

**TOWNSHIP OF MOUNT OLIVE
PLANNING BOARD**

Public Meeting
Thursday, June 18, 2020 at 7:00 pm
Remote/Virtual Meeting

In accordance with Township Ordinance # 26-09 the Mount Olive Planning Board is authorized pursuant to N.J.S.A. 40:55D-25(c)(2) to hear all variance applications including the six variance categories set forth in N.J.S.A. 40:55D-70d.

MINUTES

Public meeting / Remote Virtual Meeting of the Mount Olive Planning Board of June 18, 2020 commenced at 7 pm.

The Pledge of Allegiance was recited.

Open Public Meetings Act Statement was read into the record by Ms. Strain, PB Secretary

Roll Call

Present: Mr. Schaechter, Ms. Mott, Ms. Natafalusy, Mr. Mania, Mr. Nelsen, Mr. Ottavinia,
Mr. Batsch, Mr. Ouimet, Mr. Weiss

Excused: Mr. Scapicchio, Mr. Forlenza

Board Professionals in attendance were:

Edward Buzak, Esq., Board Attorney

Chuck McGroarty, PP/AICP, Board Planner

Mary Strain, Board Secretary

Excused: Mike Vreeland, PE

Development Applications

PB 19-16 Outfront Media, LLC, 195 Route 206, Block 5401, Lot 27

See attached transcripts.

PB 19-17 Flanders Investment Properties LLC, 95 Bartley-Flanders Road, Block 6801, Lot 2

Mr. Weiss: We have a second application on for this evening, which is PB 19-17 Flanders Investment Properties, LLC here for preliminary and final site plan with a d variance for the property located at 95 Bartley Flanders Road, Block 6801, Lot 2. I see from our list of attendees, we have...let me just organize myself...it looks like we have the applicant...

Mr. McGroarty: I do not see their planner, Mr. Chairman.

Mr. Weiss: Is Mr. Wallace here?

Mr. McGroarty: Mr. Wallace is here...on the list...

Mr. Weiss: Okay, so Dane, lets elevate Mr. Wallace. There you go. Mr. Wallace, I know you are being brought in. You are muted at this point, so I won't be able to hear you until...there you go.

Mr. Wallace: Good evening.

Mr. Weiss: Good Evening, Mr. Wallace, now who else is going to be testifying for you this evening?

Mr. Wallace: I have with me Jeff Weinacker, the applicant and I have Mr. Ken Nelson who is with us.

Mr. Weiss: I don't see them here though as attendees.

Mr. Wallace: Mr. Nelson is actually across the table from me.

Mr. Weiss: Okay.

Mr. Wallace: Actually I've got two connections. If I close one, it might be better.

Mr. Weiss: Yes, I agree because there is an echo coming because of the double connections.

Mr. Wallace: So if you don't mind me muting one, we will all be on one screen and one...

Mr. Weiss: That's fine.

Mr. Wallace: Mr. Nelson is just off camera to my left.

Mr. Buzak: Mr. Wallace, your video is not on. We see your name but no video.

Mr. Wallace: I turned it off so I can focus on the one video that we have for the group that's assembled at the applicant's office, and I am hopeful that is less confusing than having two different screens for this applicant.

Mr. Schaechter: I am still getting an echo, so...

Mr. Wallace: I am as well.

Mr. Schaechter: Did you happen to phone in as well?

Mr. Westdyk: Mr. Wallace, you might be able to turn your volume down too.

Mr. Wallace: Got you, it says mute.

Mr. Weiss: Okay, well let's go with the best assumption that we are ready to go. Mr. Wallace, why don't you introduce your application to the Planning Board, and I will turn it over to you.

Mr. McGroarty: Mr. Chairman, before we do that though, if we don't have video, we are not going to see their exhibits.

Mr. Weiss: For this application, I mean...I don't want to say it doesn't matter but have...we do all have copies of it, correct?

Mr. McGroarty: We have copies...the public, well...

Mr. Weiss: That's true.

Mr. McGroarty: I will defer to Ed, but...

Mr. Buzak: I think you are right. I think you are right, Mr. McGroarty. I thought I understood Mr. Wallace to be saying that he had intentionally turned off the video not that he did not have video.

Mr. Westdyk: He just signed out for some reason so...

Mr. Weiss: Yes, so maybe he is going to sign back in under...

Mr. Schaechter: He can also share a screen to put the exhibits out there...

Mr. Weiss: Sure, okay. So I guess we will just sit tight and wait for Mr. Wallace to come back.

Mr. McGroarty: And while we are waiting, Ed, when...

Mr. Buzak: Yes.

Mr. McGroarty: I don't know if we did this last week for the applicant, but are we going to...do you want them to mark it somehow or at least for the record identify it somehow, as an exhibit.

Mr. Buzak: Yes, yes, we are going to do it the same way. I think that we would do it were we in person, he would mark his and while it is up on the screen, he is unable to mark it but as you said we have hard copies. So I think that Mary or you, Chuck, if you have the file. I have the exhibits, I think...all of them and would just mark those for the record and those will be the office copy, the hard copy that we will keep in the file.

Mr. McGroarty: I have them. Do you have them, Mary?

Ms. Strain: I don't have them with me...not with me.

Mr. McGroarty: I have them, so I will mark them.

Ms. Strain: Okay.

Mr. McGroarty: At least, I think I have what they are going to show us...we will see.

Mr. Buzak: Mr. Chairman, while we are waiting, I also think that when Mr. Wallace comes back, we will need to just identify the people because he gave the names but I...

Mr. Weiss: That's what I was going to do to find out who was going to be speaking, and he kind of generalized that he's got somebody across the table from him. So, we will slow that down a little bit. Chuck, have you heard anything about when Town Hall is going to open?

Mr. McGroarty: No, I have not.

Mr. Weiss: Look who is smiling over there, Dane.

Mr. Westdyk: Yes, I've been looking at the same four walls for the past three months.

Mr. McGroarty: We have got all kinds of stuff, barriers, and what not in there. I do not know why they don't open it at this point but...

Mr. Westdyk: I think it's going to be a long time before you see any public meetings, that's for sure.

Mr. Weiss: Yeah, that's the reality.

Mr. Buzak: No, it's funny. I was at a couple of Boards over the last two weeks virtually and one of them actually held...this is a governing body...held a meeting. It was only a five member governing body, but four of the five members were in the Municipal Building...you know...they were...they stretched out far enough, but they also did it virtually. I participated virtually, so I am not exactly sure how that all worked because I saw them on days, and this is...inaudible...and I didn't...I saw me sitting here...you know...on my screen and saw them there but I don't know how they saw me because they didn't have the computers in front of them so. He can't wait to explain this to me, so...

Mr. Westdyk: We have smartboard in town Council which...inaudible...once we start opening up Council Chambers.

Mr. Weiss: Let's take this one offline...Mr. Wallace is with us.

Mr. Buzak: I didn't know Mr. Wallace was on.

Mr. Weiss: Mr. Wallace is back. It looks like you are unmuted and ready to go, Mr. Wallace. So, I just want to go back. I have a question. You had mentioned that you have some folks with you. Who is going to be testifying with you tonight, Mr. Wallace?

Mr. Wallace: Jeff Weinacker (W E I N A C K E R) is going to testify for the applicant. He is involved in management of the Uhaul operations proposed by the applicants, and I have Mr. Ken Nelson, our planner, who is also here to testify.

Mr. Weiss: Okay, so, I am going to turn the application over to you, at some point we will swear both Mr. Weinacker and Mr. Nelson in. I am sure you want to give us a little brief summary of why you are here tonight.

Mr. Wallace: Yes.

Mr. Weiss: I'll turn it over to you, Mr. Wallace.

Mr. Wallace: Thank you so much. We have here an application for a variance to allow a rather modest Uhaul operation within the industrial zone, potentially it is the...inaudible...in the industrial zone, largely surrounded by retail operations. Basis of the application is that the service that we propose which...inaudible...is not available in the immediate vicinity and we would also submit it is not adequately provided for within the Master Plan and the zoning ordinance for the township. Essentially, the proposal is to take a site that is engineered and used routinely for articulated vehicles with plenty of space and make that the location for the rental of trucks for moving, such that we would have customer who could come here with both returning and moving to pick up their truck as opposed to trying to, as they often do in some locations, just try to navigate those things around a convenient store, so we have got ample parking, we have got a site that is easy to navigate. We have got easy entrance in and out of the site and we have got proximity to retail, immediately across the street, even storage facilities where we would think that a moving van operation would naturally be the best way to associate those two operations would be in proximity to each other. So, Mr. Nelson, I'll go over the negative and the positive criteria. But that's essentially is the...inaudible...of the application as we are really having very little impact of the site and providing a benefit to the public that doesn't really exist and for which the zoning has not made adequate provision.

Mr. Weiss: I just have a couple of quick questions. The property in question, I've lived here a long time. I always called that road...that's Bartley Road. Is it technically called Bartley-Flanders Road right there?

Mr. Wallace: My understanding, yes.

Mr. Weiss: Chuck, do you know, would you know off the top of your head that that is Bartley-Flanders Road?

Mr. McGroarty: I am sorry, where this is located?

Mr. Weiss: Yes, my question is...it's more of a technical question...you know.....I always felt that Bartley-Flanders Road ended at 206 and when you crossed over, over by the Shop-Rite, it is Bartley Road.

Mr. McGroarty: It is officially known as...to the best of the knowledge, 95 Bartley-Flanders Road. I mean, that is the way it is listed on the tax records, to the best of my knowledge.

Mr. Weiss: Okay, I just wanted to confirm and this site for those that have been around, Chuck...was this the old like Burns Ceramic site or Mr. Wallace, do you know that?

Mr. Wallace: That's correct, it was.

Mr. Weiss: So for those...

Mr. McGroarty: It is right next to Target and Mintex where the rubbery smell comes from.

Mr. Weiss: Correct. It is kind of directly across the street from the Shop-Rite...

Mr. McGroarty: Right...

Mr. Weiss: Very close to the intersection when you would turn to go on to 206. So, just so everyone knows, I know, here in town we have Flanders-Bartley, Bartley-Flanders, Flanders-Netcong, we have a million roads, just so everyone knows where it is, it is kind of directly across from the Shop-Rite. So, just put it in perspective if anybody had any questions as to where this was, you now know.

Mr. Wallace: That's correct.

Mr. Weiss: Okay, so go ahead Mr. Darminio...I'm sorry...

Mr. Wallace: Mr. Wallace

Mr. Weiss: Mr. Wallace, sorry about that.

Mr. Wallace: Thank you, sir.

Mr. Weiss: Did you want to swear in your first witness?

Mr. Wallace: Yes, just but one brief introductory note is that we did...I did reference the issue both an interpretation and a d variance in my papers. I am not asking for a vote on the interpretation issue tonight. We are strictly asking for a vote on the d variance issue, just for clarification. Mr. Nelson will go through what the ordinance provides for in terms of mixed use but it was more...I think an effort to emphasize the mixed use character within the zoning code but with that, I would ask Mr. Weinacker to raise his right hand and affirm that he swears to tell the whole truth and nothing but the truth.

Mr. Buzak: I'll do that. Mr. Nelson, do you have video? I see you are on, your audio is muted, so if you can unmute your audio?

Mr. Weiss: I wonder if that is our...

Ms. Natafalusy: That's Dan Nelsen.

Mr. Buzak: Oh, that's our Dan.

Inaudible

Mr. McGroarty: Ken Nelson is their planner.

Mr. Weiss: Right.

Mr. Buzak: Sorry...

Mr. Westdyk: Are you logged in as...would he be logged in as Thermo International?

Mr. McGroarty: They are all together, Dane.

Mr. Nelson: I think I'm logged in as Thermo International. I do not see the video, but yes, that should be...that's me.

Mr. Westdyk: I am going to promote...there's someone signed in as Thermo International...I believe that's a company in that building.

Mr. Wallace: Yes.

Mr. Westdyk: I just promoted him and we'll give him a second to connect and unmute himself if he can hear us.

Mr. Wallace: I have Thermo International muted because we are all together, we just have one audio stream which comes from my phone. So, we are trying to avoid the echo...

Mr. Weiss: Got you...that makes sense. So maybe, we can...Dane, maybe get rid of Thermo International...and at Mr. Wallace's desk I assume Mr. Weinacker is right there too.

Mr. Wallace: He is, indeed.

Mr. Weiss: There you go...that's a lot better. So Dane, lets remove Thermo...thank you very much. Okay, so we are going to swear Mr. Weinacker in. Mr. Buzak, would you do so.

Mr. Weinacker was sworn in for the record.

Mr. Weinacker: My name is Jeff Weinacker, W E I N A C K E R. First name is J E F F and I am the Lead Electrical Engineer here and I will be part one-third owner of the proposed Uhaul should we get it.

Mr. Weiss: Okay.

Mr. Buzak: Thank you, sir.

Mr. Weiss: Thank you Mr. Weinacker. Okay, going back to you Mr. Wallace.

Mr. Wallace: Thank you, sir. Mr. Weinacker, let's start with just a brief introduction to the site. You have got a 4.4 acre site here.

Mr. Weinacker: Yes sir.

Mr. Wallace: Right, and what has been the history of the site?

Mr. Weinacker: It started off as ceramic operation...ceramic operation as far as I know. Purchased by Flanders Investment Properties, how many years ago...2011, so 9 years now.

Mr. Wallace: Okay, and since the time that it was purchased what sort of operations have conducted here?

Mr. Weinacker: The two wood companies, basically selling large volumes of wood flooring, coming in and out on pallets and trucks. As well as, Thermo International where we design, build and sell induction heating equipment.

Mr. Wallace: Okay, and what type of traffic is involved on the site of your Thermo International?

Mr. Weinacker: For Thermo International, it's really just the employees coming in and out and an occasional truck, a delivery vehicle of some form.

Mr. Wallace: Okay. Could you tell me in a brief description of the square footage of your operation? Square footage of the facility where your operation is located?

Mr. Weinacker: The entire facility is about 24,500 square feet. The proposed Uhaul, I believe, was 450 square feet...440, yes sir. I have it all measured out.

Mr. Wallace: That's okay, 24,000 square feet, then we can talk about the size and location of the Uhaul office while you're giving testimony. And within 24,000 square feet, how many employees are...inaudible...in the different businesses?

Mr. Weinacker: Owners, employees, everybody, each individual, is a total of 11 people in the building.

Mr. Wallace: Okay, and the site...your building is surrounded basically by asphalt 360 degrees around the building?

Mr. Weinacker: Yes.

Mr. Wallace: That allows for the circumnavigation of articulating vehicles?

Mr. Weinacker: Yes, sir.

Mr. Wallace: So, it is easy following around to move the commercial vehicles. And on the...let's go to the parking. The parking, is that on the northwest side of the building?

Mr. Weinacker: It would be where they are parking in the front of the building, I would call that north.

Mr. Wallace: And that would be the exposure that faces Bartley-Flanders Road is where that 16 space parking area is located?

Mr. Weinacker: Yes, sir.

Mr. Wallace: And that's...those spaces are parallel to Bartley-Flanders Road?

Mr. Weinacker: Perpendicular...

Mr. Wallace: Okay. And the 16 spaces that are closest to Bartley-Flanders Road, they typically are not used by employees that are working at this facility? Is that correct?

Mr. Weinacker: Employees are supposed to park on the...that's the west side of the building. Occasionally, there could be a vehicle up front but essentially that parking lot in the front is completely open.

Mr. Wallace: And that is typically where those employees would enter the building, they come in through the western side?

Mr. Weinacker: Yes.

Mr. Wallace: Okay. And you also have on the eastern side, you have also got quite a bit of asphalt there, so in theory there would be parking available on the other side of the building?

Mr. Weinacker: Yes, sir.

Mr. Wallace: Okay. So, easily 10 spaces on the west, 10 spaces on the east, and 16 in the front for a total of 36 spaces?

Mr. Weinacker: Yes, sir.

Mr. Wallace: And how many articulated vehicles are in and out of this site in a typical week for the wood distribution business?

Mr. Weinacker: They get anywhere from four to...inaudible...vehicles a day.

Mr. Wallace: Okay.

Mr. Buzak: Did you say four to six?

Mr. Weinacker: Four to eight vehicles per day.

Mr. Wallace: Articulated vehicles?

Mr. Weinacker: Yes, tractor trailers.

Mr. Weiss: And that was at the wood flooring facility, right?

Mr. Weinacker: That's correct.

Mr. Weiss: Okay.

Mr. Wallace: And...inaudible...the site, you would certainly be aware of the amount of sight distance and the ability to utilize the wide entrance to get on and off the road? You've got adequate ability to get the large vehicle on and off the highway at Bartley-Flanders Road?

Mr. Weinacker: Yes.

Mr. Wallace: Okay. Now, let's have a look at the intended operation. How did this issue of the Uhaul operation even arise?

Mr. Weinacker: We were approached by the local area manager for Uhaul. He had initially approached the self-storage facility. Our understanding is the self-storage facility is completely... whoever rents there, they get a key card or key or whatever and there is no actual employee on that site. So, they did not want to bring on an additional employee to run the Uhaul business. When he left that facility, the Uhaul manager, he saw our building and the location and thought it was absolutely perfect and approached us and we kind of thought it was a good idea.

Mr. Wallace: And the area that you intend to use for an office, where would that be?

Mr. Weinacker: That would be the center of the building in the front. It is approximately 440 square feet and there is an entrance dead center and in the front of the building.

Mr. Wallace: Okay. And that would be facing the part of the building that faces the Bartley-Flanders Road?

Mr. Weinacker: Yes.

Mr. Wallace: It also faces the 16 hatched parking spaces that are on that northerly side of the building?

Mr. Weinacker: Yes, exactly.

Mr. Wallace: Okay.

Mr. Weiss: And today when you look at that, it is the brick portion of the building, correct?

Mr. Weinacker: Yes, sir.

Mr. Weiss: Okay.

Mr. Wallace: The type of vehicles that you have in mind, could you describe them, please?

Mr. Weinacker: Pretty much a van or a cube van or a small box truck. When I... a small box truck, I am talking about a 15 foot box where the front of it would be a van but the back is a square box and then it depends on what we need but that is pretty much the direction we would be going towards.

Mr. Wallace: The vehicles you are talking about, these are not passenger vehicles? These are moving vehicles?

Mr. Weinacker: No, moving vans, yes.

Mr. Wallace: Okay. And that is something if you look to see whether that service is available in the area?

Mr. Weinacker: The closest is either in Chester or there is one in Budd Lake right on Route 46. I believe that is in a gas station.

Mr. Wallace: Do you utilize this kind of services in your business?

Mr. Weinacker: As Thermo, yes, we use them. We rent four to eight, maybe ten times a year. Just to deliver the equipment that we sell.

Mr. Wallace: But just got to go out of the town to do that.

Mr. Weinacker: Yes, we have to go out of town...2 people leave, takes an hour or so. Sometimes we have to go all the way down to Morristown to get an adequate vehicle.

Mr. Wallace: And that's basically a rental for obviously for industrial operations?

Mr. Weinacker: Yes.

Mr. Wallace: But you also anticipate what kind of customer for your business?

Mr. Weinacker: Hopefully, the people that are going in and out of the self-storage business, next door or two doors down, as well as just anybody going and bringing their kids to college or back home from college or anybody in the area. Maybe, even somebody moving in or just purchased a lawn mower from Tractor Supply.

Mr. Wallace: And fair to say that those people might be novices about moving a large vehicle about that size?

Mr. Weinacker: Yes. That is one of the advantages to our lot.

Mr. Wallace: And that is why Uhaul approached you?

Mr. Weinacker: Exactly. Because it is easy to navigate for the novice?

Mr. Wallace: Yes, okay.

Mr. Weinacker: As opposed to a convenient store which...

Mr. Wallace: Yes, trucks park around the back or something...

Mr. Weinacker: You wouldn't want to do the kind of damage I did taking my kid to college.

Mr. Wallace: Could you tell me...you've talked about having four vehicles on site in this application, you actually would have access to many more vehicles but could you describe for the Board, are any vehicles going to live here, for the lack of a better term, are they are going to be sighted here permanently?

Mr. Weinacker: The intent was that two vehicles would be assigned to this facility but it is a rental business. The vehicle shouldn't be here at all. It should be out on rent...

Mr. Wallace: Exactly, but you would have access to vehicles that would be located in other areas of the State of New Jersey?

Mr. Weinacker: Yes.

Mr. Wallace: Perhaps even farther but they wouldn't be stored here. They come in, they go out...

Mr. Weinacker: Exactly.

Mr. Wallace: Otherwise, they wouldn't typically, they are not going to be here.

Mr. Weinacker: Exactly. Yes, sir.

Mr. Wallace: They would have two that more or less would be...this would be their home but other vehicles typically would not be so.

Mr. Weinacker: Exactly.

Mr. Wallace: You indicated there's going to be an office, essentially in the center of the building. Who is going to work...who would be employed to work or manage this operation?

Mr. Weinacker: Initially, we are going to use one of our employees at Thermo to man that station, reason there being that Thermo's business is cyclical and so is a truck rental business and they don't overlap. This way it provides more work for our employees and if eventually it does grow enough to support a full-time employee, we would consider bringing on one more person.

Mr. Wallace: Okay, and are there certain convenience items that your customers are likely to need from time to time, what type of convenience items?

Mr. Weinacker: Pretty much the boxes, packing tape, just the normal moving supplies.

Mr. Wallace: Are you looking to be in the box and packing things business?

Mr. Weinacker: No, not at all. It would be a convenient side a little bit.

Mr. Weinacker: Okay.

Mr. Wallace: Sorry, the trucks you indicated be as big as 24 feet?

Mr. Weinacker: The largest box truck that we generally rent as Thermo is a 24 foot box truck. I don't believe you can rent larger than that without...inaudible...other stuff. I wouldn't want anything bigger than that anyway.

Mr. Wallace: Okay.

Mr. Weinacker: But essentially the 15 foot cube van is the ideal vehicle for this area.

Mr. Wallace: The signage that you would intend, could you describe the existing signage and how you might adapt it to this business?

Mr. Weinacker: Our existing sign for the building, I believe, we indicated how wide it was...is that eight foot? I don't remember the exact dimensions. There is an existing sign, there are two wooden posts with signs going across it, and we would shift the existing signs around so that the total sign is not any taller than what it is now and no wider than it is now. We would simply drop one of the other signs lower and fit in the Uhaul sign in there.

Mr. Wallace: Okay. That's all I have, thank you.

Mr. Weiss: I have a quick question. I know Mr. Weinacker you pointed out that there's two other Uhauls in the vicinity. You mentioned one in Chester, one at the gas station on the border of Budd Lake and Netcong. I do believe that there is a third which is located at that Mount Olive Outdoor Storage. Chuck, is that correct? They seem to have a huge Uhaul business operating on 46?

Mr. McGroarty: They have two on 46. One is in a motor repair or a repair kind of shop, I think it is around Forest Ave. and then the other one is that...inaudible...property, Easy Storage.

Mr. Weiss: Right, I just wanted to make sure that the record was right that there are two in Budd Lake, perhaps one in Chester, I'm not so sure about that. Just so we are aware that, and again, I just wanted to point that out.

Mr. McGroarty: There is also one in Long Valley.

Mr. Weiss: Okay. So there are others...we should be aware of what kind of business they are operating. Does anybody else on the Planning Board have any questions for Mr. Weinacker?

Mr. McGroarty: I do, when the Board is done.

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: Mr. Weinacker, so the idea then is to have no more than four vehicles...Uhaul vehicles at any given time on site? Is that the intent here?

Mr. Weinacker: Yes sir that is the intent.

Mr. McGroarty: So with Uhaul and probably all of us have used it...you know...you go from point A to B, drop your vehicle off. How do you control how many vehicles there are if on a weekend or what have you more vehicles are coming in?

Mr. Weinacker: I believe this is all controlled through the Uhaul website and the manager for the area. That is the gentleman that approached us. It's his job to make sure all the vehicles are utilized and ready to go when rented and then return to appropriate places.

Mr. McGroarty: I am not asking the question to set you up to say that it is going to be a problem but if you designate an area or and if your testimony tonight is four vehicles but in a month or six months if this is approved and let's say six months from now or a year from now, it becomes six vehicles, eight vehicles whatever, then what happens? I mean...you know...so I guess what I am saying is are you very confident of that number to the extent that you are going to lock yourself in and then have potential problems down the road or you want to give a little more thought to that?

Mr. Weinacker: That's a very good question, very good question. My personal opinion of this if there are eight vehicles on the site, we are not renting enough and we don't need them but I mean should we be looking at six vehicles, should we be asking for six, I don't know. Right now...

Mr. McGroarty: I am not telling you what to testify but if you do testify to four and if the Board approves it, then it is four.

Mr. Wallace: May I ask you, if I may, Mr. McGroarty?

Mr. Weiss: Go ahead.

Mr. Wallace: Mr. Weinacker, you indicated you anticipated two vehicles to be associated with the site but there might be others in and out. In terms of an average of how many vehicles might be here at any one time, you don't anticipate more than four, you don't anticipate more than two but there may be in theory an occasion when there might be a couple more than four but certainly it would be a minority of the time and it's not your intent to be storing vehicles here for any extended number of days, should you end up with more than four, it's not that you wanted to permanently locate that number of vehicles with this facility...

Mr. Weinacker: Yes, exactly.

Mr. Wallace: But you may have more than...four on site but it would not be for the purposes of storing those vehicles here on any type of a permanent basis.

Mr. Weinacker: Yes. Hope that's...inaudible.

Mr. Weiss: Mr. Weinacker, you're pretty confident that you have parking for those extra vehicles in the case if the business grows, and you have those situations where you have more trucks on site?

Mr. Weinacker: Yes, along all the asphalt area around the building, there's areas to park these type of vehicles, mostly around the back of the building where they won't be seen from the road.

Mr. Weiss: Yes.

Mr. McGroarty: Let me jump in on that. I have been in the back of the building and there's some property maintenance matters that we will deal with at another time but I don't think that there's appropriate parking in the back unless you have exhibits tonight to show to the contrary and obviously one of the key concerns are fire lanes. So, again, I just want you to be very aware of that tonight. Be careful...I don't want to say be careful...but you know... give some thought to if you are going to have more vehicles where they can logically go. Behind the building is not going to be a

good idea because those vehicles, that is not a very wide isle back there and the Fire Marshal is absolutely not going to be happy about parking vehicles along the side of the building or the back of the building.

Mr. Weinacker: I think that makes perfect sense. I think the eastern side of the building will have far more available pavement than the back of the building.

Mr. McGroarty: There is, I agree, on the both sides, there is plenty of asphalt but not in the back.

Mr. Weinacker: Let me change my statement to parking along the sides of the building.

Mr. McGroarty: But they would have to be in designated parking spaces.

Mr. Weinacker: We can certainly designate parking spaces, yes.

Ms. Natafalusy: Excuse me, Howie, where are the four trucks going to be parked initially? In the front?

Mr. Weinacker: We were considering to park all four in the front in those lots or those parking spaces.

Ms. Natafalusy: Are those parking spaces large enough for the size of trucks you want to park there?

Mr. Weinacker: For the 15 feet box truck? Yes. If there is a 24 feet box truck, no, that would have to be around the side of the building.

Ms. Natafalusy: Okay.

Mr. Weiss: I just wanted to make sure when we are talking front, we are talking about northern face that faces Bartley-Flanders Road in front of that brick portion of the building. That is what we are identifying in that parking lot, right in there?

Mr. Weinacker: That's correct, sir.

Ms. Natafalusy: And you are going to designate the four parking spaces for that use?

Mr. Weinacker: Yes.

Mr. Weiss: Okay. Does anybody else have any questions for Mr. Weinacker? I see none. Let me see if anybody from the public is in? And I see no questions from the public. I see no hands raised. I will give the public another opportunity if they want to ask any questions for Mr. Weinacker based on the testimony he just gave. Catherine, is your hand up or you are just...?

Ms. Natafalusy: Yes, I just have one another question. When people come to pick up trucks if they have to leave their car there, is that going to be done or will somebody just pick up a truck

and take...you know...is there any provision for someone leaving their car there? Go pick something up, bring the truck back.

Mr. Weinacker: Yes, the 16 spaces in the front of the building, we would utilize the other spaces for their vehicles to park there.

Mr. Weiss: Just a quick question. Currently, how many different business operations are operating out of 95 Bartley-Flanders road?

Mr. Weinacker: There's a total of three.

Mr. Weiss: And none of those three bring in retail clients? Not a lot of foot traffic? No in and out of cars?

Mr. Weinacker: No.

Mr. Weiss: Okay. Anybody else have any questions? John?

Mr. Batsch: Yes, you had mentioned earlier that at maybe one point of time, there would be 11 personnel. Is that from all three businesses?

Mr. Weinacker: Yes sir, all three businesses, unless we bring on one more for...to run the Uhaul facility.

Mr. Batsch: Thank you.

Mr. Weiss: Okay, anything else?

Mr. Schaechter: I have got a question.

Mr. Weiss: Sure, Brian.

Mr. Schaechter: In the plans you have the woodshop, you have the...inaudible...business, excuse me, Quality Woods. Where is Quality Woods's office? It just looks like warehouse space.

Mr. Weinacker: Quality Woods...I get the two confused. Hang on a second...

Inaudible

Mr. Weinacker: Their office is in the back, the metal building.

Mr. McGroarty: Go ahead...I am sorry.

Mr. Schaechter: And then Business C is Applied...Applied Woods, is that different than Quality Woods?

Mr. Weinacker: Yes, sir.

Mr. Schaechter: So Applied Woods has an office but no warehouse. Quality Woods has warehouse but no office?

Mr. Weinacker: Pretty much, yes sir.

Mr. Schaechter: But they all have employees?

Mr. Weinacker: Yes, sir.

Mr. Schaechter: I guess for Quality Wood, they're warehouse workers. And for Applied Woods, they are just office workers.

Mr. Weinacker: Yes sir.

Mr. Weiss: Dan Nelsen?

Mr. Nelsen: Yes, one has an office but no warehouse. The other has the warehouse, no office. Do they have showrooms?

Mr. Weinacker: I believe Applied Woods has a semi-showroom but they have never had anybody in there?

Mr. Wallace: Do they ship product out of here?

Mr. Weinacker: They ship product out, that's it. That comes in, goes out.

Mr. Weiss: Okay. Ed?

Mr. Buzak: Yes. One of the attachments to the application was something called Floor Plan and it had an Attachment A and an Attachment B. This was Thermo International document. And in Floor Plan Attachment B, there is a designation that says only the crossed-hatched area would be used for the proposed business and that says approximately 1,200 square feet.

Mr. Weinacker: Yes sir.

Mr. Buzak: Okay, and in that 1,200 square feet, if the crossed-hatching reflects that, it looks like there is an office for Applied Woods and then the restrooms and hallway. So, I am just trying to get straight exactly where this is and which part of the crossed-hatched area on Floor Plan Attachment B is going to be used by Uhaul as opposed to these...this other use at least.

Mr. Weinacker: If you look carefully between the cross-hatching where the concrete walk is and the front doors, it says existing lobby reception and location of proposed Uhaul that would be in that section only. But if we are open to the public of any way, we kind of would need access to men's rooms and women's rooms which is why I just crossed-hatched that whole section.

Mr. Buzak: Okay, now the Applied...I got that part, but I didn't get why the Applied Woods office was crossed-hatched?

Mr. Weinacker: Simply because it's in the same section of the building. That was it.

Mr. Buzak: Is there access to that Applied Woods Office from...I guess...what you have termed the existing lobby, reception and location of proposed Uhaul?

Mr. Weinacker: Yes sir, there is.

Mr. Buzak: And where is that? I assume there's a door somewhere.

Mr. Weinacker: Yes, it's tough to see with it being so small but there are two doors; one going into the hallway, one that goes into the lobby area, and then there's a third door that heads out into the back to the warehouse section.

Mr. Buzak: But that already exists as Applied Woods Floors Office, is that correct?

Mr. Weinacker: Yes sir.

Mr. Buzak: Okay, thank you.

Mr. McGroarty: Mr. Chairman, if I may...

Mr. Weiss: Go ahead, Chuck.

Mr. McGroarty: Ed, we should start marking these, right or they should?

Mr. Buzak: Yes, that is a good idea. Let's do that. I've referred to...we'll mark this as Exhibit 1...Exhibit A-1.

Mr. McGroarty: It's three sheets?

Mr. Buzak: This is Floor Plan Attachment B.

Mr. Weiss: D like dog, right Ed?

Mr. Buzak: No, B like boy.

Mr. Weiss: Got you.

Mr. McGroarty: Well, we have...wait...is Attachment B A1 or all three sheets A1? Or not yet?

Mr. Buzak: I was just referring to Attachment B, 1 Sheet, as being A1.

Mr. McGroarty: Okay.

Mr. Weiss: It might be easier to just do it that way because now we know exactly that A1 was Attachment B.

Mr. McGroarty: A1 is attachment B?

Mr. Weiss: Right.

Mr. McGroarty: I mean...and the applicant was referring to parking lots and layouts and such...I don't know if we were referring earlier to the survey. Again, just to make sure everything is...

Mr. Wallace: Yes, we were referring to the survey. We did submit a full-size survey.

Mr. McGroarty: Which wasn't marked. We need to mark that.

Mr. Wallace: If we could mark that, that would be fantastic.

Mr. Buzak: Is that the one, let me see if I have the survey here.

Mr. McGroarty: Prepared by John Ritt. It's dated 8\25\11. Mr. Wallace, is that you? Are you showing us?

Mr. Wallace: That's correct, yes.

Mr. Buzak: I am not sure I have that...

Ms. Natafalusy: We have that?

Mr. Buzak: I am not sure I have that. I have Frank's Designs, the architect. I have this Attachment A, a Floor Plan Attachment A, Floor Plan Attachment B, and then an aerial view...

Mr. McGroarty: I don't know this was submitted, was it not...

Mr. Weiss: It's definitely there. I see it too, Chuck. I see it is...prepared by James...

Mr. McGroarty: The survey is Ritt...John Ritt.

Mr. Buzak: I have something, let me see. It's...

Mr. McGroarty: One sheet.

Mr. Buzak: I am sorry, Chuck, who do you say the preparer of that was?

Mr. McGroarty: John Ritt, R I T T, Professional Land Surveyor.

Mr. Buzak: I have a survey by a James P. Deady...

Mr. Weiss: Deady, that's what I have.

Mr. Buzak: D E A D Y. I am using a magnifying glass here because it is only...

Mr. McGroarty: Oh that's the company...that's the company. The surveyor himself is Ritt, sorry.

Mr. Weiss: So that was actually...one of our attachments, it was Page 1 of 5. It was called PB 19-17 Flanders Investment Property. You should all have that.

Mr. McGroarty: Right, so I just...

Mr. Buzak: Okay, I have that.

Mr. McGroarty: Sorry, it's, James Deady is the company, right. Not the surveyor.

Mr. Buzak: Okay.

Mr. Weiss: Okay, so we are on the same page.

Mr. McGroarty: So Mr. Wallace, I guess...his testimony or I am sorry...his witness's testimony about the parking referred to that.

Mr. Wallace: Indeed.

Mr. McGroarty: So, should we mark that?

Mr. Buzak: So why don't we....Chuck, now I know where you were going because I was not...I didn't look at the complete package. Maybe it would be easier to take those five exhibits that were in the package and let's re-number them sequentially and as they were in the package because at least in mine, and check with everyone else the survey was first. It was a Floor Plan by the architect second, and then there was the floor plan Attachment A, third. Floor plan Attachment B is fourth, and then the Google Earth aerial was the fifth attachment. Is that the sequence everyone has?

Mr. McGroarty: Yes.

Mr. Buzak: Okay. Why don't we mark those, let's re-mark everything and we will start with A1 which will be the survey and then just every sheet thereafter sequentially.

Mr. McGroarty: Alright, so Mr. Chairman, just let me do this real quickly then so, the survey is Exhibit A1.

Mr. Buzak: The architect's plans are A2.

Mr. McGroarty: That's, yes, these are not really current architect's plans. They are not signed and sealed. These are copies of plans.

Mr. Buzak: Correct.

Mr. McGroarty: So copy of Floor Plan which is the title of the document and there are 2 Sheets. We only got 1, right...we got 1 of 2.

Mr. Buzak: Yes. I only have 1 of 2.

Mr. McGroarty: This is exhibit A2. And then, when we have the 3 Sheets, are we doing that A3, 4, and 5?

Mr. Buzak: Yes. Why don't we do it that way, so what I have previously referred to...A3 is the Floor Plan Attachment A.

Mr. McGroarty: Right, Exhibit A3.

Mr. Buzak: Floor Plan Attachment B is A4.

Mr. McGroarty: Right.

Mr. Buzak: And the Google Earth, aerial is A5.

Mr. McGroarty: Very good, thank you.

Mr. Weiss: Okay, so we have that and I know...where did he go? Oh, there you are, Mr. Wallace is there. I think when you are finished with your applicant...with your witness, Mr. Weinacker, I opened it to the Planning Board and I opened it to the public. I see nobody from the public. The Planning Board asked a few more questions. So, I think at this point I thank Mr. Weinacker for his testimony and I think what we will do is let's move on. Mr. Wallace, why don't you bring up your next witness?

Mr. Wallace: Thank you sir. I have Ken Nelson, Professional Planner.

Mr. Weiss: Okay, and we will do the same. Let's swear...let's get Mr. Nelson. Welcome Mr. Nelson.

Mr. Nelson: Good Evening.

Ken Nelson was sworn in for the record.

Mr. Nelson: Kenneth Nelson, 2 Volcanic Hill Road, Wantage, New Jersey and my last name is spelled N E L S O N.

Mr. Buzak: Thank you sir.

Mr. Weiss: Okay, go ahead Mr. Wallace.

Mr. Wallace: Thank you sir. Mr. Nelson if you described basically your qualifications and your prior history, perhaps to this Board.

Mr. Nelson: Yes. I am a licensed planner in the State of New Jersey. I am also a member of the American Institute of Certified Planners. I provide planning services to several municipalities currently and provide testimony before Planning Boards and Boards of Adjustment on a regular basis. I have an undergraduate degree from Texas A & M and a Master's Degree from Rutgers.

Mr. Buzak: Sir, where was the Masters...your voice fell off a little bit. You have had a Masters...

Mr. Nelson: Masters from Rutgers.

Mr. Buzak: Thank you sir.

Mr. Weiss: Okay, I think Mr. Nelson you've testified in front of this Planning Board. Have you not?

Mr. Nelson: Several years ago, not recently.

Mr. Weiss: Chuck, do you have any questions for Mr. Nelson.

Mr. McGroarty: None.

Mr. Weiss: I think we can certainly accept Mr. Nelson as the certified planner for tonight's meeting, and we'll accept him as the expert for the testimony.

Mr. Nelson: Thank you.

Mr. Weiss: Welcome.

Mr. Wallace: Mr. Nelson, can you describe your review of this application please and your materials?

Mr. Nelson: Yes. I reviewed the application materials. I reviewed applicable portions of the township's planning documents and zoning regulations. In particular I looked at the 2013 and 2010 Master Plan reexamination reports. I reviewed Mr. McGroarty's report in connection with the application. And I visited the site on several occasions and the surrounding neighbors. In terms of my testimony, I'll be providing some background information. I will try not to be repetitive. My testimony to a certain extent relies on Mr. Weinacker's testimony, so I will try not to be repetitive as best I can. The background information will be summarized as quickly as I can. The application components will be summarized as quickly as I can and then I will deal with the positive and negative criteria test. This is a relatively small application. It does involve a d1 variance but I almost consider it to be a technical d1 variance if you will. It involves a question of whether a truck rental operation is appropriate in an industrial zone and my summary of that question is yes, yes it is very much so. The property is in the GI General Industrial Zone. I might as an aside just indicate here that given the nature of this application I haven't prepared any extensive number of exhibits. I am relying on the exhibits that were just marked previously and I apologize for this but I thought a portion of the zoning map had also been submitted as part of the application materials. I do have that with me. The only purpose of that exhibit is to show the location of the subject property in the General Industrial Zone but more importantly that it is directly opposite the C2 Commercial Zone where this type of use would be permitted but I could hold that map up to the screen if necessary but I think the Board is probably familiar with the location and the relationship of the General Industrial Zone to the C2 Zone. The General Industrial Zone does allow for multiple uses on one site and of course, that is what already exists at this location. There are three businesses already here and a relatively small business will be added to the mix. I don't see in any way how the Uhaul

operation would in any way conflict with the existing businesses and just to put it in the proper perspective, the Uhaul office would account for about two percent of the floor area of the entire building and of course the four parking spaces that would be used in connection with the trucks themselves. In terms of the surrounding area, it is primarily a mixed use area of different types of industrial and commercial uses. There is also a church in the general area. I was already mentioned that there is a storage facility not too far from this property. There are some residences but they are quite at distance up Bartley Flanders Road and so, I don't see those residences being impacted at all by this proposal. The use in question as your planner indicated, he would categorize a vehicle rental operation as a retail service use and that use is not specifically permitted in the General Industrial Zone as it is permitted in the C2 zone. I would simply point out though that a vehicle rental operation in the C2 zone is generally acceptable in terms of car rentals but I am not sure that truck rentals are something that should or would be normally encouraged in a retail service commercial site but a truck rental operation is ideally suited for industrial site because of the nature of the use. In this particular case, there are already trucks that come in and out of this site and the site is designed for easy truck movements. So, in terms of a truck rental operation at this location or anywhere, it's what I would describe as a mixed use. I think there are many more car rental operations around the area but there are relatively few truck rental operations simply because of the nature of the demand for that type of use. As has been pointed out, there are truck rental operations in the general area but not in this immediate area where this site is located. The property where this use would not entail any change to the building or to the site. It simply is rearranging some of the interior space and also accommodating the trucks in existing parking spaces. So this leads me to the positive and negative criteria and I would start off by saying that this ...inaudible...advancement purpose A of the Municipal Land Use Law in terms of the purpose of zoning...and that purpose as the Board I know is very familiar, talks about the general welfare and the general welfare is advanced by the fact that this site is particularly suited for a truck rental operation. Because of its location, it is on a major thoroughfare and it is relatively close to Route 206. It's an industrial type of operation, or an industrial site where truck traffic is common. It was also pointed out by Mr. Weinacker that there is a self-storage facility not far from this site which will make it convenient for people needing to rent the truck to bring materials, to bring various things to storage facility. So it makes it very convenient and makes this site particularly suited for a truck rental operation. I would also suggest that the purpose of zoning G applies to this application because we are providing for sufficient space in an appropriate location. The space is relatively small that we are talking about and the use is something that is needed by people in the community in the general area. In terms of impacts...in terms of the negative criteria, I don't see how there is any impact at all on any adjoining properties. Particularly the C2 zone properties where this type of use would be permitted and certainly not any of the industrial properties nearby. I might also point out that and I don't believe Mr. Weinacker indicated it but I know we have had this discussion prior to this meeting, the vehicles would be serviced off site. So, there wouldn't be any negative impacts from the servicing of the vehicles, and then with respect to the intent purpose of the Master Plan and the Zone Plan, I don't see that this application in any way will impact those documents. I believe a truck rental operation fits into the general goals and objectives for the general industrial zone and that leaves me to the last point and that is the enhanced quality proof. As I said, this is a mixed use, so I do not know whether this was a use that there may have been some degree of oversight in terms of allowing this as a permitted use in the GI zone. More than likely, it was just something that the governing body did not feel that they had to specifically mention as a permitted use in the industrial zone in terms of a truck rental operation. I think as I said a car rental operation is entirely appropriate in the C2 zone and I don't know that as a permitted use, a car rental operation should be encouraged in the General Industrial Zone but I think a truck rental operation...you

know...could be an appropriate permitted use if the governing body wanted to take that route. So that essentially concludes my testimony.

Mr. Weiss: Thanks, Mr. Nelson. Chuck did you have anything you wanted to add to Mr. Nelson's testimony, anything that was perhaps you didn't agree with or the other way...you agree with.

Mr. McGroarty: No...you know...except I would point out that some years ago the Uhaul on Route 46, had a use variance and that was in the light industrial zone, that is with Easy Storage and there have been Re-examination Reports since then and there's never been an effort to modify the Light Industrial Zone to allow that use, but I am not looking to quarrel with the analysis, I think... you know...I don't disagree if truck rentals fit well in an industrial zone, I am just again a little bit touchy if the testimony is saying that we miss something. I just think was it...there is no compelling reason for the town to do it. I think Mr. Nelson makes a good argument as to why it fits at this particular location.

Mr. Weiss: And you know Chuck, it is interesting because I was kind of going in the same direction and John Batsch you sit with me too and so do you Dan on the Ordinance Committee, I don't think there is any omission. I kind of like the fact that these type of businesses are not allowed and if we find a piece of property where maybe it makes sense, I am not second guessing that it doesn't make sense here but from more ordinance perspective, I would like the controls that we have Chuck and I think that it gives us this process to maybe say that truck rental in this particular case is good or bad in one spot or another, so I was going to be a little defensive as well of our ordinance and that it just allows for this process when we find that there is a property that makes more sense. So, I don't know if I made any sense but...

Mr. McGroarty: Well to me you did.

Mr. Nelson: I don't disagree with that.

Mr. Weiss: Anybody else. Ed?

Mr. Buzak: Yes, Mr. Nelson, a couple of things. Ms. Natafalusy raised a question about the size of the parking spaces and their ability to accommodate these vehicles, do you have any opinion on that, the size of the spaces? You know...are they 18 x 20 spaces, are they 20 x 20 spaces? And how would that accommodate the different types of vehicles that we are talking about recognizing there are 16 spaces and we are talking about 4 vehicles but assuming each one is in one of those spaces, how does that work?

Mr. Nelson: Well, I think as Mr. Weinacker indicated, he's anticipating that most of the vehicles would be the van type, I think that is how he described van type vehicles that would fit in the normal parking space. They would occasionally have a larger vehicle. I believe it was also testified that there is a sufficient amount of pavement for like other one or two oversized vehicles that could be easily accommodated without interfering with the traffic flow on the site.

Mr. Buzak: And similarly with regard to the ingress and egress to those spaces, in your view is there adequate isle width between the end of the space and the building given the fact that

these vehicles will likely not be driven by professionals but will be driven by non-professionals whose... this may be their first experience with a larger van or perhaps a smaller truck.

Mr. Nelson: Yes, I think and that points also to the particular suitability of the site that it's not a heavily traffic site as you would find in a C2 Zone property perhaps and there is sufficient room in terms of isle with the backup. So, I think the amateur truck driver would be able to easily negotiate through the site both coming and going.

Mr. Buzak: And the last question sir, on what's been marked A5 which is the Google Earth aerial photo of the building and the parking areas, it appears that there is a pretty dense buffer between these parking spaces that are perpendicular to the building, the 16 spaces that we are talking about and Bartley Road, is that correct?

Mr. Nelson: Yes.

Mr. Buzak: And is it fair to say that these vehicles would be adequately screened from Bartley Road?

Mr. Nelson: Well, I don't know that there would be complete screening. There is some vegetation along there but the vehicles can be seen from the road.

Mr. Buzak: Okay. And what is the distance if you know it from these parking spaces to the right-of-way. The survey is very small. I am having a difficult time.

Mr. Weinacker: Yes, I think we have a full-size survey here that I could just double-check that.

Mr. Nelson: ...to the right-of-way looks like a 100 feet but...

Mr. Weinacker: You are talking the building to the right-of-way or the parking?

Mr. Buzak: The edge of the parking space closest to the buffer to the right-of-way.

Mr. Weinacker: I don't have dimensions on here. I can only estimate from what I see.

Mr. Nelson: That's Mr. Weinacker.

Mr. Weinacker: It looks like it is at least 40 feet or more.

Mr. McGroarty: Yes, I was going to say the same, 40 feet.

Mr. Buzak: Okay. Thank you, sir. I have no further questions, Mr. Chairman.

Mr. Weiss: Thank you. Did anybody else on the Planning Board have any questions for Mr. Nelson?

Mr. McGroarty: I did, Mr. Chairman.

Mr. Weiss: Sure, Chuck.

Mr. McGroarty: I did have one in my report, and I don't know if it was answered or not, maybe it was and I missed it...hours of operation for the Uhaul?

Mr. Wallace: The hours of operation...I will let me Mr. Weinacker testify to that.

Mr. Weinacker: I am back. We are looking at 8 am to 4 pm Monday through Friday and then weekends if the need for it...maybe 8 am to noon but as things are going more online, a lot of times people will book the rental and somebody will meet them to hand them the keys and do the paperwork and that's it. So, we may not even be here for the weekends.

Mr. McGroarty: And will there be as there are in some of these...many of these places, the truck comes back at night, there's a drop box to leave the keys and go?

Mr. Weinacker: Yes sir that is the intent.

Mr. McGroarty: You will have that. So there may be some vehicles coming in at night?

Mr. Weinacker: Yes.

Mr. McGroarty: But not a constant stream necessarily.

Mr. Weinacker: No sir.

Mr. Weiss: I think one of the other things while you are there Mr...is the signage. I know we addressed it. I might have missed the answer. Tell me again what is your plan for signage?

Mr. Weinacker: One of the photos shows the existing signs for the building.

Mr. Weiss: Right.

Mr. Weinacker: I just got a measurement of 7 foot 6 inches wide. I didn't get a measurement of the height of the existing sign but we were looking at moving of the existing signs lower and fitting in Uhaul into there. This way the sign is no wider and no higher than it is right now.

Mr. Weiss: Okay. So, it will just be incorporated into the sign. John Batsch...

Mr. Batsch: Yes, just a comment when we are talking about the visibility of these trucks. As you drive along Bartley Flanders Road or Netcong Road there, it is pretty wide open there. You will see every one of those trucks, there is not a lot of foliage there on the trees, there's not a lot of trees, so they will be very visible.

Mr. McGroarty: Yes, I agree. I mean you can see the whole building now as you are driving.

Mr. Weiss: Alright, anybody else from the Planning Board. Seeing none. Let's turn it to the public. If anybody from the public, has any questions for Mr. Nelson or at this point of any other aspect of the application. I see none. Let me just double check. I see nothing. Dane, is that

correct...you see nothing either? Let me close it to the public. Mr. Wallace if you wanted to give us a summation.

Mr. Wallace: Yes. Thank you very much. Obviously, I feel that the site is even suited, it is going to benefit the public. They'll have the easy access to the service which is difficult to come by in the immediate area, the convenience to the township of having the facility here where it can easily navigate the location of services...I think equally satisfy the positive criteria. Certainly, the intensity of the use is pretty minimal compared to the existing use for the articulated vehicles. So, the negative impact...inaudible...would be negligible for that. And based upon those arguments, the variance would be appropriate at this time.

Mr. Weiss: Okay. Chuck do you think your report was fairly well covered? I am looking at it.

Mr. McGroarty: Yes. I think it was. Thank you.

Mr. Weiss: Okay. Thank you Mr. Wallace. Does anybody on Planning Board have anything else before I look for a motion?

Ms. Natafalusy: My only question is how are they going to limit it to...are they going to limit it to four trucks or now they are saying it might be six or...can't...don't remember.

Mr. Wallace: For the great majority of the time, it is going to be two...

Mr. Weinacker: or less...

Mr. Wallace: Or as much as four but certainly the average is going to be less than four. There may be a rare occasion when you have more than four because the nature of the business is that these vehicles are in and out. They are not...there's only two vehicles that would be basically more or less sighted here. All other vehicles would be coming and going, not here to stay.

Ms. Natafalusy: And that's going to be...

Mr. Weiss: I am just...

Ms. Natafalusy: I am sorry Howie. That is going to be restricted by this other manager who will tell people where to bring their trucks when they're done?

Mr. Wallace: That's correct.

Ms. Natafalusy: With the use. Okay, thank you.

Mr. Weiss: You know I had a similar concern, Catherine. I know that you drive by that Mount Olive Outdoor Storage where there is an Uhaul facility, I think on any given time, there's got to be eight trucks over there, maybe more. Are you familiar with that Catherine?

Ms. Natafalusy: I didn't know that they were using that for that type of use.

Mr. Weiss: Yes, it is there and it is apparent. You could see the trucks and whether they have two, four, whatever number going out, at some point during the day, they are all parked in that little piece of property. Here, the difference is it is a much bigger piece of property but...you know... I don't know if the number two makes sense to me but I just have to listen to the applicant.

Mr. Buzak: And Mr. Chairman and Ms. Natafalusy, I think that is an important point. The application is for four vehicles, that would be put in the resolution, and I think as you Mr. Chairman and I think Mr. McGroarty mentioned that would be the limit and it is not six, it is not five, you know it is not 10. It is not an average of four. It is four, and when granting this type of variance for this type of use that becomes an important factor. You know...we had the earlier variance that we talked about and the applicant had to come back for five inches on the size of the sign that was 200 square feet or a billboard that was 200 square feet. So, I don't want to minimize this. This is an important factor and I want everybody to know that the resolution will say four vehicles and that will be enforced by the zoning officer.

Mr. Weiss: Okay. Well listen, we have addressed it, we have questioned it and we have heard the testimony. So, I am not sure what else we should...

Mr. Buzak: No, I don't think there is anything else we can do.

Mr. Weiss: I agree with you sir.

Mr. Schaechter: I mean, I think we have let the applicant...you know...up water now and you know they are either going to drink and ask for more because you have a Board that is...inaudible...eager to grant them additional spots should they ask now. Otherwise, they are going to be in front of us again.

Mr. Wallace: Well, we would ask for six if that is a possibility.

Mr. Schaechter: It is up to you. It is your application.

Mr. Wallace: Yes, we would ask for six. Thank you.

Mr. Weiss: Okay.

Ms. Natafalusy: And there is adequate for the six plus...parking for the employees? I mean it just...

Mr. Wallace: Yes, basically the front lot that is along the Bartley Flanders Road, it has 16 spaces. There should be ample parking there both for six vehicles plus the theoretical six cars of six customers who might come to leave a vehicle and take a truck out of there. So that would be a peak. It is unlikely that there is any chance that you have six vehicles sitting there for any length of time but we would submit that the parking would be adequate for that use.

Mr. Buzak: If that's what we are going to do, I think we need to have Mr. Nelson resume the stand and just confirm that. While I appreciate Mr. Wallace's explanation, he is not under the oath and he is not competent to give testimony in these kinds of proceedings.

Mr. Nelson: Yes. I think the question was also is there enough parking for the truck rental activity and the employees and there are a limited number of employees and there is at least 21 or more parking spaces on the site. So, there is ample parking to accommodate the Uhaul activity and the employees of the other businesses.

Mr. Buzak: And with the Uhaul activity expanding to a maximum of six vehicles versus the four vehicles? Is that right?

Mr. Nelson: That's...inaudible... Yes.

Ms. Natafalusy: Can I just ask Chuck a question?

Mr. Weiss: Go ahead, Catherine.

Ms. Natafalusy: Do you know if there is designated parking spaces on the side of the building, on the western side of the building for the employees?

Mr. Nelson: Yes, there are.

Mr. Nelson: They may not be accurate or may not be clear on the drawings.

Mr. McGroarty: But let me...since the question was directed to me, let me answer it. I would say that the entire parking lot, certainly on the sides needs to be re-striped and there are cars that are parked on the grass on the side which as I mentioned earlier that's a property maintenance issue, I will deal with separately...you know...after tonight but all the parking that's...the parking in the front is well identified as I recall from being on the site. Parking...to the extent there are parking spaces on either side of the building, that need to be re-striped, four or five cars just clumped together and no parking space.

Mr. McGroarty: There's a lot of room. It is just not well striped and not well identified. So, I don't disagree that there is...I think I would agree with the testimony there's a lot of room there but it has to be freshened up. It's been a long time since that parking lot was striped.

Ms. Natafalusy: Could that be the part of Resolution?

Mr. Weiss: Thank you, Catherine. I was going to say is that going to be a condition?

Mr. McGroarty: I think that would be a good condition, Mr. Chairman.

Mr. Batsch: I don't want to belabor the point, but what is the size of a 15 foot box truck? I mean how much bigger is that truck than a standard vehicle?

Mr. McGroarty: Who is that to John? The applicant, I guess, right?

Mr. Batsch: Yes, I am sorry. Yes, correct.

Mr. Weinacker: I am sorry. I was trying to calculate in my head how long a 15 foot box truck is. I would estimate it about 21 feet long.

Mr. Batsch: Okay. What are the sizes of the parking spots that are currently in the front of the building, width and length?

Mr. Weinacker: I would have to measure them. I thought they were well over 20 foot, but I don't have that information in front of me right now. Although if...inaudible...tape measure if you want to hang on?

Mr. Batsch: It is just that the...you know...if you have six box trucks parked in front of that building, it is going to be somewhat unsightly...you know...four is kind of pushing it...so it shouldn't look like a truck warehouse. That's the only concern and I understand you are saying the average is probably two but if we write into the resolution six and you have six and then six cars, I mean, that whole, entire front row is going to be full.

Mr. Weinacker: If I may, I think the prevision...inaudible...Mr. McGroarty with the stripes some of these areas on the side to the east so that it would accommodate the larger vehicles, so I would submit that that might be a reasonable accommodation, Mr. Nelson may have some...

Mr. Nelson: No more than four in the front...inaudible...

Mr. Weiss: And certainly the language, if the language is very specific that it will be restriped to accommodate the larger vehicles, then I will agree with that statement 100 percent. That way we don't have to worry about where they will be parked, they will be parked in spaces, designated as to where on the lot it will be.

Mr. McGroarty: And just to make sure this is done correctly, I don't think it has to be done necessarily by a professional engineer but they should restripe and give us a restriping plan if the Board is comfortable with letting me review it or if you want to see it again, that is your call as well but I think we need to see some type of plan and certainly Mr. Nelson is capable of doing it, perhaps the applicant himself but somebody should do it and show us. If they are going to do parallel spaces on the side for the trucks obviously there are different dimensions than 90 degree parking but we do need to see it before it is done on the ground.

Mr. Weiss: I think that is a fine plan and I think the Planning Board would most likely agree with me when I say Chuck, your review of that would be adequate, I am sure the applicant does not need to come back in front of the Planning Board for that.

Mr. McGroarty: Alright.

Mr. McGroarty: Are they agreeing to that Mr. Chairman?

Mr. Weiss: I have not heard any objection.

Mr. Wallace: Thank you, yes.

Mr. Weiss: Okay, thank you very much for that. So let me do this. We have heard the testimony, I have opened it to the public, closed it to the public, Planning Board has spoken, they

have made some nice comments, would someone please move application PB 19-17 Flanders Investment Properties, LLC?

Mr. Schaechter: I will do that Mr. Chairman, PB 19-17 with the conditions as stated.

Mr. Weiss: Thank you very much.

Mr. Buzak: Mr. Chairman, I am going to just add one condition that was mentioned I believe by Mr. Nelson, the applicant's planner, that I think is important and that is that all of these vehicles will be serviced off site, not on site. So, I would like to ask Mr. Schaechter, I believe, who moved that and I do not recall who seconded it to include that as a condition and obviously the rest we have talked about.

Mr. Schaechter: Yes, we would include that as a condition.

Mr. Buzak: Thank you sir.

Mr. Weiss: And a second?

Mr. Nelsen: Second.

Mr. Weiss: Thank you Dan. Okay, so Ed, let me just with you summarize real quickly that conditions basically parking needs to be restriped to accommodate the larger vehicles, restriping plan will be send to Chuck before it is implemented into the ground for his review, no need to come back in front of the Planning Board, that there is going to be a maximum...inaudible...sight and that all those trucks would be serviced off site.

Mr. Buzak: That's correct and then the usual conditions that we have.

Mr. Weiss: So that being said, that motion be made and seconded, any comments?

Ms. Natafalusy: Are we going to include the hours of operation too, Mr. Buzak?

Mr. Buzak: We can do that. That is a good idea.

Ms. Natafalusy: Okay.

Mr. Weiss: Thank you Catherine. Okay, anything else from the Planning Board? Mary, roll call? You are muted, Mary.

Ms. Strain: Sorry.

Roll Call:

Brian Schaechter	Yes
Kim Mott	Yes
Catherine Natafalusy	Yes
Dan Nelsen	Yes
Paul Ottavinia	Yes

John Batsch: Yes
Howie Weiss: Yes

Mr. Weiss: And with that, this application it's passed. Gentlemen, good luck.

Mr. Wallace: Thank you sir.

Mr. Weinacker: Thank you sir.

Mr. Weiss: ...inaudible...I see no other business on our agenda...

Resolutions

PB 20-01 Huber, Corey, 6 Ruggiero Way, Block 4403, Lot 3

Mr. Buzak: Mr. Chairman.

Mr. Weiss: Ed, go ahead.

Mr. Buzak: Yes, unless I missed it, I think we were able to prepare the resolution of approval for Mr. Huber from last week and I believe Mary distributed that Resolution and I know that he was delayed and we didn't know that we were able to do it, so we hadn't committed to them but we were able to do it and if it was not on the agenda before you, I would ask that someone move to amend the agenda to include that and if we can vote on it, I can get it off the books and get Mr. Huber on his way without any risk to him.

Mr. Weiss: Ed, thank you for taking that up. You are 100 percent correct. I know that you worked hard to get it. So, let me help with the details. It looks like it is Resolution PB 20-01 for Mr. Huber at 6 Ruggiero Way, that was the application from last week. We all had a copy of it. So, at this point, let's move this. Someone please move this resolution PB 20-01.

Mr. Nelsen: I will move to accept PB 20-01.

Mr. Weiss: Thank you Dan.

Mr. Batsch: Second it.

Mr. Weiss: John, was that you, John Batsch second it or?

Mr. Weiss: John Batsch second. Any other comments or questions? Seeing none. Roll call.

Roll Call:

Brian Schaechter Yes
Kim Mott Yes
Dan Nelsen Yes

Paul Ottavinia	Yes
John Batsch	Yes
Howie Weiss	Yes

Mr. Buzak: Mr. Chairman, before we adjourn I know you complimented me for getting that done and working so hard, but Susan Crawford, who you will see as one of the attendees here from our group was the major force behind that and you know while I will take credit for a little bit of that, she should get the most credit for that. Putting her nose to the grindstone and getting it done.

Mr. Weiss: Let me then thank Susan. I think the fact that we do this for some of our homeowners really makes Mount Olive Planning Board a special place and I know that legally we had no obligation to do it in seven days but Susan, if you are listening, I thank you very much and Ed, again, thank you and that's the kind of stuff that makes us proud to do what we do. Mr. Huber can now go ahead and start his project while there is still summer to enjoy it.

Mr. Buzak: Thank you.

Mr. Weiss: Anybody else have anything before we adjourn? Next meeting is going to be in July. So, we have nothing next week. We will get...we will make sure we share any detail that's needed to be shared and of course if there is anything...inaudible...kindly let us know. With that, will someone please make a motion to adjourn?

Mr. Buzak: Well before we do that, I also would like to add one more thing, Happy Father's Day to those of us who are fathers.

Mr. Weiss: Thank you Ed, and thanks guys and Happy Father's Day to everybody. Will there be a motion?

Mr. Schaechter: Motion to adjourn.

Ms. Mott: Second

All in Favor: Aye

Adjourn

The Board adjourned at 9:14 pm

Mary Strain

Mary Strain, Planning Board Secretary

November 12, 2020

Planning Board Meeting Date Approved

TOWNSHIP OF MOUNT OLIVE
PLANNING BOARD

IN THE MATTER OF: :
OUTFRONT MEDIA, LLC : TRANSCRIPT
195 ROUTE 206 : OF
BLOCK 5401, LOT 27 : VIRTUAL
: PROCEEDINGS

MEETING DATE: THURSDAY, JUNE 18, 2020
MEETING START TIME: 7:00 P.M.
VIA ZOOM

BOARD MEMBERS PRESENT:

HOWIE WEISS, Chairman
KIM MOTT, Member
JOHN BATSCH, Member
CATHERINE NATAFALUSY, Member
BRIAN SCHAECHTER, Member
DAN NELSON, Member
JOSEPH OUIMET, Member
JOHN MANIA, Member
PAUL OTTAVINIA, Member

ALSO PRESENT:

MARY STRAIN, Board Secretary
CHUCK MCGROARTY, P.P., Board Planner
DANE WESTDYK, IT Technician

STENOGRAPHICALLY REPORTED BY:

MICHELE QUICK, CCR, RMR, CRR
NJ Licensed Court Reporter

QUICK COURT REPORTING, LLC
47 BRIAN ROAD
WEST CALDWELL, NEW JERSEY 07006
(973) 618-0872
office@quickreporters.com

<div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> </div> <div> <div>2</div> <div>APPEARANCES:</div> <div>EDWARD J. BUZAK LAW OFFICES</div> <div>150 River Road</div> <div>Montville, New Jersey 07045</div> <div>BY: EDWARD J. BUZAK, ESQ.</div> <div>Counsel for the Board</div> <div>PRICE, MEESE, SHULMAN & D'ARMINIO, P.C.</div> <div>Mack-Cali Corporate Center</div> <div>50 Tice Boulevard</div> <div>Woodcliff Lake, New Jersey 07677-7644</div> <div>BY: LOUIS L. D'ARMINIO, ESQ.</div> <div>Counsel for the Applicant</div> </div>	<div> <div>4</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> </div> <div> <div>CHAIRMAN WEISS: Let's move right to</div> <div>our developmental matters. The first one on the</div> <div>agenda tonight is PB-19-16, which is Outfront Media,</div> <div>LLC. They're here for a modification to the</div> <div>Resolution PB 19-16 for the property located at 195</div> <div>Route 206, which is Block 5401, Lot 27.</div> <div>Ed, did you want to go over some things</div> <div>before we introduce the application to turn it over</div> <div>to the applicant?</div> <div>MR. BUZAK: Yes, but can we assure</div> <div>that the applicant's attorney is here and any</div> <div>witnesses so that we have -- I want to make sure</div> <div>he's here with his client and/or witnesses.</div> <div>CHAIRMAN WEISS: So I see that Lou</div> <div>D'Arminio is an attendee. Lou, are you in, Mr.</div> <div>D'Arminio?</div> <div>MR. WESTDYK: He's -- I could elevate</div> <div>him -- would you like me to elevate him to a</div> <div>panelist so he could speak?</div> <div>CHAIRMAN WEISS: Yes, let's do that</div> <div>and find out who else needs to be elevated.</div> <div>And Mr. D'Arminio, you're muted, it</div> <div>looks like you're about ready to join.</div> <div>MR. D'ARMINIO: Okay.</div> <div>CHAIRMAN WEISS: There you are.</div> </div>
<div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> </div> <div> <div>3</div> <div>INDEX</div> <div>WITNESSES</div> <div>PAUL WISS</div> <div>SHORN</div> <div>22</div> <div>EXHIBITS MARKED INTO EVIDENCE</div> <div>NUMBER</div> <div>DESCRIPTION</div> <div>PAGE</div> <div>(NONE MARKED)</div> </div>	<div> <div>5</div> <div>1</div> <div>2</div> <div>3</div> <div>4</div> <div>5</div> <div>6</div> <div>7</div> <div>8</div> <div>9</div> <div>10</div> <div>11</div> <div>12</div> <div>13</div> <div>14</div> <div>15</div> <div>16</div> <div>17</div> <div>18</div> <div>19</div> <div>20</div> <div>21</div> <div>22</div> <div>23</div> <div>24</div> <div>25</div> </div> <div> <div>Welcome, Lou.</div> <div>MR. D'ARMINIO: There you are, I think</div> <div>I'm okay. Hey, there I am. Good. Okay. Yeah, I'm</div> <div>on. Paul Wiss from Outfront is also a potential</div> <div>witness, he's on and should be on, and Ed Purcell is</div> <div>the -- is my associate who is listening in as well.</div> <div>Michele Quick is our reporter, although I think you</div> <div>see is there as well, and she's taking down a</div> <div>transcript of the matter.</div> <div>CHAIRMAN WEISS: Will they be</div> <div>speaking, Mr. D'Arminio?</div> <div>MR. D'ARMINIO: No. Paul may be</div> <div>speaking -- it probably will just be Paul and I who</div> <div>will be speaking.</div> <div>MR. WESTDYK: Okay.</div> <div>CHAIRMAN WEISS: Perfect. So we'll</div> <div>also just make sure if anybody needs to get in,</div> <div>we'll do --</div> <div>MR. D'ARMINIO: Well, just Mr. Wiss</div> <div>really needs to get in at some point because he may</div> <div>be a witness.</div> <div>CHAIRMAN WEISS: And Paul Wiss, you're</div> <div>in, you can hear us?</div> <div>MR. WISS: Yes.</div> <div>CHAIRMAN WEISS: Okay.</div> </div>

<p style="text-align: center;">6</p> <p>1 MR. D'ARMINIO: Okay.</p> <p>2 CHAIRMAN WEISS: Perfect, so Mr.</p> <p>3 D'Arminio, let me -- now that you're in, Mr. Buzak,</p> <p>4 did you want to open with some comments as to what</p> <p>5 the procedure's going to be and why we're coming</p> <p>6 back together?</p> <p>7 MR. BUZAK: Yes. The Board adopted a</p> <p>8 resolution late last year, a Resolution 19-16, which</p> <p>9 granted a D3 variance, which is a deviation from a</p> <p>10 condition of a conditional use, and preliminary and</p> <p>11 final site plan approval together with a side-yard-</p> <p>12 setback variance in connection with the construction</p> <p>13 of a digital billboard on Route 206.</p> <p>14 Subsequent to the adoption of the</p> <p>15 resolution, the applicant's counsel raised an issue</p> <p>16 regarding the size of the billboard. It was</p> <p>17 originally proposed during the course of the hearing</p> <p>18 to be a 300-square-foot billboard, as I recall, 10</p> <p>19 feet by 30 feet. By the end of the hearing, the</p> <p>20 size was changed to 10 feet by 22 feet, and that was</p> <p>21 the subject matter of discussion and ultimately</p> <p>22 became a condition in the resolution. This was not</p> <p>23 something that was inadvertent or unclear; it was</p> <p>24 clear at the end of the day that that was the size</p> <p>25 of the sign. It then turned out that the applicant</p>	<p style="text-align: center;">8</p> <p>1 The applicant contends, based upon the</p> <p>2 discussion that I had this afternoon, that this</p> <p>3 needs simply a majority vote because it's a change</p> <p>4 of a condition within the resolution and a simple</p> <p>5 majority vote is sufficient.</p> <p>6 Secondly, the contention is, I believe,</p> <p>7 that the only members who are able to vote on this</p> <p>8 resolution, amendment to the resolution, are the</p> <p>9 members that voted in favor of the resolution -- the</p> <p>10 original resolution, which passed, I believe, five</p> <p>11 -- five-two or whatever; there were five affirmative</p> <p>12 votes, which we need five affirmative votes for a</p> <p>13 conditional use variance or for any D variance.</p> <p>14 With regard to the members who can</p> <p>15 participate, I do not agree that this is limited to</p> <p>16 the members who participated in the original</p> <p>17 hearing. I think that all members of the Board can</p> <p>18 participate, leaving aside the issue for a moment of</p> <p>19 whether the Board's going to be in its form as a,</p> <p>20 quote, "Board of Adjustment" or as a Planning Board,</p> <p>21 but I believe that all members can vote. The</p> <p>22 memorializing resolution is done, it's finished,</p> <p>23 it's been finished for some time. As I said, this</p> <p>24 is not a typographical error, this is something that</p> <p>25 the applicant seeks to change, albeit a minor change</p>
<p style="text-align: center;">7</p> <p>1 and I -- I will use the word "misspoke," and I'm not</p> <p>2 sure that that's the proper word or the proper</p> <p>3 characterization, but that in fact, the sign, based</p> <p>4 upon -- or the billboard, based upon, I believe,</p> <p>5 the, quote, "standard," unquote, size of the</p> <p>6 billboard was 10-1/2 feet, 10.5 feet, by 22 feet, so</p> <p>7 it was a slightly bigger sign.</p> <p>8 The determination was made after</p> <p>9 consultation with Chuck, I'm not sure I spoke to Mr.</p> <p>10 D'Arminio or to Mr. Purcell, I think I may have, but</p> <p>11 in any event, it was determined that that was not a</p> <p>12 scrivener's error, it was not, you know, a</p> <p>13 statement, a typo, and therefore, that the applicant</p> <p>14 had to come back. The question that was raised</p> <p>15 today was "How is that handled? Is that handled as</p> <p>16 an amendment" -- it's handled as an amendment to the</p> <p>17 resolution, but the resolution granted a conditional</p> <p>18 use variance, which is one that we have jurisdiction</p> <p>19 on because we are a combined board, but it's</p> <p>20 actually, for lack of a better word, a Board of</p> <p>21 Adjustment matter and, therefore, the Board is</p> <p>22 comprised differently because the representative --</p> <p>23 the mayor is unable to participate and the Council</p> <p>24 representative is unable to participate in those</p> <p>25 proceedings.</p>	<p style="text-align: center;">9</p> <p>1 in terms of 10 feet versus 10-1/2 feet, but material</p> <p>2 in the sense of the billboard was granted approval</p> <p>3 and that variance that allowed it to be closer to</p> <p>4 the residential zone than otherwise permitted under</p> <p>5 the conditions of the conditional use was granted.</p> <p>6 It's done. And now, as the applicant comes in to</p> <p>7 make modification, think that the members of the</p> <p>8 Board who are here now, again, leaving aside whether</p> <p>9 we're acting as a Board of Adjustment or a Planning</p> <p>10 Board, can all participate in this, and I come to</p> <p>11 that conclusion because, while this happens to be in</p> <p>12 close proximity to the time that the original</p> <p>13 resolution was adopted, the applicant, at any time,</p> <p>14 could come in and seek an amendment to a condition</p> <p>15 in the resolution, so if the applicant came by a</p> <p>16 year from now or two years from now, let's say it</p> <p>17 wasn't built in a year or 11 months, we may not have</p> <p>18 sufficient members who are currently on the Board at</p> <p>19 that time -- who are currently on the Board at that</p> <p>20 time to hear the application if, in fact, it were</p> <p>21 put to the people who voted in favor of the</p> <p>22 application back when it was approved in December of</p> <p>23 2019. So I don't think we're limited to that, I</p> <p>24 don't think we're limited to either the people who</p> <p>25 voted in favor of it or, indeed, the people who were</p>

<p style="text-align: right;">10</p> <p>1 on the Board at that time. The application is being 2 made now, the Board can hear the application now. 3 Secondly, the question is: What is the 4 vote needed to make this amendment? Is it simply an 5 amendment to -- a typical resolution or do we need 6 the five affirmative votes -- do we need the five 7 affirmative votes that you would need for a use 8 variance? And when I looked at the resolution, the 9 resolution was a composite resolution and this issue 10 related to the size of the billboard, it wasn't the 11 size of the billboard that was limited as a 12 condition, the condition related to the proximity of 13 that board to the residential area, but I dare say 14 that the size of the billboard has -- has and had an 15 impact on the Board in terms of considering the 16 granting or denial of that deviation from the 17 conditional requirements or the conditions of the 18 conditional use, and I think that's -- there's 19 testimony to that and I'm satisfied that that's the 20 case because of the spirited discussion that, in 21 fact, took place regarding the size of the sign. We 22 talked about originally, as I said, a sign that was 23 10 feet by 30 feet, I believe 300 square feet, and 24 when you look through the transcript, there were 25 concerns raised about the size of the sign. The</p>	<p style="text-align: right;">12</p> <p>1 till the applicant's attorney contacted me, and I 2 appreciate his contacting me and the discussion that 3 we had. It gave me an opportunity to review 4 everything and do some research, and in any event, 5 that's the conclusion that I come to, that, 6 effectively, this is, for lack of a better word, a 7 new application; the Board members, other than the 8 ones that would otherwise be precluded in acting as 9 a Board of Adjustment, they all can participate; 10 whether you voted "yes," "no," whether you were 11 there or not there previously, none of that matters, 12 and that we can proceed and that the vote that you 13 need is five affirmative votes. So with that, Mr. 14 Chairman -- 15 VOICE: Let me jump in. Mr. Buzak, 16 may I -- 17 MR. MCGROARTY: Wait, wait, wait, 18 wait, wait, time out, if I may, just one procedural 19 thing. I didn't realize, I wasn't thinking about 20 it, it's a D variance, so John really should 21 participate, John Mania. 22 VOICE: Right. 23 MR. BUZAK: Yes, and I think, if 24 that's where the Board winds up going, then John is 25 going to have to not participate. But I don't think</p>
<p style="text-align: right;">11</p> <p>1 size of the sign was not limited in the ordinance, 2 that was not a condition that it had to be less than 3 300 feet, 300 square feet, that it had to be any 4 particular dimension, so that became, at least in my 5 mind, based upon the resolution and based upon the 6 actions of the Board, a consideration that impacted 7 and informed the decision that the Board made with 8 regard to allowing the sign to be in closer 9 proximity to the residential area, and if you think 10 about it just in commonsense terms, it -- at least 11 in my mind, it makes common sense that that would 12 have an impact on how close the Board would be 13 willing to allow a billboard to be and that would be 14 impacted by the size of the billboard. 15 So, for those reasons, I think that 16 this is all wrapped up in one package and that the 17 modification of this condition that affected the 18 condition of the conditional uses for which the 19 deviation was sought, which is a D variance, 20 requires the five affirmative votes, number one, and 21 number two, that the Board has to be comprised of 22 its form, and I quote, "Board of Adjustment," as 23 opposed to the Planning Board. 24 Now, all of that, I apologize for not 25 raising it before, I really hadn't thought about it</p>	<p style="text-align: right;">13</p> <p>1 we're there yet, I think I wanted -- 2 MR. MCGROARTY: Okay. 3 MR. BUZAK: I wanted to give the Board 4 my view, they're hearing it for the first time, Mr. 5 D'Arminio's hearing it for the first time, and I 6 know Mr. Purcell, who I spoke with, who's an 7 associate of Mr. D'Arminio's, is also hearing it for 8 the first time because I hadn't -- I made no 9 commitment to him while I was talking to him but I 10 hadn't thought it through and didn't have time to 11 research it. So, Mr. Chairman, that's the position 12 that I give to the Board. 13 CHAIRMAN WEISS: Okay. 14 MR. D'ARMINIO: Mr. Chairman, may I 15 speak to this point? 16 CHAIRMAN WEISS: Please, Mr. D'Arminio, 17 go ahead. 18 MR. D'ARMINIO: Okay. First, I don't 19 want to belabor this too much. As a matter of fact, 20 the five people who voted in favor of this, I 21 believe are all here in any event and I agree that 22 it is a Board of Adjustment matter to consider. The 23 reason why I think it is, it really is just a 24 re-adoption of that aspect or a correction of that 25 aspect of the resolution, because what's clear</p>

<p style="text-align: right;">14</p> <p>1 before the record is that the intent was to be the 2 same size as the billboard at the Treatment Works. 3 That's what was the incorrect information, is what 4 was the size of the billboard and the Treatment 5 Works. On Page 22, I believe, Mr. Chairman, you 6 were the first one to raise that issue, you said to 7 Mr. Antal, "Can we -- why can't you make it the same 8 size as the Treatment Works?" and the witness said 9 "What about the sign face? And the sign face 10 itself, I'm going to mess up on the inches but in 11 general, it's 10 feet by 22 feet," so it's -- it's 12 smaller than the one that we were going on. So the 13 issue was and the intent was, don't make it any 14 bigger than what is a known factor, which was the 15 sign size that was -- that the people had in their 16 -- the members of the Board had in their head for 17 the treatment center plant. What we got wrong was 18 that number. You know, that number is actually 10 19 feet by 5 inches in height, not even 10-1/2 feet, 20 it's an extra inch smaller, so that's kind of what 21 we're talking about, and I compounded that at the 22 end because, at the very end, we decided to do that, 23 I made it clear that, you know, that we would do it, 24 and I compounded it. I said -- "Chairman Weiss: 25 We'll add that as a third condition that the sign</p>	<p style="text-align: right;">16</p> <p>1 that's the same way that this should go, but again, 2 we do have the five members here who had voted in 3 favor of it. 4 CHAIRMAN WEISS: All right, well, we 5 certainly heard both sides of the issue. I think we 6 need to go back to Mr. Buzak, I mean, do you have 7 any direction for us as to which direction we should 8 go? 9 MR. BUZAK: Well, you know, I think 10 what we -- we ought to proceed in this fashion. I 11 understand Mr. D'Arminio's comments. I think we 12 should proceed as a Board of Adjustment, he has no 13 objection to our proceeding as a Board of 14 Adjustment, and I think that's correct, so first 15 thing is I think -- bless you. 16 CHAIRMAN WEISS: Thank you. 17 MR. BUZAK: First thing is to have Mr. 18 Mania and I guess -- 19 CHAIRMAN WEISS: Ken. Ken's not here. 20 MR. BUZAK: Right, so Ken is -- just 21 for the record, Ken Forlenza is the mayor's 22 designee, so he would not participate and he's not 23 here anyway, so I think Mr. Mania can really get the 24 night off tonight, as opposed -- 25 MR. MANIA: Well, thank you, Mr.</p>
<p style="text-align: right;">15</p> <p>1 will be 22 feet by 10 feet, correct?" and I said 2 "Oh, yeah, 10 by 22" because that's what I 3 remembered, so -- but I did go on to say "So it's 4 the same as the one at the sewer treatment plant and 5 your Chairman Weiss said "Yes, the sewer treatment 6 plant. Thank you for that, I appreciate it, 7 gentlemen." So I think that's why the issue is one 8 that's really just one to correct the record because 9 we had the wrong size at the sewer treatment plant, 10 it's 5 inches more. But rather than belabor that, I 11 just -- I think that we can have a vote on it. 12 Again, the intent was that this be no bigger or the 13 same size as the sewer treatment plant, that's the 14 correction of the record, and that that makes the 15 sign the size of what it is, so -- and the only 16 issue today, by the way, is that there's no ability 17 to deny the sign, it's just to change that one size 18 of it by 5 inches. That's the only issue that is 19 actually before the Board's determination, that's 20 the only issue that's being opened up here in terms 21 of whether it's going to be 10 feet or whether it's 22 going to be 10 feet 5 inches. 23 You know, with that said, Mr. Buzak, I 24 still think, as this original resolution was adopted 25 by three votes out of the five at the time, I think</p>	<p style="text-align: right;">17</p> <p>1 Buzak. 2 MR. BUZAK: -- to part of the night. 3 MR. MANIA: I will enjoy it, I'll have 4 a drink on you. 5 MR. BUZAK: Please think of me when 6 you're doing that because when it's over, I may need 7 one myself. 8 MR. MANIA: Thank you. 9 CHAIRMAN WEISS: All right, John, have 10 a good night then. 11 MR. MANIA: Thank you. 12 MR. McGROARTY: Thanks, John. 13 CHAIRMAN WEISS: Okay. 14 MR. D'ARMINIO: Do you want me to 15 proceed, Mr. Chairman, at this point? 16 CHAIRMAN WEISS: Yes, let's move on. 17 Let's move on and we'll start making a clear record. 18 So thank you, Mr. D'Arminio, you can go forward with 19 this. 20 MR. D'ARMINIO: Sure. Well, first 21 off, I want to apologize for taking up your time 22 with this. It really shouldn't have happened, we 23 screwed up and I do admit that, we should have had 24 the right number, but you know, we didn't, we hadn't 25 focused on that, we were focusing on the 300 feet,</p>

<p style="text-align: right;">18</p> <p>1 but certainly, we're here because of us and I</p> <p>2 appreciate your time. I mean, the idea that we had</p> <p>3 was just to clarify some of the conclusion on the</p> <p>4 record and it's just a clarification, it's just at</p> <p>5 that point. As I indicated previously, we were</p> <p>6 actually -- actually, we were proposing a much</p> <p>7 larger sign. Signs are allowed at 450 feet, I</p> <p>8 believe, or 400 feet and we were doing one at about</p> <p>9 300 feet, a little under 300 feet, but we did agree,</p> <p>10 and as I laid out previously, that we wanted to do</p> <p>11 -- the Board requested and then we agreed to do it</p> <p>12 as the treatment plant sign but, again, that was 10</p> <p>13 feet 5 inches times 22 and not 10-zero feet.</p> <p>14 All right, so with regard to that,</p> <p>15 again, that's reflected in the resolution, I believe</p> <p>16 Page 10, and clearly, I think we can agree that the</p> <p>17 intent was, again, to be the MUA sign.</p> <p>18 CHAIRMAN WEISS: Mr. D'Arminio, when</p> <p>19 you're referring to pages, are you reading pages</p> <p>20 from the transcript or --</p> <p>21 MR. D'ARMINIO: Yeah.</p> <p>22 CHAIRMAN WEISS: -- the resolution?</p> <p>23 MR. D'ARMINIO: The transcript that I</p> <p>24 was referring to is the transcript of October --</p> <p>25 CHAIRMAN WEISS: Okay.</p>	<p style="text-align: right;">20</p> <p>1 you also with a plan. Again, if this was an easier</p> <p>2 thing to do, we put the plan up on the screen, but</p> <p>3 this is the plan that has the correct dimensions.</p> <p>4 It's by Entek Engineering and Technologies, Inc.,</p> <p>5 it's dated 4/4/19, it's revised 12/14/19, and it has</p> <p>6 the correct dimensions on it, so that would -- that</p> <p>7 is actually a plan. It also has the sight triangle</p> <p>8 and some other things that you wanted, but that is</p> <p>9 the thing that is being acted upon.</p> <p>10 I went over the transcript sections and</p> <p>11 showed you how the error was created. I would just,</p> <p>12 to verify this, I'd like to call Paul Wiss to the</p> <p>13 stand, I guess, the virtual stand, swear him in and</p> <p>14 have him verify dimensions. He is with Outfront and</p> <p>15 he has been involved in both the siting and the</p> <p>16 approvals, the leasing and the construction of these</p> <p>17 two signs and just to verify that those are the</p> <p>18 proper dimensions.</p> <p>19 CHAIRMAN WEISS: Okay. With that, Mr.</p> <p>20 Buzak, would you like to swear in Mr. --</p> <p>21 MR. BUZAK: I would. Mr. Wiss, do you</p> <p>22 have any video capability?</p> <p>23 MR. WISS: I -- for some reason, I'm</p> <p>24 not showing up on the screen so... I mean, I go on</p> <p>25 Zoom at work so I don't understand why I'm not up</p>
<p style="text-align: right;">19</p> <p>1 MR. D'ARMINIO: -- 10th. I guess we</p> <p>2 had provided copies of those, you know, a while -- a</p> <p>3 while back. Again, the issue was clearly that, and</p> <p>4 I think the Board can just use its recollection, is</p> <p>5 that you wanted it to be no bigger than the sign</p> <p>6 that's at the treatment center --</p> <p>7 CHAIRMAN WEISS: Right.</p> <p>8 MR. D'ARMINIO: -- I mean, I don't</p> <p>9 think that there's any -- Treatment Works. I don't</p> <p>10 think that there's any issue with that. And it's</p> <p>11 not such a small matter, you know, the signs are</p> <p>12 made of interchangeable patterns but -- excuse me,</p> <p>13 panels, and we showed a copy of one of those panels,</p> <p>14 but there's just so many panels that fit in such a</p> <p>15 configuration, so 5 inches doesn't seem like much</p> <p>16 but it really becomes a difficulty for us if we had</p> <p>17 to try to even make the sign at any size -- any size</p> <p>18 smaller.</p> <p>19 We had provided you with, actually, a</p> <p>20 letter which had both the original resolution that</p> <p>21 appeared, the 19-16 resolution, which had the 10 by</p> <p>22 22, but also, we provided you with a copy of the</p> <p>23 resolution for the Treatment Works that talked --</p> <p>24 that's 17-16, which talked about, at Page 2,</p> <p>25 Paragraph 3, that it was 10.5 by 22. We've provided</p>	<p style="text-align: right;">21</p> <p>1 there on the Hollywood Squares, like someone had</p> <p>2 said.</p> <p>3 CHAIRMAN WEISS: Hey, Dane, real</p> <p>4 quickly, do we need to elevate Paul to --</p> <p>5 MR. WESTDYK: He's already elevated.</p> <p>6 There might be a setting somewhere on the lower</p> <p>7 left, it says "stop" and "start video"? Are you on</p> <p>8 a computer or are you on a phone?</p> <p>9 MR. WISS: I'm on a computer, but I</p> <p>10 only have the mute button, I don't have a start and</p> <p>11 stop for video.</p> <p>12 MR. MCGROARTY: Paul, do you have a</p> <p>13 band across the bottom?</p> <p>14 MR. WISS: Yes.</p> <p>15 MR. MCGROARTY: And you don't see that</p> <p>16 video?</p> <p>17 MR. WISS: Oh, wait a second.</p> <p>18 MR. WESTDYK: Paul, you should now see</p> <p>19 that you've been promoted -- you were just speaking,</p> <p>20 you weren't promoted to panelist.</p> <p>21 CHAIRMAN WEISS: There you are.</p> <p>22 MR. WESTDYK: There you are.</p> <p>23 CHAIRMAN WEISS: Welcome, Paul.</p> <p>24 MR. D'ARMINIO: Okay.</p> <p>25 MR. WESTDYK: And just unmute yourself,</p>

22

1 Paul, and you'll be set.

2 MR. D'ARMINIO: Paul, could you unmute

3 yourself?

4 CHAIRMAN WEISS: There you are.

5 MR. BUZAK: Mr. Wiss, could you raise

6 your right hand? Mr. Wiss? Looks like he's --

7 MR. WISS: Yes.

8 MR. BUZAK: Okay. And do you swear

9 that any testimony you give tonight will be the

10 truth, the whole truth and nothing but the truth, so

11 help you God?

12 MR. WISS: Yes.

13 MR. BUZAK: You can put down your

14 hand. Can you please state your name and business

15 address for the record, spelling your last name?

16 MR. WISS: Yes. Paul Wiss, New Jersey

17 real estate manager for Outfront Media, 185 U.S. 46

18 in Fairfield, New Jersey.

19 MR. BUZAK: Thank you, sir. Mr.

20 D'Arminio.

21 MR. D'ARMINIO: Okay, thank you very

22 much.

23 DIRECT EXAMINATION BY MR. D'ARMINIO:

24 Q. Mr. Wiss, you indicated your employment

25 with Outfront and the capacity already.

23

1 In terms of your experience with

2 outdoor advertising, how long have you had -- what's

3 your -- how much experience do you have with outdoor

4 advertising, how many years? Paul? I think he

5 froze.

6 Paul, I just asked your experience with

7 outdoor advertising, how many years and the like.

8 CHAIRMAN WEISS: Mr. Wiss, you're

9 muted, that's why we're not hearing you now. There

10 you go.

11 MS. STRAIN: There you go.

12 MR. WISS: Lou?

13 MR. D'ARMINIO: Yeah.

14 A. **Thirty years in the outdoor advertising**

15 **business.**

16 Q. So you've had experience on all levels

17 of outdoor advertising, correct?

18 A. **Yes.**

19 Q. Okay. Now, you're familiar with this

20 application, correct?

21 A. **Yes.**

22 Q. And why do you know so much about this

23 application? What's your background with this?

24 A. **Well, I was the -- I was the**

25 **representative that approached the owners of the**

24

1 **After to determine interests if they were interested**

2 **in locating an outdoor advertising sign on their**

3 **property.**

4 Q. And you shepherded it through the

5 approvals process as well, correct? You helped it

6 through the approvals process?

7 A. **Yes.**

8 Q. Okay. And there was some mention of

9 another location at the Treatment Works. Can you

10 discuss that location and your role in that

11 application?

12 A. **Go ahead, Lou.**

13 Q. All right. I'm going through the

14 Treatment Works location on the 206 location.

15 A. **Yes.**

16 Q. What was your role in that approval

17 process; are you familiar with that process?

18 A. **Well, yes, as the real estate manager**

19 **for Outfront Media, that was one of my locations**

20 **that I was responsible for.**

21 Q. Okay. And you also worked with regard

22 to -- or with the construction people in terms of

23 getting it erected as well, correct?

24 A. **That's correct, yes.**

25 Q. Okay. And you were present and you

25

1 heard my representations to the Board with regard to

2 the various sizes and you were at the hearing of

3 October 10, correct?

4 A. **Yes.**

5 Q. Okay. And were those representations

6 correct, to the best of your knowledge, information

7 and belief?

8 A. **As far as the size --**

9 Q. **As far as the size --**

10 A. **-- of the sign?**

11 Q. The sizes of the signs, right? The

12 sizes of the Treatment Works sign --

13 A. **Yeah, the township sign is -- the**

14 **Treatment Works sign is 10 feet 5 inches by 22 feet.**

15 Q. Okay. All right. And, also, you were

16 at the hearing, the record speaks for itself in

17 terms of the intent was always to make this sign the

18 same size as that sign, correct?

19 A. **That is correct.**

20 Q. Okay.

21 MR. D'ARMINIO: If this Board has any

22 questions of Mr. Wiss, that's really our

23 presentation, it just was a screw-up as to the size

24 and getting the correct number of inches in the, uh,

25 in the Treatment Works sign, really.

<p style="text-align: right;">26</p> <p>1 CHAIRMAN WEISS: Okay, so does anybody</p> <p>2 on the Planning Board have any questions for Paul on</p> <p>3 his testimony that he just delivered?</p> <p>4 I see none from the Planning Board.</p> <p>5 Are there any attendees? If so --</p> <p>6 MR. McGROARTY: Mr. Chairman?</p> <p>7 CHAIRMAN WEISS: Yes, go ahead, John.</p> <p>8 MR. BATSCH: Mr. Malek is -- is an</p> <p>9 attendee and had contacted me, he has -- he may have</p> <p>10 some comments or questions, I don't know.</p> <p>11 CHAIRMAN WEISS: I see Mr. Malek is</p> <p>12 there.</p> <p>13 MR. BUZAK: Mr. Chairman or Dane, if</p> <p>14 you can just explain how one who's not brought in as</p> <p>15 a panelist can ask that question because people may</p> <p>16 not be familiar with raising the hands and so forth.</p> <p>17 CHAIRMAN WEISS: I do see, for the</p> <p>18 record, that Mr. Malek has raised his hand, so what</p> <p>19 is the best way to get Mr. Malek to join? You're</p> <p>20 muted, Dane, unfortunately. Nope. Nope.</p> <p>21 MR. WESTDYK: Mr. Malek, are you</p> <p>22 there?</p> <p>23 MR. BATSCH: We can hear you now.</p> <p>24 MR. WESTDYK: Yeah, I know. Sorry.</p> <p>25 My first day with Zoom. Mr. Malek, are you there?</p>	<p style="text-align: right;">28</p> <p>1 CHAIRMAN WEISS: Okay, so then what</p> <p>2 I'm going to do, then, is I'm going to open it to</p> <p>3 the public for any comments on any aspect of this</p> <p>4 application.</p> <p>5 Mr. Malek, that opens the door for you</p> <p>6 to go ahead and please share your comments with the</p> <p>7 Planning Board.</p> <p>8 MR. MALEK: Okay, yeah, so my comment</p> <p>9 is that how much the lumens is, how much the</p> <p>10 intensity gonna be of this sign, which can impact</p> <p>11 the neighboring property, because I think, in the</p> <p>12 future, the plan is that, you know, I'm going to</p> <p>13 have some development, developing property, so how</p> <p>14 much light is there going to be and how is it going</p> <p>15 to impact and I think that's the only question I ask</p> <p>16 because, you know, it's been approved so I'm not</p> <p>17 questioning, you know, about that, but this is my</p> <p>18 question, how is this going to impact the light, you</p> <p>19 know, and the neighboring business, now and also for</p> <p>20 the future development businesses. I'm not sure</p> <p>21 which businesses are going to be --</p> <p>22 CHAIRMAN WEISS: Well --</p> <p>23 MR. D'ARMINIO: May I speak to that</p> <p>24 first, Mr. Chairman?</p> <p>25 CHAIRMAN WEISS: Sure.</p>
<p style="text-align: right;">27</p> <p>1 MR. MALEK: Yeah, I can hear. Can you</p> <p>2 hear us?</p> <p>3 MR. WESTDYK: Yeah.</p> <p>4 CHAIRMAN WEISS: Mr. Malek, so what I</p> <p>5 did is I opened it up to the public, I saw that you</p> <p>6 had a comment, so if you have any questions for Mr.</p> <p>7 Wiss on the testimony he just presented, feel free</p> <p>8 to ask.</p> <p>9 MR. MALEK: Actually, I don't have any</p> <p>10 question to discuss with testimony, I have a general</p> <p>11 question because I own the neighboring property.</p> <p>12 CHAIRMAN WEISS: Well, I gotta just</p> <p>13 put you on hold for one second then.</p> <p>14 Stay right there, Dane, you don't have</p> <p>15 to -- you can leave him as a panelist for now. I</p> <p>16 haven't yet opened it to the public for general</p> <p>17 comments. I don't have a problem doing that.</p> <p>18 Chuck, do you have anything you wanted</p> <p>19 to add or respond to Paul's comments?</p> <p>20 MR. McGROARTY: No, I don't, Mr.</p> <p>21 Chairman.</p> <p>22 CHAIRMAN WEISS: Okay, and Ed, you're</p> <p>23 fine with the testimony?</p> <p>24 MR. BUZAK: Yes, I don't have any</p> <p>25 further questions. Thank you.</p>	<p style="text-align: right;">29</p> <p>1 MR. D'ARMINIO: Again, and as</p> <p>2 acknowledged by the neighbor, this matter is not</p> <p>3 relating to the approval for the Board, which is</p> <p>4 approved, it relates to the 5 inches that we're</p> <p>5 talking about, and we had extensive testimony with</p> <p>6 regard to lighting and we'd be happy to provide Mr.</p> <p>7 Malek with that information, we can have our</p> <p>8 engineer speak to him, we could have -- give him a</p> <p>9 copy of the transcript, but to open up to matters</p> <p>10 that's outside of, really, what this point of this</p> <p>11 request is -- and I don't have my engineer here, not</p> <p>12 anticipating these sort of questions because it only</p> <p>13 had to do with the 5 -- the 5 inches, so we're a</p> <p>14 little bit at a disadvantage. I would hope Mr.</p> <p>15 Malek will be patient and we will get back to him</p> <p>16 with that --</p> <p>17 CHAIRMAN WEISS: Well --</p> <p>18 MR. D'ARMINIO: -- information.</p> <p>19 CHAIRMAN WEISS: -- I don't disagree,</p> <p>20 Mr. D'Arminio, I don't disagree, no one's asking for</p> <p>21 a reinvention of the wheel that we already</p> <p>22 developed, but I don't know that there's a quick,</p> <p>23 easy answer, Mr. Malek. I'm trying -- as I'm</p> <p>24 listening, I'm trying to go through the resolution</p> <p>25 very quickly to see if it's noted. I can tell you,</p>

<p style="text-align: right;">30</p> <p>1 and I agree with Mr. D'Arminio, that there was 2 extensive testimony given to that. That information 3 is -- was made public, it was discussed. 4 Ed, do you recall? I'm going -- I'm 5 kind of doing it on the fly. 6 MR. McGROARTY: I can jump in. 7 CHAIRMAN WEISS: Go ahead, Chuck. 8 MR. McGROARTY: We have in the 9 ordinance, I believe it's .2 lumens is the maximum 10 permitted, and if I recall correctly, they were 11 going to comply with that. Of course, obviously, it 12 has to be tested once it's up. 13 MR. D'ARMINIO: Right. 14 MR. McGROARTY: The light -- 15 MR. D'ARMINIO: Yes. 16 MR. McGROARTY: The light intensity is 17 actually one of the conditional use standards. 18 MR. D'ARMINIO: Right, and we 19 stipulated that we would agree with that. I think 20 it was .2 candles at 150 feet, Mr. McGroarty, I 21 think that was my recollection of it, but that would 22 be -- 23 MR. McGROARTY: I don't remember. 24 MR. D'ARMINIO: -- that would be the 25 implication of it, so it's not very -- that's not a</p>	<p style="text-align: right;">32</p> <p>1 with all of the exhibits from the hearing too. 2 MR. WISS: Yes. In fact, I met with 3 Mr. Malek a couple of months ago and tried to help 4 with his property a little bit. He had some brush 5 that was overgrown and we went in there and cleaned 6 it up for him, so I'd be glad to share that 7 information with him. The best place would be right 8 at his property at the After. They put some picnic 9 tables out now; we'd love to sit down with him and 10 go over those details. 11 CHAIRMAN WEISS: Mr. Malek, is that 12 acceptable for you? 13 MR. MALEK: Yeah, yeah, that's -- 14 yeah, that is fine, yeah. I think, at this point, I 15 think that's fine. And I just want to add one more 16 comment, that is there any way to make sure that the 17 light intensity is being enforced? How do you make 18 sure of that in the future? 19 CHAIRMAN WEISS: Well, and of course, 20 it has to be met, you know, if there's a problem, we 21 have code enforcement, there's certainly ways to 22 handle it that would fall, Chuck, under your 23 jurisdiction, and I suppose, at any point, it could 24 be tested, but we have -- we have no doubt that the 25 applicant will provide the lighting as he's</p>
<p style="text-align: right;">31</p> <p>1 lot of light, .2 candle. 2 MR. McGROARTY: I don't remember if 3 it's 150 feet, but my recollection is that you did 4 not get a variance, you didn't ask for a variance 5 from that -- 6 CHAIRMAN WEISS: Right. 7 MR. McGROARTY: -- and you were not 8 granted one, so you would have to comply with the 9 ordinance standard. 10 MR. D'ARMINIO: Yes, that's correct, 11 and -- 12 CHAIRMAN WEISS: So, Mr. Malek, I'm 13 not sure if that answers your question but the 14 applicant didn't ask for a variance, wasn't granted 15 a variance, any waiver from the standard, and I do 16 recall plenty of testimony showing the directions 17 and they gave us pretty good detail as to what each 18 neighboring property would see. If you'd like to 19 see that, it sounded like Mr. D'Arminio offered it 20 to you. I would imagine -- Lou, do you think he 21 should get that from Paul or where could Mr. Malek 22 get that? 23 MR. D'ARMINIO: I would have -- Paul, 24 would it make sense for you to speak with Mr. Malek 25 and get him the information? I could provide you</p>	<p style="text-align: right;">33</p> <p>1 testified. 2 MR. McGROARTY: Yeah, we're going to 3 want to test -- when the board is up and lit, we're 4 going to want to test initially to see if it 5 complies, and if there's complaints, we'll have to 6 follow up. 7 So I do have a question when Mr. Malek 8 is done if there's no other public, Mr. Chairman. 9 CHAIRMAN WEISS: Sure. 10 Mr. Malek, does that -- does that 11 sufficiently answer your questions? 12 MR. MALEK: I think that is fine, 13 yeah, that's fine. 14 CHAIRMAN WEISS: Okay. Thank you. 15 Anything else? I see -- I'm looking at the list of 16 attendees, if anybody else has any questions. I 17 don't see any hands raised. So while we're still 18 continuing, look, Chuck, I know you had a question. 19 MR. McGROARTY: Yeah, it just occurred 20 to me, actually, and I don't have -- unfortunately, 21 I don't have the file with me. As I said, I took 22 the wrong file home; that's one of our shortcomings 23 of doing it this way, but if I -- do I remember 24 correctly there was a side-yard variance granted 25 with this? I don't have --</p>

<p>34</p> <p>1 MR. BUZAK: Yes.</p> <p>2 MR. McGROARTY: Ed?</p> <p>3 MR. BUZAK: Yes. There was a side-</p> <p>4 yard variance. Let me see if I can give you the</p> <p>5 dimension.</p> <p>6 MR. McGROARTY: And it actually -- Mr.</p> <p>7 Malek made me think of it because his property is</p> <p>8 the adjoining property. And my question is, while</p> <p>9 Mr. Buzak's looking for that, to Mr. D'Arminio or</p> <p>10 Mr. Wiss: Will this additional 5 inches exacerbate</p> <p>11 that encroachment or not?</p> <p>12 MR. D'ARMINIO: No, this is -- the 5</p> <p>13 inches is in the height of the sign.</p> <p>14 MR. McGROARTY: The height, okay.</p> <p>15 MR. D'ARMINIO: It's not the breadth</p> <p>16 of the sign, it's not --</p> <p>17 MR. McGROARTY: Got it. Okay.</p> <p>18 MR. D'ARMINIO: And we have to keep it</p> <p>19 within the 25 feet, it's not going above our</p> <p>20 stipulated 25 feet.</p> <p>21 MR. McGROARTY: Okay. So it has</p> <p>22 nothing to do with the side-yard setback.</p> <p>23 MR. D'ARMINIO: No.</p> <p>24 MR. McGROARTY: Okay.</p> <p>25 MR. D'ARMINIO: Paul, that's correct,</p>	<p>36</p> <p>1 you.</p> <p>2 MR. SCHAECHTER: PB 19-16.</p> <p>3 MR. NELSON: Second.</p> <p>4 CHAIRMAN WEISS: Dan Nelson, thank you</p> <p>5 very much. The motion is made and seconded. Is</p> <p>6 there any conversation?</p> <p>7 MR. BUZAK: Just to make it clear,</p> <p>8 that is to modify the provisions of the resolution</p> <p>9 to change the size of the sign to 10 feet 5 inches</p> <p>10 by 22 feet.</p> <p>11 CHAIRMAN WEISS: That is correct, so</p> <p>12 we're really talking about 5 inches because the</p> <p>13 resolution, for the record, calls for 10 by 22 --</p> <p>14 MR. BUZAK: Correct.</p> <p>15 CHAIRMAN WEISS: -- and we're willing</p> <p>16 to propose 10 -- or the applicant's proposing</p> <p>17 10-1/2, 10.5 inches, times 22.</p> <p>18 MR. McGROARTY: And Ed, everyone here</p> <p>19 tonight, all Board members, can vote?</p> <p>20 MR. BUZAK: Yes. Yes, they can.</p> <p>21 MR. McGROARTY: All right, Mary, you</p> <p>22 got that?</p> <p>23 MR. BATSCH: Mr. Chair, a question?</p> <p>24 CHAIRMAN WEISS: Sure, John, go ahead.</p> <p>25 MR. BATSCH: Yeah, is it 10.5 inches</p>
<p>35</p> <p>1 right, Paul?</p> <p>2 MR. WISS: Yes.</p> <p>3 MR. BUZAK: And just to answer Mr.</p> <p>4 McGroarty's question, the ordinance requires a 60-</p> <p>5 foot side-yard setback and the request was for an</p> <p>6 11.2-foot setback.</p> <p>7 MR. McGROARTY: Thanks, Ed. Okay.</p> <p>8 MR. BUZAK: You're welcome.</p> <p>9 CHAIRMAN WEISS: Okay. And so, Mr.</p> <p>10 D'Arminio, I think you had said that was the end of</p> <p>11 your testimony.</p> <p>12 MR. D'ARMINIO: Yeah, that's pretty</p> <p>13 much it. Again, we apologize for having to take you</p> <p>14 out on this night but hopefully we can get this</p> <p>15 squared away tonight.</p> <p>16 CHAIRMAN WEISS: I tend to agree.</p> <p>17 All right, so it's opened and closed to</p> <p>18 the public, it seems to be satisfied with the</p> <p>19 testimony, so let me do this, let me ask if anybody</p> <p>20 from the Planning Board would make a motion to move</p> <p>21 this application, which is PB 19-16, modification to</p> <p>22 the resolution.</p> <p>23 MR. SCHAECHTER: I'll make the reso --</p> <p>24 I'll make the, uh --</p> <p>25 CHAIRMAN WEISS: The motion. Thank</p>	<p>37</p> <p>1 or 10.5 feet?</p> <p>2 CHAIRMAN WEISS: 10 feet 5 inches; is</p> <p>3 that correct?</p> <p>4 MR. D'ARMINIO: 10 feet 5 inches, yes.</p> <p>5 CHAIRMAN WEISS: Thank you, John.</p> <p>6 It's 10 feet 5 inches by 22 feet. Thank you, that's</p> <p>7 what -- that's what the motion is, correct, Brian?</p> <p>8 MR. SCHAECHTER: Yes, sir.</p> <p>9 CHAIRMAN WEISS: And Dan seconded that</p> <p>10 10 feet 5 inches.</p> <p>11 MR. NELSON: 10 feet 5 inches.</p> <p>12 CHAIRMAN WEISS: And I see no further</p> <p>13 conversation. Mary, roll call, please.</p> <p>14 MS. STRAIN: Brian Schaechter?</p> <p>15 MR. SCHAECHTER: Yes.</p> <p>16 MS. STRAIN: Kim Mott?</p> <p>17 MS. MOTT: Yes.</p> <p>18 MS. STRAIN: Catherine Natafalusy?</p> <p>19 MS. NATAFALUSY: No.</p> <p>20 MS. STRAIN: Dan Nelson?</p> <p>21 MR. NELSON: Yes.</p> <p>22 MS. STRAIN: Paul Ottavinia?</p> <p>23 MR. OTTAVINIA: Yes.</p> <p>24 MS. STRAIN: John Batsch?</p> <p>25 MR. BATSCH: Yes.</p>

1 MS. STRAIN: Howie Weiss?
 2 CHAIRMAN WEISS: Yes.
 3 MR. D'ARMINIO: Thank you very much,
 4 members of the Board, appreciate your time today and
 5 thank you for bearing with us.
 6 CHAIRMAN WEISS: Nice to see you.
 7 Have a good evening.
 8 MR. D'ARMINIO: Thank you.
 9 MR. WISS: Thank you very much,
 10 members of the Board.
 11 MR. BUZAK: Thank you, good night.
 12 CHAIRMAN WEISS: Thanks, guys.
 13 (Hearing concluded at 7:45 p.m.)
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25

CERTIFICATE

I, MICHELE QUICK, a Certified Court Reporter, Registered Merit Reporter, Certified Realtime Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S. 41:2-1, do hereby state that the foregoing is a true and accurate verbatim transcript of my stenographic notes of the within remote proceedings, via Zoom, to the best of my ability.

 MICHELE QUICK, CCR, RMR, CRR
 NJ Certified Court Reporter
 License No. XIO1731

0	6:18	12:9, 13:22, 16:12, 16:14	28:16, 29:4	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10
07006 [1] - 1:24 07045 [1] - 2:3 07677 -7644 [1] - 2:7	4	administer [1] - 39:9 admit [1] - 17:23 adopted [3] - 6:7, 9:13, 15:24 adoption [2] - 6:14, 13:24 advertising [6] - 23:2, 23:4, 23:7, 23:14, 23:17, 24:2 affected [1] - 11:17 afternoon [1] - 8:2 agenda [1] - 4:3 ago [1] - 32:3 agree [7] - 8:15, 13:21, 18:9, 18:16, 30:1, 30:19, 35:16 agreed [1] - 18:11 ahead [6] - 13:17, 24:12, 26:7, 28:6, 30:7, 36:24 albeit [1] - 8:25 allow [1] - 11:13 allowed [2] - 9:3, 18:7 allowing [1] - 11:8 ALSO [1] - 1:15 amendment [6] - 7:16, 8:8, 9:14, 10:4, 10:5 answer [3] - 29:23, 33:11, 35:3 answers [1] - 31:13 Antal [1] - 14:7 anticipating [1] - 29:12 anyway [1] - 16:23 apologize [3] - 11:24, 17:21, 35:13 appeared [1] - 19:21 Applicant [1] - 2:8 applicant [10] - 4:9, 6:25, 7:13, 8:1, 8:25, 9:6, 9:13, 9:15, 31:14, 32:25 applicant's [4] - 4:11, 6:15, 12:1, 36:16 application [11] - 4:8, 9:20, 9:22, 10:1, 10:2, 12:7, 23:20, 23:23, 24:11, 28:4, 35:21 appreciate [4] - 12:2, 15:6, 18:2, 38:4 approached [1] - 23:25 approval [4] - 6:11, 9:2, 24:16, 29:3 approvals [3] - 20:16, 24:5, 24:6 approved [3] - 9:22,	area [2] - 10:13, 11:9 aside [2] - 8:18, 9:8 aspect [3] - 13:24, 13:25, 28:3 associate [2] - 5:6, 13:7 assure [1] - 4:10 attendee [2] - 4:15, 26:9 attendeess [2] - 26:5, 33:16 attorney [2] - 4:11, 12:1 authorized [1] - 39:9	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23
1	4/4/19 [1] - 20:5 400 [1] - 18:8 41:2-1 [1] - 39:10 450 [1] - 18:7 46 [1] - 22:17 47 [1] - 1:23	5	B	C
10 [23] - 6:18, 6:20, 9:1, 10:23, 14:11, 14:18, 15:1, 15:2, 15:21, 15:22, 18:12, 18:16, 19:21, 25:3, 25:14, 36:9, 36:13, 36:16, 37:2, 37:4, 37:6, 37:10, 37:11 10-1/2 [4] - 7:6, 9:1, 14:19, 36:17 10-zero [1] - 18:13 10.5 [5] - 7:6, 19:25, 36:17, 36:25, 37:1 10th [1] - 19:1 11 [1] - 9:17 11.2-foot [1] - 35:6 12/14/19 [1] - 20:5 150 [3] - 2:3, 30:20, 31:3 17-16 [1] - 19:24 18 [1] - 1:6 185 [1] - 22:17 19-16 [5] - 4:5, 6:8, 19:21, 35:21, 36:2 195 [2] - 1:4, 4:5	5 [19] - 14:19, 15:10, 15:18, 15:22, 18:13, 19:15, 25:14, 29:4, 29:13, 34:10, 34:12, 36:9, 36:12, 37:2, 37:4, 37:6, 37:10, 37:11 50 [1] - 2:7 5401 [2] - 1:4, 4:6	agreed [1] - 18:11 ahead [6] - 13:17, 24:12, 26:7, 28:6, 30:7, 36:24 albeit [1] - 8:25 allow [1] - 11:13 allowed [2] - 9:3, 18:7 allowing [1] - 11:8 ALSO [1] - 1:15 amendment [6] - 7:16, 8:8, 9:14, 10:4, 10:5 answer [3] - 29:23, 33:11, 35:3 answers [1] - 31:13 Antal [1] - 14:7 anticipating [1] - 29:12 anyway [1] - 16:23 apologize [3] - 11:24, 17:21, 35:13 appeared [1] - 19:21 Applicant [1] - 2:8 applicant [10] - 4:9, 6:25, 7:13, 8:1, 8:25, 9:6, 9:13, 9:15, 31:14, 32:25 applicant's [4] - 4:11, 6:15, 12:1, 36:16 application [11] - 4:8, 9:20, 9:22, 10:1, 10:2, 12:7, 23:20, 23:23, 24:11, 28:4, 35:21 appreciate [4] - 12:2, 15:6, 18:2, 38:4 approached [1] - 23:25 approval [4] - 6:11, 9:2, 24:16, 29:3 approvals [3] - 20:16, 24:5, 24:6 approved [3] - 9:22,	background [1] - 23:23 band [1] - 21:13 based [5] - 7:3, 7:4, 8:1, 11:5 BATSCH [6] - 1:11, 26:8, 26:23, 36:23, 36:25, 37:25 Batsch [1] - 37:24 bearing [1] - 38:5 became [2] - 6:22, 11:4 becomes [1] - 19:16 belabor [2] - 13:19, 15:10 belief [1] - 25:7 best [4] - 25:6, 26:19, 32:7, 39:13 better [2] - 7:20, 12:6 bigger [4] - 7:7, 14:14, 15:12, 19:5 billboard [13] - 6:13, 6:16, 6:18, 7:4, 7:6, 9:2, 10:10, 10:11, 10:14, 11:13, 11:14, 14:2, 14:4 bit [2] - 29:14, 32:4 bless [1] - 16:15 Block [1] - 4:6 BLOCK [1] - 1:4 board [3] - 7:19, 10:13, 33:3 BOARD [2] - 1:1, 1:9 Board [44] - 1:16, 1:16, 2:4, 6:7, 7:20, 7:21, 8:17, 8:20, 9:8, 9:9, 9:10, 9:18, 9:19, 10:1, 10:2, 10:15, 11:6, 11:7, 11:12, 11:21, 11:22, 11:23, 12:7, 12:9, 12:24,	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23
2	9	anyway [1] - 16:23 apologize [3] - 11:24, 17:21, 35:13 appeared [1] - 19:21 Applicant [1] - 2:8 applicant [10] - 4:9, 6:25, 7:13, 8:1, 8:25, 9:6, 9:13, 9:15, 31:14, 32:25 applicant's [4] - 4:11, 6:15, 12:1, 36:16 application [11] - 4:8, 9:20, 9:22, 10:1, 10:2, 12:7, 23:20, 23:23, 24:11, 28:4, 35:21 appreciate [4] - 12:2, 15:6, 18:2, 38:4 approached [1] - 23:25 approval [4] - 6:11, 9:2, 24:16, 29:3 approvals [3] - 20:16, 24:5, 24:6 approved [3] - 9:22,	background [1] - 23:23 band [1] - 21:13 based [5] - 7:3, 7:4, 8:1, 11:5 BATSCH [6] - 1:11, 26:8, 26:23, 36:23, 36:25, 37:25 Batsch [1] - 37:24 bearing [1] - 38:5 became [2] - 6:22, 11:4 becomes [1] - 19:16 belabor [2] - 13:19, 15:10 belief [1] - 25:7 best [4] - 25:6, 26:19, 32:7, 39:13 better [2] - 7:20, 12:6 bigger [4] - 7:7, 14:14, 15:12, 19:5 billboard [13] - 6:13, 6:16, 6:18, 7:4, 7:6, 9:2, 10:10, 10:11, 10:14, 11:13, 11:14, 14:2, 14:4 bit [2] - 29:14, 32:4 bless [1] - 16:15 Block [1] - 4:6 BLOCK [1] - 1:4 board [3] - 7:19, 10:13, 33:3 BOARD [2] - 1:1, 1:9 Board [44] - 1:16, 1:16, 2:4, 6:7, 7:20, 7:21, 8:17, 8:20, 9:8, 9:9, 9:10, 9:18, 9:19, 10:1, 10:2, 10:15, 11:6, 11:7, 11:12, 11:21, 11:22, 11:23, 12:7, 12:9, 12:24,	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23
2 [4] - 19:24, 30:9, 30:20, 31:1 2019 [1] - 9:23 2020 [1] - 1:6 206 [4] - 1:4, 4:6, 6:13, 24:14 22 [15] - 3:3, 6:20, 7:6, 14:5, 14:11, 15:1, 15:2, 18:13, 19:22, 19:25, 25:14, 36:10, 36:13, 36:17, 37:6 25 [2] - 34:19, 34:20 27 [2] - 1:4, 4:6	973 [1] - 1:24	ability [2] - 15:16, 39:13 able [1] - 8:7 acceptable [1] - 32:12 accurate [1] - 39:11 acknowledged [1] - 29:2 acted [1] - 20:9 acting [2] - 9:9, 12:8 actions [1] - 11:6 add [3] - 14:25, 27:19, 32:15 additional [1] - 34:10 address [1] - 22:15 adjoining [1] - 34:8 Adjustment [6] - 7:21, 8:20, 9:9, 11:22,	billboard [13] - 6:13, 6:16, 6:18, 7:4, 7:6, 9:2, 10:10, 10:11, 10:14, 11:13, 11:14, 14:2, 14:4 bit [2] - 29:14, 32:4 bless [1] - 16:15 Block [1] - 4:6 BLOCK [1] - 1:4 board [3] - 7:19, 10:13, 33:3 BOARD [2] - 1:1, 1:9 Board [44] - 1:16, 1:16, 2:4, 6:7, 7:20, 7:21, 8:17, 8:20, 9:8, 9:9, 9:10, 9:18, 9:19, 10:1, 10:2, 10:15, 11:6, 11:7, 11:12, 11:21, 11:22, 11:23, 12:7, 12:9, 12:24,	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23
3	A	ability [2] - 15:16, 39:13 able [1] - 8:7 acceptable [1] - 32:12 accurate [1] - 39:11 acknowledged [1] - 29:2 acted [1] - 20:9 acting [2] - 9:9, 12:8 actions [1] - 11:6 add [3] - 14:25, 27:19, 32:15 additional [1] - 34:10 address [1] - 22:15 adjoining [1] - 34:8 Adjustment [6] - 7:21, 8:20, 9:9, 11:22,	billboard [13] - 6:13, 6:16, 6:18, 7:4, 7:6, 9:2, 10:10, 10:11, 10:14, 11:13, 11:14, 14:2, 14:4 bit [2] - 29:14, 32:4 bless [1] - 16:15 Block [1] - 4:6 BLOCK [1] - 1:4 board [3] - 7:19, 10:13, 33:3 BOARD [2] - 1:1, 1:9 Board [44] - 1:16, 1:16, 2:4, 6:7, 7:20, 7:21, 8:17, 8:20, 9:8, 9:9, 9:10, 9:18, 9:19, 10:1, 10:2, 10:15, 11:6, 11:7, 11:12, 11:21, 11:22, 11:23, 12:7, 12:9, 12:24,	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23
3 [1] - 19:25 30 [2] - 6:19, 10:23 300 [6] - 10:23, 11:3, 17:25, 18:9 300-square-foot [1] -		ability [2] - 15:16, 39:13 able [1] - 8:7 acceptable [1] - 32:12 accurate [1] - 39:11 acknowledged [1] - 29:2 acted [1] - 20:9 acting [2] - 9:9, 12:8 actions [1] - 11:6 add [3] - 14:25, 27:19, 32:15 additional [1] - 34:10 address [1] - 22:15 adjoining [1] - 34:8 Adjustment [6] - 7:21, 8:20, 9:9, 11:22,	billboard [13] - 6:13, 6:16, 6:18, 7:4, 7:6, 9:2, 10:10, 10:11, 10:14, 11:13, 11:14, 14:2, 14:4 bit [2] - 29:14, 32:4 bless [1] - 16:15 Block [1] - 4:6 BLOCK [1] - 1:4 board [3] - 7:19, 10:13, 33:3 BOARD [2] - 1:1, 1:9 Board [44] - 1:16, 1:16, 2:4, 6:7, 7:20, 7:21, 8:17, 8:20, 9:8, 9:9, 9:10, 9:18, 9:19, 10:1, 10:2, 10:15, 11:6, 11:7, 11:12, 11:21, 11:22, 11:23, 12:7, 12:9, 12:24,	13:3, 13:12, 13:22, 14:16, 16:12, 16:13, 18:11, 19:4, 25:1, 25:21, 26:2, 26:4, 28:7, 29:3, 35:20, 36:19, 38:4, 38:10 Board's [2] - 8:19, 15:19 bottom [1] - 21:13 Boulevard [1] - 2:7 breadth [1] - 34:15 BRIAN [2] - 1:12, 1:23 Brian [2] - 37:7, 37:14 brought [1] - 26:14 brush [1] - 32:4 built [1] - 9:17 business [3] - 22:14, 23:15, 28:19 businesses [2] - 28:20, 28:21 button [1] - 21:10 Buzak [6] - 6:3, 12:15, 15:23, 16:6, 17:1, 20:20 BUZAK [28] - 2:2, 2:4, 4:10, 6:7, 12:23, 13:3, 16:9, 16:17, 16:20, 17:2, 17:5, 20:21, 22:5, 22:8, 22:13, 22:19, 26:13, 27:24, 34:1, 34:3, 35:3, 35:8, 36:7, 36:14, 36:20, 38:11 Buzak's [1] - 34:9 BY [4] - 1:19, 2:4, 2:8, 22:23

<p>14:5, 14:24, 15:5, 17:15, 26:6, 26:13, 27:21, 28:24, 33:8</p> <p>CHAIRMAN [60] - 4:1, 4:14, 4:20, 4:25, 5:10, 5:16, 5:22, 5:25, 6:2, 13:13, 13:16, 16:4, 16:16, 16:19, 17:9, 17:13, 17:16, 18:18, 18:22, 18:25, 19:7, 20:19, 21:3, 21:21, 21:23, 22:4, 23:8, 26:1, 26:7, 26:11, 26:17, 27:4, 27:12, 27:22, 28:1, 28:22, 28:25, 29:17, 29:19, 30:7, 31:6, 31:12, 32:11, 32:19, 33:9, 33:14, 35:9, 35:16, 35:25, 36:4, 36:11, 36:15, 36:24, 37:2, 37:5, 37:9, 37:12, 38:2, 38:6, 38:12</p> <p>change [5] - 8:3, 8:25, 15:17, 36:9</p> <p>changed [1] - 6:20</p> <p>characterization [1] - 7:3</p> <p>CHUCK [1] - 1:16</p> <p>Chuck [5] - 7:9, 27:18, 30:7, 32:22, 33:18</p> <p>clarification [1] - 18:4</p> <p>clarify [1] - 18:3</p> <p>cleaned [1] - 32:5</p> <p>clear [5] - 6:24, 13:25, 14:23, 17:17, 36:7</p> <p>clearly [2] - 18:16, 19:3</p> <p>client [1] - 4:13</p> <p>close [2] - 9:12, 11:12</p> <p>closed [1] - 35:17</p> <p>closer [2] - 9:3, 11:8</p> <p>code [1] - 32:21</p> <p>combined [1] - 7:19</p> <p>coming [1] - 6:5</p> <p>comment [3] - 27:6, 28:8, 32:16</p> <p>comments [7] - 6:4, 16:11, 26:10, 27:17, 27:19, 28:3, 28:6</p> <p>commitment [1] - 13:9</p> <p>common [1] - 11:11</p> <p>commonsense [1] - 11:10</p> <p>complaints [1] - 33:5</p> <p>complies [1] - 33:5</p> <p>comply [2] - 30:11, 31:8</p> <p>composite [1] - 10:9</p>	<p>compounded [2] - 14:21, 14:24</p> <p>comprised [2] - 7:22, 11:21</p> <p>computer [2] - 21:8, 21:9</p> <p>concerns [1] - 10:25</p> <p>concluded [1] - 38:13</p> <p>conclusion [3] - 9:11, 12:5, 18:3</p> <p>condition [10] - 6:10, 6:22, 8:4, 9:14, 10:12, 11:2, 11:17, 11:18, 14:25</p> <p>conditional [8] - 6:10, 7:17, 8:13, 9:5, 10:17, 10:18, 11:18, 30:17</p> <p>conditions [2] - 9:5, 10:17</p> <p>configuration [1] - 19:15</p> <p>connection [1] - 6:12</p> <p>consider [1] - 13:22</p> <p>consideration [1] - 11:6</p> <p>considering [1] - 10:15</p> <p>construction [3] - 6:12, 20:16, 24:22</p> <p>consultation [1] - 7:9</p> <p>contacted [2] - 12:1, 26:9</p> <p>contacting [1] - 12:2</p> <p>contends [1] - 8:1</p> <p>contention [1] - 8:6</p> <p>continuing [1] - 33:18</p> <p>conversation [2] - 36:6, 37:13</p> <p>copies [1] - 19:2</p> <p>copy [3] - 19:13, 19:22, 29:9</p> <p>Corporate [1] - 2:6</p> <p>correct [21] - 15:1, 15:8, 16:14, 20:3, 20:6, 23:17, 23:20, 24:5, 24:23, 24:24, 25:3, 25:6, 25:18, 25:19, 25:24, 31:10, 34:25, 36:11, 36:14, 37:3, 37:7</p> <p>correction [2] - 13:24, 15:14</p> <p>correctly [2] - 30:10, 33:24</p> <p>Council [1] - 7:23</p> <p>Counsel [2] - 2:4, 2:8</p> <p>counsel [1] - 6:15</p> <p>couple [1] - 32:3</p> <p>course [3] - 6:17,</p>	<p>30:11, 32:19</p> <p>Court [3] - 1:21, 39:6, 39:24</p> <p>COURT [1] - 1:23</p> <p>created [1] - 20:11</p> <p>CRR [2] - 1:20, 39:24</p>	<p>28:13, 28:20</p> <p>developmental [1] - 4:2</p> <p>deviation [3] - 6:9, 10:16, 11:19</p> <p>differently [1] - 7:22</p> <p>difficulty [1] - 19:16</p> <p>digital [1] - 6:13</p> <p>dimension [2] - 11:4, 34:5</p> <p>dimensions [4] - 20:3, 20:6, 20:14, 20:18</p> <p>DIRECT [1] - 22:23</p> <p>direction [2] - 16:7</p> <p>directions [1] - 31:16</p> <p>disadvantage [1] - 29:14</p> <p>disagree [2] - 29:19, 29:20</p> <p>discuss [2] - 24:10, 27:10</p> <p>discussed [1] - 30:3</p> <p>discussion [4] - 6:21, 8:2, 10:20, 12:2</p> <p>done [3] - 8:22, 9:6, 33:8</p> <p>door [1] - 28:5</p> <p>doubt [1] - 32:24</p> <p>down [3] - 5:8, 22:13, 32:9</p> <p>drink [1] - 17:4</p> <p>during [1] - 6:17</p>	<p>enjoy [1] - 17:3</p> <p>Entek [1] - 20:4</p> <p>erected [1] - 24:23</p> <p>error [3] - 7:12, 8:24, 20:11</p> <p>ESQ [2] - 2:4, 2:8</p> <p>estate [2] - 22:17, 24:18</p> <p>evening [1] - 38:7</p> <p>event [3] - 7:11, 12:4, 13:21</p> <p>EVIDENCE [1] - 3:6</p> <p>exacerbate [1] - 34:10</p> <p>EXAMINATION [1] - 22:23</p> <p>excuse [1] - 19:12</p> <p>EXHIBITS [1] - 3:6</p> <p>exhibits [1] - 32:1</p> <p>experience [4] - 23:1, 23:3, 23:6, 23:16</p> <p>explain [1] - 26:14</p> <p>extensive [2] - 29:5, 30:2</p> <p>extra [1] - 14:20</p>
				F
				<p>face [2] - 14:9</p> <p>fact [5] - 7:3, 9:20, 10:21, 13:19, 32:2</p> <p>factor [1] - 14:14</p> <p>Fairfield [1] - 22:18</p> <p>fall [1] - 32:22</p> <p>familiar [3] - 23:19, 24:17, 26:16</p> <p>far [2] - 25:8, 25:9</p> <p>fashion [1] - 16:10</p> <p>favor [5] - 8:9, 9:21, 9:25, 13:20, 16:3</p> <p>feet [44] - 6:19, 6:20, 7:6, 9:1, 10:23, 11:3, 14:11, 14:19, 15:1, 15:21, 15:22, 17:25, 18:7, 18:8, 18:9, 18:13, 25:14, 30:20, 31:3, 34:19, 34:20, 36:9, 36:10, 37:1, 37:2, 37:4, 37:6, 37:10, 37:11</p> <p>file [2] - 33:21, 33:22</p> <p>final [1] - 6:11</p> <p>fine [5] - 27:23, 32:14, 32:15, 33:12, 33:13</p> <p>finished [2] - 8:22, 8:23</p> <p>first [11] - 4:2, 13:4, 13:5, 13:8, 13:18, 14:6, 16:14, 16:17, 17:20, 26:25, 28:24</p>
				E
				<p>easier [1] - 20:1</p> <p>easy [1] - 29:23</p> <p>Ed [7] - 4:7, 5:5, 27:22, 30:4, 34:2, 35:7, 36:18</p> <p>EDWARD [2] - 2:2, 2:4</p> <p>effectively [1] - 12:6</p> <p>either [1] - 9:24</p> <p>elevate [3] - 4:17, 4:18, 21:4</p> <p>elevated [2] - 4:21, 21:5</p> <p>employment [1] - 22:24</p> <p>encroachment [1] - 34:11</p> <p>end [5] - 6:19, 6:24, 14:22, 35:10</p> <p>enforced [1] - 32:17</p> <p>enforcement [1] - 32:21</p> <p>engineer [2] - 29:8, 29:11</p> <p>Engineering [1] - 20:4</p>

fit [1] - 19:14 five [11] - 8:10, 8:11, 8:12, 10:6, 11:20, 12:13, 13:20, 15:25, 16:2 five-two [1] - 8:11 fly [1] - 30:5 focused [1] - 17:25 focusing [1] - 17:25 follow [1] - 33:6 foot [1] - 35:5 foregoing [1] - 39:10 Forlenza [1] - 16:21 form [2] - 8:19, 11:22 forth [1] - 26:16 forward [1] - 17:18 free [1] - 27:7 froze [1] - 23:5 future [3] - 28:12, 28:20, 32:18	25:2, 25:16, 32:1 height [3] - 14:19, 34:13, 34:14 help [2] - 22:11, 32:3 helped [1] - 24:5 hereby [1] - 39:10 hold [1] - 27:13 Hollywood [1] - 21:1 home [1] - 33:22 hope [1] - 29:14 hopefully [1] - 35:14 HOWIE [1] - 1:10 Howie [1] - 38:1	15:20, 16:5, 19:3, 19:10 IT [1] - 1:17 itself [2] - 14:10, 25:16	limited [5] - 8:15, 9:23, 9:24, 10:11, 11:1 list [1] - 33:15 listening [2] - 5:6, 29:24 lit [1] - 33:3 LLC [3] - 1:3, 1:23, 4:4 located [1] - 4:5 locating [1] - 24:2 location [4] - 24:9, 24:10, 24:14 locations [1] - 24:19 look [2] - 10:24, 33:18 looked [1] - 10:8 looking [2] - 33:15, 34:9 looks [2] - 4:23, 22:6 LOT [1] - 1:4 Lou [6] - 4:14, 4:15, 5:1, 23:12, 24:12, 31:20 LOUIS [1] - 2:8 love [1] - 32:9 lower [1] - 21:6 lumens [2] - 28:9, 30:9	mayor [1] - 7:23 mayor's [1] - 16:21 McGroarty [27] - 1:16, 12:17, 13:2, 17:12, 21:12, 21:15, 26:6, 27:20, 30:6, 30:8, 30:14, 30:16, 30:20, 30:23, 31:2, 31:7, 33:2, 33:19, 34:2, 34:6, 34:14, 34:17, 34:21, 34:24, 35:7, 36:18, 36:21 McGroarty's [1] - 35:4 mean [4] - 16:6, 18:2, 19:8, 20:24 Media [3] - 4:3, 22:17, 24:19 MEDIA [1] - 1:3 MEESE [1] - 2:6 MEETING [2] - 1:6, 1:7 Member [8] - 1:10, 1:11, 1:11, 1:12, 1:12, 1:13, 1:13, 1:14 members [14] - 8:7, 8:9, 8:14, 8:16, 8:17, 8:21, 9:7, 9:18, 12:7, 14:16, 16:2, 36:19, 38:4, 38:10 MEMBERS [1] - 1:9 memorializing [1] - 8:22 mention [1] - 24:8 Merit [1] - 39:7 mess [1] - 14:10 met [2] - 32:2, 32:20 MICHELE [3] - 1:20, 39:6, 39:24 Michele [1] - 5:7 might [1] - 21:6 mind [2] - 11:5, 11:11 minor [1] - 8:25 misspoke [1] - 7:1 modification [4] - 4:4, 9:7, 11:17, 35:21 modify [1] - 36:8 moment [1] - 8:18 months [2] - 9:17, 32:3 Montville [1] - 2:3 motion [4] - 35:20, 35:25, 36:5, 37:7 MOTT [2] - 1:10, 37:17 Mott [1] - 37:16 MOUNT [1] - 1:1 move [4] - 4:1, 17:16, 17:17, 35:20 MR [129] - 4:10, 4:17, 4:24, 5:2, 5:12, 5:15, 5:19, 5:24, 6:1, 6:7,	
G					
general [3] - 14:11, 27:10, 27:16 gentlemen [1] - 15:7 given [1] - 30:2 glad [1] - 32:6 God [1] - 22:11 gonna [1] - 28:10 gotta [1] - 27:12 granted [7] - 6:9, 7:17, 9:2, 9:5, 31:8, 31:14, 33:24 granting [1] - 10:16 guess [3] - 16:18, 19:1, 20:13 guys [1] - 38:12	idea [1] - 18:2 imagine [1] - 31:20 Impact [5] - 10:15, 11:12, 28:10, 28:15, 28:18 Impacted [2] - 11:6, 11:14 Implication [1] - 30:25 IN [1] - 1:2 inadvertent [1] - 6:23 Inc [1] - 20:4 inch [1] - 14:20 inches [22] - 14:10, 14:19, 15:10, 15:18, 15:22, 18:13, 19:15, 25:14, 25:24, 29:4, 29:13, 34:10, 34:13, 36:9, 36:12, 36:17, 36:25, 37:2, 37:4, 37:6, 37:10, 37:11 incorrect [1] - 14:3 indeed [1] - 9:25 indicated [2] - 18:5, 22:24 information [7] - 14:3, 25:6, 29:7, 29:18, 30:2, 31:25, 32:7 informed [1] - 11:7 intensity [3] - 28:10, 30:16, 32:17 intent [5] - 14:1, 14:13, 15:12, 18:17, 25:17 interchangeable [1] - 19:12 interested [1] - 24:1 interests [1] - 24:1 INTO [1] - 3:6 introduce [1] - 4:8 involved [1] - 20:15 issue [12] - 6:15, 8:18, 10:9, 14:6, 14:13, 15:7, 15:16, 15:18,	JERSEY [1] - 1:24 Jersey [5] - 2:3, 2:7, 22:16, 22:18, 39:8 JOHN [2] - 1:11, 1:13 John [9] - 12:20, 12:21, 12:24, 17:9, 17:12, 26:7, 36:24, 37:5, 37:24 join [2] - 4:23, 26:19 JOSEPH [1] - 1:13 jump [2] - 12:15, 30:6 JUNE [1] - 1:6 jurisdiction [2] - 7:18, 32:23	K		
		keep [1] - 34:18 Ken [3] - 16:19, 16:20, 16:21 Ken's [1] - 16:19 KIM [1] - 1:10 Kim [1] - 37:16 kind [2] - 14:20, 30:5 knowledge [1] - 25:6 known [1] - 14:14			
		L			
		lack [2] - 7:20, 12:6 laid [1] - 18:10 Lake [1] - 2:7 larger [1] - 18:7 last [2] - 6:8, 22:15 late [1] - 6:8 LAW [1] - 2:2 leasing [1] - 20:16 least [2] - 11:4, 11:10 leave [1] - 27:15 leaving [2] - 8:18, 9:8 left [1] - 21:7 less [1] - 11:2 letter [1] - 19:20 levels [1] - 23:16 License [1] - 39:25 Licensed [1] - 1:21 light [5] - 28:14, 28:18, 30:14, 30:16, 31:1, 32:17 lighting [2] - 29:6, 32:25		Mack [1] - 2:6 Mack-Cali [1] - 2:6 majority [2] - 8:3, 8:5 Malek [19] - 26:8, 26:11, 26:18, 26:19, 26:21, 26:25, 27:4, 28:5, 29:7, 29:15, 29:23, 31:12, 31:21, 31:24, 32:3, 32:11, 33:7, 33:10, 34:7 MALEK [5] - 27:1, 27:9, 28:8, 32:13, 33:12 manager [2] - 22:17, 24:18 MANIA [5] - 1:13, 16:25, 17:3, 17:8, 17:11 Mania [3] - 12:21, 16:18, 16:23 MARKED [2] - 3:6, 3:9 Mary [2] - 36:21, 37:13 MARY [1] - 1:16 material [1] - 9:1 matter [7] - 5:9, 6:21, 7:21, 13:19, 13:22, 19:11, 29:2 MATTER [1] - 1:2 matters [3] - 4:2, 12:11, 29:9 maximum [1] - 30:9	M

<p>12:17, 12:23, 13:2, 13:3, 13:14, 13:18, 16:9, 16:17, 16:20, 16:25, 17:2, 17:3, 17:5, 17:8, 17:11, 17:12, 17:14, 17:20, 18:21, 18:23, 19:1, 19:8, 20:21, 20:23, 21:5, 21:9, 21:12, 21:14, 21:15, 21:17, 21:18, 21:22, 21:24, 21:25, 22:2, 22:5, 22:7, 22:8, 22:12, 22:13, 22:16, 22:19, 22:21, 22:23, 23:12, 23:13, 25:21, 26:6, 26:8, 26:13, 26:21, 26:23, 26:24, 27:1, 27:3, 27:9, 27:20, 27:24, 28:8, 28:23, 29:1, 29:18, 30:6, 30:8, 30:13, 30:14, 30:15, 30:16, 30:18, 30:23, 30:24, 31:2, 31:7, 31:10, 31:23, 32:2, 32:13, 33:2, 33:12, 33:19, 34:1, 34:2, 34:3, 34:6, 34:12, 34:14, 34:15, 34:17, 34:18, 34:21, 34:23, 34:24, 34:25, 35:2, 35:3, 35:7, 35:8, 35:12, 35:23, 36:2, 36:3, 36:7, 36:14, 36:18, 36:20, 36:21, 36:23, 36:25, 37:4, 37:8, 37:11, 37:15, 37:21, 37:23, 37:25, 38:3, 38:8, 38:9, 38:11</p> <p>MS [10] - 23:11, 37:14, 37:16, 37:17, 37:18, 37:19, 37:20, 37:22, 37:24, 38:1</p> <p>MUA [1] - 18:17</p> <p>mute [1] - 21:10</p> <p>muted [3] - 4:22, 23:9, 26:20</p>	<p>needs [4] - 4:21, 5:17, 5:20, 8:3</p> <p>neighbor [1] - 29:2</p> <p>neighboring [4] - 27:11, 28:11, 28:19, 31:18</p> <p>NELSON [4] - 1:12, 36:3, 37:11, 37:21</p> <p>Nelson [2] - 36:4, 37:20</p> <p>NEW [1] - 1:24</p> <p>new [1] - 12:7</p> <p>New [5] - 2:3, 2:7, 22:16, 22:18, 39:8</p> <p>nice [1] - 38:6</p> <p>night [5] - 16:24, 17:2, 17:10, 35:14, 38:11</p> <p>NJ [2] - 1:21, 39:24</p> <p>NONE [1] - 3:9</p> <p>none [2] - 12:11, 26:4</p> <p>noted [1] - 29:25</p> <p>notes [1] - 39:12</p> <p>nothing [2] - 22:10, 34:22</p> <p>number [6] - 11:20, 11:21, 14:18, 17:24, 25:24</p> <p>NUMBER [1] - 3:8</p>	<p>opens [1] - 28:5</p> <p>opportunity [1] - 12:3</p> <p>opposed [2] - 11:23, 16:24</p> <p>ordinance [4] - 11:1, 30:9, 31:9, 35:4</p> <p>original [5] - 8:10, 8:16, 9:12, 15:24, 19:20</p> <p>originally [2] - 6:17, 10:22</p> <p>otherwise [2] - 9:4, 12:8</p> <p>OTTAVINIA [2] - 1:14, 37:23</p> <p>Ottavina [1] - 37:22</p> <p>ought [1] - 16:10</p> <p>OUIMET [1] - 1:13</p> <p>outdoor [6] - 23:2, 23:3, 23:7, 23:14, 23:17, 24:2</p> <p>Outfront [6] - 4:3, 5:4, 20:14, 22:17, 22:25, 24:19</p> <p>OUTFRONT [1] - 1:3</p> <p>outside [1] - 29:10</p> <p>overgrown [1] - 32:5</p> <p>own [1] - 27:11</p> <p>owners [1] - 23:25</p>	<p>21:23, 22:1, 22:2, 22:16, 23:4, 23:6, 26:2, 31:21, 31:23, 34:25, 35:1, 37:22</p> <p>PAUL [2] - 1:14, 3:3</p> <p>Paul's [1] - 27:19</p> <p>PB [3] - 4:5, 35:21, 36:2</p> <p>PB-19-16 [1] - 4:3</p> <p>people [7] - 9:21, 9:24, 9:25, 13:20, 14:15, 24:22, 26:15</p> <p>perfect [2] - 5:16, 6:2</p> <p>permitted [2] - 9:4, 30:10</p> <p>phone [1] - 21:8</p> <p>picnic [1] - 32:8</p> <p>place [2] - 10:21, 32:7</p> <p>plan [6] - 6:11, 20:1, 20:2, 20:3, 20:7, 28:12</p> <p>Planner [1] - 1:16</p> <p>Planning [7] - 8:20, 9:9, 11:23, 26:2, 26:4, 28:7, 35:20</p> <p>PLANNING [1] - 1:1</p> <p>plant [6] - 14:17, 15:4, 15:6, 15:9, 15:13, 18:12</p> <p>plenty [1] - 31:16</p> <p>point [7] - 5:20, 13:15, 17:15, 18:5, 29:10, 32:14, 32:23</p> <p>position [1] - 13:11</p> <p>potential [1] - 5:4</p> <p>precluded [1] - 12:8</p> <p>preliminary [1] - 6:10</p> <p>present [1] - 24:25</p> <p>PRESENT [2] - 1:9, 1:15</p> <p>presentation [1] - 25:23</p> <p>presented [1] - 27:7</p> <p>pretty [2] - 31:17, 35:12</p> <p>previously [3] - 12:11, 18:5, 18:10</p> <p>PRICE [1] - 2:6</p> <p>problem [2] - 27:17, 32:20</p> <p>procedural [1] - 12:18</p> <p>procedure's [1] - 6:5</p> <p>proceed [4] - 12:12, 16:10, 16:12, 17:15</p> <p>proceeding [1] - 16:13</p> <p>proceedings [2] - 7:25, 39:12</p> <p>PROCEEDINGS [1] - 1:4</p> <p>process [4] - 24:5,</p>	<p>24:6, 24:17</p> <p>promoted [2] - 21:19, 21:20</p> <p>proper [3] - 7:2, 20:18</p> <p>property [10] - 4:5, 24:3, 27:11, 28:11, 28:13, 31:18, 32:4, 32:8, 34:7, 34:8</p> <p>propose [1] - 36:16</p> <p>proposed [1] - 6:17</p> <p>proposing [2] - 18:6, 36:16</p> <p>provide [3] - 29:6, 31:25, 32:25</p> <p>provided [4] - 19:2, 19:19, 19:22, 19:25</p> <p>provisions [1] - 36:8</p> <p>proximity [3] - 9:12, 10:12, 11:9</p> <p>public [6] - 27:5, 27:16, 28:3, 30:3, 33:8, 35:18</p> <p>Purcell [3] - 5:5, 7:10, 13:6</p> <p>pursuant [1] - 39:9</p> <p>put [5] - 9:21, 20:2, 22:13, 27:13, 32:8</p>
	O		P	Q
	<p>oaths [1] - 39:9</p> <p>objection [1] - 16:13</p> <p>obviously [1] - 30:11</p> <p>occurred [1] - 33:19</p> <p>October [2] - 18:24, 25:3</p> <p>OF [3] - 1:1, 1:2, 1:3</p> <p>offered [1] - 31:19</p> <p>office @</p> <p>quickreporters .</p> <p>com [1] - 1:25</p> <p>OFFICES [1] - 2:2</p> <p>OLIVE [1] - 1:1</p> <p>once [1] - 30:12</p> <p>one [21] - 4:2, 7:18, 11:16, 11:20, 12:18, 14:6, 14:12, 15:4, 15:7, 15:8, 15:17, 17:7, 18:8, 19:13, 24:19, 26:14, 27:13, 30:17, 31:8, 32:15, 33:22</p> <p>one's [1] - 29:20</p> <p>ones [1] - 12:8</p> <p>open [3] - 6:4, 28:2, 29:9</p> <p>opened [4] - 15:20, 27:5, 27:16, 35:17</p>		<p>P.C [1] - 2:6</p> <p>p.m [1] - 38:13</p> <p>P.M [1] - 1:7</p> <p>P.P [1] - 1:16</p> <p>package [1] - 11:16</p> <p>Page [3] - 14:5, 18:16, 19:24</p> <p>PAGE [1] - 3:8</p> <p>pages [2] - 18:19</p> <p>panelist [4] - 4:19, 21:20, 26:15, 27:15</p> <p>panels [3] - 19:13, 19:14</p> <p>Paragraph [1] - 19:25</p> <p>part [1] - 17:2</p> <p>participate [9] - 7:23, 7:24, 8:15, 8:18, 9:10, 12:9, 12:21, 12:25, 16:22</p> <p>participated [1] - 8:16</p> <p>particular [1] - 11:4</p> <p>passed [1] - 8:10</p> <p>patient [1] - 29:15</p> <p>patterns [1] - 19:12</p> <p>Paul [20] - 5:4, 5:12, 5:13, 5:22, 20:12, 21:4, 21:12, 21:18,</p>	<p>questioning [1] - 28:17</p> <p>questions [8] - 25:22, 26:2, 26:10, 27:6, 27:25, 29:12, 33:11, 33:16</p> <p>QUICK [4] - 1:20, 1:23, 39:6, 39:24</p> <p>quick [1] - 29:22</p> <p>Quick [1] - 5:7</p> <p>quickly [2] - 21:4, 29:25</p> <p>quote [3] - 7:5, 8:20, 11:22</p>
N				R
<p>name [2] - 22:14, 22:15</p> <p>NATAFALUSY [2] - 1:11, 37:19</p> <p>Natafalusy [1] - 37:18</p> <p>need [8] - 8:12, 10:5, 10:6, 10:7, 12:13, 16:6, 17:6, 21:4</p> <p>needed [1] - 10:4</p>				<p>R.S [1] - 39:9</p> <p>raise [2] - 14:6, 22:5</p> <p>raised [5] - 6:15, 7:14, 10:25, 26:18, 33:17</p> <p>raising [2] - 11:25, 26:16</p> <p>rather [1] - 15:10</p> <p>re [1] - 13:24</p> <p>re-adoption [1] - 13:24</p> <p>reading [1] - 18:19</p>

<p>ready [1] - 4:23</p> <p>real [3] - 21:3, 22:17, 24:18</p> <p>realize [1] - 12:19</p> <p>really [12] - 5:20, 11:25, 12:20, 13:23, 15:8, 16:23, 17:22, 19:16, 25:22, 25:25, 29:10, 36:12</p> <p>Realtime [1] - 39:8</p> <p>reason [2] - 13:23, 20:23</p> <p>reasons [1] - 11:15</p> <p>recollection [3] - 19:4, 30:21, 31:3</p> <p>record [10] - 14:1, 15:8, 15:14, 16:21, 17:17, 18:4, 22:15, 25:16, 26:18, 36:13</p> <p>referring [2] - 18:19, 18:24</p> <p>reflected [1] - 18:15</p> <p>regard [8] - 8:14, 11:8, 18:14, 24:21, 25:1, 29:6</p> <p>regarding [2] - 6:16, 10:21</p> <p>Registered [1] - 39:7</p> <p>reinvention [1] - 29:21</p> <p>related [2] - 10:10, 10:12</p> <p>relates [1] - 29:4</p> <p>relating [1] - 29:3</p> <p>remember [3] - 30:23, 31:2, 33:23</p> <p>remembered [1] - 15:3</p> <p>remote [1] - 39:12</p> <p>REPORTED [1] - 1:19</p> <p>reporter [1] - 5:7</p> <p>Reporter [5] - 1:21, 39:7, 39:8, 39:24</p> <p>REPORTING [1] - 1:23</p> <p>representations [2] - 25:1, 25:5</p> <p>representative [3] - 7:22, 7:24, 23:25</p> <p>request [2] - 29:11, 35:5</p> <p>requested [1] - 18:11</p> <p>requirements [1] - 10:17</p> <p>requires [2] - 11:20, 35:4</p> <p>research [2] - 12:4, 13:11</p> <p>residential [3] - 9:4, 10:13, 11:9</p> <p>reso [1] - 35:23</p> <p>Resolution [2] - 4:5, 6:8</p>	<p>resolution [29] - 6:8, 6:15, 6:22, 7:17, 8:4, 8:8, 8:9, 8:10, 8:22, 9:13, 9:15, 10:5, 10:8, 10:9, 11:5, 13:25, 15:24, 18:15, 18:22, 19:20, 19:21, 19:23, 29:24, 35:22, 36:8, 36:13</p> <p>respond [1] - 27:19</p> <p>responsible [1] - 24:20</p> <p>review [1] - 12:3</p> <p>revised [1] - 20:5</p> <p>River [1] - 2:3</p> <p>RMR [2] - 1:20, 39:24</p> <p>ROAD [1] - 1:23</p> <p>Road [1] - 2:3</p> <p>role [2] - 24:10, 24:16</p> <p>roll [1] - 37:13</p> <p>ROUTE [1] - 1:4</p> <p>Route [2] - 4:6, 6:13</p>	<p>34:22, 35:5, 35:6</p> <p>setting [1] - 21:6</p> <p>sewer [4] - 15:4, 15:5, 15:9, 15:13</p> <p>share [2] - 28:6, 32:6</p> <p>shepherded [1] - 24:4</p> <p>shortcomings [1] - 33:22</p> <p>showed [2] - 19:13, 20:11</p> <p>showing [2] - 20:24, 31:16</p> <p>SHULMAN [1] - 2:6</p> <p>side [5] - 6:11, 33:24, 34:3, 34:22, 35:5</p> <p>side-yard [4] - 6:11, 33:24, 34:22, 35:5</p> <p>sides [1] - 16:5</p> <p>slight [1] - 20:7</p> <p>sign [31] - 6:25, 7:3, 7:7, 10:21, 10:22, 10:25, 11:1, 11:8, 14:9, 14:15, 14:25, 15:15, 15:17, 18:7, 18:12, 18:17, 19:5, 19:17, 24:2, 25:10, 25:12, 25:13, 25:14, 25:17, 25:18, 25:25, 28:10, 34:13, 34:16, 36:9</p> <p>signs [4] - 18:7, 19:11, 20:17, 25:11</p> <p>simple [1] - 8:4</p> <p>simply [2] - 8:3, 10:4</p> <p>sit [1] - 32:9</p> <p>site [1] - 6:11</p> <p>siting [1] - 20:15</p> <p>size [26] - 6:16, 6:20, 6:24, 7:5, 10:10, 10:11, 10:14, 10:21, 10:25, 11:1, 11:14, 14:2, 14:4, 14:8, 14:15, 15:9, 15:13, 15:15, 15:17, 19:17, 25:8, 25:9, 25:18, 25:23, 36:9</p> <p>sizes [3] - 25:2, 25:11, 25:12</p> <p>slightly [1] - 7:7</p> <p>small [1] - 19:11</p> <p>smaller [3] - 14:12, 14:20, 19:18</p> <p>so.. [1] - 20:24</p> <p>someone [1] - 21:1</p> <p>somewhere [1] - 21:6</p> <p>sorry [1] - 26:24</p> <p>sort [1] - 29:12</p> <p>sought [1] - 11:19</p> <p>sounded [1] - 31:19</p> <p>speaking [4] - 5:11,</p>	<p>5:13, 5:14, 21:19</p> <p>speaks [1] - 25:16</p> <p>spelling [1] - 22:15</p> <p>spirited [1] - 10:20</p> <p>square [2] - 10:23, 11:3</p> <p>squared [1] - 35:15</p> <p>Squares [1] - 21:1</p> <p>stand [2] - 20:13</p> <p>standard [3] - 7:5, 31:9, 31:15</p> <p>standards [1] - 30:17</p> <p>START [1] - 1:7</p> <p>start [3] - 17:17, 21:7, 21:10</p> <p>state [2] - 22:14, 39:10</p> <p>State [1] - 39:8</p> <p>statement [1] - 7:13</p> <p>stay [1] - 27:14</p> <p>stenographic [1] - 39:11</p> <p>STENOGRAPHICAL LY [1] - 1:19</p> <p>still [2] - 15:24, 33:17</p> <p>stipulated [2] - 30:19, 34:20</p> <p>stop [2] - 21:7, 21:11</p> <p>STRAIN [9] - 1:16, 23:11, 37:14, 37:16, 37:18, 37:20, 37:22, 37:24, 38:1</p> <p>subject [1] - 6:21</p> <p>subsequent [1] - 6:14</p> <p>sufficient [2] - 8:5, 9:18</p> <p>sufficiently [1] - 33:11</p> <p>suppose [1] - 32:23</p> <p>swear [3] - 20:13, 20:20, 22:8</p> <p>SWORN [1] - 3:2</p>	<p>35:19</p> <p>THE [1] - 1:2</p> <p>therefore [2] - 7:13, 7:21</p> <p>thinking [1] - 12:19</p> <p>third [1] - 14:25</p> <p>thirty [1] - 23:14</p> <p>three [1] - 15:25</p> <p>THURSDAY [1] - 1:6</p> <p>Tice [1] - 2:7</p> <p>TIME [1] - 1:7</p> <p>today [3] - 7:15, 15:16, 38:4</p> <p>together [2] - 6:6, 6:11</p> <p>tonight [5] - 4:3, 16:24, 22:9, 35:15, 36:19</p> <p>took [2] - 10:21, 33:21</p> <p>TOWNSHIP [1] - 1:1</p> <p>township [1] - 25:13</p> <p>transcript [8] - 5:9, 10:24, 18:20, 18:23, 18:24, 20:10, 29:9, 39:11</p> <p>TRANSCRIPT [1] - 1:3</p> <p>Treatment [10] - 14:2, 14:4, 14:8, 19:9, 19:23, 24:9, 24:14, 25:12, 25:14, 25:25</p> <p>treatment [7] - 14:17, 15:4, 15:5, 15:9, 15:13, 18:12, 19:6</p> <p>triangle [1] - 20:7</p> <p>tried [1] - 32:3</p> <p>true [1] - 39:10</p> <p>truth [3] - 22:10</p> <p>try [1] - 19:17</p> <p>trying [2] - 29:23, 29:24</p> <p>turn [1] - 4:8</p> <p>turned [1] - 6:25</p> <p>two [4] - 8:11, 9:16, 11:21, 20:17</p> <p>typical [1] - 10:5</p> <p>typo [1] - 7:13</p> <p>typographical [1] - 8:24</p>
S				
<p>satisfied [2] - 10:19, 35:18</p> <p>saw [1] - 27:5</p> <p>Schaechter [1] - 37:14</p> <p>SCHAECHTER [5] - 1:12, 35:23, 36:2, 37:8, 37:15</p> <p>screen [2] - 20:2, 20:24</p> <p>screw [1] - 25:23</p> <p>screw-up [1] - 25:23</p> <p>screwed [1] - 17:23</p> <p>scrivener's [1] - 7:12</p> <p>second [3] - 21:17, 27:13, 36:3</p> <p>seconded [2] - 36:5, 37:9</p> <p>secondly [2] - 8:6, 10:3</p> <p>Secretary [1] - 1:16</p> <p>sections [1] - 20:10</p> <p>see [18] - 4:14, 5:8, 21:15, 21:18, 26:4, 26:11, 26:17, 29:25, 31:18, 31:19, 33:4, 33:15, 33:17, 34:4, 37:12, 38:6</p> <p>seek [1] - 9:14</p> <p>seeks [1] - 8:25</p> <p>seem [1] - 19:15</p> <p>sense [3] - 9:2, 11:11, 31:24</p> <p>set [1] - 22:1</p> <p>setback [4] - 6:12,</p>				
T				
<p>tables [1] - 32:9</p> <p>Technician [1] - 1:17</p> <p>Technologies [1] - 20:4</p> <p>tend [1] - 35:16</p> <p>terms [7] - 9:1, 10:15, 11:10, 15:20, 23:1, 24:22, 25:17</p> <p>test [2] - 33:3, 33:4</p> <p>tested [2] - 30:12, 32:24</p> <p>testified [1] - 33:1</p> <p>testimony [11] - 10:19, 22:9, 26:3, 27:7, 27:10, 27:23, 29:5, 30:2, 31:16, 35:11,</p>				
U				
<p>U.S [1] - 22:17</p> <p>ultimately [1] - 6:21</p> <p>unable [2] - 7:23, 7:24</p> <p>unclear [1] - 6:23</p> <p>under [3] - 9:4, 18:9, 32:22</p> <p>unfortunately [2] - 26:20, 33:20</p> <p>unmute [2] - 21:25,</p>				

<p>22:2 unquote [1] - 7:5 up [16] - 11:16, 12:24, 14:10, 15:20, 17:21, 17:23, 20:2, 20:24, 20:25, 25:23, 27:5, 29:9, 30:12, 32:6, 33:3, 33:6 uses [1] - 11:18</p>	<p>26:7, 26:11, 26:17, 27:4, 27:12, 27:22, 28:1, 28:22, 28:25, 29:17, 29:19, 30:7, 31:6, 31:12, 32:11, 32:19, 33:9, 33:14, 35:9, 35:16, 35:25, 36:4, 36:11, 36:15, 36:24, 37:2, 37:5, 37:9, 37:12, 38:2, 38:6, 38:12 welcome [3] - 5:1, 21:23, 35:8 WEST [1] - 1:24 WESTDYK [10] - 1:17, 4:17, 5:15, 21:5, 21:18, 21:22, 21:25, 26:21, 26:24, 27:3 wheel [1] - 29:21 whole [1] - 22:10 willing [2] - 11:13, 36:15 winds [1] - 12:24 Wiss [13] - 5:4, 5:19, 5:22, 20:12, 20:21, 22:5, 22:6, 22:16, 22:24, 23:8, 25:22, 27:7, 34:10 WISS [13] - 3:3, 5:24, 20:23, 21:9, 21:14, 21:17, 22:7, 22:12, 22:16, 23:12, 32:2, 35:2, 38:9 witness [3] - 5:5, 5:21, 14:8 WITNESSES [1] - 3:2 witnesses [2] - 4:12, 4:13 Woodcliff [1] - 2:7 word [4] - 7:1, 7:2, 7:20, 12:6 Works [10] - 14:2, 14:5, 14:8, 19:9, 19:23, 24:9, 24:14, 25:12, 25:14, 25:25 wrapped [1] - 11:16</p>	<p>yourself [2] - 21:25, 22:3</p>
V	Z	
<p>variance [15] - 6:9, 6:12, 7:18, 8:13, 9:3, 10:8, 11:19, 12:20, 31:4, 31:14, 31:15, 33:24, 34:4 various [1] - 25:2 verbatim [1] - 39:11 verify [3] - 20:12, 20:14, 20:17 versus [1] - 9:1 VIA [1] - 1:7 via [1] - 39:12 video [4] - 20:22, 21:7, 21:11, 21:16 view [1] - 13:4 virtual [1] - 20:13 VIRTUAL [1] - 1:4 VOICE [2] - 12:15, 12:22 vote [8] - 8:3, 8:5, 8:7, 8:21, 10:4, 12:12, 15:11, 36:19 voted [6] - 8:9, 9:21, 9:25, 12:10, 13:20, 16:2 votes [7] - 8:12, 10:6, 10:7, 11:20, 12:13, 15:25</p>		<p>zone [1] - 9:4 ZOOM [1] - 1:7 Zoom [3] - 20:25, 26:25, 39:12</p>
W		
<p>wait [6] - 12:17, 12:18, 21:17 waiver [1] - 31:15 ways [1] - 32:21 Weiss [3] - 14:24, 15:5, 38:1 WEISS [61] - 1:10, 4:1, 4:14, 4:20, 4:25, 5:10, 5:16, 5:22, 5:25, 6:2, 13:13, 13:16, 16:4, 16:16, 16:19, 17:9, 17:13, 17:16, 18:18, 18:22, 18:25, 19:7, 20:19, 21:3, 21:21, 21:23, 22:4, 23:8, 26:1,</p>	X	
	XIO 1731 [1] - 39:25	
	Y	
	<p>yard [5] - 6:11, 33:24, 34:4, 34:22, 35:5 year [3] - 6:8, 9:16, 9:17 years [4] - 9:16, 23:4, 23:7, 23:14</p>	