	adequately 50:17
37:14 51:2,10,22	350 54:20	9	50:18
14th 51:12,18	38 62:21,22	9 71:21	adjacent 54:12
16 38:4 51:10,20	4	908 68:2	adjourn 70:3
18 66:17	4 11:20 13:6 14:22	925 54:20	adjust 57:11
19 38:16	18:4,22 26:6,7,16	a	admitted 12:6
19.01 1:6 6:25	26:19 27:9,25	a.m. 26:9,22 45:15	adopt 16:23 47:2,4
19.02 1:6 6:25	28:20 30:9,9,19	able 64:2 68:9	52:3
19th 7:8	31:8 47:20 48:3		adopts 22:16
			affordable 53:1,11
			53:20,21 55:18

62:20,22,25 64:3 68:7 agenda 6:20 ago 7:7,7 11:4 66:17 agree 28:5 39:5 56:10 58:22 agreed 24:6,8 53:16 54:3,7 60:2 agreement 52:22 52:24 53:9 55:18 55:22 agrees 25:4 ahead 18:6 20:10 37:12 38:1 aide 54:5 albert 1:13 alignment 24:19 allegiance 5:7 allow 8:20 38:9 44:11 60:2 allowed 8:22 allowing 42:7 alternate 1:15,16 58:4 alternates 58:6 amended 11:5 52:3,8,9 amenities 53:24 amount 56:21 analysis 40:2 55:12,15 angry 65:10 answer 38:10 64:22,24,24 answered 45:1,6 anybody 42:9 61:15 64:13 69:9 anymore 50:2 apartment 54:15 62:18	apologize 33:6 apparently 24:4 appeal 16:24,24 22:18 49:16 appear 4:19 applicant 2:4 4:13 8:18,19 9:11 10:23 12:4,6 14:9 15:8 23:7 30:5 33:4 36:13 38:18 38:20 40:12 53:6 53:14,16 54:11 60:1 applicant's 4:14 7:25 12:22 17:14 18:7,21,24 39:8 47:19,21 55:19 application 8:4 12:5 29:18 31:19 32:11 33:13,15,16 48:9 52:3 53:13 53:17 55:22 appreciate 59:18 60:23 67:23 68:20 68:22 approval 53:15,18 55:7,7,23 60:13 approve 52:2 approves 41:20 48:22 approximated 21:15 arduous 68:19 areas 53:25 argue 22:18 46:22 49:15 arguing 20:13,16 20:16,17 41:9 argument 41:8,9 46:23,24	arguments 41:21 41:22,23 armed 67:3 arriving 52:21 63:2 aside 53:19 54:10 asked 30:7 53:18 asking 22:24 35:3 assume 41:19 assumed 24:24 49:1 attorney 2:2 7:25 9:11 22:9 38:17 38:18,19 39:5,8 44:9 71:13,16 attorneys 2:4,6 8:7 43:11 44:6 attributes 34:7 36:21 audio 4:18 available 54:20 awful 69:11	bbrra 7:2 bear 48:16 beautiful 60:16 bedrooms 62:19 behalf 7:13 believe 39:25 43:9 55:12 66:7 belong 66:19 best 4:9 61:4 62:15 64:20 better 65:20 bifurcating 53:17 bioretention 54:4 bit 29:11 30:14 42:12 56:21 57:10 block 1:6 6:25 bne 1:5 6:24 64:6 64:6 board 1:1,10,17 1:17 2:2 4:3,12,13 7:5,10,11,11,16 8:6,16 9:19 10:22 16:22,23 21:5 22:9,10,11,16,22 23:1,5 24:11,12 25:4,4 27:20 28:13,14 34:5,6,8 35:4 36:20,23 37:2,5 38:8,14 39:18,22 40:21 41:20 42:6 43:5 43:17 44:8 48:19 49:10,13,18 50:7 51:4 54:12 55:10 59:14,22 60:12 61:1 62:13 64:17 66:4 67:5,6 68:3 board's 36:17,20 40:6 46:25 49:9 53:16 63:3
---	---	---	---

bonnie 1:5,5 6:24 6:24 14:25 24:21 45:15 46:1 53:2 55:4,13 born 63:23 borough 4:2,24,25 5:4 52:25 53:2 56:16 57:3 60:11 60:18 64:10,21 66:6 borough's 53:10 53:21 55:17 bottom 8:25 bowed 62:13 bowman 14:23 box 68:13 breaks 63:13 brief 9:6 bring 60:15,17 65:5 broadcast 4:17 brought 64:1,5 buffers 54:13 build 62:24 63:6 builder's 63:4 64:11 building 57:6 buildings 62:19 built 66:24 burn 1:5,5 6:24,24 14:25 24:21 45:15 46:1 53:2 55:4,13 business 6:18 55:5 butler 2:5,5,6 7:13 7:21 8:21 9:2,5,17 9:22,25 10:5,7,13 10:17,18,19 11:1,7 11:12,13,17,18 12:15,16,20,25 13:4,5,6,8,12,15 13:21 14:1,2	15:20,21,23 16:3 16:15,22 17:1,6,13 17:18,21,25 18:3,7 18:12,16 19:20 20:1,8,11,20,22,24 21:9,11,14 22:4,15 22:19,23 23:14,25 24:20 25:12,16 26:10,14,19,25 27:3,8,12,14,24 28:4,7,24 29:3,8,9 29:10,15,16,24 30:7,11,13,21 31:1 31:6,13,16,23 32:1 32:8,15,21 33:5,11 33:16,18,21,25 34:1,7,11 35:12,14 35:18,21 36:1,12 36:17,21,24 37:4 37:13,18,21,22 38:2 39:13,23 40:18,21 41:3,8,11 41:15,21 43:18 44:4,10,14,21 45:3 45:9 46:4,7,11,20 47:5 48:14,15 49:6,7,14,20 50:2 50:3,6,9,10,14 butler's 10:10 19:9,14 51:1	capacity 25:21,22 25:24 30:4 33:3 captures 43:10 carried 59:12 cars 26:21,24 27:5 27:11 30:9 49:5 case 6:23 17:2,4,4 21:18 49:2 56:23 63:6 cases 14:18 cautioned 55:10 cdc 4:10 center 53:7 cert 71:21 certain 14:10,11 65:2 certainly 8:7 36:19 43:9 46:21 certified 1:21 71:6 71:20 certify 71:7,12 chair 5:21 6:7,22 7:4 8:9 9:6 17:18 18:16 19:6 20:9 21:11 23:14 24:14 31:1 35:9,12 37:5 39:19 43:7,23 45:3 52:1,6,11,19 56:1,5 57:16 59:4 59:9 60:8,9 61:9 61:17 65:24 68:12 68:17 chairman 1:11 chairperson 38:5 chairwoman 1:11 4:1 5:9 6:8,16 8:10 9:16 10:17 10:19 11:5,11 12:13 13:23,25 15:20,25 16:12 17:9,17,20,23 18:6	18:10,14,17 19:5 20:10,15,22 21:1,9 21:12 22:1,7,21 23:4,24 24:9,15 25:2,15 26:10,17 26:23 27:1,7,13,17 28:12,19,23 29:1,4 29:14,22 30:2,10 30:13,23 31:3,11 31:14,22 32:3,15 32:24 33:9,14,17 33:20 34:3,10,13 34:20,24 35:3,10 35:14,19,25 36:9 36:15 37:12,16,20 37:25 39:11,14,20 40:8,17 41:4,10,17 42:5,23 44:10,18 44:25 45:5 46:2,5 47:13,16 48:1,7,13 50:1,9,19 51:5,7 51:13,17,23,25 52:7,9,12,15 55:25 56:2,7 57:17 59:10 60:22 61:14 61:18,23 62:1,5 63:18 65:25 68:14 68:22 69:3,24 chance 67:22 change 13:15 16:2 32:22 49:25 changed 11:2 26:18 changes 11:2 13:11,14 44:2 50:11 51:1 children 64:22 chips 67:13 chloride 54:8 choice 41:14
	c		
	c 2:1 71:1,1 calcium 54:7 call 5:11 6:20 32:13 53:18 56:4 57:15,24 67:1 called 39:24 54:8 69:15 calling 4:2 32:13 calls 34:5		

circulating 60:25 citation 34:12 36:3 36:25 37:2 cite 15:13 27:25 29:20 46:12 cited 55:21 citizens 65:11 clarified 19:21 clarify 10:20 clause 12:19 13:8 clean 10:8,13,15 clerk 5:4 close 70:2 closely 61:5 closing 46:23,24 clubhouse 53:25 54:3 collaboration 22:9 collective 34:6 combined 15:3 come 31:23 52:1 60:4 comes 65:9 coming 40:9,19 commencing 1:9 comment 4:21 7:15 8:3 9:15 60:24 62:4,9 63:20 64:14 69:6 69:20 commenting 10:21 comments 7:10,24 7:25 8:6,8,16,17 8:19,22,24,25 9:3 9:10 11:3,12,14 21:6 22:17 27:21 43:4 50:15,21,25 62:3 65:18,21 commissioner 5:13,15,23,25 6:2 6:4,6,21 24:14,16	24:22 28:16,17,20 35:8 42:10 52:14 58:11,14,18,22 59:6,8 61:17,19 65:19 69:1,4 communication 44:8 communities 65:16,17 community 57:6 compassion 66:12 compiled 23:6 complacent 42:25 completed 8:2 complex 57:7 62:19,25 compliance 4:10 4:25 40:13 complied 40:15 comply 4:7 concerned 50:16 concerns 55:6 56:17 conclude 63:17 concluded 70:4 conditioned 49:2 conduct 6:17 confirm 23:16 47:8 connected 56:22 connell 2:3 consequences 59:23 conservation 54:10 conservative 40:2 consideration 57:7 considered 39:4 52:20 considering 55:11	constitutes 62:17 construction 57:12 consultant 23:15 38:8 consultants 23:18 consulting 14:23 consuming 44:3 contain 42:14 contents 3:1 contested 16:18,18 44:6 continuation 18:19 31:9 continue 7:17 21:10 31:8 35:13 continuing 25:16 contour 21:21,25 49:22 contradicted 36:5 36:11,12 37:8 control 54:5,24 55:8 conversation 57:11 convey 57:13 correct 10:25 11:1 22:12 28:4 39:12 48:1 51:2,9,12,19 58:6 66:18 corrected 32:22 council 61:6 64:2 64:6 65:5 councilman 1:12 5:16,17 56:5,7,8 57:18 58:19,20 65:23 66:1,2 68:15 counsel 71:14,16 count 65:3	counted 63:14 county 38:23,25 39:4,9 48:22 55:6 55:9,16 60:2,4 couple 38:15 67:7 67:11 courier 5:2 course 46:20 court 19:25 22:13 41:19,22 53:6 71:6,20 courts 64:4 covered 42:9 44:20 covers 31:21 34:2 48:10 create 55:3 64:12 created 53:2 65:4 creating 65:15 curious 38:12 current 30:24 33:4 currently 31:4 32:16,17 curved 24:18
d			
d 21:19,20 22:5 47:25 dark 62:11 date 51:2,9,11 71:10,21 day 37:14 62:11 days 11:4 67:11 dca 4:10,25 deal 64:2 dealing 16:17 31:17 dealt 31:15 decades 64:25 decide 47:11 decision 25:14 49:12 52:21 59:23			

61:22 63:4,22 decisions 61:2 definitely 38:9 delay 21:18 deleted 14:11 delineated 12:18 deny 8:25 depicted 46:16 depicting 31:4 depicts 27:16 30:3 31:25 33:2 48:5 description 3:10 determined 7:17 developer 57:3 62:14 63:12 developer's 38:10 developers 56:13 63:5 development 6:25 55:3 62:16,17 different 66:9,14 69:19 diligently 64:25 direction 15:10,11 15:19 16:9,10 18:5,13,23 19:1 47:21,23 disagree 46:18 disappointed 63:3 discussion 52:17 56:3 57:19,24 distance 21:23 distances 28:4 documentation 43:14 documents 11:21 12:7,22 doing 30:25 65:1 don 1:11 43:6 52:12,18 55:25 57:20,21,21	dory 2:4 7:1,24 8:18,23 9:20 10:6 10:15 13:23,24 19:2,5,6 21:1,7 22:11 27:22 28:3 34:10,14,15,21,23 35:2 38:17,19 39:19,20,21 40:8 40:11,18,22 41:21 50:12,21,22,23 51:6,8,15,19,24 56:13 57:13 60:8 68:16,17 dory's 41:6 doubt 44:22,23 draft 7:8 9:12,13 9:13,18 10:11 drafted 26:8 drawn 67:18 driveway 14:24 21:21,25 22:6 23:17,19 24:25 due 21:23 24:5 32:16 50:17 dwindling 66:6	either 14:17 28:18 32:6 39:1 41:10 50:7 59:24 69:18 election 67:12,13 elements 53:22 69:19 eligible 58:8 ellen 1:14 6:19 24:15 29:1 35:11 61:18 ellis 1:13 5:12,13 58:12,12,14,18 65:19 email 44:1 emails 23:11 emergency 4:11 5:1 56:23 emphasize 12:8 employee 71:13,15 engineer 1:17,18 11:22 14:7 15:7 17:14 18:22 36:13 40:7 46:15 47:19 51:4 60:3 engineering 16:7 engineers 61:6 enter 67:17 entered 53:5 55:2 entertain 41:22 entire 19:24 22:13 22:14 41:25 46:19 63:22 entirety 42:15 entrance 48:23 54:23 enumerates 11:20 equitable 57:4 esquire 2:2,4,6 7:2 established 40:1 evaluate 55:10	evaluation 15:9 40:5 evening 4:2 9:1 19:8 35:1 event 48:21 everybody 42:25 60:7 67:6 68:3 everybody's 63:14 67:23 evidence 30:17 exact 38:17 exactly 29:21 36:8 excellent 61:21 excuse 13:12 26:15 37:18 45:3 48:16 49:7 executive 4:8 exercise 53:23 exhibit 15:16 26:5 27:25 28:1 46:4 46:10 exhibits 3:11 11:24 12:9,12,18 13:9 14:15,18 15:15 exit 54:23 expect 55:14 expertise 25:9 expiration 7:2 explained 19:16 66:22 eyes 66:14
	e		f
	e 2:1,1 3:9 71:1,1 easement 54:10 east 45:23 eastbound 45:17 45:20 easy 59:19 61:16 63:21,21 echo 5:2 ecstatic 66:15 educated 66:10 effort 4:9 68:18 egress 14:25 15:4 15:5 54:22 eight 11:3 54:9		f 71:1 fact 20:16 32:12 49:11,17 64:16 factor 24:11 facts 61:2 fair 53:6 false 40:13

fantastic 60:19 61:12 far 42:18 50:15 fast 16:14 favor 43:13 feel 42:7 feet 15:6 26:21 27:2,4,11 48:4 fell 67:13 felt 64:19 fencing 54:13 fertilizer 54:6 fifty 54:9 fighting 64:11 file 1:4 filed 5:3 final 9:13 48:14,15 60:5 financially 71:16 find 68:10 finding 49:11,17 49:19 50:6,8 findings 49:10 finds 48:20 finish 18:11 26:24 27:15 35:15 36:11 fiorilla 1:15 6:1,2 42:10 52:14 59:7 59:8 69:1,4 first 9:7 11:19 19:13 38:2,11 48:18,19 60:13 five 11:21 14:15 20:25 21:13,14,15 flag 5:6 flood 63:9 florida 25:20,21 25:23 26:4 30:4 33:2 foley 2:3	follow 4:9 followed 69:12,21 following 11:24 12:6 13:16 follows 12:1 13:17 14:7 foregoing 71:8 form 42:3 former 51:4 forth 26:5 45:14 71:11 forward 43:1 60:1 60:18 fought 64:4 francis 2:2 frank 8:11,20,24 9:22 12:13 16:17 17:2,4,5 19:2 22:21 23:6 27:17 34:3 36:15 41:17 61:20 front 10:21 28:13 37:11 48:5 64:1,5 frustrated 30:15 40:20 fulfill 62:20,25 further 45:11 50:15,25 71:12 future 57:1	gives 14:5 giving 4:19 30:20 go 12:3 18:6 19:7 19:12 20:10 21:2 21:17 32:20 37:12 37:25 38:15 40:21 43:15 47:5 50:13 53:20 60:3 68:1 69:18 goes 22:12 26:16 41:19 49:23,24 57:12 going 7:5 8:15 9:1 9:8,15 10:21 11:8 11:14 14:3,3,12,16 15:21,21 18:10 19:7,11,11 21:2,3 21:16 22:1 23:5 24:9,10 25:3,5,8 25:13 26:9,11,22 27:8 28:13,15 31:23 32:17 34:15 35:15 36:3,18 38:3,16 39:17 40:21 42:6,18 44:11 45:16,16,17 45:19,20,22,23 48:2,2 49:24 50:11,12 56:14 60:1,14 62:2 63:9 64:3,9,10,23 67:21 67:24,25 70:2,3 good 4:1 40:22,23 59:24 gotomeetings 1:8 governing 69:13 governor 4:8 great 48:12 60:17 66:3 greater 26:1,1,6 66:4	guess 7:7 65:8 66:16 guidance 38:14 53:8 guiding 61:21
			h
			h 3:9 hal 11:21,25 12:9 13:9 14:6,13 15:14 20:12,14 25:24 45:13 hal's 44:15 45:25 hall 4:25 hand 59:24 handle 39:9 handling 61:11 happen 67:17 happy 47:1,3 hard 59:23 60:7 61:2,15,15 65:12 hardships 55:4 he'll 22:17 healey 6:13 hear 7:22 23:18 27:21 31:2 36:2 57:23 68:24,25 69:1 hearing 4:21,22 8:2 42:13 68:24 69:10 70:1,4 hearings 42:2,3 43:15 heart 66:7 held 4:12 help 68:6 helping 61:22 hereinbefore 71:11 herits 51:3 hey 16:15

higher 56:21 highway 25:20,21 25:24 30:4 33:2 hill 62:8 hold 33:14 hollenback 60:9 hollow 62:8 honest 67:4 hope 19:7 56:15 56:25 57:9,13 67:24 hopefully 57:14 horizontal 49:22 hour 26:9,22 45:16,19 hours 24:1 65:12 housing 53:1,7,11 53:21 55:18 62:20 62:22 63:1 64:3 68:8 how's 49:24 hundreds 64:12 65:4 hurt 12:25	inconsistency 16:6 17:12 18:20 19:20 47:10,17 inconsistent 15:11 15:17 incorporate 41:25 increases 28:10 independent 55:14 indicate 6:17 31:18 52:25 indicates 14:21 37:6 indicating 7:21 individuals 4:18 indulging 42:18 68:11 information 38:25 67:8 68:5 ingress 14:25 15:4 15:5 54:22 initially 54:14 input 59:16,16 inserted 27:10 insertion 35:17,19 insist 49:10 insists 36:17 intending 38:20 39:1 intent 41:24 intention 21:18 interested 4:14 53:9 71:17 interests 62:15 64:20 interferes 21:23 interjected 7:14 interrupt 10:6 introducing 63:7 involved 23:1 issue 15:24 21:21 23:20 55:9	issued 7:21 issues 38:23 43:11 48:20 52:20 it'll 32:22 item 6:20 8:14,14 8:14 23:23 25:7,7 27:9,9 29:7,15 32:5,5,5 35:5,16 42:7 44:11 45:11 46:3	42:16,19,20 43:18 51:1 56:15,17,23 57:2,9 59:22,25 60:24 61:5 63:4,8 63:15,16 66:23 68:5,7,19 69:7,8,9 69:10,12,12,13,14 69:17,20,21 knows 68:4
i		j	I 25:19 46:3
idea 42:14 identify 10:3 iic 18:9,25 47:22 iii 51:16 impact 31:21 34:2 40:4 48:11 55:5 impacted 55:14 important 14:21 46:14 66:13 importantly 23:8 improper 44:7 improve 54:12 inaudible 59:14 include 49:18 includes 46:19		jahr 1:18 6:14,15 jersey 71:7,20 job 61:12,21 john 1:18 38:6 judge 53:8 judicial 4:20 june 18:22 47:20 jurisdiction 55:9	land 54:9 lane 15:5,10,18 16:8 18:5,23 24:24 47:20 lanes 15:9,16,19 16:9 18:12,25 19:14 47:23 language 12:11 13:11,14 20:6 22:3 24:6 31:8 40:25 late 23:2 latest 14:24 30:3 33:2 law 17:2,4,5 55:21 67:3 69:13,15,21 laws 67:16 69:13 lawsuit 67:18 leave 25:6 ledger 5:3 left 8:5 12:7,8 21:10 39:23 legal 52:22,22,24 55:17,21 legislator 65:14 lengths 68:4 letter 7:21 32:14 level 21:22 levels 66:9
		k	
		k 29:13,20 31:21 32:11 33:19 36:2 36:5,10 37:8 40:4 48:9 karen 1:14 keep 42:21,25 47:12 49:13 keeping 47:14 keith 1:12 keller 16:7 19:15 19:21 38:10,21 40:15 kept 23:20 kim 62:4,7,8 knew 17:7 know 15:3,25 17:4 17:6,15 18:1 21:14 22:2 23:11 23:24 24:12 27:15 38:19,22 42:10,15	

life 56:18 63:23 light 15:1 38:24 49:1,2,4,5,24 54:24 lightly 59:21 64:13 64:15,18 limited 8:1 54:22 line 8:14,14,14,25 25:7,7 38:3,4,4,16 lines 37:11 38:15 lining 9:10 linus 2:2 6:9,10 7:3 9:17,24 10:2,7 11:16,16,18 12:14 12:17,23 13:2,5,7 13:10,13,19 14:7 16:21 17:3 19:4 19:23 20:2 22:8 22:22,25 27:19 28:5,7 33:24 34:4 36:16,24 37:1 41:18 42:11 46:8 46:12,18,21 49:6 49:15 50:5 52:5,8 58:2,9 61:25 linus 11:14 listed 28:4 46:10 listen 8:6,7 16:15 33:1 listening 59:15 little 16:11 21:20 22:4 29:11 30:14 42:12 56:21 57:10 66:21 live 62:8 63:23 lived 63:22 llp 2:3 local 39:3 locations 64:1 lombardozzi 1:21 71:5,20	long 15:15,15 60:14 64:4 65:12 67:18 longer 26:4 39:12 look 12:4 60:18 70:3 looked 53:13 54:18 67:16,16 looking 19:10 21:15 37:21,22 56:19,20 looks 44:11 lost 45:4 lot 6:25 11:13 20:21 21:3 56:9 59:16,16 60:24 62:10 63:2 65:4 67:7,8 69:11 lots 1:6 40:14 lucrative 57:14 67:25	making 60:19 61:2 man 68:6 manual 25:24 mark 13:17 38:6 marked 3:11 11:21 12:1 25:25 28:2 markings 12:2 martino 1:12 5:16 5:17 56:5,8 58:19 58:20 60:12 65:23 66:2 mary 30:1,3,12,16 30:22,24 31:12,24 32:17 maser 51:3 massive 62:25 matias 1:17 6:11 6:12 23:21,21 24:8 matter 1:3 16:18 16:19 22:12 44:6 49:17 55:16 mayor 1:12 5:18 5:19 59:1,2 60:11 61:5 64:1,6 65:5 mean 22:23 24:4 33:24 42:12,12,16 50:15 69:18 means 59:20 meet 53:3 meeting 1:2 4:3,5 4:11,12,16 5:1 7:8 7:20 8:13 9:10,14 10:12,25 11:3,9 22:11 24:2,2 43:19 60:4 70:3 meetings 4:6 23:11 62:10 meets 40:5 55:20	member 58:7 59:17 members 1:10 4:13,15 7:6,11 9:19 10:24 24:12 25:4 28:14,14 35:4 39:18 42:7 43:5 58:3,4 59:14 59:22 64:17 mention 28:9 mentioned 28:8 mentions 26:2 met 7:6 23:10 40:2 michael 1:21 71:5 71:20 miller 53:8 minute 43:16,21 48:16,17 minutes 68:12 mistaken 66:21 modified 55:20 moment 15:22 monster 65:15 morning 45:21 motion 52:2,4 motion's 59:12 move 25:11,12,13 34:25 43:1 45:6 52:11 60:1 movie 66:25 moving 35:15 47:7 50:10 60:5 multiple 52:20 mute 50:24 muted 58:13 69:5 mutual 53:9
	m		n
	m 29:17 30:1,2,6 30:11,16,20,22,24 31:3,12,18,24 32:1 32:5,13,16,17,22 32:25 33:1,4 machinations 43:16 madame 6:7,21 7:3 8:9 9:6 15:24 17:18 18:16 19:6 20:8 21:11 23:14 24:14 31:1 35:9 35:12 37:5 39:19 45:3 52:6 56:5 57:16 59:9 60:8,9 61:17 65:23 68:12 68:17 majority 64:16		n 2:1 26:15 27:9,9 27:15 29:7 30:8 30:11,17,19 31:7 31:10,13,15 48:2

<p>n.j.s.a. 4:7 name 3:6 62:6,7 nancy 30:8,11,18 30:19 31:7,13,15 48:2 nature 4:20 near 11:9 necessary 12:24 27:20 28:6 34:17 44:3 need 25:11 41:1 57:21 62:24 63:6 65:10,13 negatively 55:13 neighbors 54:12 54:16 60:17 neither 71:13,15 never 21:24 new 25:23 29:16 29:25 30:22 31:17 31:18 63:7,8 71:7 71:20 news 5:3 nicole 2:4 7:1,24 night 8:4 45:23 nine 58:2 nonaction 7:18 nora 1:16 6:5,6 north 66:19 notary 71:5 note 7:20,24 noted 15:12 notes 21:16 24:17 24:17 25:1 28:18 28:21 34:21 35:6 35:9 notice 4:5,24 5:3 notwithstanding 22:17 49:4 november 71:21</p>	<p>number 6:23 29:15 49:11 51:21 64:11 numbers 65:1,6 66:18 numeral 18:9,25 47:22 51:16</p> <p>o</p> <p>object 19:6 20:5 43:3,11 objected 42:13 objection 13:19,24 19:4 28:22 34:9 34:16 35:5 36:22 objections 11:10 21:8 28:15 39:18 objector 7:14 14:9 38:11 55:1 objector's 11:25 12:18 14:6 39:5 55:12 obligation 53:1,4 53:12,21 62:21,22 obligations 63:1 october 1:8 4:3 7:8 9:20 10:16 51:2 51:10,11,12,18,21 offense 64:13 offered 54:14 offerings 53:23 offhand 23:23 oh 16:15 20:20 okay 4:1 6:16 9:16 9:24 10:5,15,18 11:6,11 13:7,25 14:2 16:3 17:17 17:25 18:3,17 19:3 21:7 22:7 25:12,12,15 26:14 27:18 28:12,23 32:21 33:9,20</p>	<p>34:23 35:1,2,24 37:13,25 38:2,4,19 39:11,14 44:25 45:9 47:5,15 48:6 48:15,17 49:14,20 51:13,23,25 58:9 59:11 62:1,18,21 62:25 63:4,8,14,16 66:5,13 67:17,22 68:24 69:4 70:1 once 34:4 36:16 41:18 42:1 44:20 ones 65:14 online 44:2 open 4:6 8:23 50:12 62:2 opinion 39:16 opportunity 7:15 22:18 46:24 opposing 24:11 order 4:4,7,8 ordinance 29:19 31:20 33:22 34:1 39:3,3,6,10 48:10 organic 54:6 organized 29:11 original 9:13 ought 14:10,11 outlined 14:8 20:2 20:3 overlay 65:1 ow 26:6,7,16,19 27:9,25 28:20 30:9,9,10,17,19 31:4,8,24 32:2,6 33:1 45:13,25 46:4,6,7,9,9 48:3 owners 57:14 owning 69:14</p>	<p>p</p> <p>p 2:1,1,2 32:20,20 p.m. 1:9 70:5 page 3:2,6,10 12:3 13:5,6 14:1,4 18:4 18:18 29:14 32:4 35:20 37:11,17,19 38:3,16 39:24 45:10,13,25 46:7 47:8 48:17 51:5,7 51:8,15,20 pages 14:14 51:10 paid 25:10 paragraph 11:20 14:5,12,20,20 15:2 15:3,12 16:4 20:11 21:19,20 22:4 27:15 29:12 29:17,19,23 30:1 31:5,7,10,12,17,18 31:20,24 32:1,11 32:18,19 33:7,18 35:22,23 36:2,5,10 37:8 41:12 42:20 43:2 44:14 48:9 48:17,17 50:16 51:21 paragraphs 37:6 pardon 10:18 parentheses 18:8 18:24 47:22 parking 54:19 part 12:5,10,12,19 13:1,17 18:15 27:19 34:8 42:3 44:12 45:7,8 46:9 46:11,16 53:3 56:24 57:5 60:3 particular 28:15 parties 4:14 53:10 71:14</p>
---	--	--	---

partnership 56:14 57:2,15 67:25 pass 68:5 patients 68:20 paul 1:15 42:23 52:16 68:24,25,25 69:25 pay 63:11 pb19-01 1:4 6:24 pb20 4:23 pb21 6:23 52:2 peak 26:9,22 45:15,18 pennett 1:14 5:14 5:15 58:21,22 people 60:18 65:10 66:9,10,11 66:11 67:19,21 69:19 percent 22:12 53:19 54:9 67:4 perimeter 56:20 personal 69:11 personally 25:10 ph 11:15 62:7 phone 69:5 pickup 54:2 pietro 1:12 place 21:16 71:10 plainfield 66:20 plan 14:22 15:6,9 15:17,18 16:8 17:12 18:3,20,22 26:3,4 27:6 32:11 33:12,15 34:19 40:3,13,16 47:11 47:17,19 48:8 52:22 53:3,13,14 53:23 55:20 planning 1:1 4:3 8:16 10:22 21:5	22:11 24:11,12 25:3,4 28:13,14 35:4 39:17 40:20 42:6 59:14,22 64:17 plans 12:6 14:21 16:6,6 19:17 53:11,18 please 5:5,11 6:16 6:19,20 11:17 15:22 16:13 21:2 21:13 26:24 33:1 36:11 37:5 49:8 56:4 57:24 62:6 68:8 pledge 5:7 plus 28:21 pmart 68:1 point 11:19 16:21 19:13 29:6 39:22 40:23 46:9 47:6 63:2 pointed 16:5 17:11 18:19 47:9,17 points 19:12 policy 53:16 political 67:10 politician 67:15 politics 62:11 67:14 poll 39:21 pool 53:24 portion 19:8,9 39:23 position 38:22 64:10 positive 60:16 possible 9:6 21:17 posted 4:24 pote 1:13 5:24,25 28:16 29:5 59:5,6	potentials 53:23 practical 49:21 practices 4:9 predicated 25:20 preference 38:9 preliminary 53:18 55:7,23 prepared 7:11 19:17 present 1:10 5:17 7:22,23,25 29:12 presentation 12:1 presented 10:11 38:25 52:23 53:14 presenting 38:20 44:7 pressure 57:1 62:13 69:8,21 pressured 69:7 pressures 67:9 pretty 56:18 previous 55:21 62:10 prior 4:22 10:11 25:7 38:13 57:12 private 57:3 probably 16:19 20:24 56:24 66:5 problem 32:9,12 58:24 problems 14:10 proceed 7:4 proceedings 1:5 22:15 42:1,2 process 68:19 professionals 4:13 4:14 7:10 8:17 10:24 22:10 23:7 23:8 25:6 59:18 61:20 68:21	progress 67:1,2 project 60:16,19 properties 61:3 64:8 69:14 property 63:11 proposed 24:23 51:1 54:4,25 55:11,19 protection 64:20 protocol 5:1 protocols 4:11 proud 67:5,5 proved 39:16 proven 41:5,6 provide 7:23 55:18 provided 40:14 providing 38:13 public 3:5,7 4:6,15 4:16,21 8:2,3 62:2 63:19 65:18 70:2 70:2 71:6 pumping 56:22 purpose 24:3 42:17 44:16 46:17 pursuant 4:6 9:9 9:10 push 39:8 put 16:10 18:8 23:9 24:3 28:13 30:7 39:8 48:3 64:9
q			
quarry 54:17 55:1 55:5 65:3 quasi 4:20 queries 38:11 question 45:6 questions 4:21 38:7 68:2			

queueing 25:19 26:2,3,4,6,9,20,21 26:23 27:4,5,10,11 30:9 31:9 48:4,4 49:5 quick 56:6 quicker 21:4 quickly 21:17 quorum 6:17 quote 38:17 quoting 38:4	recollect 37:3 recollection 34:6 36:17,21 recommendation 55:15 recommended 4:9 reconsider 56:25 record 7:9 8:13,16 9:18 12:10,12,19 13:1,18 14:13 16:25 19:24,24 20:19 22:13 37:6 42:4 44:21,24 45:8 46:10,12,14 46:19 55:2 58:7 recorded 43:14 recordings 50:20 recreational 53:24 red 9:10 redevelopment 1:5 29:19 31:20 33:23,24 34:1 39:6 40:3,13,16 48:10 53:3 redrafted 9:12 refer 43:11,12 referenced 42:22 referred 11:24 12:9 24:25 referring 10:3 19:20 refers 14:22 15:8 31:24 reflect 22:5 44:15 45:13,25 50:18 reflected 27:5 reflecting 45:25 reflects 18:12,25 26:7,20 27:4,10 29:17 30:9 47:22 48:3	refute 40:12 refuting 36:6 regarding 11:2 12:4 23:16 37:7 regards 68:3 regret 60:20 rehashing 23:2 46:22 reiterate 34:16 reject 50:8 rejected 22:20 relate 38:24 relationship 60:15 relative 71:13,15 rely 25:8 relying 43:14 remain 24:10,13 25:3,11 41:16 remains 49:17 remark 63:17 remedy 63:4 64:11 remember 43:19 remind 56:12 63:10 remote 4:16 remove 31:5,7 41:1,3,12 43:2 removed 22:5 23:13 25:5 48:18 removing 30:24 32:6,8 47:25 65:2 rental 53:19 renters 63:11 reorganizational 33:22 repeat 16:13 20:4 57:21 repeating 19:8 replace 31:5 replacing 32:17	report 15:7,17,18 16:7,9 17:13 18:8 18:21,24 19:16,16 28:9 45:14,25 47:11,18,21 48:25 49:21 51:3 reporter 1:21 71:6 71:20 reports 49:3 representative 56:16 representatives 62:12 represented 7:1 representing 8:18 represents 53:9 request 12:11 22:19 required 54:15 requirements 4:11 5:1 40:3,5 reread 8:15 residents 54:15 57:5,6 59:21 62:15,18 63:3,7,16 resolution 4:23 6:23 7:9,16,18 8:12,15,21,22 9:4 9:9 10:3,8,14,20 10:22 11:8,20 14:5 16:23 19:10 19:12 21:20 22:8 22:14,16 24:7 25:18 26:2,7,16 27:5,16 32:4,4 34:5 35:5 36:20 36:23 41:1,20,24 42:8,14,17 43:13 43:16,20,22 44:12 44:23 45:12,24 47:1,2,2,3 49:9
r			
r 2:1 4:23 6:23 35:22 42:7 44:11 45:1,6,7 52:2,5,5,7 71:1 read 7:9 8:12 12:8 33:10,11 36:4,7 37:5,23,24 38:3 reading 39:12,15 reads 33:1 ready 17:19,20 18:1,2 real 56:6 really 16:17 19:19 40:19 44:7,9 57:20 62:16,24 reasoning 48:24 rebuttal 36:6,14 37:9 40:24 41:1,4 41:7,13,16 recall 7:6 23:23 34:17,20 recalls 34:8 recap 7:4 received 68:2 receiving 25:8 recitation 58:15 recited 5:8 recognized 52:25			

50:16 51:9 52:2 56:25 resolved 48:21 respect 21:24 24:5 32:16 50:17 66:4 66:4 respectfully 16:4 29:25 49:12 respond 20:8 69:6 responding 69:19 rest 27:15 40:20 result 7:16 retention 56:22 review 7:15 8:21 19:25 23:22 47:1 53:15 reviewed 22:10 23:8 24:4,5 25:7 55:6 reviewing 23:25 revised 9:9 14:23 18:4,22 19:18 47:20 revisions 20:23 22:3 reward 69:12 rick 1:17 23:21 24:4 38:6 right 7:3 13:4 17:8 17:25 21:19 29:13 31:16 33:5,6,8,8 33:17 37:9,11 39:13 46:25 48:3 49:6 52:1 67:2,11 67:14 road 1:5 6:24 14:25 19:7 24:21 42:18 45:15 46:1 49:23 53:2 54:23 54:23 55:4,13 56:19 62:8	roll 5:11 56:4 57:24 roman 18:9,25 47:22 51:16 round 65:9 route 66:17 rumors 60:24 61:1 run 16:14 runoff 54:5	31:11,14,22 32:3 32:15,24 33:9,14 33:17,20 34:3,10 34:13,20,24 35:3 35:10,14,19,25 36:9,15 37:12,16 37:20,25 39:11,14 39:20 40:8,17 41:4,10,17 42:5,23 44:10,18,25 45:5 46:2,5 47:13,16 48:1,7,13 50:1,9 50:19 51:5,7,13,17 51:23,25 52:7,9,12 52:15 55:25 56:2 56:7 57:17 59:10 60:22 61:14,18,23 62:1,5 63:18 65:25 68:14,22 69:3,24 scheme 55:3 schoolchildren 54:2 schools 63:9 64:23 second 25:18 49:8 52:13,14 58:4 61:23 secret 68:7 secretary 1:17 section 29:20 38:3 39:7 40:3 49:8 sections 37:24 see 17:10 24:13 38:12 39:17 43:1 66:13 seeks 52:2 sent 9:18,23 10:1,9 10:16 44:1 sentence 17:16 20:18,21 27:9 30:24 48:18,19	sentinel 5:2 september 11:23 14:14 37:14 seriously 59:19 serve 66:13 session 70:2 set 26:5 53:19 54:10 71:11 sets 45:14 settlement 53:6,8 seven 62:19 shamin 62:7 share 53:7 68:9 sheet 14:22 21:15 short 27:8 34:8 shorter 26:3 shorthand 1:21 show 40:15 66:12 showed 26:1,1 shows 14:24,25 15:1,4,6,9,16,18 15:18 16:8,9 18:4 18:23 26:6,8 47:20 sic 27:2 45:18 side 56:18 69:9 sides 57:4 sidewalk 56:20 sidewalks 53:25 sideways 49:24 sight 21:23 signal 48:22 55:11 signalling 55:3,8 signature 71:19 signed 4:8 significance 53:17 simoff 11:21,25 14:6 15:14 16:5 17:11 18:18,19 20:12 21:24 23:16 23:19 24:18 25:25
	s s 1:12 2:1 3:9 sadden 63:24 saddened 62:11 safe 58:25 safety 56:18 salute 5:5 satisfactorily 48:21 save 21:7 saying 23:18 29:22 32:10,25 42:24 44:1 says 11:23 12:5 15:3 27:16 30:8 36:18 48:19 scale 62:16 schaefer 1:11 4:1 5:9 6:8,16 8:10 9:16 10:17,19 11:5,11 12:13 13:23,25 15:20,25 16:12 17:9,17,20 17:23 18:6,10,14 18:17 19:5 20:10 20:15,22 21:1,9,12 22:1,7,21 23:4,24 24:9,15 25:2,15 26:10,17,23 27:1,7 27:13,17 28:12,19 28:23 29:1,4,14,22 30:2,10,13,23 31:3		

26:8 29:13 31:18 32:10 33:12 34:18 36:22 37:13 38:6 47:9,16 48:8,25 50:18 simoff's 12:9 13:9 14:13 25:17 29:17 34:7,9 36:4,9 38:13 40:10 44:15 45:13 49:21 simple 56:18 sims 1:15 6:3,4 single 18:5,23 19:8 20:4,18 47:20 59:17 64:17 siphoned 61:1 sit 67:5 site 16:6 17:12 18:3,20,22 32:10 33:12,15 34:19 47:10,17,19 48:8 48:22 52:22 53:13 53:14,22 54:1,2,19 55:19,20 situation 61:11 67:11 snyder 1:17 5:12 5:14,16,18,20,22 5:24 6:1,3,5,7,9,11 6:13 9:19 18:2 33:23 47:7,14,24 48:6,12 58:1,6,10 58:12,16,19,21 59:1,3,5,7,9 soap 68:13 software 25:22,24 30:4 33:3 solid 61:22 somebody 25:3 sorry 10:6 17:6 28:25 31:1 39:21	40:18 50:23 51:6 52:7 spaces 54:19,20,21 speak 20:19 23:5 49:7 68:4 special 1:2 4:5 63:13 specific 13:2 50:6 specifically 23:20 23:23 29:19 31:20 34:18 43:13 48:20 speeney 1:11 5:20 5:21 43:7,19,23 52:11,19 56:1,9,11 58:15 59:3,4 61:7 61:9 66:22 spend 14:3 spending 24:1 spent 69:11 spingler 1:14 5:22 5:23 6:21 24:14 24:16,22 28:17,20 29:2 35:8 58:1,10 58:11 61:17,19 spoke 28:25 spots 65:6 square 66:24 stage 23:2 stand 5:5 32:21 star 5:3 start 14:19 37:15 37:16,19 started 17:11 57:10 starting 57:12 state 12:21 34:21 62:6 65:14 71:6 71:20 stated 19:23 34:18 39:25 40:24	statement 40:11 40:12 states 31:25 station 56:23 stenographically 71:9 step 60:13 stephen 1:13 sterling 61:3 64:7 stop 15:21 26:11 straight 21:22 stricken 20:7 strong 67:3 student 63:11 students 63:9 study 31:21 34:2 48:11 stuff 42:19 subject 16:23 submitted 19:25 40:4 subparagraph 21:20 25:18 26:13 26:15 30:1,8,16,22 32:13 51:16 subsequently 55:20 successful 60:16 suggest 16:4,10 29:25 41:12 49:12 suggested 44:2 suggesting 30:21 31:17 35:23 suggestion 13:3,10 13:13 14:12 summed 57:20 superfluous 19:23 support 55:22 65:21 supported 40:6	supposed 44:14 sure 12:14 16:3,15 40:20 51:15 63:2 surface 54:20 surrounding 65:17 sworn 3:3,7 4:16 4:19 synopsis 14:6 20:12 25:17 system 55:8
t			
t 3:9 71:1,1 table 3:1 take 7:12 8:4 48:24 64:13,13,18 65:13 67:22 taken 4:17 57:7 59:21 71:9 takes 65:8 talk 9:8 12:17 14:16 talking 13:16 24:24 31:12 39:2 talks 25:19 49:9 49:22 tax 63:13 taxes 63:12 team 38:10 technically 56:13 tell 16:1,2 17:3 67:20 ten 58:3,3 terrifically 65:21 testified 11:22 14:7 20:13,14 21:24 25:25 26:8 31:19 32:10 33:12 33:15 37:14 38:6 48:8 50:4			

testifies 39:6	think 9:22,23 10:1	tracee 1:11 38:8	type 43:21
testify 22:6	12:23 13:21 14:10	43:8 47:7 52:20	u
testimony 3:5 4:17	15:11 16:17 17:4	61:10 65:20	ultimately 21:5
4:19 14:8,14	19:13,19,22 20:5	traffic 1:18 11:22	unconscionable
15:13,14 18:20	23:1,5,12 25:5,10	14:6 15:7,9,16	63:13
19:22 20:2,3,12	27:20 28:3,5	16:7 17:13,14	understand 12:15
22:2,6 23:2,9,16	34:17 39:7 41:18	18:8,21,21,24	40:9 42:24 56:15
23:19 25:17 27:23	42:16,17 44:3,5,22	19:16 29:20 31:21	understanding
28:1 29:18 32:5,9	45:12,24 46:14,19	34:2 36:13 38:8	66:11
34:7,9 35:7 36:4,6	47:9 48:18 51:11	38:22,24 39:3,7	understands 20:1
36:10,14,19 37:7	56:17 58:3,4,25	40:4,6 45:15,21,21	undue 55:4
37:10 38:13,17,21	63:21,24 66:12,17	45:22 46:1,15	uneducated 63:22
39:4,15,24 40:10	67:21	47:11,18,19,21	union 38:23,25
40:14 41:2,5,7,13	thinks 27:22 61:16	48:10,20,22,25	39:4 48:21 55:6,8
41:16 42:15 44:15	thomas 51:3	49:1,2,4,4 52:23	55:15 60:1,4
44:15 46:13,15,16	thorough 55:14	54:18,24,24 55:4,5	units 53:19,20
47:18 49:3 50:2,5	56:9	55:11,12,13,15	62:18,21,22 63:6
50:18 71:9	thought 18:11	60:2	64:12 65:4 66:16
thank 5:9 8:10 9:5	43:24 61:12	transcript 1:3	66:18,20,21 67:19
10:16 21:11 29:3	threat 67:19	14:17 19:9 22:13	university 25:21
35:10,18 43:7	three 42:21	23:22 36:7 37:23	30:4 33:2
47:24 48:12 52:12	thrown 67:8	37:24 39:12,15,25	unnecessary 19:19
52:15,19 55:24,25	time 14:4 16:16,19	41:6,7,25 42:1,3,9	19:22 20:6
56:9 57:16,17,22	38:22 44:3,4	43:10,12 44:16,19	unremarked
58:15 59:13 60:6	45:17 52:1 57:12	45:7,12 46:3 71:8	69:18
60:8,11,21 61:10	64:4 67:24 68:18	transcripts 20:19	use 54:6,7
61:14,20,25 65:19	69:11 71:10	23:9 40:24 44:13	utilizing 55:18
65:21 66:2 68:11	today 10:2	46:19 50:20	v
68:14,16,18,21	tonight 7:18,22,23	troy 1:15	variances 53:15
69:23,24	8:3 14:4,16 22:16	true 71:8	vegetation 54:13
theater 66:25	23:15 46:17,25	truly 59:18 65:12	vehicles 25:19
theresa 1:17 5:11	60:14	try 64:25 68:4	27:6,12 28:8,10,10
9:19 17:22,23	total 53:3,11,21	trying 29:10,11	28:11,18,21 45:17
18:1 57:25	54:19	34:24 42:24,25	45:19 48:5
thing 8:5 9:7 11:19	totally 40:9 42:23	tuesday 1:8	venture 64:15
12:4 14:3 35:21	tough 61:11	turning 24:23	verbiage 16:2
43:21 45:10 64:9	town 59:22 60:17	two 15:9,16,18	17:10 26:12 28:15
66:24,25 68:1	62:17 63:8 64:25	16:9 18:12,25	30:18
things 14:10,11	65:11 67:1,21	19:14 37:5,24	version 10:8,8,10
57:11 58:23	township 1:1	47:23 66:3 69:10	10:13,15

vertical 49:22 vice 1:11 5:21 43:7 43:23 52:11,19 56:1 59:4 61:9 video 4:18,19 44:20 50:20 videoconference 1:8 violated 32:11 33:18 34:18 36:5 36:10 39:7 48:9 violates 29:18 31:19 violation 37:7,8 virtually 4:12 volunteer 66:5 volunteered 66:8 66:10 volunteers 65:13 vote 7:17 9:1 11:9 34:25 50:7,13 58:8,14 59:12,20 62:10 63:15 voted 62:14 63:15 63:15 64:18,19 voting 58:3,5,7	wanted 39:17,22 51:2 60:6 61:7,10 68:17 wants 8:6 49:10 watching 62:9 watchung 1:1 4:3 52:25 53:5 62:8 62:11,12 63:23,24 65:16 66:24 watchungnj.gov 68:1 water 54:5 way 29:12 58:24 58:24 61:12 64:19 67:13 we've 23:25 52:1 69:9,10 website 4:25 week 7:7,7,12 10:25 42:13 43:25 67:12 welcome 48:13 56:1 weldon 2:6 7:14 55:1,5 65:2 weldon's 11:22 12:12 46:15 went 8:13 10:23 61:2 66:16 west 26:9,22 45:16 45:22 westbound 45:16 45:19 whittle 65:1 wide 15:6 widening 24:23 wielded 63:5 william 2:6 wish 17:7 61:3 wishes 62:15	witness 3:2 11:25 36:19 witnesses 3:3 14:8 20:3 23:3 44:7 46:13 wonderful 60:17 word 20:4 21:24 words 13:1,4,17 24:18 26:20 42:21 42:21 43:2 45:20 49:23 work 9:8 60:7 65:5 worked 54:11 64:25 working 10:10 11:7,8 54:16 61:5 65:12 write 16:13 written 4:21 16:20 24:7 42:8 wrong 9:23,25 19:14 20:14 33:6 33:8	<div data-bbox="1174 218 1492 268" data-label="Section-Header">z</div> <div data-bbox="1174 268 1492 401" data-label="Text"> zone 7:2 zones 65:2,2 zoning 55:21 </div>
w		x	
		x 1:7 3:9	
		y	
wait 48:16 60:15 65:9 walking 53:25 want 10:2 15:14 16:1,21 18:18 22:2,3,4 24:12 26:12,18 27:10 31:4,6,7 32:13,18 33:7,10,11 34:12 40:25 41:11,15 56:8,10 57:15,24 58:15 59:13 60:23 61:10 66:2 68:6 69:17		yeah 6:19 12:14 22:25 27:3,14 29:10,24 52:19 56:8 61:9 67:19 yearly 66:6 years 59:15 60:25 66:3,8,17 67:7 69:10 yep 52:10 61:23 yvette 1:16	