

**AGENDA
BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
NOVEMBER 24, 2020 8:00PM
VIRTUAL MEETING**

MIKE CURRAN
STEVE CLIFFORD
JAKE FLAHERTY
FRANK PANTALEO

GREGORY PEREZ
JEFF RUTOWSKI
JAMIE DEMARTINO

MEETING CONVENES

OPEN PUBLIC MEETINGS ACT COMPLIANCE STATEMENT

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

September 15, 2020

October 20, 2020

RESOLUTION #2020-07

APPLICATION #ZB 20-03

Blue Hill Estates

87 Louville Avenue

Block 712 / Lot 5.01

New Home

NEW APPLICATION

#ZB 20-04

Landmark AR Park Ridge, LLC

1 Sony Drive

Block 301 / Lot 1

Preliminary and final major site plan approval

Use Variance

Various Ancillary variances

BOARD DISCUSSION

ADJOURN

**BOROUGH OF PARK RIDGE
ZONING BOARD
NOVEMBER 24, 2020
VIRTUAL REGULAR MEETING MINUTES**

The Public Meeting of the Zoning Board of the Borough of Park Ridge was held virtually on the above date.

Chairman Flaherty stated that the meeting was being held in accordance with the Open Public Meetings Act.

Chairman Flaherty asked everyone to stand and recite the Pledge of Allegiance.

Roll Call:

Chairman Jake Flaherty	Present
Vice Chairman Frank Pantaleo	Present
Mr. Steve Clifford	Present
Mr. Mike Curran	Present
Mrs. Jamie DeMartino	Present
Dr. Gregory Perez	Present
Mr. Jeff Rutowski	Present

Also Present:

Board Attorney - Mr. William Rupp	Present
Board Secretary –	

Ms. Tonya Tardibuono	Present
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Mr. Gregory Polyniak –	Present
Board Engineer	
Neglia Engineering	

Brian Intindola –	Present
Board Traffic Engineer	
Neglia Engineering	

Joseph Burgis –	Present
Board Planner	
Burgis Associates	

Approval of Minutes

The minutes of September 15, 2020 were approved on a motion from Mr. Pantaleo, seconded by Mr. Rutowski, and carried by all members eligible to vote.

Mr. Nick Verderse, the applicant's Traffic Engineer from Dynamic Traffic, was sworn in by Attorney Rupp to offer testimony.

Mr. Verderse fielded questions from the Board as well as the following members of the public.

Nate Brown – 4 Duke Court, Park Ridge

Dawn McPartland – 85 Rivervale Road, Park Ridge

David O'Sullivan – Knoxville, TN

This application will be carried to the December 15, 2020 virtual Zoning Board of Adjustment meeting. Mr. Wolfson agreed to consent to an extension of time. No further notice will be required. The Zoom information for the meeting will be located on the Borough website.

A full transcript of the meeting, as prepared by Ms. Angela C. Buonantuono CCR, RPR, CLR of AB Court Reporting, LLC is attached to these summary minutes.

Board Discussion

No Board discussion took place

The meeting was adjourned on a motion from Dr. Perez, seconded by Mrs. DeMartino, and carried by all.

Respectfully Submitted,



Tonya Tardibuono

Resolution #2020-07
Application #ZB20-03
ZB 11-24-2020

BOROUGH OF PARK RIDGE
ZONING BOARD OF ADJUSTMENT
RESOLUTION

* * * * *

WHEREAS, BLUE HILL ESTATES, INC., WALTER JANOVIC and RAYMOND JANOVIC (hereinafter referred to as "Applicant"), being the owners of premises known as 87 Louville Avenue, in the Borough of Park Ridge, County of Bergen and State of New Jersey, said premises also being known as Lot 5.01 in Block 712 on the Tax Assessment Map for the Borough of Park Ridge, applied to the ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE (hereinafter referred to as "BOARD"), seeking rear yard and side yard setback variances with respect to a principal building and accessory garage, variances from the minimum driveway and accessory A/C setbacks, and existing lot size, width and depth non-conformities so as to permit the construction of a new one-family house on the subject property; and

WHEREAS, the premises are located in an R-10 One-Family Residential Zoning District as same is defined by the Zoning Ordinance of the Borough of Park Ridge; and

WHEREAS, the BOARD has received the exhibits and documents with respect to this application as more particularly set forth on the list attached hereto and made part hereof; and

WHEREAS, the BOARD held a hearing in connection with the application, upon due notice as required by law, on October 20, 2020; and

WHEREAS, the BOARD has carefully considered the application and all evidence and testimony submitted in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE that the BOARD hereby makes the following findings of fact and conclusions:

1. Applicant is the owner of premises located at 87 Louville Avenue in the Borough of Park Ridge, also known and designated as Lot 5.01 (formerly Lots 5 and 6) in Block 712 on the Tax Assessment Map of the Borough of Park Ridge.

2. The premises are located in the R-10 One-Family Residential Zoning District at the corner of Louville Avenue and Branton Street. The premises have a width of 75' (minimum of 85' required), a lot depth of 112.5' (120' required) and a lot area of 8,437.5 sq. ft. (minimum of 10,000 sq. ft. required).

3. Former Lot 5 is currently improved with three shed structures. Former Lot 6 is currently improved with a shed and two 1 ½ story frame buildings. In addition, there are two shed structures located within the public right-of-way of Branton Street.

4. The subject premises were the subject of a prior application to construct a new two-family residential building. Said application was denied pursuant to a resolution dated December 17, 2019 (Resolution ZB 2019-12). From the Deeds and Tax Records submitted in evidence in connection with the prior application, former undersized Lots 5 and 6 were under the common ownership of Theodore Lentz and Colleen Lentz,

husband and wife. After the deaths of both prior owners, the Estate of Colleen Lentz sold Lot 5 to Walter Janovic and Raymond Janovic as joint tenants with right of survivorship, and lot 6 to Blue Hill Estates, Inc. by separate deeds dated March 23, 2018, and recorded on April 14, 2018 in the Office of the Bergen County Clerk. No subdivision was obtained at the time of the above sales. Under the merger doctrine enunciated in *Loechner v. Campoli*, 49 N.J. 504, 231 A.2d 553 (1967); see also *Jock v. Zoning Bd. of Adjustment*, 184 N.J. 562 (2005), the BOARD found that a merger of the two lots had occurred during the period of common ownership despite the fact that such lots were designated as separate tax lots on the tax map and tax records of the Borough of Park Ridge. The current application recognizes such merger and has combined said lots into Lot 5.01.

5. As a result of the prior application, the BOARD found that, although both structures have bathrooms, kitchens and bedrooms, they are in need of extensive repairs and renovations to render same suitable for occupancy. The shed structures and fence are in disrepair. The premises are littered with debris and overgrown vegetation.

6. The existing 1 ½ story structure to the rear of the property has a building coverage and floor area of 1,067 sq. ft. and is set back 7.6' from Branton Street (25' required), 17.9' from the southerly property line and 35.3' from the westerly property line. The existing 1 ½ story structure to the front of the property has a building coverage and floor area of 753 sq. ft. and is set back 8.5' from Louville Avenue, 5.2' from Branton Street. The total existing building coverage, including the shed structures, is 2,449 sq. ft. (29%) (maximum of 20% permitted). The total existing impervious surface coverage is

29.56% (maximum of 40% permitted). The existing floor area and F.A.R. is 1,820 sq. ft. (21.57%) (maximum of 30% permitted).

7. The Applicant proposes to demolish and remove all existing structures and debris from the premises and construct a new 2-story, one-family dwelling and a detached garage.

8. According to the revised plans, last revised 8/12/2020, and the testimony of Applicants' architect, Albert Dattoli, the proposed one-family dwelling will have a building coverage of 1,246 sq. ft., and dwelling widths of 35 feet (46%) along Louville Avenue and 35.5 feet (31.6%) along Branton Street (maximum of 65% permitted). The detached garage will have a building coverage of 441 sq. ft. The total building coverage including the proposed dwelling and detached garage is 1,687 sf. ft. (20%) (maximum of 20% permitted). The proposed dwelling has a floor area of 2,492 sq. ft. and a floor area ratio of 29.5% (maximum of 30% permitted or 3,333 sq. ft.). The total impervious coverage, including the dwelling, detached garage, patio, walkways, and driveway pavement is 3,332 sq. ft. (39.5%)(maximum of 40% permitted). The proposed dwelling (not including the permissible 2 ft. encroachments for the chimney and front door canopy) would be set back 25' from Louville Avenue and 25 feet from Branton Street (25' each required); 15' from the westerly rear lot line (35' required), and 52 feet from the southerly side property line (15' required). The proposed detached garage is set back 21' from the principal structure (10' minimum required), 10 feet from the side and rear property lines (20' feet each required) and 44 feet from the front lot line along Branton Street. The proposed driveway is located 3 feet from the southerly side property line

(minimum of 5' required). The proposed A/C unit would be located within the rear yard and 12 ft. from the westerly rear lot line (15 feet required). The proposed patio would be set back 27.5 feet from the westerly rear lot line and 39.5 feet from the southerly side lot line.

9. Based on the foregoing, the Applicant requires variances from the side and rear yard setback of the garage, the rear yard setback of the principal building, the setback of the A/C unit and the setback of the driveway. In addition, since the Applicant is proposing to demolish all of the existing structures and is proposing new construction upon a non-conforming lot, variances are also required for lot width, lot depth and lot size.

10. During the hearing, the Applicant agreed to reduce the width of the driveway so as not to extend beyond the width of the garage. As a result, no portion of the driveway will be closer than 10 feet to the southerly side property line. In addition, the Applicant agreed to relocate the garage 10 feet closer to Branton Street thereby increasing the rear yard setback to 20 feet.

11. The BOARD discussed the possible relocation of the A/C unit. Section 101-21 prohibits A/C units within the front yards. The only other location is within the southerly side yard. Since an A/C unit cannot be located further than 5 feet from the principal structure, the relocation of the A/C unit into the side yards will interfere with the patio and side entrance doorway. Accordingly, the BOARD recommended, and the Applicant agreed, that fencing be provided along the westerly rear lot line to screen the

A/C unit from the adjoining property and that shrubbery be installed to screen the A/C unit from Louville Avenue.

12. The BOARD finds and concludes that by reason of the non-conforming and undersized lot area, lot width and lot depth, and the requirement for corner lots to have front yard setbacks along both streets, the permissible building envelop would measure only 15 feet wide by 72.5 feet deep and would not reasonably accommodate a one-family house. Moreover, the BOARD further finds that if the garage was attached to the principal building, the maximum F.A.R. of 30% would be exceeded. By reason of the foregoing, the BOARD finds and concludes that the strict application of the Zoning Ordinance with respect to lot size, lot width and lot depth, rear yard setback for the principal building, setback of the accessory A/C unit, and side yard setback for the garage would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the Applicant pursuant to N.J.S.A. 40:55D-70(c)(1) by precluding any reasonable development of the property.

13. The BOARD finds that the demolition of the two existing non-conforming residential buildings upon the subject premises and the construction of a new single-family residential building will advance the following purposes of the Municipal Land Use Law (N.J.S.A. 40:55D-2):

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare; ...
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment; ...

- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement; ...

14. The BOARD further finds that the proposed one-family residential use furthers the following residential goals and policies of the Borough of Park Ridge's Master Plan:

- A. To preserve the existing character of the residential neighborhoods in the Borough by encouraging development that is consistent with the existing densities and development patterns, ...
- B. To promote the continued maintenance and rehabilitation of the Borough's housing stock.
- C. To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations to serve the Borough and region.

Moreover, the demolition of the existing non-conforming use and the construction of a one-family residence is in furtherance of the Summary of Emergent Development Considerations in the Master Plan, as referenced in the 2019 Periodic Reexamination of the Borough Master Plan, adopted by the Park Ridge Planning Board on November 13, 2019, which provides that it "is the Borough's desire to maintain the existing character and scale of development throughout the municipality, particularly the single-family residential neighborhoods" and "a strong goal of the Borough is to protect the single-family districts from over development" and "from the threat of proposed multi-family development within established single-family districts."

15. By reason of the foregoing, the BOARD finds and concludes that the benefits from the granting of variances from lot size, lot width and lot depth, rear yard setback for the principal building, setback of the accessory A/C unit, and side yard setback for the garage so as to permit the construction of a new single-family residence to replace the

existing non-conforming use outweigh any detriment pursuant to N.J.S.A. 40:55D-70 (c) (2).

16. Applying the foregoing principles to the within application, and subject to the conditions hereinafter contained, the BOARD finds that a decision to grant the aforesaid variances to permit a new one-family dwelling on the subject premises within the R-10 Single-Family Residential Zoning District will not result in any substantial detriment to the public good nor will same impair the intent and purpose of the zone plan or Zoning Ordinance of the Borough of Park Ridge.

NOW, THEREFORE, BE IT RESOLVED BY THE ZONING BOARD OF ADJUSTMENT FOR THE BOROUGH OF PARK RIDGE, by virtue of the foregoing, and pursuant to the authority of N.J.S.A. 40:55D-70(c)(1) and (2), the BOARD does hereby grant the Applicant's requested variances from lot size, lot width and lot depth, rear yard setback for the principal building, setback of the accessory A/C unit, and side yard setback for the garage so as to permit the construction of a new single-family residence to replace the existing non-conforming use, as more particularly set forth in this resolution and as shown on the plans submitted to the BOARD, subject to the following conditions:

- A. The Applicant shall install fencing along the westerly rear lot line to screen the A/C unit from the adjoining property.
- B. The Applicant shall plant shrubbery, of such species, quantity and location as may be approved by the BOARD's Planner and Engineer, to screen the A/C unit from Louville Avenue.

- C. The Applicant shall submit revised plans to the BOARD's Engineer reducing the width of the driveway so as not to extend beyond the width of the garage so that no portion of the driveway will be closer than 10 feet to the southerly side property line.
- D. The Applicant shall submit revised plans to the BOARD's Engineer relocating the garage 10 feet closer to Branton Street thereby increasing the rear yard setback from the westerly rear property line to 20 feet.

Ayes: 7

Nays: 0

Abstentions: 0

Introduced by: Frank Pantalone

Seconded by: Steve Clifford

Approved: Jack Flaherty

Jack Flaherty
Chairperson

Dated: 11-24-2020

<p style="text-align: center;">EXHIBIT LIST</p> <p style="text-align: center;">BOROUGH OF PARK RIDGE ZONING BOARD</p>

APPLICANT: ZB 20-03

ADDRESS: 87 Louville Avenue

BLOCK: 712 LOT: 5.01

ZONE: R-10

EXHIBIT:	ITEM NO.	DATE:
Application	1	8/17/20
Owners Certification	2	8/17/20
Tax Certification	3	8/17/20
Certification of Applicant	4	8/17/2020
Survey	5	8/17/2020
Plans (dated 6/24/2020)	6	8/17/2020
Completeness Review Letter - Neglia Engineering	7	9/10/2020
Neglia Review Letter - Engineer	8	9/24/2020
Burgis Review Letter - Planner	9	10/16/2020
Proof of Publication	10	10/14/2020
Certification of Service (w/Receipts)	11	10/14/2020
200 Ft. List (8/10/2020)	12	10/14/2020

BOROUGH OF PARK RIDGE ZONING BOARD
COUNTY OF BERGEN - STATE OF NEW JERSEY

REGULAR MEETING FOR:
LANDMARK AR PARK RIDGE, LLC
BLOCK 301, LOT 1
1 SONY DRIVE
APPLICATION NO. ZB 20-04

VIRTUAL PUBLIC MEETING
TRANSCRIPT OF PROCEEDINGS

TUESDAY, NOVEMBER 24, 2020
COMMENCING AT 8 P.M.

BOARD MEMBERS PRESENT:

JAKE FLAHERTY, CHAIRMAN
STEVE CLIFFORD
MIKE CURRAN
JAMIE DEMARTINO
FRANK PANTALEO
GREGORY PEREZ
JEFF RUTOWSKI

ALSO PRESENT:

WILLIAM RUPP, ESQUIRE, BOARD ATTORNEY
GREG POLYNIAK, P.E., Board Engineer
JOSEPH BURGIS, P.P., Board Planner
BRIAN INTINDOLA, P.E., Board Traffic Consultant
TONYA TARDIBUONO, Board Secretary
STENOGRAPHICALLY REPORTED BY:
ANGELA BUONANTUONO, CCR, RPR, License No. 30X100233100

JOB NO. 21031
HUDSON COURT REPORTING & VIDEO 1-800-310-1769

1 A P P E A R A N C E S: (Via Video Conference)
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10
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1	I N D E X		
2	FOR THE APPLICANT:		
3	EXAMINATION BY ATTORNEY WOLFSON	PAGE	
4	BRETT SKAPINETZ, P.E.	13	
5	NICHOLAS VERDERESE, P.E.	82	
6			
7			
8			
9			
10	PUBLIC COMMENT:		
11	NAME	ADDRESS	PAGE
12	Nate Brown	4 Duke Court	65,72,79,112
13	Brian LaRose	64 Clairmont Drive, Woodcliff Lake	67,76
14	Dawn McPartland	85 Rivervale Road	70,111
15	Kriston DeGiovanni	229 Emily Drive	71
16	David O'Sullivan	12612 Bayview Drive, Knoxville, Tennessee	117
17			
18			
19			
20	E X H I B I T S		
21	EXHIBIT	DESCRIPTION	PAGE
22			
23			
24			
25			

1 CHAIRMAN FLAHERTY: Thank you,
2 everyone. And we can move into our new application
3 for this meeting. This is Application Number 20-04,
4 Landmark AR Park Ridge, LLC, 1 Sony Drive, Block
5 301, Lot 1, Preliminary and Final Major site plan
6 approval, Use Variance and various ancillary
7 variances.
8 Would the applicant please announce him
9 or herself?
10 ATTORNEY WOLFSON: Yes. Good evening,
11 Mr. Chairman, board members, board professionals.
12 Peter Wolfson of Day Pitney here on behalf of the
13 applicant.
14 CHAIRMAN FLAHERTY: Thank you,
15 Mr. Wolfson.
16 ATTORNEY WOLFSON: Before we get
17 started I would like to wish everyone a relaxing and
18 safe Thanksgiving.
19 CHAIRMAN FLAHERTY: Thank you. Same
20 to you.
21 ATTORNEY WOLFSON: If it pleases the
22 Board, may I proceed?
23 CHAIRMAN FLAHERTY: Yes, if you would,
24 please. Thank you.
25 ATTORNEY WOLFSON: Thank you very

1 much. So as the Chairman indicated, we are seeking
2 Preliminary and Final Major site plan approval
3 together with use and bulk variance relief.

4 This is relating to property located at
5 1 Sony Drive, which is designated as Lot 1 in Block
6 301 on your tax map.

7 The parcel is currently occupied by an
8 office building commonly known as the Sony building
9 and related site improvements such as parking,
10 lighting, landscaping, and stormwater management
11 improvements.

12 It is located in the ROL zone. And it
13 is one of three separate lots, together with Lot 1,
14 Block 3302 in Montvale and Lot 2, Block 204 in
15 Woodcliff Lake, that constitute the overall Sony
16 tract. In the past these lots were developed and
17 used together for the Sony office use.

18 Going forward, they are not proposed to
19 operate as a single development site. No
20 improvements are proposed in the future on the
21 Woodcliff Lake site.

22 The applicant received approval for
23 preliminary and final site plan and variance relief
24 from the Borough of Montvale planning board by
25 resolution dated August 20th, 2019, to construct an

1 inclusionary residential development on the Montvale
2 lot.

3 In this application the applicant is
4 seeking approval for an access drive through the
5 subject parcel to support the development and use of
6 the Montvale affordable project on the Montvale lot.

7 We seek the approval of certain limited
8 improvements in conjunction with the drive to
9 delineate the drive, as well as to deal with
10 stormwater management and to help stabilize the site
11 with the impending demolition of the building. That
12 demolition is imminent and should be taking place
13 very soon.

14 On the plan before you, the applicant
15 was proposing to remove significant portions of the
16 parking field. The proposal now is in response to
17 the board engineer's suggestion to keep the parking
18 lot and related curbing at this time as it is felt
19 that these improvements better allow the applicant
20 to maintain drainage patterns on the property.

21 Certain utilities, sewer, water,
22 electric, are proposed to be installed through
23 Block 304, Lot 1 to service the Montvale
24 development. That lot is owned by the Borough of
25 Park Ridge. The applicant is seeking Use Variance

1 relief to permit the driveway use on the Park Ridge
2 lot, as I said earlier, to support the proposed
3 multifamily residential use of the Montvale lot,
4 which use is not permitted in the ORL Zoning
5 District, hence the need for the Use Variance.

6 In the application initially filed with
7 this board, the applicant proposed to retain the
8 existing office building, which would have
9 precipitated a parking variance. Now that the
10 proposal is to demolish the building, a parking
11 variance is no longer necessary.

12 As you're probably aware, the applicant
13 had been seeking inclusion in Park Ridge's Fair
14 Share Housing Plan as an affordable housing
15 inclusionary site. Last evening the Park Ridge
16 mayor and council approved a settlement of the
17 affordable housing litigation, which includes this
18 site in its plan, and calls for the development of
19 the site as an inclusionary multifamily development.

20 Additionally, that settlement agreement
21 explicitly permits the utility connection I referred
22 to into Lot 1.

23 Before I go further I would like to
24 acknowledge our receipt of a number of review memos
25 and Park Ridge agency comments. And if I can, for

1 the record, refer to those: The first is the police
2 report which I received -- we received from Tonya by
3 e-mail, dated November 12th, 2020.

4 Next is the fire report, also an e-mail
5 from Tonya by date of Thursday, November 12th. We
6 also received the Borough utility review by an
7 e-mail from Tonya on Friday, November 13th.

8 We are in receipt of two engineering
9 review memos, one with a last revised date of
10 November 9, 2020, and another with a revised date of
11 November 13, 2020. The subsequent revised one is
12 the one to which we will refer when we're talking
13 about your engineer's review letter. We also
14 received Burgis Associates planning review
15 memorandum dated November 12, 2020.

16 In your engineer's review letter he
17 requested that we respond in writing to the issues
18 and comments in his report. We did that by a letter
19 that was submitted to Tonya. We will walk you
20 through those responses in our testimony from our
21 three witnesses.

22 The board planner's review letter
23 identified certain bulk relief which is related to
24 existing conditions on the Park Ridge lot and which
25 will remain unchanged as part of this application.

1 While the parking lot will not function as a parking
2 lot, your planner calls out certain parking area
3 requirements as set forth in Section 101-23: "No
4 part of any driveway shall be located nearer than 10
5 feet to any other driveway on an adjoining parcel,
6 nor shall more than one driveway be located closer
7 than 40 feet to another driveway on the same site
8 measured from the closest edge of any two
9 driveways."

10 Another point he lays out is no
11 driveway shall be located nearer than five feet to
12 any property line measured from the closest edge of
13 the driveway to the property line.

14 As a result of the integrated nature of
15 the parking field through both municipalities that
16 are developed, these things were conditions that
17 were sanctioned with the original approval of the
18 Sony building. And, again, they are moot in
19 practicality by the fact that the parking field will
20 no longer function as that, but we note that they
21 were called out by your planner and if they are
22 considered technical variances, then we seek them.

23 Additionally, arguably because we are
24 now proposing to keep the parking lot, certain
25 parking area landscape requirements as set forth in

1 Section 101-61 may technically apply. However these
2 improvements are existing and will remain unchanged.
3 The parking lot will not be used in connection with
4 any use on the property.

5 Additionally, arguably because we are
6 now proposing to keep the parking lot, certain
7 buffer requirements set forth in Section 101-63 c(2)
8 may apply. However those improvements are existing
9 and may remain unchanged.

10 In light of the settlement approved
11 last night, the Borough will be expeditiously
12 rezoning and the applicant will be back in with a
13 site plan to your board thereafter, sitting as the
14 planning board. With a settlement and demolition of
15 the building, the site will be stabilized until
16 those steps are complete.

17 One additional point referenced by
18 Mr. Burgis in his memo was a possible issue with
19 disturbance of steep slopes. Our engineer will give
20 testimony on that issue to the extent that relief is
21 not necessary.

22 With me tonight I have three witnesses,
23 Brett Skapinetz of Dynamic Engineering, the project
24 engineer. He will give us an overview of the
25 property and orientation to the surrounding area and

1 lead us through the proposed access way
2 improvements.

3 Next is Nicholas Verderese of Dynamic
4 Traffic, the project traffic engineer. And he will
5 discuss the access and traffic improvements.

6 Finally, Paul Phillips, of Phillips
7 Preiss, who is our project engineer [sic], will
8 provide testimony supporting the variance relief
9 requested.

10 With that I would like to call
11 Brett Skapinetz as our first witness.

12 CHAIRMAN FLAHERTY: Mr. Wolfson, if
13 you would, please, you mentioned -- can you just
14 make sure that I and the Board members are
15 completely clear on the Use Variance that is being
16 pursued.

17 ATTORNEY WOLFSON: Yes. Your planner
18 has called out a Use Variance relative to the fact
19 that, especially with the demolition of the
20 building, the only function for the site will be
21 access to the Montvale project.

22 With the settlement last night, there
23 will be further development but that's not part of
24 the application tonight. So because the access way
25 is serving a multifamily development in Montvale and

1 that multifamily use is not permitted in the zone in
2 Park Ridge, within which our lot is located,
3 Mr. Burgis has deemed a Use Variance necessary and
4 we are proceeding to provide testimony in support of
5 that.

6 CHAIRMAN FLAHERTY: Thank you.

7 ATTORNEY WOLFSON: Thank you.

8 CHAIRMAN FLAHERTY: Now, who are you
9 calling now?

10 ATTORNEY WOLFSON: Brett Skapinetz,
11 our engineer.

12 CHAIRMAN FLAHERTY: Okay. Mr. Rupp,
13 will you take it from here, please?

14 ATTORNEY RUPP: Yes. Mr. Skapinetz,
15 would you please raise your right hand.

16
17 B R E T T S K A P I N E T Z, P.E.,
18 is sworn.

20 ATTORNEY RUPP: Please state your
21 name, spell your last name and give your address.

22 THE WITNESS: Sure. My name is
23 Brett Skapinetz. Last name is S-K-A-P-I-N-E-T-Z.
24 And my business address is 245 Main Street, Suite
25 110, Chester, New Jersey.

1 EXAMINATION

2 BY ATTORNEY WOLFSON:

3 Q. Brett, can you provide us with your
4 education, professional and licensure background.

5 A. Sure. I have a bachelor of science
6 degree in civil engineering from Rutgers University.
7 I am a licensed professional engineer in the State
8 of New Jersey, license still current.

9 I have testified before probably over
10 150 different planning and zoning boards in the
11 State of New Jersey on various land use applications
12 similar to this.

13 This is my first time in Park Ridge, so
14 thank you for having me. And obviously I was the
15 Engineer of Record for the development in Montvale,
16 so I'm fully familiar with the development of that
17 project.

18 Q. Thank you. Can you lead us through
19 existing conditions and proposed conditions? And I
20 believe you're going to refer to some exhibits?

21 A. Yes. Let me just check. If I can
22 have -- my screen sharing is disabled, so if I can
23 gain permission for that?

24 BOARD SECRETARY: We actually are not
25 allowed to do that, so if you give me a second, I

1 will put the plans up for you.

2 THE WITNESS: That's fine. If you
3 could put Sheet 1 of the four-page set that was
4 submitted, the demo plans. So we submitted demo
5 plans. It was a four-page set for this evening.
6 They're dated October 16th, 2020.

7 And you will see in that -- this is the
8 first sheet of that set. This essentially shows the
9 demolition of the portions of the property within
10 Park Ridge, the parcel within Park Ridge.

11 But let me take a quick step back. As
12 Mr. Wolfson went through his introduction, there is
13 essentially three main points to the application
14 here (transmission interference) from a site civil
15 side.

16 Number one, we're looking at the
17 demolition of the building and associated
18 improvements, which I'll provide some more detail on
19 in a moment. There is the driveway that actually
20 currently exists coming into the site off of Sony
21 Drive. And you can see that towards the top of the
22 page. The orientation of this plan has the Parkway
23 off the page to the left --

24 UNIDENTIFIED SPEAKER: It's in Park
25 Ridge, though, the road that they want to use.

1 THE WITNESS: I'm sorry?

2 CHAIRMAN FLAHERTY: If everyone can
3 mute themselves, please.

4 THE WITNESS: So in the top of the
5 page at the very center is Sony Drive coming in from
6 the top. And below that --

7 CHAIRMAN FLAHERTY: Kerry, can you
8 mute yourself? Thank you. Go ahead.

9 THE WITNESS: Okay. You will see just
10 below that area between the areas in red and where
11 Sony Drive is coming in from the top, you will see
12 an area with an -- it looks like an area in gray
13 with an L on its side.

14 That is the area that is in question
15 with respect to the Use Variance. When we enter the
16 site and the property, the intention for the
17 Montvale development that was approved is to utilize
18 the existing access drive entering into the site,
19 making a right-hand turn and proceeding up the hill
20 towards Montvale.

21 It's an existing drive aisle as part of
22 the existing parking lot that is there today. There
23 would be some slight improvements. The rehab of
24 some curbing, the addition of sidewalk on the north
25 side of that driveway to connect to the existing

1 sidewalk that enters into the site off of Sony
2 Drive. And that sidewalk will then lead into
3 Montvale, the Montvale development. And then some
4 utility work within that area. That is it. So that
5 is the second primary focus.

6 And then I just mentioned utilities,
7 that's the third main piece. Above that L you will
8 see -- and then to the left of Sony Drive, there is
9 a triangular-shaped piece that forms the corner of
10 Sony Drive and that entrance drive that I mentioned
11 leading to the Montvale development. And that is
12 the Block 304, Lot 1, as mentioned by Mr. Wolfson,
13 that we are intending to place our sanitary sewer
14 and water services from the proposed Montvale
15 development to connect to existing utilities within
16 Sony Drive. We would be connecting to Suez Water
17 and Montvale sewer utilities through there. And I
18 will be go into a little more detail on that in a
19 moment as well.

20 CHAIRMAN FLAHERTY: I just want to
21 make sure I'm seeing what you're talking about.
22 This is up? So when you say "that upside down L,"
23 sort of the L that's on its side?

24 THE WITNESS: Maybe if you could zoom,
25 Tonya, if you could Zoom into the top middle of the

1 page?

2 CHAIRMAN FLAHERTY: Straight up, if we

3 went up Sony, there's that gray triangle. Is that

4 what you're talking about?

5 THE WITNESS: Yes, if you could zoom

6 in a little bit more. One more shot. That will be

7 perfect.

8 So, yes, now you see more clearly the L

9 on its side in gray. That's the drive aisle. And

10 just above that you will see a triangular shape

11 piece of property with the right-hand side being

12 Sony Drive. The left-hand side, the longer angle of

13 the triangle being the parking lot for Lifetime

14 Fitness.

15 And you will see a bunch of circles in

16 the middle of it, maybe about 10 or 11 of them. And

17 that is the triangular-shaped piece that is Lot 1 of

18 Block 304 which is the Township-owned -- the Park

19 Ridge-owned piece.

20 CHAIRMAN FLAHERTY: So that's not

21 shaded in. I see what you are saying.

22 THE WITNESS: Right, that's not shaded

23 in. Our intention is to bring utilities alongside

24 of that triangle, running parallel with the parking

25 spaces that are part of Lifetime Fitness facing

1 head-in towards that triangle and to run the sewer

2 and water utilities to connect to Sony Drive.

3 And the reason why we're doing that is

4 because to run the sanitary sewer -- and that is the

5 main issue -- to run it down the proposed entrance

6 drive and then to make the right-hand turn to

7 connect into Sony, there's the crossing of a couple

8 different storm lines. And there's other utilities

9 in the area that creates a conflict that we can't

10 run the sanitary pipe in a proper fashion to have

11 the correct capacity for the development -- for the

12 proposed development.

13 So we found the solution to try and run

14 that pipe in that direction through the

15 triangular-shaped piece. We would propose to have

16 easements for the sewer and water that will be

17 maintained by the developer.

18 MR. RUTOWSKI: Is that triangular

19 piece undeveloped at this point or is it vegetated?

20 THE WITNESS: It is vegetated. We

21 took a further look at it. In your engineer's

22 letter there was some concern about the removal of

23 trees in order to put in those sewer and water

24 lines.

25 We took a further look at it and it

1 looks to be one tree, one existing mature tree would

2 need to be removed. And that would be actually

3 along our drive aisle on the Park Ridge portion of

4 the Sony development would need to be removed.

5 And it looks like there would be a

6 couple -- maybe a few shrubs and a couple more

7 recently planted street trees that may have been

8 done as part of Lifetime Fitness that more than

9 likely can be removed and put back in place for the

10 construction of the line.

11 But like I said, one mature tree. The

12 majority of the mature trees fall on the corner with

13 Sony Drive and the internal entrance aisle and do

14 not need to be disturbed as part of the construction

15 of those lines.

16 MEMBER RUTOWSKI: I appreciate that.

17 Mr. Rupp, I just wanted to just clarify what, you

18 know, my role is in the town with the utility

19 department. Should I disclose that at this point?

20 ATTORNEY RUPP: Yes. Yes, please do.

21 MEMBER RUTOWSKI: Okay. Thank you.

22 I'm Jeff Rutkowski. I'm on the utility

23 board in town. I was appointed and I volunteer my

24 time. I just wanted to disclose that to the

25 applicant.

1 And Mr. Pantaleo also is on the utility

2 board in town. Now that we're talking about

3 utilities, I just figured it would be a good time to

4 disclose that.

5 THE WITNESS: Okay.

6 MEMBER RUTOWSKI: Thank you.

7 THE WITNESS: Thank you.

8 And so with that, you can zoom back

9 now, Tonya. So the last part is the demolition.

10 And this plan shows, currently shows demolishing the

11 existing building, the improvements around the

12 building. And we're showing in red disturbance and

13 removal of the paving and curbing of the parking

14 lot.

15 We did review your engineer's review

16 letter, as Mr. Wolfson noted, I spoke to

17 Mr. Polyniak actually before this meeting the other

18 day and went through his letter with him. And I do

19 agree with him, you know, in order to try to

20 maintain existing drainage patterns, it will be

21 easier to do so while keeping the existing paving of

22 the parking lot and curbing that surrounds the

23 existing parking areas, which helps to direct

24 currently stormwater to the existing inlets that are

25 in that lot. And ultimately that stormwater

1 discharges to the existing detention basin that is
 2 just to the north of the Sony building that is
 3 intended to remain.
 4 MEMBER RUTOWSKI: I have a question
 5 concerning the drainage issue that you just brought
 6 up, and I appreciate it.
 7 The previous applications of this
 8 property showed a very large retention basin on the
 9 Montvale property with the additional inlets to be
 10 constructed on the Park Ridge property connecting to
 11 a pipe that drains somewhere and that clarity where
 12 the pipe discharges was never clear to me.
 13 THE WITNESS: Okay.
 14 MEMBER RUTOWSKI: So I have a
 15 question. Will the Montvale development include a
 16 retention basin on their property and will that pipe
 17 transverse and go on Park Ridge property, and will
 18 that Montvale water go into a retention basin which
 19 is on Park Ridge property?
 20 Because I have concerns about capacity
 21 with overdevelopment of the property.
 22 THE WITNESS: Right.
 23 MEMBER RUTOWSKI: And there's a point
 24 of fact that I saw on previous applications it was
 25 called out very clearly. Now it's just a little bit

1 muddled, from my understanding.
 2 THE WITNESS: That's a very good
 3 question. So from a stormwater standpoint, let's
 4 start from the top of the hill and work on your way
 5 down.
 6 Currently this site essentially drains
 7 from the southwest corner of the site and it drains
 8 towards the northeast corner of the site. And you
 9 can see in this exhibit our north arrow in the upper
 10 right-hand corner.
 11 So generally speaking, that's the way
 12 that stormwater flows. Water today goes from,
 13 within the parking lot, goes to existing inlets,
 14 goes into piping underneath the parking lot and then
 15 connects to a -- there's a 48-inch pipe that runs
 16 from the northwest corner of the property.
 17 So between the parking lot and the
 18 northwest corner and Lifetime Fitness, there is
 19 essentially a depression that is located there on
 20 the property line between the Montvale portion of
 21 the Sony property and Lifetime Fitness.
 22 And that depression connects to a
 23 48-inch pipe which runs in essentially an
 24 east-southeast direction and connects to the
 25 detention basin that is just north of the Sony

1 building that exists out there today.
 2 So as part of the design for the
 3 Montvale development, we looked at it solely
 4 independent as if there was no -- to provide no use
 5 or we weren't -- as if we were not able to utilize
 6 the Park Ridge basin just north of the Sony
 7 building.
 8 We designed that site on Montvale to
 9 act completely independent. And it does have its
 10 own stormwater detention basin that collects
 11 stormwater from that development, the building and
 12 the surrounding parking lot improvements, collects
 13 that stormwater, brings it to that basin, detains it
 14 in accordance with the current stormwater management
 15 rules of the state and rules of Montvale.
 16 That basin has been approved by
 17 Montvale. It's also been approved by soil erosion
 18 and sediment control. Reduces runoff rates from
 19 Montvale as it currently exists today and discharges
 20 that stormwater to that same 48-inch stormwater pipe
 21 that I mentioned that exists out there today.
 22 And ultimately that water will go to
 23 that basin north of Sony but, again, at a reduced
 24 rate from what's happening today.
 25 MEMBER RUTOWSKI: Does the Sony

1 retention basin need to be redone --
 2 THE WITNESS: No.
 3 MEMBER RUTOWSKI: -- because there was
 4 one report that was in the previous application, I'm
 5 not sure if it's applicable, but the basin was
 6 assessed for retention. And there was even a fee,
 7 approximately less than \$2,000 a year to do
 8 maintenance.
 9 And this caught me by surprise to say
 10 it was hasn't been maintained in years and now we
 11 are going to go ahead and dump additional water
 12 potentially into it. It just didn't seem like it
 13 was adding up. And to that point, that's just my
 14 statement. That's okay.
 15 But are you contributing any additional
 16 water in a runoff scenario, any other additional
 17 water that is going to be contributed to the Sony
 18 basin, the retention basin?
 19 THE WITNESS: No. We are reducing
 20 runoff rates in accordance with the current
 21 stormwater rules on the Montvale side. And that
 22 stormwater does connect to that basin but, again, it
 23 meets all of the current standards that are out
 24 there today for its design.
 25 To your point on maintenance, you know,

1 that basin, obviously when we are -- you know, we're
2 doing demo, there will be some minor clearing and so
3 forth outside of the basin, but we do not intend --
4 we do not expect any negative impact on that basin
5 that exists out there today.

6 MEMBER RUTOWSKI: I have a question I
7 will reserve for later regarding traffic flow with
8 your expert concerning access to the building for
9 fire response, the side of the building facing that
10 deep basin on the Montvale property, but I'll put
11 that to the side for the time being only because it
12 deals with queuing up of fire response vehicles on
13 the access road which you're asking for potentially.

14 But to move on, I had a question
15 concerning are there any areas that are impervious
16 now that are not impervious, that you are going to
17 be adding to make them impervious, on the Montvale
18 property that will contribute more stormwater to
19 your retention basin which will eventually feed into
20 a pipe on Park Ridge property.

21 THE WITNESS: Right. Well, Mr.
22 Rutkowski, actually there's two things. Your first
23 point to traffic and the fire vehicles I will answer
24 but let me, since we're sticking on stormwater,
25 we'll stick to that.

1 MEMBER RUTOWSKI: Okay.

2 THE WITNESS: The answer is yes, there
3 are areas to the west of the existing parking lot
4 that is part of this Sony development in Montvale
5 that we are -- that is currently green and we are
6 creating more impervious surface on.

7 And that is the reason why we are
8 proposing that basin on the Montvale -- as part of
9 the Montvale development to detain and control and
10 discharge the runoff as we are -- as we should for
11 any proposed development that increases impervious
12 coverage. We are doing so and have made sure that
13 those rates are less than what's coming off the
14 current property today. Okay?

15 With respect to your question on fire
16 access, that is a very good point and one that was
17 brought up by Montvale which led us to, in the
18 Montvale plans you will see not only is there this
19 access, the main access drive that I described
20 earlier that is shaded in the gray, the L on its
21 side, but in the Montvale plans further to the
22 southwest, there is an emergency access drive that
23 we were asked to put in for that very reason, Mr.
24 Rutkowski. There was concern about the backup of
25 vehicles and there being only one entrance and

1 Montvale wanted to have a secondary access to the
2 Montvale development.

3 So in the plan there is an emergency
4 access flow where bollards -- there has bollards and
5 a chain that would have a lock that would be
6 controlled by fire personnel, emergency personnel to
7 be able to unlock it and gain access.

8 So that way regular residents of the
9 building could not utilize it on a routine basis.
10 And that is a secondary access that would connect to
11 the existing parking lot as well.

12 MEMBER RUTOWSKI: Just on the topic of
13 fire access, because it was brought up and I got a
14 lot more detail than I expected and I appreciate
15 that, truly. I was just surprised in the previous
16 application less than 50 percent of the building
17 that's proposed on Montvale fronted a road which is
18 required by code.

19 Has that changed or did Montvale accept
20 that fire trucks can't access more than 50 percent
21 of the frontage of the building?

22 And the reason why I'm asking once
23 again is for use of Park Ridge property for queuing
24 of fire trucks especially if we can't respond to
25 Montvale residents that are on the far side of the

1 building that can't be rescued due to a fire. It's
2 about queuing more than anything.

3 So did Montvale accept that less than
4 50 percent of the frontage of the building was
5 acceptable or accessible, I should say, for fire
6 apparatus? Because I think that's code, isn't it?

7 THE WITNESS: Montvale did. Montvale
8 has accepted these plans. Montvale Fire has
9 accepted these plans. In fact, we actually created
10 a couple -- we had a couple different iterations of
11 the layout of this building and the modifications
12 were made solely to accommodate fire.

13 For instance, that basin that's shown
14 in the approved plans, is now on the north side of
15 the building. It was previously shown on the west
16 side of the building which precluded fire from being
17 able to get around that side adequately in their
18 minds and put ladders to that side of the building
19 and so forth.

20 So the answer to your question is it's
21 been fully vetted by Montvale Fire and approved this
22 way.

23 MEMBER RUTOWSKI: There were two
24 retention basins, I believe, in the previous
25 application, wasn't there?

1 THE WITNESS: Yeah. We had a portion
2 of it underground on the left side or the west side
3 and then we had a smaller open basin in the north.
4 MEMBER RUTOWSKI: So the north side is
5 now removed and now there's an access road?
6 THE WITNESS: No. The west side is
7 removed and now the north is just the basin.
8 MEMBER RUTOWSKI: And once again, I'm
9 just concerned about queuing of fire apparatus to
10 rescue Montvale residents in that building while
11 Park Ridge residents potentially, in the future
12 development, potentially would be blocked. That's
13 really the basis of my question. So, thank you.
14 THE WITNESS: No problem.
15 CHAIRMAN FLAHERTY: Just so I'm clear,
16 what is further to the west end of the parking lot?
17 I know ultimately it's the Garden State Parkway but
18 how far is it and what is over there?
19 You mentioned, I guess you are going to
20 pave more over there than is currently paved.
21 THE WITNESS: Yes. Correct. I mean,
22 the improvements to Montvale include the parking lot
23 as you see in the plan right now and then extend
24 further to the west to a point before the edge of
25 the Parkway.

1 CHAIRMAN FLAHERTY: So is there any
2 way to get access from the Parkway to have an
3 opening there, to have an entrance from there?
4 THE WITNESS: No. There are just some
5 grading issues there. That was also something that
6 was requested and talked about during the process
7 and review of Montvale. And we do not have an
8 access point proposed to there in the plan, no.
9 CHAIRMAN FLAHERTY: I mean, I know
10 it's not proposed there. Is that something -- is it
11 because it cannot be done or was it something that
12 was not looked into?
13 THE WITNESS: It was looked into. It
14 was discussed with the Parkway. We actually went
15 through it with the Parkway and we actually
16 discussed it with the emergency personnel in
17 Montvale. And it was deemed that was not necessary
18 to have that there. Also, again, because there are
19 some grading issues, there's steeper grades that
20 exist between the Parkway and this site along that
21 frontage.
22 But the ability to provide the two
23 access points, the secondary one I mentioned before
24 just a bit to the south of -- as shown on this plan,
25 I'm just trying to see, there's along the bottom you

1 will see a left-to-right area of -- just almost
2 looking where the existing building is, if you drew
3 a straight line to the left, right where that
4 sidewalk kind of runs right through the parking lots
5 and connects all the parking lots to the building,
6 it's at about that location where we show a
7 secondary access point off the Montvale development
8 connecting into this existing parking lot within
9 Park Ridge for emergency personnel to access the
10 back end of the Montvale development.
11 CHAIRMAN FLAHERTY: As I'm looking at
12 the screen, it's all the way to the left?
13 THE WITNESS: Right. Correct.
14 CHAIRMAN FLAHERTY: Okay. How do they
15 get to that?
16 THE WITNESS: They would drive -- so
17 if we can move the screen just a little bit so we
18 can see Sony Drive. If they're coming in off Sony
19 Drive, they could just drive straight through. They
20 would drive straight ahead towards the back of the
21 parking lot and enter into that secondary access
22 drive.
23 If you drive straight down towards the
24 bottom of the page, if we move down along that
25 exhibit, maybe we can -- if we can move that so you

1 can see the bottom. Yes, right there.
2 So if they drove straight ahead and
3 straight down and around, there is the loop road
4 around the exterior of the parking lot that's at the
5 bottom of the page, they would then be able to
6 traverse and get into that emergency access point.
7 CHAIRMAN FLAHERTY: So there is a road
8 that loops around the entire -- so then we come down
9 to I guess it would be the southwest corner and you
10 still continue, then you head east? I'm trying to
11 find where that is.
12 THE WITNESS: Do we -- Peter, do we
13 have -- I'm not sure there's this plan.
14 Do we have an exhibit that shows the
15 proposed development on Montvale as part of the list
16 of exhibits? I'm just wondering if that might make
17 it a bit easier.
18 ATTORNEY WOLFSON: I don't know if
19 that's in the submission. Nicole can let us know.
20 THE WITNESS: But generally speaking,
21 Mr. Chairman, if we go from, again the top, and we
22 work our way along that drive aisle heading from the
23 top of the page to the bottom and then moving over
24 along that bottom drive aisle, you would then have
25 the -- emergency vehicles would be able to enter

1 into the parking lot at a location where they could
 2 then access the secondary emergency access drive
 3 that is proposed to connect to the southern or
 4 bottom half of the Montvale development.
 5 ATTORNEY WOLFSON: Right. In
 6 answering your question there is a full set of the
 7 development plans available. I don't know if Tonya
 8 can access those.
 9 THE WITNESS: There you go. Perfect.
 10 ATTORNEY WOLFSON: You're the best,
 11 Tonya.
 12 THE WITNESS: If you can go to -- if
 13 you can go to Sheet 5. It's taking a bit to load
 14 up.
 15 BOARD SECRETARY: We have to go to
 16 Sheet 5, you said?
 17 THE WITNESS: Sheet 5, yes.
 18 BOARD SECRETARY: We're on Sheet 5,
 19 but I don't know how long it's going to take to
 20 load, so...
 21 THE WITNESS: You know what -- yeah,
 22 if you want to wait a couple of seconds. There you
 23 go.
 24 Okay, so for the purposes of
 25 discussion, this is -- this is Sheet Number 5 of the

1 approved site plan that is dated July 10th, 2018,
 2 with a last revision date of October 27th, 2020.
 3 So same configuration as the other
 4 exhibit. You can see the Sony building off to the
 5 right-hand side. Sony Drive is up to the top. So
 6 you will see the proposed building, which is like a
 7 number nine reversed. And you will see just below
 8 it to the bottom right-hand corner of the building
 9 you will see a proposed access drive that connects
 10 from about where that circle is in the parking lot
 11 just to the bottom left -- bottom right of the
 12 building, you will see a highlighted or a more solid
 13 grayed out connection to the parking lot. That's
 14 the secondary emergency access drive.
 15 And so fire vehicles could enter --
 16 would enter in from Sony Drive, drive straight
 17 ahead, drive along the bottom and make sort of a --
 18 take a right-hand turn along the southern end of
 19 that loop road around the parking lot and traverse
 20 all the way around again, in a clockwise fashion,
 21 and get to that emergency drive.
 22 CHAIRMAN FLAHERTY: Okay. I guess
 23 there was -- they would go counter-clockwise, no?
 24 Counter-clockwise?
 25 THE WITNESS: Clockwise if you're

1 driving. Counter-clockwise if we're looking at the
 2 plan.
 3 MEMBER RUTOWSKI: No, it's clockwise.
 4 It's clockwise.
 5 CHAIRMAN FLAHERTY: Jeff, do you see
 6 this? Jeff?
 7 THE WITNESS: Maybe, Tonya, if you can
 8 zoom in a little bit.
 9 MEMBER RUTOWSKI: I can see it. I
 10 just had a question, though, so it's the -- the loop
 11 road is dependent on the development of the Park
 12 Ridge property in order for it to be functional,
 13 correct?
 14 THE WITNESS: No, there is no plan for
 15 the development of the Park Ridge property at this
 16 time. At this time we are utilizing the existing
 17 configuration of the parking lot and the access
 18 drive, number one, the access drive for the short
 19 section to make the connection, the main connection
 20 to the Montvale development.
 21 And then secondarily, utilize the
 22 access drive that is existing out there today to
 23 connect to this secondary access drive we were just
 24 talking about.
 25 However, under future development,

1 those access points will need to be maintained. So
 2 they would be integrated to any future plan so that
 3 they continue to be accessed.
 4 MEMBER PEREZ: On the back side of
 5 this building you had said previously that there was
 6 an emergency entrance for vehicles. Where would
 7 that be on this particular schematic?
 8 THE WITNESS: Right. That's what I
 9 was just describing. See the circle to the bottom
 10 right of the proposed Montvale building? Do you see
 11 the traffic circle?
 12 MEMBER PEREZ: Yes.
 13 THE WITNESS: Just to the right of
 14 that. Do you see that there's a little --
 15 MEMBER PEREZ: I do but I must have
 16 misinterpreted what you were saying. I thought you
 17 said it was on the rear of the building, on the
 18 Parkway...
 19 THE WITNESS: I'm calling the south
 20 end the rear end of the building because of the main
 21 access point being the northern end.
 22 MEMBER PEREZ: Because I was
 23 interpreting it on the Parkway side of the building.
 24 THE WITNESS: Gotcha. Understood.
 25 Okay, understood.

1 MEMBER RUTOWSKI: So it is dependant,
 2 though, it looks to be very dependant on utilization
 3 of the Park Ridge property for the secondary access.
 4 THE WITNESS: Well, both access points
 5 are, yes, are dependent on Park Ridge.
 6 MEMBER RUTOWSKI: I understand.
 7 MEMBER PEREZ: And there will be no --
 8 any type of a service entrance drive at all behind
 9 this building or on the Parkway side of this
 10 building?
 11 THE WITNESS: No.
 12 MEMBER RUTOWSKI: I understand this
 13 was approved by Montvale but, like I said, I
 14 question the code that says that I think it's
 15 50 percent of the frontage of the building has to be
 16 accessible to fire response --
 17 THE WITNESS: Well, Mr. Rutkowski,
 18 more than 50 percent is provided.
 19 MEMBER RUTOWSKI: Is it 75 percent or
 20 50 percent? I forget.
 21 THE WITNESS: Well I don't know the
 22 exact number but the three sides of the building
 23 have drive aisles and access to them. So the north
 24 side has an emergency access drive. Between the
 25 basin and the building, there's an access drive.

1 You have the main access drive that
 2 runs along the easterly side of the building as you
 3 enter in, right, to get to the parking spaces at the
 4 rear of the building and then you have the drive
 5 aisle that obviously is on the southern side of the
 6 building as well.
 7 MEMBER RUTOWSKI: Yeah, I do see that
 8 now, with the proposed improvement. The north side
 9 has an access road while previously it didn't, I
 10 don't believe. So I understand it better now.
 11 (Transmission interference.)
 12 MEMBER RUTOWSKI: Hey, Greg, you're
 13 not on mute, Greg.
 14 THE WITNESS: So we have hit in detail
 15 essentially the main points from the standpoint of
 16 the site development. The utilities, the access
 17 drives. We talked demo.
 18 Just to clarify once more, as
 19 Mr. Wolfson stated, the plan right now shows the
 20 removal of the parking improvements and curbing.
 21 We're looking to keep those in place right now. But
 22 the building and the improvements around the
 23 building and the access to the building will be
 24 removed.
 25 BY MR. WOLFSON:

1 Q. Brett, there were some comments in the
 2 report, I just want to make sure that -- or the
 3 review memo. I just want to make sure we hit on
 4 those. I think you have provided some testimony
 5 regarding measures to be taken to protect the
 6 existing drainage infrastructure during the demo
 7 process.
 8 Is there anything else you want to say
 9 on that?
 10 A. Just one thing. We did agree, and
 11 it's in Mr. Polyniak's comments, that for areas of
 12 storm pipes that might be impacted by either
 13 equipment driving around them, moving of dirt around
 14 them, we will agree to inspect those, video inspect
 15 those as well.
 16 Q. And there are some wetlands on this
 17 lot?
 18 A. There are. There are wetlands that
 19 are on the Park Ridge lot, but we do not intend to
 20 disturb them or their buffers. They were
 21 established through a Letter of Interpretation that
 22 we had received and was approved by DEP that
 23 delineated them and their buffers. And we show our
 24 proposed extent of demolition to not impede or
 25 encroach upon those areas.

1 Q. Right. And we'll take whatever steps
 2 are necessary to ensure that they are protected
 3 during the demolition process.
 4 A. That is correct.
 5 Q. Okay. And we received -- I referenced
 6 the Borough utility fire and police comments. And
 7 we will comply with all those, correct?
 8 A. Right. That's correct, yes.
 9 Q. Okay. And there was a comment in the
 10 engineering report, based upon the prior proposal,
 11 to take up the parking, that there might be a
 12 stockpile of asphalt. But with the parking lot to
 13 remain, that's not going to be a stockpile, correct?
 14 A. That's correct. Yes.
 15 Q. And --
 16 A. But just to make clear -- no, no. No,
 17 we're good. We did touch on that.
 18 Q. Okay. And the applicant acknowledges
 19 that it's responsible for any on-site and off-site
 20 erosion due to on-site demolition activities?
 21 A. That's correct. And we intend to
 22 submit and -- and we actually have submitted for our
 23 soil erosion and sediment control plan approval.
 24 Q. Right. And in our calls preparing for
 25 this, I know that our client, the applicant, is

1 prepared to continue to work with Park Ridge in
2 terms of the demolition and the staging and routing
3 of traffic and those sort of things, right?

4 A. That's correct. And that was one of
5 the comments in the police letter which we will work
6 with the police to take care of.

7 Q. There was a comment regarding
8 compliance with ADA, but with the building going,
9 that isn't relevant anymore?

10 A. That's not applicable any longer,
11 correct.

12 Q. Okay. And we talked about stormwater
13 volumes and how that's being dealt with.

14 There was a request that we provide a
15 video inspection of all on-site drainage systems?

16 A. Yeah, I just mentioned that and that
17 -- I clarified that with Mr. Polyniak. We will do
18 that but we'll limit it to the areas where we --
19 there might be demolition in and around stormwater
20 lines.

21 Since we're limiting demolition now to
22 essentially the areas east of the existing parking
23 lots, we'll take a look and video those. He also
24 wants the existing 48-inch pipe that I mentioned
25 earlier in testimony to be looked at and we'll do

1 that as well.

2 Q. Okay. We'll provide a soil movement
3 application prior to construction if there's an
4 import or export of soil?

5 A. That's correct. Yes.

6 Q. Okay. And we have a note on the plans
7 that imported soil and the use of recycled material
8 or demolished material?

9 A. Yes.

10 Q. And we will provide a maintenance
11 manual for the remaining stormwater improvements?

12 A. Yes.

13 Q. Okay. And the plans will be revised
14 for resubmission based on anything that comes out of
15 the hearing and your discussions with Mr. Polyniak?

16 A. Yes.

17 Q. We agree to provide a confirmation from
18 the water purveyor that the water system has
19 capacity to support the development?

20 A. Yes.

21 Q. We already talked about the triangular
22 lot and the fact that the settlement agreement Park
23 Ridge has agreed to allow that connection.

24 You talked about ownership and
25 maintenance responsibility for the 12-inch water

1 main within that lot?

2 A. Right.

3 Q. Talked about the path of utilities.
4 The applicant will provide a tree survey of those
5 trees to be removed and obtain a tree removal
6 permit?

7 A. Actually on that one we were only
8 looking to -- we don't -- we look to -- we're
9 removing the trees within the parking lot. They're
10 basically all dead right now. There are really no
11 remaining trees that are in that parking lot that
12 are alive. So part of the demo process, our
13 intention is to clear the landscape islands and
14 stabilize those.

15 There are very few trees around the
16 building. Obviously there are some. We will
17 have -- we have a few of them noted in the demo
18 plan. We can further clarify those. But our
19 intention was to just simply do that and not go into
20 anything more formal than that.

21 Q. My understanding of the comment was it
22 was more of a process comment. So we'll comply with
23 whatever process --

24 A. Yes, we'll comply with that and I'll
25 work with Mr. Polyniak to clarify that as well.

1 MEMBER RUTOWSKI: What was it about
2 the ADA that was not applicable?

3 THE WITNESS: There was a comment that
4 was in the review letter that related to -- and it
5 was in one of the earlier review letters and it
6 seemed to stay in the current one -- related to ADA
7 compliance. And it held true if we were keeping the
8 existing building that would be utilized. But as
9 the building is going to be taken down, there are no
10 ADA spaces necessary. So it would not comply any
11 longer with the building being removed.

12 BY MR. WOLFSON:

13 Q. Can you talk briefly about the, now
14 with our agreeing with Mr. Polyniak's suggestion
15 relative to the retention of the parking lot, what
16 that means in terms of impervious coverage?

17 A. Yeah, we will be with the removal of
18 the building and the improvements around the
19 building, as I said, by keeping the parking lot, we
20 basically go from 29 percent impervious coverage out
21 there today down to 22 percent impervious coverage.

22 Q. No permanent signage is proposed in
23 connection with this application, correct?

24 A. No. No, but that does bring up one
25 point which I failed to mention earlier.

1 In the Montvale piece, a point on the
 2 plan -- Tonya, maybe if you can zoom in to the top
 3 where Sony Drive comes into the site once again, in
 4 that triangular shaped lot we were talking about
 5 earlier and the utilities. Or actually back on that
 6 other, if you go back to the other sheet, Sheet 5,
 7 and zoom in using that sheet, that would be great.
 8 BOARD SECRETARY: Do you want me to
 9 move down? Or what do you want me to do?
 10 THE WITNESS: Move a bit over so we
 11 can see to the right. Sony Drive. Yep. And then
 12 go towards the top and zoom in. Just a couple more
 13 clicks. And now just go back to where Sony Drive
 14 comes into the site. And one more movement slightly
 15 go down. Okay.
 16 So while we do not propose any new
 17 signage in Park Ridge, we do have, as part of the
 18 Montvale proposal, a sign. So if you are -- if you
 19 can follow me, you're coming down Sony Drive.
 20 You're going to enter into the Montvale building.
 21 You make your right-hand turn and start driving up
 22 the drive aisle. Right when you cross the border
 23 and into Montvale, there's a sign on the right-hand
 24 side. That is an ID sign. It's a monument sign.
 25 It stands six feet tall. And it's 36 square feet in

1 area. And it basically at this point will have the
 2 name of the development on it.
 3 But it's obviously set back much
 4 further off of the true entrance into this property,
 5 which is primarily in Park Ridge. So we show it
 6 there, within Montvale, and we kept it that way up
 7 until this time.
 8 The idea would be is, if the Board is
 9 amenable, to allow us to shift the sign closer
 10 towards the -- within Park Ridge and have it located
 11 more either at the corner of Sony Drive where the
 12 Sony Drive driveway makes its bend to head towards
 13 Montvale, or possibly on the other side of the drive
 14 aisle so that when you're coming into the
 15 development you're kind of looking at it almost
 16 straight on. So on one of the islands -- almost
 17 right now, if you drive into the site today and you
 18 are looking straight ahead to the left, in one of
 19 the islands there's the ID sign saying Sony. So
 20 similar to that. We would look to locate that sign
 21 there. And that would be it.
 22 MEMBER RUTKOWSKI: I just had a
 23 question about that access road for the emergency
 24 vehicles. There's a grade change and it looks like
 25 in excess of five feet that is existing between our

1 properties almost.
 2 Maybe I'm a little bit wrong, but I
 3 mean the previous application, which had a clear
 4 indication of a retaining wall, almost like just a
 5 high curb, it was clear to me. How do you deal with
 6 that now? Because I just can't see it on your
 7 drawings.
 8 THE WITNESS: There's only about -- in
 9 the proposed condition, we will end up having about
 10 a two-foot differential from one end of the drive to
 11 the other. So we modified the grades.
 12 You are absolutely correct. There were
 13 more intensive walls and grade changes along that
 14 area, but when we realized we needed to put in the
 15 emergency access drive, that was modified.
 16 MEMBER RUTOWSKI: So do you need to
 17 grade the Park Ridge property to make that work?
 18 THE WITNESS: No -- yes. There's a
 19 minor amount of grading to tie that in within the
 20 driveway, but the majority of it -- actually really
 21 the rest of it takes place in Montvale.
 22 MEMBER RUTOWSKI: That's where my
 23 confusion is because if you need the Park Ridge
 24 property, not just the access but now this egress
 25 road, I just want to get an idea of how it would be

1 laid out to make sense that you would actually have
 2 access. That's where my confusion lies. It's just
 3 not clear at this point.
 4 The previous package had a lot of
 5 information that the current documents that were
 6 presented to our board just doesn't contain. That's
 7 where my issue is.
 8 THE WITNESS: Well, again, we're here
 9 if you want to clarify, it would be Sheet 9 in the
 10 overall site plan set, Tonya.
 11 MEMBER RUTOWSKI: I don't have that
 12 sheet.
 13 I just want a clarification on the
 14 retention basin on the Park Ridge property. Have
 15 you surveyed that or assessed it to see if it needs
 16 to be dredged and redone in order to function
 17 properly, because it does spill into Pascack Brook,
 18 I believe.
 19 THE WITNESS: Right.
 20 MEMBER RUTOWSKI: That I think is a
 21 protected stream. I'm just really concerned about
 22 the environment. I just want to make sure that all
 23 of our assessments have been done.
 24 THE WITNESS: Right. Understood. We
 25 did do a base assessment of that basin and did a

1 visual inspection, evaluation of it. We had
2 received some older plans for it as well, of the
3 design of it.

4 So we did do an evaluation but, again,
5 we treated -- we looked to not impact it by treating
6 Montvale solely independent on its own. And so,
7 again, any runoff that is associated with the
8 Montvale portion of the site today we're reducing
9 and we're meeting the runoff rate reductions under
10 the proposed conditions as a result of the design
11 that is being proposed there with the basin.

12 MEMBER RUTOWSKI: And I could
13 appreciate that. It's just not connecting all the
14 dots, the basin was designed on the contiguous use
15 of one larger property and the two, you know, Park
16 Ridge and Montvale properties coming together.

17 THE WITNESS: Right.

18 MEMBER RUTOWSKI: And I do trust that
19 the professionals did an assessment on the
20 functionality of all of that. It just strikes me
21 weird that -- well, let me ask you this: Is there
22 an evaluation or report on the current condition of
23 the retention basin on the Park Ridge property?
24 Because you are dependent on your application to
25 dump Montvale water into the basin on the Park Ridge

1 property. Is there a report documenting its current
2 condition?

3 THE WITNESS: No. I don't have a full
4 report doing that. And while there is -- while
5 water does go there, our assessment in Montvale,
6 again, it is a separate lot. Granted, it's part of
7 this tract, but it is a separate lot. It is a
8 separate developable lot.

9 So, much like any other situation, even
10 if this was -- again, assume that this lot was
11 within Park Ridge, all of it, but yet this was a
12 separate lot, we would undergo the same -- under
13 different ownership however -- we would undergo the
14 same evaluation, we would undergo the same analysis
15 to ensure that the runoff coming off of the Montvale
16 piece does not exacerbate or create a detriment to
17 what's happening downstream.

18 And so, therefore, that's why the
19 design we did in Montvale is so thorough and having
20 the basin so that we could ensure that,
21 independently on its own, runoff coming off that
22 site in Montvale does not increase or cause harm
23 downstream, whether within that 48-inch pipe or the
24 basin or further downstream from there.

25 MEMBER RUTOWSKI: The basin does spill

1 into Pascack Brook. Am I correct?

2 THE WITNESS: That is correct.

3 MEMBER RUTOWSKI: Does a permit need
4 to be modified for two lots now or because it's a
5 Montvale development and Park Ridge development to
6 have --

7 THE WITNESS: No. There's no
8 disturbance. There's no impact to flood hazard
9 area. There's no impact to wetlands. There's no
10 DEP jurisdiction. There's no necessary means to
11 upgrade any permits or gain any approvals for what
12 has been done on Montvale.

13 MEMBER RUTOWSKI: Thank you. I
14 appreciate it.

15 THE WITNESS: Thank you.

16 MR. WOLFSON: Mr. Chairman, I have no
17 other questions for Brett.

18 Brett, do you anything else that you
19 would like to add?

20 THE WITNESS: No, that is all.

21 CHAIRMAN FLAHERTY: Anyone else on the
22 board with a question or comment for Mr. Skapinetz?

23 ATTORNEY RUPP: Mr. Chairman, just a
24 couple of questions.

25 If I understood the original revised

1 plans, you had called for the demolition of the
2 parking lot areas; is that correct?

3 THE WITNESS: That is correct.

4 ATTORNEY RUPP: I'm just curious. How
5 are you going to utilize that secondary emergency
6 exit under those circumstances?

7 THE WITNESS: How were we to do that?

8 ATTORNEY RUPP: Correct.

9 THE WITNESS: What our intention was
10 going to be was to still make a connection to that
11 secondary drive, but we would do so via essentially
12 a modified and stabilized driveway that would run in
13 a different direction to the north and parallel to
14 the town border so that that access could be
15 achieved.

16 But now that doesn't need to be done,
17 so we're going to simply utilize the existing
18 infrastructure, existing parking lot.

19 ATTORNEY RUPP: In the prior site plan
20 when the building was being retained, there was a
21 substantial redesign of the parking lot area in the
22 vicinity of that emergency roadway.

23 THE WITNESS: Right.

24 ATTORNEY RUPP: Are any redesigns
25 being proposed now?

1 THE WITNESS: No. The only thing that
 2 will be done along that edge now that that's
 3 changing is that there will be removal along that
 4 border of some pavement. And because, again, in
 5 order to do development, construct walls, there will
 6 be essentially saw cutting of the pavement along
 7 that edge and it will be left in that condition,
 8 absent what I see as maybe some slight
 9 modifications, to ensure that runoff runs off those
 10 remaining areas that butt up against the property
 11 line and get to inlets as they should. And I'll
 12 work that out with Mr. Polyniak.
 13 ATTORNEY RUPP: Is there currently any
 14 lighting for the parking lot?
 15 THE WITNESS: There are light
 16 stanchions out there, but they do not function.
 17 ATTORNEY RUPP: Okay. Are any light
 18 stanchions being proposed for the access driveway?
 19 THE WITNESS: We do not have any
 20 proposed along the access driveway at this time for
 21 the Park Ridge section. We do not, no.
 22 ATTORNEY RUPP: Without working
 23 lighting, does that pose any hazard?
 24 THE WITNESS: I mean ideally we can
 25 extend a couple of light poles along the edge of

1 that drive and the sidewalk. We would do so, much
 2 the same as proposing to have the sign extended.
 3 So we would look essentially to have a
 4 couple of fixtures running along the northern edge
 5 of that curbing in that access drive to provide
 6 illumination of the sidewalk and the driveway
 7 leading into the Montvale portion of the site.
 8 MR. WOLFSON: Remembering, of course,
 9 that this is a temporary situation in light of
 10 imminent rezoning and the future development.
 11 THE WITNESS: Right. Correct.
 12 ATTORNEY RUPP: Right now on the
 13 southern side of the access road there are a number
 14 of cutouts for existing traffic lanes.
 15 THE WITNESS: Right.
 16 ATTORNEY RUPP: Are those going to be
 17 sealed off somehow?
 18 THE WITNESS: That is a comment that
 19 was in your -- in the planner and I think in your
 20 engineer's letter. Yes, we will block those off
 21 temporarily to ensure that people are not driving
 22 into those areas.
 23 The only one that we would keep open
 24 would be the one that runs, like I said, straight
 25 ahead. So if you were entering into the site off of

1 Sony, to head straight ahead so that way vehicles
 2 can move in and then traverse around the lot to get
 3 to that secondary emergency access drive.
 4 ATTORNEY RUPP: I have no further
 5 questions.
 6 BOARD ENGINEER: Chairman, we have
 7 just a couple of questions and comments as it
 8 relates to the submission of the applicant's
 9 testimony.
 10 CHAIRMAN FLAHERTY: Please. Thank
 11 you.
 12 BOARD ENGINEER: Thank you. As it
 13 relates -- and continuing on Mr. Rupp's comments,
 14 that was something that we were concerned about and
 15 it was related to site safety in providing that
 16 lighting along the Park Ridge driveway.
 17 It sounds as if you're now going to
 18 include that as part of your application; is that
 19 correct?
 20 THE WITNESS: We can do that, yes.
 21 BOARD ENGINEER: And then you were
 22 also mentioning the cleaning and televising of pipes
 23 that may be impacted as part of this which includes
 24 the 48-inch pipe.
 25 THE WITNESS: Right.

1 BOARD ENGINEER: If you deem -- and we
 2 will want to look at those videos also. If it deems
 3 that those pipes are damaged and capacity is
 4 affected and stormwater can't be discharged
 5 correctly, at that time we're going to recommend
 6 that those pipes be replaced so that the system
 7 functions correctly as intended within your
 8 stormwater management report.
 9 You agree to replace any pipes that are
 10 damaged after you televise them, correct?
 11 THE WITNESS: On the 48-inch pipe I
 12 would agree if there's damaged pipes.
 13 If there are other pipes internal to
 14 the parking lot, I would defer to talk with you --
 15 you know, discuss with you on a case-by-case basis
 16 because obviously there's a lot of different pipes,
 17 a lot of different segments, some which might be
 18 demoed, some might not. So I can't necessarily make
 19 the agreement at this time for those.
 20 But the 48-inch pipe certainly if there
 21 is found to be damage and any part that needs to be
 22 repaired, that absolutely would need to be done in
 23 order to maintain the functionality of the Montvale
 24 development.
 25 BOARD ENGINEER: So then the question

1 I have, though, is in the parking lot, I know you're
 2 leaving the parking lot so that we maintain the
 3 existing draining patterns and make sure that the
 4 site is functioning today so that we don't create
 5 any off-site impact if the curbing is removed or
 6 drainage is removed.
 7 THE WITNESS: Right.
 8 BOARD ENGINEER: I think it would be
 9 of utmost importance that if any of those pipes are
 10 damaged, that they be replaced so that the system
 11 functions as discussed. So I think that's important
 12 that you agree to that aspect of this project
 13 because if you don't, how can you say certainly that
 14 the drainage system is going to function and what
 15 you discussed with Mr. Rutkowski through your
 16 testimony is going to be proved forward?
 17 THE WITNESS: Right. I would say that
 18 even --
 19 ATTORNEY WOLFSON: Brett, if I might
 20 suggest, I think we're on the same page in terms of
 21 what the result is. We want to make sure that the
 22 drainage continues to work. So we certainly would
 23 agree to work with you to make sure that the
 24 drainage works.
 25 THE WITNESS: Agreed.

1 would be the responsibility of the applicant. And
 2 I'm sure the applicant would agree to that, if
 3 that's the case, correct?
 4 THE WITNESS: Agreed.
 5 BOARD ENGINEER: Thank you.
 6 BOARD PLANNER: Mr. Chairman, if I
 7 may?
 8 CHAIRMAN FLAHERTY: Yes, please.
 9 BOARD PLANNER: Brett, the application
 10 indicates that demolition is part of this
 11 application. Given that, can you provide some
 12 testimony on timing, number of truck trips, traffic
 13 movements and the like?
 14 THE WITNESS: Unfortunately I don't
 15 think I can give the full -- I mean, I guess in full
 16 detail. What I can say, though, we did receive the
 17 comments, particularly of police, where there was
 18 concern about the direction of travel. And there
 19 was a request that we work with them to ensure that
 20 the trucks leaving the site or entering the site
 21 follow a particular path which we do agree to.
 22 As far as timing, my expectation is,
 23 you know, this comes in and gets demoed. This is a
 24 matter of weeks. This is not something that is
 25 going to take, you know, much longer than that to

1 BOARD ENGINEER: Okay. As long as
 2 it's determined that the drainage works and pipes
 3 are replaced accordingly to make sure of it, we take
 4 no issue and accept that comment.
 5 ATTORNEY WOLFSON: Thank you.
 6 THE WITNESS: Thank you.
 7 BOARD ENGINEER: That would conclude
 8 our comments, Chairman.
 9 MEMBER RUTOWSKI: Jeff Rutkowski
 10 again. I do believe, I would recommend, an
 11 assessment of the drainage basin on the Sony
 12 property -- on the Park Ridge property, to make sure
 13 that we have full functionality.
 14 I think it's prudent to do a true
 15 assessment to see if it has to be dredged and
 16 prepared for development of the Montvale property.
 17 BOARD ENGINEER: Sure. And
 18 Commissioner Rutkowski, I think that would be a
 19 great idea. It may be worthwhile that the applicant
 20 look at doing a survey with respect to the grades at
 21 the bottom of the basin and compare it to the
 22 historic plans that are available to ensure that the
 23 basin is accurately depicted on that drawing and
 24 then is functioning as it was intended to function.
 25 And if dredging needs to occur, that

1 occur and be completed.
 2 MEMBER RUTOWSKI: I have a question
 3 regarding the demolition then, if that's --
 4 BOARD PLANNER: Do you think in the
 5 next few weeks, did you say?
 6 THE WITNESS: I know that the permits
 7 are in. I don't know, I guess depending on, you
 8 know -- I don't know what the schedule is or when
 9 the impending approval date is but from that point
 10 in time, it will be weeks, you know, for it to be
 11 completed.
 12 BOARD PLANNER: Given the fact that
 13 just this morning we were in court and selected our
 14 fairness hearing date, which is sometime in January,
 15 and then we will have a period of time to do the
 16 ordinances and the housing plan, then there will be
 17 a site plan filed and then there will typically be a
 18 determination by the planning board, which should
 19 all take some time. If you are going to demolish
 20 the building in the next month or so, what will the
 21 site condition be like for a period of time after
 22 demolition?
 23 What is going to happen to the site?
 24 THE WITNESS: Well, the parking lot is
 25 going to essentially remain as is as we've testified

1 to.
 2 BOARD PLANNER: Yes.
 3 THE WITNESS: That area to the west of
 4 that, you know, I'll call it the main drive aisle,
 5 the north/south drive aisle coming off of Sony
 6 Drive, everything to the east of that is essentially
 7 coming down, being demoed, primarily the building,
 8 will be removed and that area to be essentially --
 9 you know, concrete footings removed, area to be --
 10 which is essentially remaining as soil which will be
 11 stabilized and in accordance with soil erosion and
 12 sediment control standards.
 13 So essentially spray seeded, more or
 14 less, to be able to be stabilized so we do not have
 15 a negative erosion condition following the demo of
 16 the building.
 17 BOARD PLANNER: And that's something
 18 that Greg's office reviews as part of the --
 19 THE WITNESS: Yes. The notes and
 20 everything is contained within the back two pages of
 21 that four-page set that we submitted here. And
 22 that's exactly what we submitted to Soil Erosion and
 23 Sediment Control.
 24 Now, obviously that needs to be revised
 25 some with the change that we're making to keep the

1 parking lot in place and we'll do that and resubmit
 2 and show that.
 3 BOARD PLANNER: I know from the
 4 discussion at the hearing last night there was a lot
 5 of discussion and concern from the neighbors to the
 6 south with the lake about the buffer area that
 7 separates one site activity from the other
 8 properties.
 9 THE WITNESS: Right.
 10 BOARD PLANNER: Is that 100-foot
 11 buffer going to be retained during this whole
 12 process then?
 13 THE WITNESS: Yes. Correct.
 14 BOARD PLANNER: Thank you.
 15 MEMBER RUTOWSKI: I have a question
 16 concerning the demolition of the building. I didn't
 17 realize how it ties into this application but now
 18 that it's made mention and it's imminent, so it
 19 sounds, are there going to be hazardous materials or
 20 asbestos trucks from that building?
 21 Because the building was built before
 22 1980, I would assume, and an inventory has to be --
 23 and a study has to be submitted to make sure it
 24 doesn't contain asbestos or hazardous materials.
 25 Are those materials which are probable

1 to be in that building, is that going to be
 2 discussed with the local police to make sure that we
 3 have safe trucking routes?
 4 THE WITNESS: I don't know for a fact
 5 there is but I would say if there happens to be
 6 anything like that within the building, if it hasn't
 7 been already identified already, it will be and will
 8 be taken care of in accordance with all local and
 9 State regulations.
 10 MEMBER RUTOWSKI: Thank you.
 11 BOARD SECRETARY: Excuse me. The
 12 building department has yet to receive any demo
 13 plans. When will that be submitted to them?
 14 THE WITNESS: I -- then I stand
 15 corrected. I know that we are -- we have these
 16 plans. Obviously they need to be corrected and will
 17 be submitted. So that obviously, these are part of
 18 them, and obviously with that modification, they
 19 will be submitted in.
 20 BOARD SECRETARY: Okay.
 21 ATTORNEY WOLFSON: I'm also advised
 22 that there is an asbestos report already complete
 23 and that is being addressed as well.
 24 BOARD SECRETARY: There is? Okay,
 25 thank you.

1 CHAIRMAN FLAHERTY: Any other
 2 questions/comments from Board members or
 3 professionals for Mr. Skapinetz? Okay.
 4 All right. Well, thank you very much,
 5 Mr. Skapinetz. Very nice and helpful dialogue here.
 6 Appreciate that.
 7 ATTORNEY RUPP: Mr. Chairman, you may
 8 need to open this up to members of the public if
 9 there's any questions.
 10 CHAIRMAN FLAHERTY: Okay. So that's
 11 good. Thank you, Mr. Rupp.
 12 So at this point if anyone has a
 13 question for Mr. Skapinetz -- is it questions or
 14 comments, Mr. Rupp, at this point?
 15 ATTORNEY RUPP: At this point it
 16 should be limited to questions.
 17 CHAIRMAN FLAHERTY: Questions for
 18 Mr. Skapinetz?
 19 ATTORNEY RUPP: Yes.
 20 CHAIRMAN FLAHERTY: Okay. Members of
 21 the public, if you have a question, Ms. Tardibuono,
 22 how do we handle this? Do they alert you? You're
 23 muted.
 24 BOARD SECRETARY: They can -- I'm not
 25 sure. We never actually had this many people on one

1 Zoom call that wanted to speak at one point.
 2 CHAIRMAN FLAHERTY: Sometimes when
 3 they speak up, we see their headline light up a
 4 little bit. Who has a question?
 5 ATTORNEY RUPP: Is there a way for
 6 them to indicate that they have a question if
 7 they're muted?
 8 ATTORNEY WOLFSON: They can raise
 9 their hand.
 10 ATTORNEY RUPP: Do we have a
 11 hand-raising feature?
 12 ATTORNEY WOLFSON: Yes, we do. So if
 13 you have a question, you can raise your hand.
 14 MR. BROWN: Nate Brown, Park Ridge.
 15 Can you hear me?
 16 CHAIRMAN FLAHERTY: Yes, we can,
 17 Mr. Brown. Go ahead.
 18 MR. BROWN: I was confused over the
 19 grading, the amount of grading, that there wouldn't
 20 be an access road on the Parkway side --
 21 CHAIRMAN FLAHERTY: I apologize. I
 22 think I jumped in too quickly.
 23 Do we have to get Mr. Brown's address,
 24 Mr. Rupp.
 25 ATTORNEY RUPP: Sure. Yeah, just a

1 matter of procedure here, I'm going to ask that you
 2 give your name, last name, spell your last name, and
 3 give your address and then ask questions.
 4 Please attempt to limit your comments
 5 to questions of the witness. This is not the time
 6 to make factual statements or testimony. It is only
 7 a time to ask questions.
 8 MR. BROWN: Yes. I was confused on
 9 the grading, on the grading from the Garden -- I'm
 10 sorry. Nate Brown, 4 Duke Court, Park Ridge.
 11 I was confused that, on the grading,
 12 that there wasn't going to be a road that was
 13 accessed along the Garden State Parkway. It seemed
 14 that there were slope concerns or grading concerns?
 15 THE WITNESS: Yes, that's correct. In
 16 the initial look there were grading concerns because
 17 there's about a -- up to about a six-foot or so
 18 differential in grade from the existing site to the
 19 Parkway. And then after further discussion with
 20 both with Montvale and Parkway, it was deemed not
 21 necessary to provide that access.
 22 MR. BROWN: Okay. In Montvale but not
 23 Park Ridge?
 24 THE WITNESS: In Montvale which is
 25 where the project -- the project is located.

1 MR. BROWN: Right. And then those
 2 same concerns, are they on the Park Ridge side or
 3 no?
 4 THE WITNESS: No. The design -- the
 5 proposed building in Montvale is proposed and the
 6 grading that is proposed up against the boundary,
 7 the town boundary with Park Ridge, is proposed such
 8 that it blends in through -- you know, to be able to
 9 tie in grades to drive access aisles, the two that
 10 are proposed and also blending into the remainder of
 11 the areas in between.
 12 MR. BROWN: Okay, thank you.
 13 CHAIRMAN FLAHERTY: Anyone else?
 14 MR. LAROSE: Brian LaRose, 64 Clairmont
 15 Drive in Woodcliff Lake. Just a couple of
 16 questions.
 17 My property borders the southern part
 18 of the Sony development. And I had noticed that you
 19 folks had put up a fence on the north side of the
 20 property for the construction.
 21 Is there any plans to put up a fence on
 22 the southern side around the, like the 100-foot
 23 setback to protect the residents on the southern
 24 side of the property during the construction or
 25 demolition phase?

1 THE WITNESS: There will be some
 2 fencing on the southern side. Our plan currently
 3 shows fencing along the entirety of the southern
 4 side but that was also under the assumption we were
 5 removing all the parking, which we're not. So a
 6 portion of that parking will be removed, but some
 7 will be added and shown on the final plan.
 8 Mr. LAROSE: Got it. And in terms
 9 of -- you had mentioned the removal of asphalt and
 10 piles of concrete. Is that correct to assume that
 11 you will not be stockpiling any materials on the
 12 property at this time?
 13 THE WITNESS: Right.
 14 MS. LAROSE: All right. Thank you
 15 very much. Those were the only questions I have.
 16 CHAIRMAN FLAHERTY: Thank you. Anyone
 17 else? Going once...
 18 MEMBER RUTOWSKI: Chairman Flaherty,
 19 the proposed plan does show proposed soil stockpile
 20 locations on the Park Ridge property, some areas
 21 closer to the southern boundary.
 22 Those stockpile areas are only for the
 23 asphalt coming from Park Ridge?
 24 THE WITNESS: Yeah. Those areas were
 25 primarily particularly for the asphalt and concrete

1 that was going to be taken up within the parking
2 lot. It was intended to basically take those
3 stockpiles or that material, once it was taken up,
4 and create those stockpiles for future use.

5 But the curbing and asphalt is staying,
6 so we won't have the stockpiles associated with that
7 removal.

8 MEMBER RUTOWSKI: That material, when
9 it does come up -- I don't know if it is part of
10 this discussion -- is it going to be processed for
11 re-use on-site or shipped off-site?

12 THE WITNESS: Potentially used
13 on-site.

14 MEMBER RUTOWSKI: So there will be
15 crushers and large pieces of equipment --

16 THE WITNESS: Yes.

17 MEMBER RUTOWSKI: -- making lots of
18 noise potentially processing that material
19 on-site --

20 THE WITNESS: Yes.

21 MEMBER RUTOWSKI: -- is that correct?

22 THE WITNESS: Yes.

23 CHAIRMAN FLAHERTY: So there is then,
24 north of that, though, there is a soil stockpile on
25 the drawing?

1 THE WITNESS: Right. There may be a
2 soil stockpile still needing to be utilized with
3 some regrading that will taking place. From that
4 easterly -- from that main drive aisle that, again,
5 runs from Sony Drive north/south on that page right
6 in the center, to the east there's a drop off in
7 grade down towards the bottom of the Sony building.
8 So there will be some activity within there that
9 will result in the movement of soil certainly for
10 areas that are around the building as the demo
11 process takes place, there will be some soil
12 stockpiles that will be on the property while that
13 demo occurs.

14 MS. McPARTLAND: I have a question.

15 CHAIRMAN FLAHERTY: Yes, please.

16 MS. McPARTLAND: Hi, this is Dawn
17 McPartland, 85 Rivervale Road.

18 What time of day -- what periods of the
19 day will all of this construction and demolition and
20 everything be taking place, between which hours?

21 ATTORNEY WOLFSON: We'll comply with
22 any ordinance that may exist relative to
23 construction hours. And there will be a
24 pre-construction -- there has already been
25 communications with Park Ridge on the demo phase.

1 There will be extensive probably series
2 of pre-construction meetings prior in terms of
3 coming up with a protocol for hours and operations.

4 MS. McPARTLAND: Are the hours between
5 Montvale and Park Ridge, you know, in sync, or would
6 you have to comply with whichever property you
7 happen to be on?

8 ATTORNEY WOLFSON: Well certainly we
9 would have to comply with any legal requirements in
10 either municipality. Just by the nature of the
11 adjacency of the two sites, I'm sure there would be
12 coordinated activity relative to the time of
13 activity.

14 MS. DeGIOVANNI: Montvale has given a
15 few, you know, exceptions. So how do we alleviate
16 that issue?

17 CHAIRMAN FLAHERTY: I believe that was
18 a different -- is that Christine --

19 MS. DeGIOVANNI: It was a different
20 person. Excuse me. Kriston DeGiovanni, 229 Emily
21 Drive.

22 Montvale has given Wegmans exceptions.

23 ATTORNEY WOLFSON: Is that a question?

24 MS. DeGIOVANNI: No, it's a statement
25 that you are saying you are going to comply. That's

1 great and wonderful. But when Montvale turns around
2 and gives an exception, the rest of us have to
3 suffer.

4 ATTORNEY WOLFSON: Well, we're not
5 familiar with that particular instance that you
6 refer to. We will comply with whatever the legal
7 requirements are and we will be sensitive to the
8 concerns of neighbors in terms of our construction
9 activities.

10 CHAIRMAN FLAHERTY: Anyone else?

11 MR. BROWN: Yes. Nate Brown again.

12 CHAIRMAN FLAHERTY: Okay, Nate.

13 MR. BROWN: What kind of buffer is
14 required by Park Ridge current code between the
15 requested access road and the existing OR zone of
16 the former Sony property? What kind of buffer is
17 required by our current code?

18 ATTORNEY WOLFSON: Mr. Burgis calls
19 out some buffer requirements in his report. Again,
20 because of the historic integrated use of the tract
21 and the fact that the building is going to be
22 demolished and there will be no significant activity
23 on the piece of property, we believe that the buffer
24 provisions, while perhaps a technical variance, are
25 really not relevant.

1 MR. BROWN: Who was that that -- the
 2 special master?
 3 ATTORNEY WOLFSON: Mr. Burgis.
 4 MR. BROWN: Oh, Burgis.
 5 ATTORNEY WOLFSON: Right. The board's
 6 planner.
 7 MR. BROWN: Right.
 8 CHAIRMAN FLAHERTY: Anyone else?
 9 MS. DeGIOVANNI: Yes. One last
 10 question.
 11 CHAIRMAN FLAHERTY: Sure.
 12 MS. DeGIOVANNI: Are all Park Ridge
 13 residents within a two-mile radius going to be
 14 notified via mail or some form of notification when
 15 demolition starts for --
 16 ATTORNEY RUPP: Can you identify
 17 yourself again.
 18 MS. DeGIOVANNI: I did.
 19 ATTORNEY RUPP: We can see you, but
 20 there will be a written -- I mean, a transcript of
 21 this and --
 22 MS. DeGIOVANNI: No problem. Again,
 23 Kriston DeGiovanni, 229 Emily Drive.
 24 I'm inquiring whether or not I, as a
 25 resident of Park Ridge, will be notified within the

1 two-mile radius of the Sony property when demolition
 2 starts for the air factor and demolition being done?
 3 ATTORNEY WOLFSON: You're making
 4 reference to a two-mile radius. I don't know if
 5 that refers to some local ordinance or other legal
 6 requirement but we certainly will meet any and all
 7 legal requirements relative to notice or otherwise.
 8 MS. DeGIOVANNI: Anything else has
 9 happened within two miles of my house, I have been
 10 notified by certified letter. I'm just inquiring
 11 whether we will be in the know when demolition is
 12 going to start?
 13 ATTORNEY WOLFSON: I'm not familiar
 14 with the provision that caused you to receive notice
 15 of past --
 16 MS. DeGIOVANNI: Air quality, this,
 17 that and the other thing. Been in the know, some
 18 form, reasoning by another judge.
 19 So I'm just inquiring so my kids don't
 20 go outside when you're knocking down a building that
 21 has been here since the '80s.
 22 ATTORNEY WOLFSON: Yeah. Well again,
 23 we have already done asbestos survey and we will
 24 take all appropriate measures to protect air quality
 25 in connection with the demolition.

1 MR. BROWN: Nate Brown, 4 Duke Court,
 2 Park Ridge. Where can we find this asbestos report
 3 you keep referencing?
 4 ATTORNEY WOLFSON: My understanding is
 5 that it's submitted to the municipality in
 6 connection with the demolition process.
 7 MR. BROWN: Is it public information
 8 though?
 9 ATTORNEY WOLFSON: I will leave that
 10 to the municipality's counsel, their municipal
 11 attorney in terms of that OPRA question.
 12 MR. BROWN: So we have to file an OPRA
 13 request to find out if the air is safe in the
 14 neighborhood where you're knocking this building
 15 down?
 16 ATTORNEY WOLFSON: The demolition will
 17 be performed in conjunction with all necessary legal
 18 and safety requirements.
 19 MR. BROWN: Okay. So how do we get
 20 that air quality report? How do the residents of
 21 Park Ridge get that air quality report regarding the
 22 asbestos report that you have referenced multiple
 23 times?
 24 ATTORNEY WOLFSON: Again, I don't want
 25 to be in a position to give advice on behalf of the

1 municipality but my understanding is that it's
 2 submitted as part of the demolition process.
 3 If you want to inquire as to whether
 4 it's available to you, then I would think that would
 5 be the appropriate way.
 6 MS. DeGIOVANNI: Kriston again, Park
 7 Ridge -- 229 Emily. Is that Park Ridge or
 8 Montvale's?
 9 ATTORNEY WOLFSON: Well the demolition
 10 is occurring in Park Ridge, so that is where the
 11 demolition permit application sits.
 12 CHAIRMAN FLAHERTY: Anyone else?
 13 MR. LAROSE: Brian LaRose, 64
 14 Clairmont Drive once again. Is there any plan to do
 15 simultaneous demolition on the Montvale property at
 16 this time, during the same time as the demolition on
 17 the Park Ridge property?
 18 ATTORNEY WOLFSON: I think because
 19 we're retaining the parking lot, I don't think there
 20 will be any meaningful demolition there at all.
 21 MS. LAROSE: How about the trees in
 22 regards to the development of the new property or
 23 the new building for Montvale; those trees near the
 24 Parkway going to stay at this time?
 25 ATTORNEY WOLFSON: Brett, I don't know

1 if you know that off the top of your head.
 2 THE WITNESS: I don't know the timing
 3 what is going to happen with Montvale on the
 4 clearing and development on that piece.
 5 But certainly once the permits and
 6 everything has been filed and okayed in Montvale,
 7 then that work will happen and there will be the
 8 removal of trees in accordance with that plan.
 9 MS. LAROSE: Yeah, I understand that.
 10 I was curious if it was happening simultaneously
 11 with the demolition on the Park Ridge side.
 12 THE WITNESS: No, I don't believe it
 13 is at this time.
 14 MS. LAROSE: Thank you.
 15 THE WITNESS: But at this time I
 16 can't -- yeah, I don't believe it is at this time.
 17 MS. LAROSE: Thank you very much.
 18 CHAIRMAN FLAHERTY: Anyone else?
 19 MEMBER RUTOWSKI: Mr. Flaherty, it's
 20 Jeff Rutkowski. I wanted to clarify something that
 21 Mr. Burgis said -- or ask a question, I should say.
 22 A question was offered by the community
 23 of the required buffer and we did not indicate what
 24 the buffer should be. We're just saying that we're
 25 not maintaining a buffer at this point because

1 whatever reason.
 2 But, Mr. Burgis, what is typically the
 3 required buffer between two properties from
 4 neighboring towns, for Park Ridge and Woodcliff Lake
 5 or Park Ridge and Montvale?
 6 CHAIRMAN FLAHERTY: You're on mute,
 7 Mr. Burgis.
 8 BOARD PLANNER: Just realized I was
 9 talking to myself.
 10 Really it's irrespective of whether
 11 it's an adjoining municipality or not. The
 12 requirement is that where you have a residential
 13 property abutting nonresidential development in the
 14 LR-L Zone, there is a 100-foot setback in that area.
 15 For example, for the residents of
 16 Clairmont Street in Woodcliff Lake, their rear lot
 17 line abuts this property and right now the ordinance
 18 requires a 100-foot setback where nothing can be
 19 developed within that 100-foot area.
 20 MEMBER RUTOWSKI: And then just to
 21 clarify what you said because I'm catching on to all
 22 of this, did we agree as a town or municipality
 23 between our property, Park Ridge and Montvale
 24 property to reduce that buffer or eliminate it? Was
 25 that something that was agreed to?

1 BOARD PLANNER: As part of the
 2 settlement agreement, there was an understanding
 3 that in the end this -- the entire 30-acre Sony
 4 tract is going to be designed and built as an
 5 integrated single development.
 6 So there won't be any required setback
 7 between the adjoining two lots in Montvale and Park
 8 Ridge because it will all be developed for
 9 multifamily.
 10 MEMBER RUTOWSKI: Mr. Rupp, I just had
 11 a question. When is the discussion where we
 12 actually go into the description of the variances
 13 that are being sought?
 14 ATTORNEY RUPP: I believe there was an
 15 attempt by Mr. Wolfson to outline those at the
 16 beginning, but presumably the Board will have that
 17 discussion at the conclusion of the testimony. But
 18 any questions you have during the testimony you can
 19 ask about those variances.
 20 MEMBER RUTOWSKI: Thank you.
 21 CHAIRMAN FLAHERTY: Anyone else?
 22 MR. BROWN: Nate Brown again. If the
 23 buffer is residential in Park Ridge and commercial
 24 and residential in Montvale, wouldn't it require two
 25 different -- two different zones? Isn't it two

1 different uses?
 2 BOARD PLANNER: If I may answer that,
 3 first with a question, Nate. Are you talking about
 4 the difference between single-family and attached
 5 residential development?
 6 MR. BROWN: My understanding is that
 7 code requires two different -- two different -- a
 8 buffer between two different uses. And the use on
 9 Park Ridge is going to be strictly residential and
 10 the use in Montvale is going to be corporate or
 11 business and residential.
 12 Is that correct or am I misinterpreting
 13 that?
 14 BOARD PLANNER: The portion of the
 15 tract in Montvale has already been approved for
 16 multifamily residential. So there's that tract,
 17 seven acres in Montvale, and the remaining 23 acres
 18 in Park Ridge is also going to be developed for
 19 multifamily as well. So that will be the same uses
 20 abutting each other.
 21 There will be a buffer requirement
 22 separating the multifamily in Park Ridge and the
 23 single-family in Woodcliff Lake because these are
 24 considered two different uses requiring a buffer and
 25 that is to be determined.

1 MR. BROWN: Thank you.
 2 BOARD PLANNER: You're welcome.
 3 CHAIRMAN FLAHERTY: Any other
 4 questions?
 5 Okay. We thank you, members of the
 6 public. Good questions and dialogue tonight. Thank
 7 you for your contribution to the meeting.
 8 If we could move -- I guess we'll go
 9 back to Mr. Wolfson now. You have another witness?
 10 ATTORNEY WOLFSON: Yes. Thank you,
 11 Mr. Chairman.
 12 I would like to call Nick Verderese,
 13 our traffic engineer, from Dynamic Traffic.
 14 THE WITNESS: Yes, I am here.
 15 ATTORNEY RUPP: Mr. Verderese, would
 16 you please raise your right hand.
 17
 18 NICHOLAS VERDERESE,
 19 P.E., is sworn.
 20 ATTORNEY RUPP: Would you please state
 21 your name for the record, spell your last name and
 22 give your address.
 23 THE WITNESS: Nicholas Verderese,
 24 V-E-R-D-E-R-E-S-E. My address is 1904 Main Street,
 25 Lake Cuomo, New Jersey.

1 Chairman.
 2 BY ATTORNEY WOLFSON:
 3 Q. Nick, in connection with that Montvale
 4 application, you prepared an extensive traffic
 5 report, correct?
 6 A. Correct.
 7 Q. Okay. And can you just lead us through
 8 some of those highlights from that including some
 9 assumptions that you contained in reaching your
 10 conclusions relative to the potential development of
 11 the Park Ridge site?
 12 A. Yes. So we did a Traffic Impact
 13 Study. It included existing traffic counts
 14 throughout 2018 and 2019. We had been studying this
 15 site for a number of years.
 16 The counts were done during typical
 17 commuter peak hours during the weekday as well as
 18 the midday on Saturday. The Saturday request
 19 actually came from the Board's traffic engineer, the
 20 Park Ridge Board's traffic engineer. So we added
 21 that to our Traffic Impact Study at that time.
 22 So the intersections that we studied in
 23 Park Ridge include essentially both ends of Brae
 24 Boulevard. So the Sony Drive end intersection as
 25 well as the Spring Valley Road intersection. Then

1 EXAMINATION
 2 BY ATTORNEY WOLFSON:
 3 Q. Nick, can you provide us with your
 4 educational, professional and licensure background,
 5 please?
 6 A. Yes. I have a bachelor of science
 7 degree in civil engineering from Rutgers University
 8 in 1990. I am a licensed professional engineer in
 9 the State of New Jersey. Member of the Institute of
 10 Transportation Engineers. I'm a principal founder
 11 of Dynamic Traffic.
 12 I have appeared before this board in
 13 the past. And I have appeared before over 200-plus
 14 boards throughout the State of New Jersey with the
 15 specific testimony related to traffic and parking.
 16 ATTORNEY WOLFSON: We'd ask that he be
 17 accepted as an expert in the area of traffic
 18 engineering, Mr. Chairman.
 19 CHAIRMAN FLAHERTY: Yes. Mr.
 20 Verderese, were you part of the application in
 21 Montvale? I know Mr. Skapinetz pointed out he was.
 22 THE WITNESS: Yes, I was.
 23 CHAIRMAN FLAHERTY: You were, okay.
 24 Yes, it's fine. Thank you very much.
 25 ATTORNEY WOLFSON: Thank you, Mr.

1 we studied a couple intersections in Montvale as
 2 well.
 3 We identified what the peak hours are
 4 for the existing traffic. That is 7:45 a.m. to
 5 8:45 a.m.; in the evening peak hour, 5 to 6:00 p.m.;
 6 on the weekend, 11:45 to 12:45.
 7 Then after we identified existing, then
 8 what we did was -- because there were a number of
 9 developments at the time that were approved and not
 10 fully constructed, we included a few projects. They
 11 were in the surrounding area that had a significant
 12 amount of traffic associated with them, Triborough
 13 Square, the Wegmans Center, as well as the Toll
 14 Brothers townhouse development at that time.
 15 So we included that in the background
 16 traffic. Additionally, we included a re-occupancy
 17 of the Sony building at about 150,000 square feet.
 18 So we added that traffic as well in the background.
 19 So we were now, you know, since we're demoing it, we
 20 were conservative in that nature, including that
 21 150,000 square feet since it will be demoed.
 22 But it is included. And then we also
 23 included traffic associated with the 185 units
 24 proposed in Montvale, utilizing a standard Institute
 25 of Transportation Engineers data for multi-family,

1 mid-rise residential units.
 2 So then what we do is we take the what
 3 I'll say the predevelopment, so right before the
 4 project opens. And then after the project opens, we
 5 do an analysis of the different intersections,
 6 utilizing standard analysis software utilized by
 7 traffic engineers throughout the State of New Jersey
 8 as well as the United States.

9 So we identified existing conditions,
 10 future conditions. Then we identify impacts. So
 11 what we look at is how does it operate now? What is
 12 going to happen when you add the traffic from the
 13 185 units.

14 If you look at the traffic study, the
 15 first set of information is on Page 11, Table 7,
 16 which is the analysis I just described. And if you
 17 look at that table, you will see, if you worked your
 18 way through it, and I'm going to focus just on the
 19 two intersections in -- at the end of Brae
 20 Boulevard.

21 There's essentially little to no change
 22 to the operation of those intersections; 185
 23 mid-rise units only generate about one vehicle every
 24 minute to maybe a little bit more than one vehicle a
 25 minute, which is, you know, little to none as far as

1 its comparison to existing traffic volumes on the
 2 surrounding roadways.

3 And as you can see in Table 7, there is
 4 little change to the operation at Brae Boulevard and
 5 Sony Drive as well as Brae Boulevard and Spring
 6 Valley Road.

7 MEMBER RUTOWSKI: Mr. Verderese, if
 8 you just afford me one moment, please.

9 Is that traffic study now complete?
 10 Because before it was preliminary, I believe. Is it
 11 now a complete document?

12 THE WITNESS: Oh, yes. It was
 13 submitted. It's last revised November 1st, 2019.
 14 And it was reviewed by your engineer, I think, on
 15 multiple occasions.

16 MR. RUTOWSKI: Thank you.

17 BY ATTORNEY WOLFSON:

18 Q. Nick, I should just state for the
 19 record that the Board members might be unaware that
 20 the Park Ridge municipality was involved in the
 21 Montvale proceedings extensively, including
 22 representation at those hearings and
 23 cross-examination and presentation of some
 24 testimony.

25 A. Okay, I'll continue.

1 Then we did a second set of analysis,
 2 again requested by your Board's -- actually, it was
 3 maybe both Montvale and Park Ridge had requested us
 4 to look at if at the time we had done some estimates
 5 on how many units may develop on the Park Ridge
 6 portion of the site. And at the time we came up
 7 with a super conservative number. We utilized a
 8 total on the Park Ridge side of 972 units in
 9 addition to the 185. Now, we're aware that, based
 10 on last night, the settlement agreement as I
 11 understand it, could provide up to 448 units.

12 So all of the second set of analysis we
 13 did is, again, as I said, very conservative in
 14 nature because we pretty much doubled in our
 15 analysis of what potentially could go on the
 16 property.

17 MEMBER RUTOWSKI: Mr. Verderese, to
 18 that point, the 448 is the amount of doors, if you
 19 would, but how many residents and how many spots for
 20 the Park Ridge redevelopment would be considered?

21 In other words, if you have 448
 22 three-bedroom apartments and there's five drivers,
 23 what does that do?

24 How do we make sure that your traffic
 25 study wouldn't overwhelm the entrance and other

1 local streets approaching this site?

2 THE WITNESS: So trip generation is
 3 based on units not on bedrooms. So it's an average
 4 of different developments throughout the United
 5 States. That is where the data comes from.

6 Then we were a mid-rise development on
 7 the Montvale side. I don't know what type of
 8 development. I'm not familiar with what's going to
 9 ultimately go here on this side, but assuming it was
 10 the same type of units, we looked at that just for a
 11 comparison sake. As I mentioned, it's less than
 12 half of what we projected.

13 The final conclusion really if I get to
 14 the conclusion then maybe, you know, you will feel
 15 more comfortable. When we did the analysis with
 16 that large number, it still showed all acceptable
 17 levels of service at the studied intersections, so
 18 there were no overcapacity conditions.

19 We looked at the intersection of Brae
 20 Boulevard and Sony Drive. It was requested to look
 21 at it to see if it met any requirements for
 22 signalization. It did not meet those. All of that
 23 was submitted to Montvale as well as part of their
 24 application.

25 And once we come in, hopefully we get

1 an approval here to demo the building and then we
2 are able to move forward with some development here.
3 We'll prepare a new traffic impact study at that
4 time that has the proper number of units in it in
5 Montvale. And then you will see the cumulative
6 effect of the Montvale units as well as the Park
7 Ridge units.

8 MEMBER RUTOWSKI: But at that point
9 may it be possibly too late? That if we don't see
10 what's proposed, isn't it putting the cart before
11 the horse?

12 THE WITNESS: Well I already told you
13 it's okay with twice as many units, so I'm pretty
14 confident I'm going to come back when we come back
15 with another application and tell you it's even
16 better than the okay that I'm telling you today.

17 MEMBER RUTOWSKI: Will there be school
18 bussing from the Montvale property development?
19 Will there be school buses coming onto the Montvale
20 property?

21 THE WITNESS: I would assume so, yes.

22 ATTORNEY WOLFSON: That typically is a
23 determination made by the Board of Education in
24 connection with their transportation providers. And
25 it's site-specific, so I don't know that that could

1 be known for sure right now, but it would not be
2 unusual.

3 MEMBER RUTOWSKI: I was just more
4 concerned about the queuing of vehicles, with
5 garbage trucks, snow plows, people going to work,
6 school buses, then the potential redevelopment of
7 the Park Ridge property, that if it was a bigger
8 picture it would allow me to understand the
9 potential impacts. That's just a statement.
10 BY ATTORNEY WOLFSON:

11 Q. Nick, with your characterization of one
12 trip I guess during peak hours per minute, is there
13 a potential for queuing that you see as a problem?

14 A. No. The nearest intersection there
15 works at very good levels of service. So I have no
16 concern with the operation of getting on and off of
17 the property.

18 CHAIRMAN FLAHERTY: Help me to
19 understand the formula and how you come to that
20 185 units. Is that what it is, 185 units generates
21 one car per minute, one additional car per minute in
22 2018-2019?

23 THE WITNESS: Yeah. It's a little
24 more than one per minute. Eighty trips in the a.m.

25 CHAIRMAN FLAHERTY: I don't have the

1 degree you have. I don't understand it. How was
2 that determined? It just seems awfully low.

3 There's at least 185 cars in there,
4 right?

5 THE WITNESS: So what happens, just
6 I'll go through it with you. So this is standard
7 trip generation for the types of units proposed.
8 But how in practicality how it works is even if
9 there's -- let's see the number of parking spaces.
10 There are 357 parking spaces on that piece of
11 property.

12 So what happens is not all 357 people
13 decide they're leaving during the peak hour. Some
14 people go to work at 6:00 a.m., some go to work at
15 7, some go to work at 8, some go to work at 9, some
16 don't leave at all. They're home. They work from
17 home. They're caregivers and they don't leave the
18 home, or they travel during the middle part of the
19 day. So that all spreads out.

20 So 185 units and 350-plus parking
21 spaces doesn't mean all of those people are coming
22 and going at the same time, so it ends up spreading
23 out. So that's what happens is for those types of
24 units, the projection is, as I mentioned, a little
25 more than one trip per minute.

1 CHAIRMAN FLAHERTY: So average in say
2 between 1:00 a.m. and 2:00 a.m. when nobody drives
3 in or out, so that's a zero. It brings the average
4 down.

5 So what about these prime times, let's
6 say 7:45 to 8:45, 5 to 6:00 p.m.; what can we expect
7 the increase to be at that prime time?

8 THE WITNESS: All of our analysis we
9 do are peaks. So the morning peak hour, the evening
10 peak hour, the two you just mentioned, those are the
11 numbers. The one per minute, the little over one
12 per minute, that's the projection for peak hours.

13 The middle of the day those numbers are
14 lower. We're not concerned with the middle of the
15 day because traffic volumes are light.

16 As an industry standard, it's required
17 to analyze essentially the worst hours to ensure
18 that those operate safely and efficiently.

19 CHAIRMAN FLAHERTY: So I guess in the
20 peak hour in the morning, we could say that 60 cars
21 would come through, 60 additional cars?

22 THE WITNESS: Yes.

23 BY ATTORNEY WOLFSON:

24 Q. Nick, do you have anything else in
25 terms of direct comments on your report?

1 A. No, I mean that's pretty much it. I
2 mean, overall this was vetted in your neighboring
3 municipality, so they were looking at, you know,
4 they looked at the intersection of Sony Drive and
5 Brae. It's split. It's a split-town intersection.
6 So they were concerned and wanted us to look at
7 that. As our attorney mentioned, you were
8 represented as well at that meeting, those meetings.

9 Then there's a more current review
10 letter from your traffic -- or your engineer, which
11 includes traffic comments. And in there
12 essentially, it seems that we have addressed all of
13 the comments in there. Most of them related
14 previously to the existing office building and the
15 traffic associated with that.

16 CHAIRMAN FLAHERTY: Is the traffic
17 study or anything suggest that there would be a need
18 for a traffic light at say, Brae and Spring Valley?

19 THE WITNESS: No. We looked at the
20 analysis there and it works at good levels of
21 service. So in the future condition with the
22 185 units, the worst condition is in the evening
23 peak hour.

24 So essentially all the office space
25 that is around here, they all start to exit the

1 area. You're all familiar with this kind of -- it
2 kind of operates like a campus between Grand and
3 Spring Valley and the whole campus is enclosed. You
4 have most of the people leaving in the evening peak
5 hour. So that's when you have the highest volumes
6 on Brae Boulevard trying to turn left or right onto
7 Spring Valley.

8 What I didn't note before but I want to
9 mention, having residential mixed in with that, it
10 has a complementary effect to it because in the
11 evening people are coming back to the area in the
12 evening where the office space, they're all leaving.

13 So all of the extra capacity on those
14 approaches coming in, there's no traffic on those
15 approaches because everyone is trying to leave at
16 that point.

17 So it works well to mix the residential
18 in here with that significant office space that's
19 here. So like I said, it has little impact to the
20 operation of those intersections, again, because
21 it's complementary.

22 MEMBER PEREZ: Do you have any insight
23 or input on pedestrian traffic? Meaning such that,
24 you know, you are going to have the 185 units and
25 there are going to be people there. There was some

1 comment about a sidewalk that was going to be placed
2 over the -- on that proposed road, as well as a
3 potential for the Park Ridge piece being developed
4 as well. And even a -- a commuter bus stop being
5 put down in that area.

6 Do you have anything, any type of
7 insight into pedestrian traffic?

8 THE WITNESS: As far as pedestrian
9 traffic, I mean, there will be some. I don't
10 anticipate heavy pedestrian volumes. Essentially
11 the nearest things to here is probably more than a
12 half mile plus up to the Wegmans Center.

13 So yeah, you will get some pedestrians
14 up in that direction, likely. There is a sidewalk
15 network that runs through Montvale that gets you up
16 in that area.

17 There is no existing sidewalk network
18 on Brae Boulevard to get you out to Spring Valley,
19 but I don't anticipate there being any heavy
20 pedestrian activity out to that direction. There is
21 no retail uses, et cetera, out there that would draw
22 pedestrians to that area.

23 MEMBER PEREZ: And again, it was an
24 earlier comment, and I don't know if it's right to
25 bring it up now, but with that piece of sidewalk

1 that was going to be proposed, where are we with
2 sidewalk safety in the winter and care for that?

3 THE WITNESS: I don't know that I
4 quite understand what you mean by sidewalk safety.
5 It will be plowed --

6 MEMBER PEREZ: In winter months and
7 care for that sidewalk, you know, for clearing and
8 things like that.

9 THE WITNESS: So I guess, it's going
10 to be owned by the operator, the building will have
11 a maintenance plan just like he's going to, you
12 know, plow his parking lots and shovel his
13 sidewalks.

14 MEMBER PEREZ: Okay, thank you.

15 THE WITNESS: You're welcome.

16 ATTORNEY RUPP: I was wondering if
17 Mr. Verderese when he speaks about acceptable levels
18 of service can he explain, a) what are levels of
19 service, what are the types of levels of service,
20 and what are the levels of service at these two
21 intersections during the peak morning, peak evening
22 and weekend?

23 THE WITNESS: Yes. So at the Sony
24 Drive-Brae Boulevard intersection -- so first, what
25 are levels of service. They're a scale. And each

1 level, A through F, has a range of seconds of delay
2 per vehicle.

3 So they're both stop-controlled
4 intersections, so there's a table in the report that
5 identifies the levels. But I can give it to you.
6 It is a scale of A to F. Essentially what we
7 consider acceptable is a non-failing level of
8 service.

9 These intersections, so at the worst
10 case at the Brae Boulevard and Sony Drive
11 intersection in our analysis of the 185 units, we
12 have C levels of service, one D level of service and
13 some As and Bs. So it's a mix of levels of service.
14 All acceptable.

15 The delays, the highest delay we have
16 to any movement there is 29 seconds of delay per
17 vehicle, which is essentially half of what a failure
18 is. So it works at, you know, what we consider I
19 would say it's even better than just acceptable.
20 It's a good level of service.

21 In New Jersey essentially in the
22 Department of Transportation for stop-controlled
23 intersections, the goal is to have an E level of
24 service or better.

25 At the intersection of Spring Valley,

1 it's very similar. It ranges from A to D level of
2 service with the highest delay being 26 seconds of
3 delay per vehicle. And that's for someone exiting,
4 waiting to make a left turn essentially out of Brae
5 Boulevard onto Spring Valley.

6 BY ATTORNEY WOLFSON:

7 Q. Nick, there were a couple of things in
8 the memo from the board engineer that we should just
9 touch on. There was a request that to the extent
10 there is not a Title 39 agreement in effect for the
11 property, we will enter into one.

12 We will, correct?

13 A. Correct.

14 ATTORNEY WOLFSON: And just so the
15 board knows, if you're not aware, that allows the
16 police department to come in and do certain
17 enforcement activities on private property. So that
18 will be fine.

19 BY ATTORNEY WOLFSON:

20 Q. You heard Brett talk about signage.
21 And I guess that derived from a comment in here on
22 P, under the traffic and circulation, about moving
23 the sign closer in.

24 Would you support that if the Board
25 were inclined to consider a movement of the sign

1 onto the Park Ridge side?

2 A. Absolutely.

3 Q. There was also a comment about a
4 vehicle overhang for the Montvale ladder truck. Can
5 you speak to that, crossing over the center line?

6 A. Yes. So fire trucks cross the center
7 line all the time when they're on residential
8 streets or in parking lots. So I don't have any
9 issue with the fire truck as it makes that turn from
10 the Park Ridge side to the Montvale side of the
11 development, there is a bend in the road that it has
12 to cross the center line. I have no concern with
13 that.

14 Q. And that's a common condition even when
15 newly designing a road?

16 A. Absolutely. Yes.

17 Q. And you're satisfied that the proposed
18 access to the Montvale improvements to be
19 constructed are safe, adequate and well-designed?

20 A. Yes, I do.

21 Q. Okay. And the rezoning that occurred
22 in Montvale and the anticipated rezoning under the
23 settlement agreement in Park Ridge, when a
24 municipality rezones a property for a certain use
25 and a certain density, it's implied in there that

1 there is a consideration that the traffic situation
2 is appropriate to support that; is that correct?

3 A. Correct.

4 Q. Thank you.

5 ATTORNEY WOLFSON: I have no other
6 questions for Nick.

7 CHAIRMAN FLAHERTY: So any Board
8 members have any questions?

9 How about our professionals?

10 BOARD TRAFFIC CONSULTANT:

11 Mr. Chairman, Brian Intindola from Neglia
12 Engineering. I work with Greg. I'm your traffic
13 engineer for tonight.

14 CHAIRMAN FLAHERTY: Yes, Brian.

15 BOARD TRAFFIC CONSULTANT: I have a
16 couple questions for Mr. Verderese.

17 Nick, so your earlier iterations of the
18 report had portions of the Sony building to be
19 reutilized and some of it to be made dormant. That
20 condition no longer exists as the building is going
21 to be removed?

22 THE WITNESS: Correct.

23 BOARD TRAFFIC CONSULTANT: And with
24 the building being removed, that will no longer
25 generate traffic?

1 THE WITNESS: Yes.
 2 BOARD TRAFFIC CONSULTANT: I know I'm
 3 being a little obvious here, but I just wanted to
 4 for the record to reflect that. So it's --
 5 THE WITNESS: So just for the Board's
 6 comparisons sake, the 150,000 square feet of office
 7 during the morning and evening peak hour, will
 8 generate twice as much traffic as the new
 9 development is generating in Montvale, to get an
 10 order of magnitude.
 11 BOARD TRAFFIC CONSULTANT: And you are
 12 representing tonight that although there's not a
 13 specific traffic report that reflects that
 14 reduction, it's kind of not needed because you had
 15 good levels of service or decent levels of service
 16 with the 150,000 square foot of office in the
 17 project?
 18 THE WITNESS: Correct.
 19 BOARD TRAFFIC CONSULTANT: I just want
 20 to make sure that there's not a report out there
 21 that has the removed building and there isn't? I
 22 just want to be clear to the Board.
 23 THE WITNESS: No. It would, as you
 24 said, it would just show even better levels of
 25 service and delays.

1 BOARD TRAFFIC CONSULTANT: Understood.
 2 And there's not going to be an interim use for the
 3 vacant parcel that we're aware of or you're aware
 4 of?
 5 THE WITNESS: I'm not aware of that,
 6 no.
 7 BOARD TRAFFIC CONSULTANT: Interim
 8 being between demolition, vacant lot and moving
 9 forward to a Park Ridge specifically zoned project,
 10 just to clarify my statement.
 11 THE WITNESS: Correct.
 12 BOARD TRAFFIC CONSULTANT: And then
 13 ultimately I guess my last question is that, just
 14 for the edification of the Board, when there is a
 15 development that is further along on the Park Ridge
 16 side, there will be a new application and a revised
 17 or a brand new traffic study to reflect the
 18 specificity of the proposed project that is unknown
 19 right now?
 20 THE WITNESS: Yeah, that's what we
 21 would do when we come in with a full application.
 22 BOARD TRAFFIC CONSULTANT: And at that
 23 time, if there are negative traffic impacts, they
 24 will be dealt with as if any other project that
 25 would come before a planning or zoning board

1 specific to a new Park Ridge application?
 2 THE WITNESS: Correct.
 3 BOARD TRAFFIC CONSULTANT: All right.
 4 I just want -- and in terms of my review of the trip
 5 generation for both the Montvale project and the
 6 prior Sony building, they were in accordance with
 7 the ITE, Institute of Transportation Engineers
 8 methodology, New Jersey Department of Transportation
 9 methodology and as well as other jurisdictions that
 10 look to that, including the Residential Site
 11 Improvements Standards, which is some of the basis
 12 of how we look at traffic.
 13 I just want to make sure to the Board
 14 that we did look at that on their behalf and we did,
 15 as their attorney said, we did participate in the
 16 Montvale hearings and we had our concerns voiced
 17 there as well.
 18 So that's what I have, Mr. Chairman.
 19 MEMBER RUTOWSKI: Mr. Chairman, I have
 20 a question for Brian, if I could just make sure we
 21 understand as a board.
 22 So after the Park Ridge property
 23 proposed improvements for the number of -- well, the
 24 number of apartments is being discussed but now the
 25 amount of bedrooms for those apartments is going to

1 be later on discussed. What happens if the level of
 2 service -- if the roads entering the property won't
 3 accommodate that? That becomes a gauntlet.
 4 BOARD TRAFFIC CONSULTANT: So as it's
 5 been vetted. It's been core tested. The applicant
 6 ultimately has to contribute his fair share in the
 7 degradation of levels of service, if they are
 8 unacceptable from a traffic engineering perspective
 9 on the operation and safety of the intersections at
 10 Spring Valley and say where Brae comes in at Sony
 11 Drive.
 12 So that's where you have your
 13 opportunity to have your radar up to see what those
 14 impacts are. And if they need to be mitigated,
 15 there is a methodology that has been vetted for that
 16 mitigation.
 17 MEMBER RUTOWSKI: Understood. Thank
 18 you.
 19 MEMBER PEREZ: Yes, Mr. Chairman. A
 20 question for Brian.
 21 Brian, if you had for say -- let's say
 22 Sony was up and running right now, and the Montvale
 23 project was up and running right now, what would
 24 your opinion be on the traffic pattern, flow,
 25 at -- under those circumstances?

1 BOARD TRAFFIC CONSULTANT: Well, it's
 2 a scenario that doesn't exist, Mr. Perez, but I'll
 3 take a stab at it as a hypothetical.
 4 So say that the office is resuming at
 5 full capacity at 225,000 square foot, is that what
 6 we're saying? And the 185 units are built in
 7 Montvale and they are coexisting traffic-wise, then
 8 that would give me pause in terms of the effect of
 9 the traffic because, you know, what we're finding is
 10 that where they do have newer office construction,
 11 because the technology is such that you can get more
 12 people per square foot, we would really have to look
 13 at that traffic and there probably would be some
 14 levels of service that would need to be addressed.
 15 But we don't have that scenario
 16 specifically because in the prior reports that were
 17 done by Mr. Skapinetz -- I'm sorry, Mr. Verderese,
 18 is that they deducted the office down to
 19 150,000 square foot. And if they were going to keep
 20 the building, we asked for that. But they're not.
 21 So I don't know the answer to that
 22 question. But it would be subject to a new traffic
 23 report and then we would have to go on from that.
 24 MEMBER PEREZ: I guess you may have
 25 understood why I was saying that. Because I'm

1 looking forward to going ahead and saying, okay, so
 2 yeah, if you have Sony and now we don't have Sony
 3 and we have some residential properties put in place
 4 there, we have a combined issue with traffic, both
 5 the Montvale piece as well as the Park Ridge piece.
 6 That's all.
 7 Thank you, Mr. Intindola.
 8 MEMBER PANTALEO: To Dr. Perez's
 9 point, Brian, I would like to continue this.
 10 Instead of it being a business that is located at
 11 Sony, in your estimation, if there were 450 unit
 12 dwellings that were there, how bad would that impact
 13 the existing traffic conditions in that area?
 14 BOARD TRAFFIC CONSULTANT: Right. So
 15 of course between the residential and the office, we
 16 know that, let's get to different comparative times
 17 like during a Saturday, the office is of course
 18 less. So it would be not invisible but it would be
 19 less if it was residential to residential in that
 20 scenario with Montvale and Park Ridge being
 21 residential.
 22 So what's critical is the a.m. peak
 23 weekday and the p.m. peak weekday, and now because
 24 Saturdays are the same, the midday Saturday.
 25 So on the a.m. weekday and p.m.

1 weekday, the office in -- the office use would be
 2 less than the units, the 400 or so units that is
 3 being considered. As a rule of thumb, and I haven't
 4 done the trip generation specifically, you take the
 5 number of units proposed, about 450 say, just
 6 rounding up. That brings you to 225 total trips in
 7 the peak hour. And of the total trips, you do a
 8 70/30 split or an 80/20 split.
 9 So just off the cuff, say it's 190 out
 10 for the proposed residential on the Park Ridge side,
 11 which could be, you know, it is -- it could be
 12 assimilated but you may start to reach a threshold
 13 of some level of service changes to the
 14 intersections. But that is yet to be determined and
 15 will be fully vetted when whatever applicant comes
 16 in for the next site plan and the next Traffic
 17 Impact Statement.
 18 BOARD PLANNER: I think in
 19 Nick Verderese's November 2019 report, he kind of
 20 addressed that. He used a different total number of
 21 units on the Park Ridge portion but maybe, Nick, you
 22 can extrapolate from what you did and give us a more
 23 refined answer to that question?
 24 THE WITNESS: Sure, sure. So one
 25 other thing I did just after learning about the

1 448 units, I did a comparison of 633 units, which
 2 would be the combination of the two properties, and
 3 compared that to 220,000 square feet of office
 4 space, so if it was reoccupied. The numbers are
 5 eerily similar between the two within 10 to
 6 15 percent during the peak hours. So somewhere
 7 between 200 to 250 peak-hour trips whether it's
 8 office or it's that 633 units.
 9 So it's almost the same traffic volumes
 10 except as I noted earlier, it's very different
 11 directional. It's exiting in the morning for
 12 residential, it's entering in the morning for the
 13 office.
 14 As Joe was talking about, he was
 15 referencing what we did in our Traffic Impact Study
 16 and we used 1,100-plus units in our analysis and
 17 still showed no failures of any of these surrounding
 18 intersections. So I'm very comfortable saying that
 19 if we had 1,100 units and it didn't fail, with
 20 600 units, it's only going to be better than that.
 21 And as Brian noted, when we come in
 22 with that application for 400-plus units, we will
 23 have to provide a new Traffic Impact Study that
 24 identifies impacts. But we're already telling you
 25 that with 150,000 square feet and residential on the

1 Montvale side or 1,100 total units, there is still
 2 no issue with access or impacts to the surrounding
 3 area.
 4 ATTORNEY WOLFSON: And as it's been
 5 said a number of times already in this discussion,
 6 tonight's application is solely to facilitate access
 7 to the Montvale project, which is an inclusionary
 8 project on your neighbor's property. And each town
 9 has an obligation to facilitate the creation of
 10 affordable housing.
 11 So everybody said the right things.
 12 Traffic report will be generated in connection with
 13 the new development plan that will come before the
 14 planning board following the result of tonight's
 15 meeting.
 16 MR. PANTALEO: Thank you, Mr. Wolfson.
 17 Mr. Verderese, when you're doing that
 18 study, what is the primary ingress and egress route
 19 that you're -- that you're looking at? Are you
 20 splitting it up or are you sending people out
 21 towards Spring Valley?
 22 THE WITNESS: It splits up. We have,
 23 I'm going to say round numbers, I'll say a little
 24 more than a third going out towards Spring Valley
 25 with more going up to Grand. Grand being the

1 direction to get you to the Parkway, so we have more
 2 routed there.
 3 We did a whole journey-to-work model
 4 that we worked on a number of years ago when we
 5 first were looking at this site and we determined
 6 where they were going to come and go for residential
 7 uses.
 8 MEMBER PANTALEO: Okay. Thank you.
 9 THE WITNESS: You're welcome.
 10 CHAIRMAN FLAHERTY: All right, any
 11 other questions from Board members or our
 12 professionals?
 13 MEMBER PEREZ: I have one.
 14 Just, again, Mr. Verderese, when you
 15 did these traffic studies -- again, I'm just a
 16 little concerned about that other property across
 17 from Wegmans that is being developed and the traffic
 18 that that is going to produce.
 19 If we have people coming out of Sony
 20 Drive and then going up towards the Parkway and you
 21 now have Wegmans, which, of course, we know is
 22 already there, and then we have the other Montvale
 23 property that is being developed; isn't that going
 24 to be a bottleneck if you are sending maybe 60, 65
 25 or 70 percent of the traffic going from this

1 particular parcel up towards the Parkway?
 2 THE WITNESS: So we included that
 3 development. It's called Triborough Square. So
 4 that's in all of our analysis, so all the traffic
 5 associated with it.
 6 Not all of our traffic that goes north
 7 is going to head on Mercedes Drive. Some of it will
 8 take Phillips Parkway and actually turn back towards
 9 Spring Valley potentially, or continue straight
 10 through the intersection onto Paragon, or continue
 11 and make a left on Spring Valley or continue east on
 12 West Grand.
 13 So it's not all 70 percent or so is
 14 going to go up. We have about 40 percent of our
 15 traffic is going to go up and want to go towards the
 16 Parkway.
 17 MEMBER PEREZ: Okay. Again, I just
 18 wanted to clear that up to the Parkway because that
 19 seems to be, you know, the draw.
 20 THE WITNESS: Yes.
 21 MEMBER PEREZ: Thank you.
 22 THE WITNESS: You're welcome.
 23 CHAIRMAN FLAHERTY: Anyone else, board
 24 members or professionals?
 25 Okay. Well, we will also open this up

1 now to our public. Are there any members of the
 2 public with a question for Mr. Verderese?
 3 MS. McPARTLAND: I have a question.
 4 This is Dawn McPartland, 85 Rivervale Road.
 5 I believe I noticed on one of the plans
 6 that you had put up, the one that had the Montvale
 7 side, there was reference on there to a couple of
 8 retail spaces that were going to be there.
 9 Has that been figured into how that
 10 impacts the traffic?
 11 THE WITNESS: I'm not aware of any
 12 retail space, so maybe someone can jump in and help
 13 me out there.
 14 MS. McPARTLAND: It looked like it
 15 said there were four retail spots or something on
 16 the sheet.
 17 THE WITNESS: They could be leasing
 18 spaces, maybe? That's the only thing I can think of
 19 that--
 20 ATTORNEY WOLFSON: There's no retail
 21 use proposed in either Montvale or Park Ridge side.
 22 THE WITNESS: Yes.
 23 MS. McPARTLAND: Okay. Thank you.
 24 CHAIRMAN FLAHERTY: Anyone else?
 25 MR. BROWN: Nate Brown, 4 Duke Court.

1 I may have missed this. What was the date of this
 2 traffic study?
 3 THE WITNESS: It's dated November 1st
 4 of 2019.
 5 MR. BROWN: November 1st, 2019? So
 6 that means Sony is not operating at full capacity.
 7 A&P is not operating at full capacity. Mercedes
 8 site is not operating at full capacity.
 9 What was done to factor in for all
 10 these sites? I mean, this is a dead -- this is a
 11 dead zone that is going to have, you know, 1000-plus
 12 units, plus retail in, you know, six to 12 months.
 13 THE WITNESS: So, I think we had an
 14 extensive discussion before about the Sony site. So
 15 the Sony site, we don't need to -- we did. We
 16 generated for the Sony site if it was occupied. But
 17 now you know that the building is getting demoed, so
 18 that was overestimation.
 19 We also included traffic from any
 20 approved projects at the time that would generate
 21 any significant traffic volumes in the area.
 22 MR. BROWN: So that included Mercedes?
 23 A&P?
 24 THE WITNESS: That included the three
 25 developments I noted, Triborough Square, Wegmans,

1 and there's a Toll Brothers development that is, I
 2 think, on the other side of Grand.
 3 MR. BROWN: Is that the old A&P?
 4 THE WITNESS: I don't -- I'm not
 5 familiar with where that is.
 6 MR. BROWN: Are you local from New
 7 Jersey?
 8 THE WITNESS: Yes, I am local from New
 9 Jersey. Yes.
 10 MR. BROWN: All of this is kind of
 11 premature because the Park Ridge property has not
 12 been rezoned, correct?
 13 ATTORNEY WOLFSON: There's an
 14 agreement in place that was (transmission
 15 interference) by the Court, as Mr. Burgis indicated
 16 today, and will go an additional step, a final step
 17 in terms of the settlement. But the Borough has
 18 agreed to the parameters of the development that we
 19 have talked about tonight.
 20 MR. BROWN: But even when we talk
 21 about buffers or traffic study, the Park Ridge
 22 property has not been rezoned; is that correct?
 23 ATTORNEY WOLFSON: It has not been
 24 rezoned but the settlement anticipates that it will
 25 be expeditiously.

1 MR. BROWN: Okay. And, you know, the
 2 piece that they were using for -- I forget the name
 3 for it, but it was something that you plug your
 4 numbers into and it was based on 2018.
 5 Does that account for Amazon trucks and
 6 UPS trucks and -- I mean, in 2017-'18, you know,
 7 maybe I had one or two Amazon trucks come a day.
 8 Now I got six and I live in a cul-de-sac.
 9 Does that include deliveries? Does
 10 that included -- especially in light of a pandemic,
 11 do any of these traffic studies include deliveries
 12 being increased since 2017 or 2018?
 13 THE WITNESS: It does. But as far as
 14 the pandemic goes, traffic has gone in the opposite
 15 direction. Maybe Amazon is coming more often, but
 16 there is a lot less traffic on the roads at the same
 17 time.
 18 So we have never done -- any of our
 19 current traffic studies we do, we use historical
 20 data and grow traffic volumes. We are not utilizing
 21 pandemic traffic volumes.
 22 MR. BROWN: Okay. And I understand
 23 that but then on the flip side, it will come back at
 24 a greater volume.
 25 Who funded the traffic study?

1 THE WITNESS: Well it was prepared by
 2 myself for the applicant.
 3 MR. BROWN: So the applicant funded
 4 it?
 5 THE WITNESS: Yes.
 6 MR. BROWN: And who is that?
 7 THE WITNESS: Peter?
 8 ATTORNEY WOLFSON: The applicant is
 9 Landmark.
 10 MR. BROWN: So this study was done in
 11 2019 and funded by Landmark?
 12 ATTORNEY WOLFSON: It was funded by
 13 the then applicant. The applicant has slightly
 14 changed since then.
 15 MR. BROWN: Okay. So it's not funded
 16 by the applicant?
 17 ATTORNEY WOLFSON: It is essentially
 18 funded by the applicant.
 19 MR. BROWN: Well, it's not
 20 essentially. Was it funded by the applicant?
 21 ATTORNEY WOLFSON: It was funded by
 22 the prior applicant.
 23 MR. BROWN: Okay.
 24 CHAIRMAN FLAHERTY: I guess so what
 25 that study is suggesting is that the Sony building,

1 when people were working there, that generated more
 2 traffic than the people who will be living in the
 3 other building? That's what your -- simple terms?
 4 THE WITNESS: Yes.
 5 CHAIRMAN FLAHERTY: Any other
 6 questions from the public?
 7 MR. O'SULLIVAN: I have a quick
 8 question. And I apologize. I am joining here late.
 9 Just a quick question on the current ratings --
 10 CHAIRMAN FLAHERTY: We need your --
 11 I'm sorry. We need your name and address, please.
 12 MR. O'SULLIVAN: I apologize.
 13 David O'Sullivan, 12612 Bayview Drive, Knoxville,
 14 Tennessee.
 15 My question has to do with the current
 16 ratings of the traffic lights at the various
 17 intersections around the corporate development here.
 18 Nick, could you review that real quick?
 19 And, I apologize, because I missed most of your
 20 testimony.
 21 THE WITNESS: Right. The traffic
 22 lights we reviewed are all in the neighboring
 23 municipality and under the control of Bergen County.
 24 So I don't know if the Board -- correct me if I'm
 25 wrong, if the Board would like to hear about those

1 intersections, I can go into them, if you would like
 2 me to.
 3 MR. O'SULLIVAN: Well I guess just as
 4 a resident, or former resident, I guess my concern
 5 would be if we know, for example, that the rating of
 6 the traffic signal at the Grand Avenue and former
 7 Mercedes-Benz Drive is a C or -- no, it has some
 8 sort of rating which is not so good and you're
 9 making testimony that the additional trip or the
 10 additional traffic that is going to occur here is
 11 going to have no affect on it, I'm just curious as
 12 to whether or not we have an A, a B, a C, or D or
 13 what the situation might be at some of these
 14 intersections.
 15 I just think it's relevant to what we
 16 are talking about here if we are going to be adding
 17 185 units to the Montvale portion of the property
 18 where we're now looking to add, you know, an access
 19 road.
 20 THE WITNESS: So I can answer quickly.
 21 We did analysis there and, again, with the small
 22 amount of volume associated with the site and the
 23 relatively heavy 2000-plus vehicles traversing West
 24 Grand Avenue, we have little change to the
 25 operation.

1 And all the levels of service remain
 2 exactly the same, D level of service -- D as in
 3 David -- level of service at those intersection or
 4 better.
 5 MR. O'SULLIVAN: So would you
 6 categorize the D as an acceptable rating?
 7 THE WITNESS: Yes.
 8 MR. O'SULLIVAN: And currently, just
 9 so I understand, the Montvale portion of the
 10 property is completely undeveloped. It's mostly
 11 wooded land. And what I guess Montvale is proposing
 12 to do is to add 185 units.
 13 How many parking stalls have been
 14 dedicated for each one of those 185 units?
 15 ATTORNEY WOLFSON: Mr. Chairman, if I
 16 might, it sounds like Mr. O'Sullivan is a resident
 17 of Tennessee. I'm fully familiar with his interest
 18 in our activities when he was a resident, but I'm
 19 questioning the relevance of his line of testimony
 20 as a Tennessee resident.
 21 CHAIRMAN FLAHERTY: It does seem odd
 22 but I think he's raising some good questions.
 23 BOARD MEMBER: And Mr. Chairman, we
 24 had somebody from Woodcliff Lake that's also not a
 25 resident testifying earlier and --

1 ATTORNEY WOLFSON: Yeah. The
 2 Woodcliff Lake gentleman is potentially --
 3 (Cross-talking.)
 4 ATTORNEY WOLFSON: -- private property.
 5 So I'm sure, Mr. Chairman, you don't want to have a
 6 free-for-all with the public, so I will stop.
 7 CHAIRMAN FLAHERTY: Thank you. I
 8 don't care for a free-for-all, no. But I thought
 9 that Mr. Verderese was about to answer the question,
 10 so if you go ahead.
 11 THE WITNESS: 357 parking spaces.
 12 MR. O'SULLIVAN: So we are adding 357
 13 new parking spaces to an area where there was no
 14 development at all prior to this, and we're not
 15 anticipating any significant increase for a traffic
 16 intersection?
 17 And just out of curiosity, the peak
 18 traffic I would anticipate, especially along the
 19 Grand and Mercedes Benz Drive because it is no
 20 longer a corporation where you would anticipate
 21 those peak traffic to be Monday through Friday, I
 22 would anticipate that now because retail is starting
 23 to dominate that area, that the peak traffic to be
 24 about Saturday afternoon or so, 11 to 12 or 11 to 2;
 25 would that be correct?

1 THE WITNESS: No, the peak traffic
2 volumes are still during the weekday, commuter peak
3 hours, not on Saturday.

4 MR. O'SULLIVAN: So with the Wegmans
5 and -- and was that based on actual car counts or
6 was that based on estimations that have been done
7 over the years by Montvale?

8 THE WITNESS: A combination of counts
9 as well as projections.

10 MR. O'SULLIVAN: Because I recall when
11 I was at, you know, some of these Montvale hearings,
12 a lot of this data was based on estimations and that
13 actual car counts had not been done. And obviously
14 it still can't be done because the Mercedes-Benz
15 site is not fully built out.

16 And as far as the percentage, are you
17 aware of percentage of traffic that is going to be
18 generated at Mercedes-Benz versus, I guess currently
19 as a corporation, versus what it's being proposed
20 as?

21 THE WITNESS: I don't have much
22 concern for any background traffic volumes. When
23 our project generates only 80 peak-hour trips, one
24 every minute, as I noted earlier. The more and more
25 traffic you put in the background, the smaller and

1 smaller percentage of the traffic is impacted from
2 the project.

3 So whether they build another seven
4 more buildings between here and West Grand, our
5 impact is just going to be less and less as traffic
6 volumes increase.

7 MR. O'SULLIVAN: Well I guess my
8 concern really is just that a lot of the data here
9 is really estimation or speculation based on --

10 THE WITNESS: Absolutely not.
11 Absolutely not. There's actual traffic counts done
12 on the roadways identifying existing conditions and
13 then future projections, following all standard
14 methodology reviewed by traffic engineers from two
15 municipalities, as well as Bergen County along the
16 county roadway. And it's all been deemed acceptable
17 in meeting the standards.

18 So to clarify it or characterize it as
19 all being projected, that's not a fair
20 characterization.

21 MR. O'SULLIVAN: Well, I didn't say
22 all of it, but I'm just saying that some of it has
23 been just based on projections based on ITE --

24 THE WITNESS: Absolutely has to be
25 because it's not built yet.

1 MR. O'SULLIVAN: So has a detailed car
2 count been done since Wegmans has been fully built
3 out?

4 THE WITNESS: Yes.

5 MR. O'SULLIVAN: Okay. And again,
6 like I said my concern is -- so you wouldn't
7 anticipate the peak travel to be on the weekends
8 once the Montvale properties are completely built
9 out, meaning the Wegmans being fully leased out
10 along with the property across the street on
11 Mercedes-Benz Drive?

12 THE WITNESS: I can tell you that in
13 Park Ridge, the intersections of Park Ridge, the
14 traffic volumes are heavier in the morning and
15 evening peak hour than they are on Saturday.

16 MR. O'SULLIVAN: No, I understand. I
17 guess what I'm getting at is, you know, my concern
18 here is when --

19 ATTORNEY WOLFSON: Chairman, can he
20 please be asked to ask questions?

21 MR. O'SULLIVAN: All right. Are you
22 concerned at all that once all the projects in both
23 Montvale and Park Ridge are completed and we have a
24 substantial amount of retail and we start adding a
25 tremendous amount of residential, we're going to be

1 generating a tremendous amount of trips by the
2 residents on the weekends, which is going to
3 coincide with the retail traffic that is going to be
4 occurring?

5 Are you concerned about that?

6 THE WITNESS: No, because any of that
7 retail that is there is going to capture these
8 residents and they're not going to have to get out
9 onto the main roads because they're all going to
10 stay within the campus.

11 Essentially there's a campus bound by
12 Spring Valley Road, Brae Boulevard, and Grand. And
13 people from this development will now have good
14 opportunities to shop without having to cross over
15 the Parkway to the west side to shop on the west
16 side of the Parkway.

17 MR. O'SULLIVAN: So what would be --
18 Mr. Verderese, what would we anticipate from you
19 folks going forward as far as the traffic study,
20 just so I understand what you guys are looking to
21 do?

22 THE WITNESS: So when we move forward
23 with another application for residential in Park
24 Ridge, we will perform a Traffic Impact Study that
25 meets all the standards. And I'll work with the

1 Board's traffic engineer to ensure I study the
 2 locations that he's concerned with.
 3 CHAIRMAN FLAHERTY: Okay. Any other
 4 questions from anyone in the public?
 5 Mr. Rupp, anything?
 6 ATTORNEY RUPP: Nothing. I'm just
 7 anticipating Mr. Wolfson's next witness, that's all.
 8 CHAIRMAN FLAHERTY: Well, are we --
 9 Mr. Verderese, is your testimony completed?
 10 No more questions for Mr. Verderese
 11 this evening?
 12 ATTORNEY WOLFSON: No, we have nothing
 13 else on direct. And I believe that the Board and
 14 your professionals were asked to ask their
 15 questions. You opened it to the public and I didn't
 16 hear any other questions from the public.
 17 CHAIRMAN FLAHERTY: Okay.
 18 ATTORNEY WOLFSON: With that I would
 19 like to call Paul Phillips, our planner.
 20 CHAIRMAN FLAHERTY: Well, we're not
 21 going to start another now, given this hour. We're
 22 not going to start another witness at 10:35. No new
 23 witnesses start after 10. So I think we have had
 24 enough for this evening.
 25 We are on the books

1 for -- Ms. Tardibuono, our December meeting is?
 2 BOARD SECRETARY: Our December meeting
 3 is December 15th.
 4 CHAIRMAN FLAHERTY: December 15th,
 5 okay.
 6 ATTORNEY WOLFSON: Mr. Phillips, are
 7 you available on the 15th?
 8 MR. PHILLIPS: I am indeed,
 9 Mr. Wolfson.
 10 ATTORNEY WOLFSON: Oh, good. Okay.
 11 So, Mr. Chairman, is this matter going
 12 to be carried without further notice to your meeting
 13 on December 15th which starts at 8:00 p.m., like we
 14 did tonight?
 15 CHAIRMAN FLAHERTY: Mr. Rupp, do you
 16 want to confirm that for us, please.
 17 ATTORNEY RUPP: That is correct. This
 18 meeting was duly noticed by the applicant. No
 19 further notices will be provided.
 20 Although I understand our website is
 21 likely to have the Zoom information on it, correct,
 22 Ms. Tardibuono?
 23 BOARD SECRETARY: Yes, it will. And I
 24 will be sure to get you, Mr. Wolfson, all of the
 25 Zoom information as well.

1 ATTORNEY WOLFSON: Thank you.
 2 ATTORNEY RUPP: But no additional
 3 personal notice will be -- or publication will be
 4 required of the applicant. This meeting is being
 5 carried to December 15th.
 6 Again, I think this is treated as a new
 7 application. And, Mr. Wolfson, while I anticipate
 8 that this will be -- the hearing will be completed
 9 on the 15th, would you grant the Board that
 10 additional 30-day extension?
 11 ATTORNEY WOLFSON: Absolutely.
 12 CHAIRMAN FLAHERTY: Okay.
 13 Mr. Wolfson, and the applicant team, we
 14 thank you for your time tonight and look forward to
 15 our meeting in December.
 16 ATTORNEY WOLFSON: And we thank you
 17 for your time especially during this holiday week.
 18 And again, best wishes for a peaceful and safe
 19 Thanksgiving.
 20 CHAIRMAN FLAHERTY: Thank you. Same
 21 to you and everyone else.
 22 ATTORNEY WOLFSON: Thank you.
 23
 24 (Hearing adjourned at 10:37 p.m.)
 25

1 CERTIFICATE
 2
 3 I, ANGELA C. BUONANTUONO, a Notary Public and
 4 Certified Court Reporter of the State of New Jersey
 5 and Registered Professional Reporter, do hereby
 6 certify that prior to the commencement, the
 7 witnesses were duly sworn to testify the truth, the
 8 whole truth and nothing but the truth.
 9 I DO FURTHER CERTIFY that the foregoing is a
 10 true and accurate transcript of the hearing as taken
 11 stenographically by and before me at the time, place
 12 and on the date hereinbefore set forth.
 13 I DO FURTHER CERTIFY that I am neither a
 14 relative, nor employee, nor attorney, nor counsel of
 15 any of the parties to this action, and that I am
 16 neither a relative, nor employee of such attorney or
 17 counsel, and that I am not financially interested in
 18 the action.
 19
 20
 21
 22
 23 Angela C. Buonantuono, CCR, RPR, CLR
 24 NJ State Board of Court Reporting
 25 License No. 30XI00233100
 Dated: December 11, 2020

A	32:6 33:2	62:7 70:8	71:11	74:24
A&P 113:7,23	33:2,8	71:12,13	adjoining	75:13,20
114:3	34:9,14	72:22	9:5 78:11	75:21
a.m. 84:4,5	35:17,18	95:20	79:7	aisle 15:21
90:24	35:22,23	actual 121:5	adjourned	17:9 19:3
91:14 92:2	36:1,21	121:13	127:24	19:13
92:2	37:3,4,23	122:11	advice 75:25	32:22,24
106:22,25	37:24,25	ADA 41:8	advised	38:5 45:22
ability	38:1,9,16	44:2,6,10	63:21	46:14 61:4
30:22	38:23	add 51:19	affect	61:5 70:4
able 23:5	46:23	85:12	118:11	aisles 37:23
27:7 28:17	47:15,24	118:18	afford 86:8	67:9
32:5,25	48:2 52:14	119:12	affordable	alert 64:22
61:14 67:8	53:18,20	added 68:7	6:6 7:14	alive 43:12
89:2	54:5,13	83:20	7:17	alleviate
absent 53:8	55:3 65:20	84:18	109:10	71:15
absolutely	66:21 67:9	adding 24:13	afternoon	allow 6:19
47:12	72:15	25:17	120:24	42:23 46:9
56:22 99:2	99:18	118:16	agency 7:25	90:8
99:16	109:2,6	120:12	ago 110:4	allowed
122:10,11	118:18	123:24	agree 20:19	13:25
122:24	accessed	addition	39:10,14	allows 98:15
127:11	36:3 66:13	15:24 87:9	42:17 56:9	alongside
abuts 78:17	accessible	additional	56:12	17:23
abutting	28:5 37:16	10:17 21:9	57:12,23	Amazon 115:5
78:13	accommodate	24:11,15	59:2,21	115:7,15
80:20	28:12	24:16	78:22	amenable
accept 27:19	104:3	90:21	agreed 42:23	46:9
28:3 58:4	account	92:21	57:25 59:4	amount 47:19
acceptable	115:5	114:16	78:25	65:19
28:5 88:16	accurate	118:9,10	114:18	84:12
96:17 97:7	128:10	127:2,10	agreeing	87:18
97:14,19	accurately	Addition...	44:14	103:25
119:6	58:23	7:20 9:23	agreement	118:22
122:16	achieved	10:5 84:16	7:20 42:22	123:24,25
accepted	52:15	address 3:11	56:19 79:2	124:1
28:8,9	acknowledge	12:21,24	87:10	analysis
82:17	7:24	65:23 66:3	98:10	50:14 85:5
access 6:4	acknowledge...	81:22,24	99:23	85:6,16
11:1,5,21	40:18	117:11	114:14	87:1,12,15
11:24	acres 80:17	addressed	ahead 15:8	88:15 92:8
15:18 25:8	80:17	63:23	24:11	93:20
25:13	act 23:9	93:12	31:20 32:2	97:11
26:16,19	action	105:14	34:17	108:16
26:19,22	128:15,18	107:20	46:18	111:4
27:1,4,7	activities	adequate	54:25 55:1	118:21
27:10,13	40:20 72:9	99:19	65:17	analyze
27:20 29:5	98:17	adequately	106:1	92:17
30:2,8,23	119:18	28:17	120:10	ancillary
31:7,9,21	activity	adjacency	air 74:2,16	4:6

Angela 1:22 128:3,23	40:18,25 43:4 58:19	appropriate 74:24 76:5	68:24 70:10	attached 80:4
angle 17:12	59:1,2	100:2	arguably 9:23 10:5	attempt 66:4
announce 4:8	104:5	approval 4:6	arrow 22:9	79:15
answer 25:23 26:2 28:20	107:15	5:2,22 6:4	asbestos 62:20,24	attorney 1:19 3:3
80:2	116:2,3,8	6:7 9:17	63:22	4:10,16,21
105:21	116:13,13	40:23 60:9	74:23 75:2	4:25 11:17
107:23	116:16,18	89:1	75:22	12:7,10,14
118:20	116:20,22	approvals 51:11	asked 26:23	12:20 13:2
120:9	126:18	approved 7:16 10:10	105:20	19:20
answering 33:6	127:4,13	15:17	123:20	32:18 33:5
anticipate 95:10,19	applicant's 55:8	23:16,17	125:14	33:10
120:18,20	application 1:7 4:2,3	28:14,21	asking 25:13	51:23 52:4
120:22	6:3 7:6	34:1 37:13	27:22	52:8,19,24
123:7	8:25 11:24	39:22	aspect 57:12	53:13,17
124:18	14:13 24:4	80:15 84:9	asphalt 40:12 68:9	53:22
127:7	27:16	113:20	68:23,25	54:12,16
anticipated 99:22	28:25 42:3	approxim... 24:7	69:5	55:4 57:19
anticipates 114:24	44:23 47:3	AR 1:5 4:4	assessed 24:6 48:15	58:5 63:21
anticipa... 120:15	49:24	area 9:2,25	assessment 48:25	64:7,15,19
125:7	55:18 59:9	10:25	49:19 50:5	65:5,8,10
anymore 41:9	59:11	15:10,12	58:11,15	65:12,25
apartments 87:22	62:17	15:12,14	assessments 48:23	70:21 71:8
103:24,25	76:11	16:4 18:9	107:12	71:23 72:4
apologize 65:21	82:20 83:4	31:1 46:1	associated 14:17 49:7	72:18 73:3
117:8,12	88:24	47:14 51:9	69:6 84:12	73:5,16,19
117:19	89:15	52:21 61:3	84:23	74:3,13,22
apparatus 28:6 29:9	102:16,21	61:8,9	93:15	75:4,9,11
appeared 82:12,13	103:1	62:6 78:14	111:5	75:16,24
applicable 24:5 41:10	108:22	78:19	118:22	76:9,18,25
44:2	109:6	82:17	Associates 8:14	79:14
applicant 2:6 3:2	124:23	84:11 94:1	assume 50:10	81:10,15
4:8,13	127:7	94:11 95:5	62:22	81:20 82:2
5:22 6:3	applicat... 13:11 21:7	95:16,22	68:10	82:16,25
6:14,19,25	21:24	106:13	89:21	83:2 86:17
7:7,12	apply 10:1,8	109:3	assuming 88:9	89:22
10:12	appointed 19:23	113:21	assumption 68:4	90:10
19:25	appreciate 19:16 21:6	120:13,23	assumptions 83:9	92:23 93:7
	27:14	areas 15:10		96:16 98:6
	49:13	20:23		98:14,19
	51:14 64:6	25:15 26:3		100:5
approaches 94:14,15	approaching 88:1	39:11,25		103:15
		41:18,22		109:4
		52:2 53:10		112:20
		54:22		114:13,23
		67:11		116:8,12
		68:20,22		116:17,21

123:19	122:9,23	86:10	48:6 51:22	52:14 53:4
125:6,12	122:23	112:5	55:6,12,21	borders
125:18	basically	125:13	56:1,25	67:17
126:6,10	43:10	bend 46:12	57:8 58:1	Borough 1:1
126:17	44:20 46:1	99:11	58:7,17	5:24 6:24
127:1,2,11	69:2	Benz 120:19	59:5,6,9	8:6 10:11
127:16,22	basin 21:1,8	Bergen 1:2	60:4,12,18	40:6
128:14,16	21:16,18	117:23	61:2,17	114:17
August 5:25	22:25 23:6	122:15	62:3,10,14	bottleneck
available	23:10,13	best 33:10	63:11,20	110:24
33:7 58:22	23:16,23	127:18	63:24 64:2	bottom 30:25
76:4 126:7	24:1,5,18	better 6:19	64:24 78:8	31:24 32:1
Avenue 118:6	24:18,22	38:10	79:1,16	32:5,23,24
118:24	25:1,3,4	89:16	80:2,14	33:4 34:8
average 88:3	25:10,19	97:19,24	81:2 82:12	34:11,11
92:1,3	26:8 28:13	101:24	86:19	34:17 36:9
aware 7:12	29:3,7	108:20	89:23 98:8	58:21 70:7
87:9 98:15	37:25	119:4	98:15,24	Boulevard
102:3,3,5	48:14,25	bigger 90:7	100:7,10	83:24
112:11	49:11,14	bit 17:6	100:15,23	85:20 86:4
121:17	49:23,25	21:25	101:2,11	86:5 88:20
awfully 91:2	50:20,24	30:24	101:19,22	94:6 95:18
	50:25	31:17	102:1,7,12	96:24
B	58:11,21	32:17	102:14,22	97:10 98:5
B 3:21 12:17	58:23	33:13 35:8	102:25	124:12
118:12	basins 28:24	45:10 47:2	103:3,13	bound 124:11
bachelor	basis 27:9	65:4 85:24	103:21	boundary
13:5 82:6	29:13	blending	104:4	67:6,7
back 10:12	56:15	67:10	105:1	68:21
14:11 19:9	103:11	blends 67:8	106:14	Brae 83:23
20:8 31:10	Bayview 3:16	block 1:5	107:18	85:19 86:4
31:20 36:4	117:13	4:4 5:5,14	109:14	86:5 88:19
45:5,6,13	bedrooms	5:14 6:23	110:11	93:5,18
46:3 61:20	88:3	16:12	111:23	94:6 95:18
81:9 89:14	103:25	17:18	117:24,25	97:10 98:4
89:14	beginning	54:20	119:23	104:10
94:11	79:16	blocked	125:13	124:12
111:8	behalf 4:12	29:12	126:2,23	brand 102:17
115:23	75:25	board 1:1,12	127:9	Brett 3:5
background	103:14	1:19,19,20	128:23	10:23
13:4 82:4	believe	1:20,21	board's 73:5	11:11
84:15,18	13:20	4:11,11,22	83:19,20	12:10,23
121:22,25	28:24	5:24 6:17	87:2 101:5	13:3 39:1
backup 26:24	38:10	7:7 8:22	125:1	51:17,18
bad 106:12	48:18	10:13,14	boards 13:10	57:19 59:9
base 48:25	58:10	11:14	82:14	76:25
based 40:10	71:17	13:24	bollards	98:20
42:14 87:9	72:23	19:23 20:2	27:4,4	Brian 1:20
88:3 115:4	77:12,16	33:15,18	books 125:25	3:13 67:14
121:5,6,12	79:14	45:8 46:8	border 45:22	76:13

100:11,14	79:23 80:8	100:24	11:18	99:6,12
103:20	80:21,24	101:21	21:25 52:1	certain 6:7
104:20,21	buffers	103:6	111:3	6:21 8:23
106:9	39:20,23	105:20	calling 12:9	9:2,24
108:21	114:21	113:17	36:19	10:6 98:16
briefly	build 122:3	116:25	calls 7:18	99:24,25
44:13	building 5:8	117:3	9:2 40:24	certainly
bring 17:23	5:8 6:11	buildings	72:18	56:20
44:24	7:8,10	122:4	campus 94:2	57:13,22
95:25	9:18 10:15	built 62:21	94:3	70:9 71:8
brings 23:13	11:20	79:4 105:6	124:10,11	74:6 77:5
92:3 107:6	14:17	121:15	capacity	certified
Brook 48:17	20:11,12	122:25	18:11	74:10
51:1	21:2 23:1	123:2,8	21:20	128:4
Brothers	23:7,11	bulk 5:3	42:19 56:3	certify
84:14	25:8,9	8:23	94:13	128:6,9,13
114:1	27:9,16,21	bunch 17:15	105:5	cetera 95:21
brought 21:5	28:1,4,11	Buonantuono	113:6,7,8	chain 27:5
26:17	28:15,16	1:22 128:3	capture	Chairman
27:13	28:18	128:23	124:7	1:13 4:1
Brown 3:12	29:10 31:2	Burgis 1:20	car 90:21,21	4:11,14,19
65:14,14	31:5 34:4	8:14 10:18	121:5,13	4:23 5:1
65:17,18	34:6,8,12	12:3 72:18	123:1	11:12 12:6
66:8,10,22	36:5,10,17	73:3,4	care 41:6	12:8,12
67:1,12	36:20,23	77:21 78:2	63:8 96:2	15:2,7
72:11,11	37:9,10,15	78:7	96:7 120:8	16:20 17:2
72:13 73:1	37:22,25	114:15	caregivers	17:20
73:4,7	38:2,4,6	bus 95:4	91:17	29:15 30:1
75:1,1,7	38:22,23	buses 89:19	carried	30:9 31:11
75:12,19	38:23 41:8	90:6	126:12	31:14 32:7
79:22,22	43:16 44:8	business	127:5	32:21
80:6 81:1	44:9,11,18	12:24	cars 91:3	34:22 35:5
112:25,25	44:19	80:11	92:20,21	51:16,21
113:5,22	45:20	106:10	cart 89:10	51:23 55:6
114:3,6,10	52:20	bussing	case 59:3	55:10 58:8
114:20	60:20 61:7	89:18	97:10	59:6,8
115:1,22	61:16	butt 53:10	case-by-...	64:1,7,10
116:3,6,10	62:16,20		56:15	64:17,20
116:15,19	62:21 63:1	C	catching	65:2,16,21
116:23	63:6,12	C 2:1 81:18	78:21	67:13
Brown's	67:5 70:7	97:12	categorize	68:16,18
65:23	70:10	118:7,12	119:6	69:23
Bs 97:13	72:21	128:1,1,3	caught 24:9	70:15
buffer 10:7	74:20	128:23	cause 50:22	71:17
62:6,11	75:14	c(2) 10:7	caused 74:14	72:10,12
72:13,16	76:23	call 11:10	CCR 1:22	73:8,11
72:19,23	84:17 89:1	61:4 65:1	128:23	76:12
77:23,24	93:14	81:12	center 15:5	77:18 78:6
77:25 78:3	96:10	125:19	70:6 84:13	79:21 81:3
78:24	100:18,20	called 9:21	95:12 99:5	81:11

82:18,19	98:22	9:12	115:15	86:11
82:23 83:1	circumst...	CLR 128:23	commence...	completed
90:18,25	52:6	code 27:18	128:6	60:1,11
92:1,19	104:25	28:6 37:14	COMMENCING	123:23
93:16	civil 13:6	72:14,17	1:10	125:9
100:7,11	14:14 82:7	80:7	comment 3:10	127:8
100:14	Clairmont	coexisting	40:9 41:7	completely
103:18,19	3:13 67:14	105:7	43:21,22	11:15 23:9
104:19	76:14	coincide	44:3 51:22	119:10
110:10	78:16	124:3	54:18 58:4	123:8
111:23	clarific...	collects	95:1,24	compliance
112:24	48:13	23:10,12	98:21 99:3	41:8 44:7
116:24	clarified	combination	comments	comply 40:7
117:5,10	41:17	108:2	7:25 8:18	43:22,24
119:15,21	clarify	121:8	39:1,11	44:10
119:23	19:17	combined	40:6 41:5	70:21 71:6
120:5,7	38:18	106:4	55:7,13	71:9,25
123:19	43:18,25	come 32:8	58:8 59:17	72:6
125:3,8,17	48:9 77:20	69:9 88:25	64:14 66:4	concern
125:20	78:21	89:14,14	92:25	18:22
126:4,11	102:10	90:19	93:11,13	26:24
126:15	122:18	92:21	commercial	59:18 62:5
127:12,20	clarity	98:16	79:23	90:16
change 46:24	21:11	102:21,25	Commissi...	99:12
61:25	cleaning	108:21	58:18	118:4
85:21 86:4	55:22	109:13	common 99:14	121:22
118:24	clear 11:15	110:6	commonly 5:8	122:8
changed	21:12	115:7,23	communic...	123:6,17
27:19	29:15	comes 42:14	70:25	concerned
116:14	40:16	45:3,14	community	29:9 48:21
changes	43:13 47:3	59:23 88:5	77:22	55:14 90:4
47:13	47:5 48:3	104:10	commuter	92:14 93:6
107:13	101:22	107:15	83:17 95:4	110:16
changing	111:18	comfortable	121:2	123:22
53:3	clearing	88:15	comparative	124:5
characte...	25:2 77:4	108:18	106:16	125:2
90:11	96:7	coming 14:20	compare	concerning
122:20	clearly 17:8	15:5,11	58:21	21:5 25:8
characte...	21:25	26:13	compared	25:15
122:18	clicks 45:13	31:18	108:3	62:16
check 13:21	client 40:25	45:19	comparison	concerns
Chester	CLIFFORD	46:14	86:1 88:11	21:20
12:25	1:14	49:16	108:1	66:14,14
Christine	clockwise	50:15,21	comparisons	66:16 67:2
71:18	34:20,25	61:5,7	101:6	72:8
circle 34:10	35:3,4	68:23 71:3	compleme...	103:16
36:9,11	closer 9:6	89:19	94:10,21	conclude
circles	46:9 68:21	91:21	complete	58:7
17:15	98:23	94:11,14	10:16	conclusion
circulation	closest 9:8	110:19	63:22 86:9	79:17

88:13,14	49:13	103:3	correct	19:6,6
conclusions	connection	104:4	18:11	28:10,10
83:10	7:21 10:3	105:1	29:21	33:22
concrete	34:13	106:14	31:13	45:12
61:9 68:10	35:19,19	contain 48:6	35:13 40:4	51:24
68:25	42:23	62:24	40:7,8,13	53:25 54:4
condition	44:23	contained	40:14,21	55:7 67:15
47:9 49:22	52:10	61:20 83:9	41:4,11	84:1 98:7
50:2 53:7	74:25 75:6	contiguous	42:5 44:23	100:16
60:21	83:3 89:24	49:14	47:12 51:1	112:7
61:15	109:12	continue	51:2 52:2	course 54:8
93:21,22	connects	32:10 36:3	52:3,8	106:15,17
99:14	22:15,22	41:1 86:25	54:11	110:21
100:20	22:24 31:5	106:9	55:19	court 1:25
conditions	34:9	111:9,10	56:10 59:3	3:12 60:13
8:24 9:16	conserva...	111:11	62:13	66:10 75:1
13:19,19	84:20 87:7	continues	66:15	112:25
49:10 85:9	87:13	57:22	68:10	114:15
85:10	consider	continuing	69:21	128:4,23
88:18	97:7,18	55:13	80:12 83:5	coverage
106:13	98:25	contribute	83:6 98:12	26:12
122:12	consider...	25:18	98:13	44:16,20
Conference	100:1	104:6	100:2,3,22	44:21
2:1	considered	contributed	101:18	create 50:16
confident	9:22 80:24	24:17	102:11	57:4 69:4
89:14	87:20	contribu...	103:2	created 28:9
configur...	107:3	24:15	114:12,22	creates 18:9
34:3 35:17	constitute	contribu...	117:24	creating
confirm	5:15	81:7	120:25	26:6
126:16	construct	control	126:17,21	creation
confirma...	5:25 53:5	23:18 26:9	corrected	109:9
42:17	constructed	40:23	63:15,16	critical
conflict	21:10	61:12,23	correctly	106:22
18:9	84:10	117:23	56:5,7	cross 45:22
confused	99:19	controlled	council 7:16	99:6,12
65:18 66:8	construc...	27:6	counsel 2:6	124:14
66:11	19:10,14	coordinated	75:10	cross-ex...
confusion	42:3 67:20	71:12	128:14,17	86:23
47:23 48:2	67:24	core 104:5	count 123:2	Cross-ta...
conjunction	70:19,23	corner 16:9	counter-...	120:3
6:8 75:17	72:8	19:12 22:7	34:23,24	crossing
connect	105:10	22:8,10,16	35:1	18:7 99:5
15:25	Consultant	22:18 32:9	counts 83:13	crushers
16:15 18:2	1:20	34:8 46:11	83:16	69:15
18:7 24:22	100:10,15	corporate	121:5,8,13	cuff 107:9
27:10 33:3	100:23	80:10	122:11	cul-de-sac
35:23	101:2,11	117:17	county 1:2	115:8
connecting	101:19	corporation	117:23	cumulative
16:16	102:1,7,12	120:20	122:15,16	89:5
21:10 31:8	102:22	121:19	couple 18:7	Cuomo 81:25

curb 47:5	113:1	73:12,18	60:3,22	79:4
curbing 6:18	128:12	73:22,23	62:16	designing
15:24	dated 5:25	74:8,16	67:25	99:15
20:13,22	8:3,15	76:6	70:19	detail 14:18
38:20 54:5	14:6 34:1	degradation	73:15 74:1	16:18
57:5 69:5	113:3	104:7	74:2,11,25	27:14
curiosity	128:25	degree 13:6	75:6,16	38:14
120:17	David 3:16	82:7 91:1	76:2,9,11	59:16
curious 52:4	117:13	delay 97:1	76:15,16	detailed
77:10	119:3	97:15,16	76:20	123:1
118:11	Dawn 3:14	98:2,3	77:11	detain 26:9
CURRAN 1:14	70:16	delays 97:15	102:8	detains
current 13:8	112:4	101:25	density	23:13
23:14	day 2:2 4:12	delineate	99:25	detention
24:20,23	20:18	6:9	DEP 39:22	21:1 22:25
26:14 44:6	70:18,19	delineated	51:10	23:10
48:5 49:22	91:19	39:23	department	determin...
50:1 72:14	92:13,15	deliveries	19:19	60:18
72:17 93:9	115:7	115:9,11	63:12	89:23
115:19	dead 43:10	DEMARTINO	97:22	determined
117:9,15	113:10,11	1:15	98:16	58:2 80:25
currently	deal 6:9	demo 14:4,4	103:8	91:2
5:7 14:20	47:5	25:2 38:17	dependant	107:14
20:10,24	deals 25:12	39:6 43:12	37:1,2	110:5
22:6 23:19	dealt 41:13	43:17	dependent	detriment
26:5 29:20	102:24	61:15	35:11 37:5	50:16
53:13 68:2	December	63:12	49:24	develop 87:5
119:8	126:1,2,3	70:10,13	depending	developable
121:18	126:4,13	70:25 89:1	60:7	50:8
cutouts	127:5,15	demoed 56:18	depicted	developed
54:14	128:25	59:23 61:7	58:23	5:16 9:16
cutting 53:6	decent	84:21	depression	78:19 79:8
	101:15	113:17	22:19,22	80:18 95:3
D	decide 91:13	demoing	derived	110:17,23
D 3:1 81:18	dedicated	84:19	98:21	developer
97:12 98:1	119:14	demolish	described	18:17
118:12	deducted	7:10 60:19	26:19	development
119:2,2,6	105:18	demolished	85:16	5:19 6:1,5
damage 56:21	deem 56:1	42:8 72:22	describing	6:24 7:18
damaged 56:3	deemed 12:3	demolishing	36:9	7:19 11:23
56:10,12	30:17	20:10	description	11:25
57:10	66:20	demolition	3:23 79:12	13:15,16
data 84:25	122:16	6:11,12	design 23:2	15:17 16:3
88:5	deems 56:2	10:14	24:24 49:3	16:11,15
115:20	deep 25:10	11:19 14:9	49:10	18:11,12
121:12	defer 56:14	14:17 20:9	50:19 67:4	19:4 21:15
122:8	DeGiovanni	39:24 40:3	designated	23:3,11
date 8:5,9	3:15 71:14	40:20 41:2	5:5	26:4,9,11
8:10 34:2	71:19,20	41:19,21	designed	27:2 29:12
60:9,14	71:24 73:9	52:1 59:10	23:8 49:14	31:7,10

32:15 33:4	66:18	disturbed	4:4 5:5	drivers
33:7 35:11	direct 20:23	19:14	6:4,8,9	87:22
35:15,20	92:25	document	14:21 15:5	drives 38:17
35:25	125:13	86:11	15:11,18	92:2
38:16	direction	documenting	15:21 16:2	driveway 7:1
42:19 46:2	18:14	50:1	16:8,10,10	9:4,5,6,7
46:15 51:5	22:24	documents	16:16 17:9	9:11,13
51:5 53:5	52:13	48:5	17:12 18:2	14:19
54:10	59:18	doing 18:3	18:6 19:3	15:25
56:24	95:14,20	25:2 26:12	19:13	46:12
58:16	110:1	50:4 58:20	26:19,22	47:20
67:18	115:15	109:17	31:16,18	52:12
76:22 77:4	directional	dominate	31:19,19	53:18,20
78:13 79:5	108:11	120:23	31:20,22	54:6 55:16
80:5 83:10	dirt 39:13	doors 87:18	31:23	driveways
84:14 88:6	disabled	dormant	32:22,24	9:9
88:8 89:2	13:22	100:19	33:2 34:5	driving 35:1
89:18	discharge	dots 49:14	34:9,14,16	39:13
99:11	26:10	doubled	34:16,17	45:21
101:9	discharged	87:14	34:21	54:21
102:15	56:4	downstream	35:18,18	drop 70:6
109:13	discharges	50:17,23	35:22,23	drove 32:2
111:3	21:1,12	50:24	37:8,23,24	due 28:1
114:1,18	23:19	Dr 106:8	37:25 38:1	40:20
117:17	disclose	drainage	38:4 45:3	Duke 3:12
120:14	19:19,24	6:20 20:20	45:11,13	66:10 75:1
124:13	20:4	21:5 39:6	45:19,22	112:25
developm...	discuss 11:5	41:15 57:6	46:11,12	duly 126:18
84:9 88:4	56:15	57:14,22	46:13,17	128:7
113:25	discussed	57:24 58:2	47:10,15	dump 24:11
dialogue	30:14,16	58:11	52:11 54:1	49:25
64:5 81:6	57:11,15	draining	54:5 55:3	dwelling s
difference	63:2	57:3	61:4,5,6	106:12
80:4	103:24	drains 21:11	67:9,15	Dynamic
different	104:1	22:6,7	70:4,5	10:23 11:3
13:10 18:8	discussion	draw 95:21	71:21	81:13
28:10	33:25 62:4	111:19	73:23	82:11
50:13	62:5 66:19	drawing	76:14	
52:13	69:10	58:23	83:24 86:5	E
56:16,17	79:11,17	69:25	88:20 93:4	E 2:1,1 3:1
71:18,19	109:5	drawings	97:10	3:21 12:17
79:25,25	113:14	47:7	104:11	12:17 13:1
80:1,7,7,8	discussions	dredged	110:20	81:18,18
80:24 85:5	42:15	48:16	111:7	81:18,18
88:4	District 7:5	58:15	117:13	82:1 97:23
106:16	disturb	dredging	118:7	128:1,1
107:20	39:20	58:25	120:19	e-mail 8:3,4
108:10	disturbance	drew 31:2	123:11	8:7
differen...	10:19	drive 1:6	Drive-Brae	earlier 7:2
47:10	20:12 51:8	3:13,15,16	96:24	26:20

41:25 44:5	26:22 27:3	82:10	ESQUIRE 1:19	61:22
44:25 45:5	27:6 30:16	84:25 85:7	2:2	119:2
95:24	31:9 32:6	103:7	essentially	EXAMINATION
100:17	32:25 33:2	122:14	14:8,13	3:3
108:10	34:14,21	ensure 40:2	22:6,19,23	example
119:25	36:6 37:24	50:15,20	38:15	78:15
121:24	46:23	53:9 54:21	41:22	118:5
easements	47:15 52:5	58:22	52:11 53:6	exception
18:16	52:22 55:3	59:19	54:3 60:25	72:2
easier 20:21	Emily 3:15	92:17	61:6,8,10	exceptions
32:17	71:20	125:1	61:13	71:15,22
east 32:10	73:23 76:7	enter 15:15	83:23	excess 46:25
41:22 61:6	employee	31:21	85:21	Excuse 63:11
70:6	128:14,16	32:25	92:17	71:20
111:11	enclosed	34:15,16	93:12,24	exhibit 3:23
east-sou...	94:3	38:3 45:20	95:10 97:6	22:9 31:25
22:24	encroach	98:11	97:17,21	32:14 34:4
easterly	39:25	entering	98:4	exhibits
38:2 70:4	ends 83:23	15:18	116:17,20	13:20
edge 9:8,12	91:22	54:25	124:11	32:16
29:24 53:2	enforcement	59:20	established	exist 30:20
53:7,25	98:17	104:2	39:21	70:22
54:4	engineer	108:12	estimates	105:2
edification	1:19 10:19	enters 16:1	87:4	existing 7:8
102:14	10:24 11:4	entire 32:8	estimation	8:24 10:2
education	11:7 12:11	79:3	106:11	10:8 13:19
13:4 89:23	13:7,15	entirety	122:9	15:18,21
educational	55:6,12,21	68:3	estimations	15:22,25
82:4	56:1,25	entrance	121:6,12	16:15 19:1
eerily 108:5	57:8 58:1	16:10 18:5	et 95:21	20:11,20
effect 89:6	58:7,17	19:13	evaluation	20:21,23
94:10	59:5 81:13	26:25 30:3	49:1,4,22	20:24 21:1
98:10	82:8 83:19	36:6 37:8	50:14	22:13 26:3
105:8	83:20	46:4 87:25	evening 4:10	27:11 31:2
efficiently	86:14	environment	7:15 14:5	31:8 35:16
92:18	93:10 98:8	48:22	84:5 92:9	35:22 39:6
egress 47:24	100:13	equipment	93:22 94:4	41:22,24
109:18	125:1	39:13	94:11,12	44:8 46:25
Eighty 90:24	engineer's	69:15	96:21	52:17,18
either 39:12	6:17 8:13	erosion	101:7	54:14 57:3
46:11	8:16 18:21	23:17	123:15	66:18
71:10	20:15	40:20,23	125:11,24	72:15
112:21	54:20	61:11,15	eventually	83:13 84:4
electric	engineering	61:22	25:19	84:7 85:9
6:22	8:8 10:23	especially	everybody	86:1 93:14
eliminate	13:6 40:10	11:19	109:11	95:17
78:24	82:7,18	27:24	exacerbate	106:13
Email:pw...	100:12	115:10	50:16	122:12
2:5	104:8	120:18	exact 37:22	exists 14:20
emergency	engineers	127:17	exactly	23:1,19,21

25:5	21:24 28:9	68:3	4:14,19,23	folks 67:19
100:20	42:22	field 6:16	11:12 12:6	124:19
exit 52:6	60:12 63:4	9:15,19	12:8,12	follow 45:19
93:25	72:21	figured 20:3	15:2,7	59:21
exiting 98:3	factor 74:2	112:9	16:20 17:2	following
108:11	113:9	file 75:12	17:20	61:15
expect 25:4	factual 66:6	filed 7:6	29:15 30:1	109:14
92:6	fail 108:19	60:17 77:6	30:9 31:11	122:13
expectation	failed 44:25	final 4:5	31:14 32:7	foot 101:16
59:22	failure	5:2,23	34:22 35:5	105:5,12
expected	97:17	68:7 88:13	51:21	105:19
27:14	failures	114:16	55:10 59:8	footings
expediti...	108:17	Finally 11:6	64:1,10,17	61:9
10:11	fair 7:13	financially	64:20 65:2	foregoing
114:25	104:6	128:17	65:16,21	128:9
expert 25:8	122:19	find 32:11	67:13	forget 37:20
82:17	fairness	75:2,13	68:16,18	115:2
explain	60:14	finding	69:23	form 73:14
96:18	fall 19:12	105:9	70:15	74:18
explicitly	familiar	fine 14:2	71:17	formal 43:20
7:21	13:16 72:5	82:24	72:10,12	former 72:16
export 42:4	74:13 88:8	98:18	73:8,11	118:4,6
extend 29:23	94:1 114:5	fire 8:4	76:12	forms 16:9
53:25	119:17	25:9,12,23	77:18,19	formula
extended	far 27:25	26:15 27:6	78:6 79:21	90:19
54:2	29:18	27:13,20	81:3 82:19	forth 9:3,25
extension	59:22	27:24 28:1	82:23	10:7 25:3
127:10	85:25 95:8	28:5,8,12	90:18,25	28:19
extensive	115:13	28:16,21	92:1,19	128:12
71:1 83:4	121:16	29:9 34:15	93:16	forward 5:18
113:14	124:19	37:16 40:6	100:7,14	57:16 89:2
extensively	fashion	99:6,9	110:10	102:9
86:21	18:10	first 8:1	111:23	106:1
extent 10:20	34:20	11:11	112:24	124:19,22
39:24 98:9	feature	13:13 14:8	116:24	127:14
exterior	65:11	25:22 80:3	117:5,10	found 18:13
32:4	fee 24:6	85:15	119:21	56:21
extra 94:13	feed 25:19	96:24	120:7	founder
extrapolate	feel 88:14	110:5	125:3,8,17	82:10
107:22	feet 9:5,7	Fitness	125:20	four 112:15
F	9:11 45:25	17:14,25	126:4,15	four-page
F 2:4 97:1,6	45:25	19:8 22:18	127:12,20	14:3,5
128:1	46:25	22:21	flip 115:23	61:21
facilitate	84:17,21	five 9:11	flood 51:8	FRANK 1:15
109:6,9	101:6	46:25	flow 25:7	free-for...
facing 17:25	108:3,25	87:22	27:4	120:6,8
25:9	felt 6:18	fixtures	104:24	Friday 8:7
fact 9:19	fence 67:19	54:4	flows 22:12	120:21
11:18	67:21	Flaherty	focus 16:5	frontage
	fencing 68:2	1:13 4:1	85:18	27:21 28:4

30:21	future 5:20	66:3 75:25	55:17 56:5	40:17
37:15	29:11	81:22 97:5	57:14,16	64:11 81:6
fronted	35:25 36:2	105:8	59:25	90:15
27:17	54:10 69:4	107:22	60:19,23	93:20
full 33:6	85:10	given 59:11	60:25	97:20
50:3 58:13	93:21	60:12	62:11,19	101:15
59:15,15	122:13	71:14,22	63:1 66:1	118:8
102:21		125:21	66:12	119:22
105:5	G	gives 72:2	68:17 69:1	124:13
113:6,7,8	gain 13:23	go 7:23 15:8	69:10	126:10
fully 13:16	27:7 51:11	16:18	71:25	Gotcha 36:24
28:21	garbage 90:5	21:17,18	72:21	grade 46:24
84:10	Garden 29:17	23:22	73:13	47:13,17
107:15	66:9,13	24:11	74:12	66:18 70:7
119:17	gauntlet	32:21 33:9	76:24 77:3	grades 30:19
121:15	104:3	33:12,13	79:4 80:9	47:11
123:2,9	generally	33:15,23	80:10,18	58:20 67:9
function 9:1	22:11	34:23	85:12,18	grading 30:5
9:20 11:20	32:20	43:19	88:8 89:14	30:19
48:16	generate	44:20 45:6	90:5 91:22	47:19
53:16	85:23	45:12,13	94:24,25	65:19,19
57:14	100:25	45:15 50:5	95:1 96:1	66:9,9,11
58:24	101:8	65:17	96:9,11	66:14,16
functional	113:20	74:20	100:20	67:6
35:12	generated	79:12 81:8	102:2	Grand 94:2
function...	109:12	87:15 88:9	103:25	109:25,25
49:20	113:16	91:6,14,14	105:19	111:12
56:23	117:1	91:15,15	106:1	114:2
58:13	121:18	105:23	108:20	118:6,24
functioning	generates	110:6	109:23,24	120:19
57:4 58:24	90:20	111:14,15	109:25	122:4
functions	121:23	111:15	110:6,18	124:12
56:7 57:11	generating	114:16	110:20,23	grant 127:9
funded	101:9	118:1	110:25	Granted 50:6
115:25	124:1	120:10	111:7,14	gray 15:12
116:3,11	generation	goal 97:23	111:15	17:3,9
116:12,15	88:2 91:7	goes 22:12	112:8	26:20
116:18,20	103:5	22:13,14	113:11	grayed 34:13
116:21	107:4	111:6	118:10,11	great 45:7
further 7:23	gentleman	115:14	118:16	58:19 72:1
11:23	120:2	going 5:18	121:17	greater
18:21,25	getting	13:20	122:5	115:24
26:21	90:16	24:11,17	123:25	green 26:5
29:16,24	113:17	25:16	124:2,3,7	Greg 1:19
43:18 46:4	123:17	29:19	124:8,9,19	38:12,13
50:24 55:4	give 10:19	33:19	125:21,22	100:12
66:19	10:24	40:13 41:8	126:11	Greg's 61:18
102:15	12:21	44:9 45:20	good 4:10	GREGORY 1:16
126:12,19	13:25	52:5,10,17	20:3 22:2	grow 115:20
128:9,13	59:15 66:2	54:16	26:16	guess 29:19

32:9 34:22	headline	hopefully	6:12 54:10	20:11
59:15 60:7	65:3	88:25	62:18	23:12
81:8 90:12	hear 65:15	horse 89:11	impact 25:4	29:22
92:19 96:9	117:25	hour 84:5	49:5 51:8	38:20,22
98:21	125:16	91:13 92:9	51:9 57:5	42:11
102:13	heard 98:20	92:10,20	83:12,21	44:18
105:24	hearing	93:23 94:5	89:3 94:19	99:18
116:24	42:15	101:7	106:12	103:11,23
118:3,4	60:14 62:4	107:7	107:17	inclined
119:11	127:8,24	123:15	108:15,23	98:25
121:18	128:10	125:21	122:5	include
122:7	hearings	hours 70:20	124:24	21:15
123:17	86:22	70:23 71:3	impacted	29:22
guys 124:20	103:16	71:4 83:17	39:12	55:18
	121:11	84:3 90:12	55:23	83:23
H	heavier	92:12,17	122:1	115:9,11
H 3:21 81:18	123:14	108:6	impacts	included
half 33:4	heavy 95:10	121:3	85:10 90:9	83:13
88:12	95:19	house 74:9	102:23	84:10,15
95:12	118:23	housing 7:14	104:14	84:16,22
97:17	held 44:7	7:14,17	108:24	84:23
hand 12:15	help 6:10	60:16	109:2	111:2
65:9,13	90:18	109:10	112:10	113:19,22
81:16	112:12	HUDSON 1:25	impede 39:24	113:24
hand-rai...	helpful 64:5	hypothet...	impending	115:10
65:11	helps 20:23	105:3	6:11 60:9	includes
handle 64:22	hereinbe...		impervious	7:17 55:23
happen 60:23	128:12	I	25:15,16	93:11
71:7 77:3	Hey 38:12	ID 45:24	25:17 26:6	including
77:7 85:12	Hi 70:16	46:19	26:11	83:8 84:20
happened	high 47:5	idea 46:8	44:16,20	86:21
74:9	highest 94:5	47:25	44:21	103:10
happening	97:15 98:2	58:19	implied	inclusion
23:24	highlighted	ideally	99:25	7:13
50:17	34:12	53:24	import 42:4	inclusio...
77:10	highlights	identified	importance	6:1 7:15
happens 63:5	83:8	8:23 63:7	57:9	7:19 109:7
91:5,12,23	hill 15:19	84:3,7	important	increase
104:1	22:4	85:9	57:11	50:22 92:7
harm 50:22	historic	identifies	imported	120:15
hazard 51:8	58:22	97:5	42:7	122:6
53:23	72:20	108:24	improvement	increased
hazardous	historical	identify	38:8	115:12
62:19,24	115:19	73:16	improvem...	increases
head 32:10	hit 38:14	85:10	5:9,11,20	26:11
46:12 55:1	39:3	identifying	6:8,19	independent
77:1 111:7	holiday	122:12	10:2,8	23:4,9
head-in 18:1	127:17	illumina...	11:2,5	49:6
heading	home 91:16	54:6	14:18	independ...
32:22	91:17,18	imminent	15:23	50:21

indicate 65:6 77:23	21:3 56:7 58:24 69:2	Intindola 1:20	114:7,9 128:4	49:15 56:15 57:1
indicated 5:1 114:15	intending 16:13	100:11 106:7	JOB 1:24	59:23,25
indicates 59:10	intensive 47:13	introduc... 14:12	Joe 108:14	60:6,7,8,8
indication 47:4	intention 15:16	inventory 62:22	joining 117:8	60:10 61:4
industry 92:16	17:23 43:13,19	invisible 106:18	JOSEPH 1:20	61:9 62:3
information 48:5 75:7	52:9	involved 86:20	journey-... 110:3	63:4,15
85:15 126:21,25	interest 119:17	irrespec... 78:10	judge 74:18	67:8 69:9
infrastr... 39:6 52:18	interested 128:17	islands 43:13	July 34:1	71:5,15
ingress 109:18	interfer... 14:14	46:16,19	jump 112:12	74:4,11,17
initial 66:16	38:11 114:15	issue 10:18	jumped 65:22	76:25 77:1
initially 7:6	interim 102:2,7	10:20 18:5	jurisdic... 51:10	77:2 82:21
inlets 20:24	internal 19:13	21:5 48:7	jurisdic... 103:9	84:19
21:9 22:13	56:13	58:4 71:16		85:25 88:7
53:11	Interpre... 39:21	99:9 106:4	K	88:14
input 94:23	interpre... 36:23	109:2	K 12:17	89:25 93:3
inquire 76:3	intersec... 83:24,25	issues 8:17	keep 6:17	94:24
inquiring 73:24	88:19	30:5,19	9:24 10:6	95:24 96:3
74:10,19	90:14 93:4	ITE 103:7	38:21	96:7,12
insight 94:22 95:7	93:5 96:24	122:23	54:23	97:18
inspect 39:14,14	97:11,25	iterations 28:10	61:25 75:3	101:2
inspection 41:15 49:1	111:10	100:17	105:19	105:9,21
installed 6:22	119:3		keeping 20:21 44:7	106:16
instance 28:13 72:5	120:16	J	44:19	107:11
Institute 82:9 84:24	intersec... 83:22 84:1	J 2:2	kept 46:6	110:21
103:7	85:5,19,22	JAKE 1:13	Kerry 15:7	111:19
integrated 9:14 36:2	88:17	JAMIE 1:15	kids 74:19	113:11,12
72:20 79:5	94:20	January 60:14	kind 31:4	113:17
intend 25:3	96:21 97:4	Jeff 1:16	46:15	115:1,6
39:19	97:9,23	19:22 35:5	72:13,16	117:24
40:21	104:9	35:6 58:9	94:1,2	118:5,18
intended	107:14	77:20	101:14	121:11
	108:18	Jefferson 2:3	107:19	123:17
	117:17	Jersey 1:2	114:10	known 5:8
	118:1,14	2:3 12:25	knocking 74:20	90:1
	123:13	13:8,11	75:14	knows 98:15
		81:25 82:9	know 19:18	Knoxville
		82:14 85:7	20:19	3:17
		97:21	24:25 25:1	117:13
		103:8	29:17 30:9	Kriston 3:15
			32:18,19	71:20
			33:7,19,21	73:23 76:6
			37:21	
			40:25	L
				L 15:13 16:7
				16:22,23
				17:8 26:20
				81:18
				ladder 99:4
				ladders

28:18	94:12	licensed	94:19	looked 23:3
laid 48:1	led 26:17	13:7 82:8	101:3	30:12,13
lake 3:13	left 14:23	licensure	109:23	41:25 49:5
5:15,21	16:8 29:2	13:4 82:4	110:16	88:10,19
62:6 67:15	31:3,12	lies 48:2	118:24	93:4,19
78:4,16	34:11	Lifetime	live 115:8	112:14
80:23	46:18 53:7	17:13,25	living 117:2	looking
81:25	94:6 98:4	19:8 22:18	LLC 1:5 4:4	14:16 31:2
119:24	111:11	22:21	LLP 2:2	31:11 35:1
120:2	left-hand	light 10:10	load 33:13	38:21 43:8
land 13:11	17:12	53:15,17	33:20	46:15,18
119:11	left-to-...	53:25 54:9	local 63:2,8	93:3 106:1
Landmark 1:5	31:1	65:3 92:15	74:5 88:1	109:19
4:4 116:9	legal 71:9	93:18	114:6,8	110:5
116:11	72:6 74:5	115:10	locate 46:20	118:18
landscape	74:7 75:17	lighting	located 5:4	124:20
9:25 43:13	let's 22:3	5:10 53:14	5:12 9:4,6	looks 15:12
landscaping	91:9 92:5	53:23	9:11 12:2	19:1,5
5:10	104:21	55:16	22:19	37:2 46:24
lanes 54:14	106:16	lights	46:10	loop 32:3
large 21:8	letter 8:13	117:16,22	66:25	34:19
69:15	8:16,18,22	limit 41:18	106:10	35:10
88:16	18:22	66:4	location	loops 32:8
larger 49:15	20:16,18	limited 6:7	31:6 33:1	lot 1:5 4:5
LaRose 3:13	39:21 41:5	64:16	locations	5:5,13,14
67:14,14	44:4 54:20	limiting	68:20	6:2,6,18
68:8,14	74:10	41:21	125:2	6:23,24
76:13,13	93:10	line 9:12,13	lock 27:5	7:2,3,22
76:21 77:9	letters 44:5	19:10	long 33:19	8:24 9:1,2
77:14,17	level 97:1,7	22:20 31:3	58:1	9:24 10:3
late 89:9	97:12,20	53:11	longer 7:11	10:6 12:2
117:8	97:23 98:1	78:17 99:5	9:20 17:12	15:22
layout 28:11	104:1	99:7,12	41:10	16:12
lays 9:10	107:13	119:19	44:11	17:13,17
lead 11:1	119:2,3	lines 18:8	59:25	20:14,22
13:18 16:2	levels 88:17	18:24	100:20,24	20:25
83:7	90:15	19:15	120:20	22:13,14
leading	93:20	41:20	look 18:21	22:17
16:11 54:7	96:17,18	list 32:15	18:25	23:12 26:3
learning	96:19,20	litigation	41:23 43:8	27:11,14
107:25	96:25 97:5	7:17	46:20 54:3	29:16,22
leased 123:9	97:12,13	little 16:18	56:2 58:20	31:8,21
leasing	101:15,15	17:6 21:25	66:16	32:4 33:1
112:17	101:24	31:17 35:8	85:11,14	34:10,13
leave 75:9	104:7	36:14 47:2	85:17 87:4	34:19
91:16,17	105:14	65:4 85:21	88:20 93:6	35:17
94:15	119:1	85:24,25	103:10,12	39:17,19
leaving 57:2	license 1:22	86:4 90:23	103:14	40:12
59:20	13:8	91:24	105:12	42:22 43:1
91:13 94:4	128:24	92:11	127:14	43:9,11

44:15,19	96:11	76:20	79:10,20	123:11
45:4 48:4	Major 4:5	means 44:16	82:9 86:7	met 88:21
50:6,7,8	5:2	51:10	87:17 89:8	methodology
50:10,12	majority	113:6	89:17 90:3	103:8,9
52:2,18,21	19:12	measured 9:8	94:22	104:15
53:14 55:2	47:20	9:12	95:23 96:6	122:14
56:14,16	making 15:19	measures	96:14	mid-rise
56:17 57:1	61:25	39:5 74:24	103:19	85:1,23
57:2 60:24	69:17 74:3	meet 74:6	104:17,19	88:6
62:1,4	118:9	88:22	105:24	midday 83:18
69:2 76:19	management	meeting 1:4	106:8	106:24
78:16	5:10 6:10	1:8 4:3	110:8,13	middle 16:25
102:8	23:14 56:8	20:17 49:9	111:17,21	17:16
115:16	manual 42:11	81:7 93:8	119:23	91:18
121:12	map 5:6	109:15	members 1:12	92:13,14
122:8	marked 3:24	122:17	4:11 11:14	MIKE 1:14
lots 5:13,16	master 73:2	126:1,2,12	64:2,8,20	mile 95:12
31:4,5	material	126:18	81:5 86:19	miles 74:9
41:23 51:4	42:7,8	127:4,15	100:8	minds 28:18
69:17 79:7	69:3,8,18	meetings	110:11	minor 25:2
96:12 99:8	materials	71:2 93:8	111:24	47:19
low 91:2	62:19,24	meets 24:23	112:1	minute 85:24
lower 92:14	62:25	124:25	memo 10:18	85:25
LR-L 78:14	68:11	Member 19:16	39:3 98:8	90:12,21
	matter 59:24	19:21 20:6	memorandum	90:21,24
	66:1	21:4,14,23	8:15	91:25
M	126:11	23:25 24:3	memos 7:24	92:11,12
M 13:1 82:1	mature 19:1	25:6 26:1	8:9	121:24
magnitude	19:11,12	27:12	mention	misinter...
101:10	mayor 7:16	28:23 29:4	44:25	36:16
mail 73:14	McPartland	29:8 35:3	62:18 94:9	misinter...
main 12:24	3:14 70:14	35:9 36:4	mentioned	80:12
14:13 16:7	70:16,17	36:12,15	11:13 16:6	missed 113:1
18:5 26:19	71:4 112:3	36:22 37:1	16:10,12	117:19
35:19	112:4,14	37:6,7,12	23:21	mitigated
36:20 38:1	112:23	37:19 38:7	29:19	104:14
38:15 43:1	mean 29:21	38:12 44:1	30:23	mitigation
61:4 70:4	30:9 47:3	46:22	41:16,24	104:16
81:24	53:24	47:16,22	68:9 88:11	mix 94:17
124:9	59:15	48:11,20	91:24	97:13
maintain	73:20	49:12,18	92:10 93:7	mixed 94:9
6:20 20:20	91:21 93:1	50:25 51:3	mentioning	model 110:3
56:23 57:2	93:2 95:9	51:13 58:9	55:22	modifica...
maintained	96:4	60:2 62:15	Mercedes	63:18
18:17	113:10	63:10	111:7	modifica...
24:10 36:1	115:6	68:18 69:8	113:7,22	28:11 53:9
maintaining	meaning	69:14,17	120:19	modified
77:25	94:23	69:21	Mercedes...	47:11,15
maintenance	123:9	77:19	118:7	51:4 52:12
24:8,25	meaningful	78:20	121:14,18	moment 14:19
42:10,25				

16:19 86:8	77:6 78:5	59:13	66:10	neighbor...
Monday	78:23 79:7	moving 32:23	72:11,12	75:14
120:21	79:24	39:13	75:1 79:22	neighboring
month 60:20	80:10,15	98:22	80:3	78:4 93:2
months 96:6	80:17	102:8	112:25	117:22
113:12	82:21 83:3	muddled 22:1	nature 9:14	neighbors
Montvale	84:1,24	multi-fa...	71:10	62:5 72:8
5:14,24	86:21 87:3	84:25	84:20	neither
6:1,6,6,23	88:7,23	multifamily	87:14	128:13,16
7:3 11:21	89:5,6,18	7:3,19	near 76:23	network
11:25	89:19	11:25 12:1	nearer 9:4	95:15,17
13:15	95:15 99:4	79:9 80:16	9:11	never 21:12
15:17,20	99:10,18	80:19,22	nearest	64:25
16:3,3,11	99:22	multiple	90:14	115:18
16:14,17	101:9	75:22	95:11	new 1:2 2:3
21:9,15,18	103:5,16	86:15	necessarily	4:2 12:25
22:20 23:3	104:22	municipal	56:18	13:8,11
23:8,15,17	105:7	75:10	necessary	45:16
23:19	106:5,20	municipa...	7:11 10:21	76:22,23
24:21	109:1,7	9:15	12:3 30:17	81:25 82:9
25:10,17	110:22	122:15	40:2 44:10	82:14 85:7
26:4,8,9	112:6,21	municipa...	51:10	89:3 97:21
26:17,18	118:17	71:10 75:5	66:21	101:8
26:21 27:1	119:9,11	76:1 78:11	75:17	102:16,17
27:2,17,19	121:7,11	78:22	need 7:5	103:1,8
27:25 28:3	123:8,23	86:20 93:3	19:2,4,14	105:22
28:7,7,8	Montvale's	99:24	24:1 36:1	108:23
28:21	76:8	117:23	47:16,23	109:13
29:10,22	monument	municipa...	51:3 52:16	114:6,8
30:7,17	45:24	75:10	56:22	120:13
31:7,10	moot 9:18	mute 15:3,8	63:16 64:8	125:22
32:15 33:4	morning	38:13 78:6	93:17	127:6
35:20	60:13 92:9	muted 64:23	104:14	128:4
36:10	92:20	65:7	105:14	newer 105:10
37:13 45:1	96:21		113:15	newly 99:15
45:18,20	101:7	N	117:10,11	nice 64:5
45:23 46:6	108:11,12	N 2:1 3:1	needed 47:14	Nicholas 3:6
46:13	123:14	12:17 13:1	101:14	11:3 81:23
47:21 49:6	move 4:2	13:1 81:18	needing 70:2	Nick 81:12
49:8,16,25	25:14	82:1,1	needs 48:15	82:3 83:3
50:5,15,19	31:17,24	name 3:11	56:21	86:18
50:22 51:5	31:25 45:9	12:21,21	58:25	90:11
51:12 54:7	45:10 55:2	12:22,23	61:24	92:24 98:7
56:23	81:8 89:2	46:2 66:2	negative	100:6,17
58:16	124:22	66:2,2	25:4 61:15	107:19,21
66:20,22	movement	81:21,21	102:23	117:18
66:24 67:5	42:2 45:14	115:2	Neglia	Nicole 32:19
71:5,14,22	70:9 97:16	117:11	100:11	night 10:11
72:1 76:15	98:25	Nate 3:12	neighbor's	11:22 62:4
76:23 77:3	movements	65:14	109:8	87:10

nine 34:7	November	63:16,17	45:15	113:6,7,8
NJ 128:23	1:10 8:3,5	63:18	53:17 58:1	operation
noise 69:18	8:7,10,11	121:13	63:20,24	85:22 86:4
non-failing	8:15 86:13	occasions	64:3,10,20	90:16
97:7	107:19	86:15	66:22	94:20
nonresid...	113:3,5	occupied 5:7	67:12	104:9
78:13	number 4:3	113:16	72:12	118:25
north 15:24	7:24 14:16	occur 58:25	75:19 81:5	operations
21:2 22:9	33:25 34:7	60:1	82:23 83:7	71:3
22:25 23:6	35:18	118:10	86:25	operator
23:23	37:22	occurred	89:13,16	96:10
28:14 29:3	54:13	99:21	96:14	opinion
29:4,7	59:12	occurring	99:21	104:24
37:23 38:8	83:15 84:8	76:10	106:1	opportun...
52:13	87:7 88:16	124:4	110:8	124:14
67:19	89:4 91:9	occurs 70:13	111:17,25	opportunity
69:24	103:23,24	October 14:6	112:23	104:13
111:6	107:5,20	34:2	115:1,22	opposite
north/south	109:5	odd 119:21	116:15,23	115:14
61:5 70:5	110:4	off-site	123:5	OPRA 75:11
northeast	numbers	40:19 57:5	125:3,17	75:12
22:8	92:11,13	69:11	126:5,10	order 18:23
northern	108:4	offered	127:12	20:19
36:21 54:4	109:23	77:22	okayed 77:6	35:12
northwest	115:4	office 5:8	old 114:3	48:16 53:5
22:16,18		5:17 7:8	older 49:2	56:23
Notary 128:3	O	61:18	on-site	101:10
note 9:20	O 13:1 81:18	93:14,24	40:19,20	ordinance
42:6 94:8	82:1	94:12,18	41:15	70:22 74:5
noted 20:16	O'Sullivan	101:6,16	69:11,13	78:17
43:17	3:16 117:7	105:4,10	69:19	ordinances
108:10,21	117:12,13	105:18	once 27:22	60:16
113:25	118:3	106:15,17	29:8 38:18	orientation
121:24	119:5,8,16	107:1,1	45:3 68:17	10:25
notes 61:19	120:12	108:3,8,13	69:3 76:14	14:22
notice 74:7	121:4,10	Oh 73:4	77:5 88:25	original
74:14	122:7,21	86:12	123:8,22	9:17 51:25
126:12	123:1,5,16	126:10	open 29:3	ORL 7:4
127:3	123:21	okay 12:12	54:23 64:8	outline
noticed	124:17	15:9 19:21	111:25	79:15
67:18	obligation	20:5 21:13	opened	outside 25:3
112:5	109:9	24:14 26:1	125:15	74:20
126:18	obtain 43:5	26:14	opening 30:3	overall 5:15
notices	obvious	31:14	opens 85:4,4	48:10 93:2
126:19	101:3	33:24	operate 5:19	overcapa...
notifica...	obviously	34:22	85:11	88:18
73:14	13:14 25:1	36:25 40:5	92:18	overdeve...
notified	38:5 43:16	40:9,18	operates	21:21
73:14,25	46:3 56:16	41:12 42:2	94:2	overesti...
74:10	61:24	42:6,13	operating	113:18

overhang 99:4	parcel 5:7 6:5 9:5	89:6 90:7 95:3 99:1	14:22 29:17,25	patterns 6:20 20:20 57:3
overview 10:24	14:10 102:3	99:10,23 102:9,15	30:2,14,15 30:20	Paul 11:6 125:19
overwhelm 87:25	111:1	103:1,22 106:5,20	36:18,23 37:9 65:20	pause 105:8
owned 6:24 96:10	Park 1:1,5 4:4 6:25	107:10,21 112:21	66:13,19 66:20	pave 29:20
ownership 42:24 50:13	7:1,13,15 7:25 8:24	114:11,21 123:13,13	76:24 110:1,20	paved 29:20
	12:2 13:13 14:10,10	123:23 124:23	111:1,8,16 111:18	pavement 53:4,6
	14:24 17:18 19:3	parking 5:9 6:16,17	124:15,16	paving 20:13 20:21
P	21:10,17	7:9,10 9:1 9:1,2,15	Parsippany 2:3	peaceful 127:18
P 2:1,1 12:17 98:22	21:19 23:6 25:20	9:19,24,25 10:3,6	part 8:25 9:4 11:23	peak 83:17 84:3,5
P.E 1:19,20 3:5,6 12:17 81:19	27:23 29:11 31:9 35:11,15 37:3,5	15:22 17:13,24 20:13,22	15:21 17:25 19:8 19:14 20:9	90:12 91:13 92:9 92:10,12 92:20
p.m 1:10 84:5 92:6 106:23,25 126:13 127:24	39:19 41:1 42:22 45:17 46:5 46:10	20:23 22:13,14 22:17	23:2 26:4 26:8 32:15 43:12	93:23 94:4 96:21,21 101:7
P.P 1:20	47:17,23 48:14	23:12 26:3 27:11	45:17 50:6 55:18,23	106:22,23 107:7
package 48:4	49:15,23 49:25	29:16,22 31:4,5,8	56:21 59:10	108:6 120:17,21
page 3:3,11 3:23 14:22 14:23 15:5 17:1 31:24 32:5,23 57:20 70:5 85:15	50:11 51:5 53:21 55:16 58:12 65:14 66:10,23 67:2,7	31:21 32:4 33:1 34:10 34:13,19 35:17 38:3 38:20 40:11,12 41:22 43:9	61:18 63:17 67:17 69:9 76:2 79:1 82:20 88:23 91:18	120:23 121:1,2 123:7,15
pages 61:20	68:20,23 70:25 71:5 72:14	44:15,19 52:2,18,21 53:14	91:18	peak-hour 108:7 121:23
pandemic 115:10,14 115:21	73:12,25 75:2,21 76:6,7,10 76:17	56:14 57:1 57:2 60:24 62:1 68:5 68:6 69:1 76:19	participate 103:15	peaks 92:9
Pantaleo 1:15 20:1 106:8 109:16 110:8	77:11 78:4 78:5,23 79:7,23	91:10,20 96:12 99:8 119:13 120:11,13	particular 36:7 59:21 72:5 111:1	pedestrian 94:23 95:7 95:8,10,20
Paragon 111:10	80:9,18,22 83:11,20 83:23	particul... 59:17 68:25	parties 128:15	pedestrians 95:13,22
parallel 17:24 52:13	86:20 87:3 87:5,8,20	path 43:3 59:21	Pascack 48:17 51:1	people 54:21 64:25 90:5 91:12,14 91:21 94:4 94:11,25 105:12 109:20 110:19 117:1,2 124:13
parameters 114:18		pattern 104:24		percent
		Parkway		

27:16,20	30:16 31:9	106:3	28:9,14	37:4 38:15
28:4 37:15	perspective	114:14	33:7 42:6	poles 53:25
37:18,19	104:8	128:11	42:13 49:2	police 8:1
37:20	Peter 2:2	placed 95:1	52:1 58:22	40:6 41:5
44:20,21	4:12 32:12	plan 4:5 5:2	63:13,16	41:6 59:17
108:6	116:7	5:23 6:14	67:21	63:2 98:16
110:25	phase 67:25	7:14,18	112:5	Polyniak
111:13,14	70:25	10:13	planted 19:7	1:19 20:17
percentage	Phillips	14:22	please 4:8	41:17
121:16,17	11:6,6	20:10 27:3	4:24 11:13	42:15
122:1	111:8	29:23 30:8	12:13,15	43:25
Perez 1:16	125:19	30:24	12:20 15:3	53:12
36:4,12,15	126:6,8	32:13 34:1	19:20	Polyniak's
36:22 37:7	picture 90:8	35:2,14	55:10 59:8	39:11
94:22	piece 16:7,9	36:2 38:19	66:4 70:15	44:14
95:23 96:6	17:11,17	40:23	81:16,20	portion 19:3
96:14	17:19	43:18 45:2	82:5 86:8	22:20 29:1
104:19	18:15,19	48:10	117:11	49:8 54:7
105:2,24	45:1 50:16	52:19	123:20	68:6 80:14
110:13	72:23 77:4	60:16,17	126:16	87:6
111:17,21	91:10 95:3	68:2,7,19	pleases 4:21	107:21
Perez's	95:25	76:14 77:8	plow 96:12	118:17
106:8	106:5,5	96:11	plowed 96:5	119:9
perfect 17:7	115:2	107:16	plows 90:5	portions
33:9	pieces 69:15	109:13	plug 115:3	6:15 14:9
perform	piles 68:10	planner 1:20	plus 95:12	100:18
124:24	pipe 18:10	9:2,21	113:12	pose 53:23
performed	18:14	11:17	point 9:10	position
75:17	21:11,12	54:19 59:6	10:17	75:25
period 60:15	21:16	59:9 60:4	18:19	possible
60:21	22:15,23	60:12 61:2	19:19	10:18
periods	23:20	61:17 62:3	21:23	possibly
70:18	25:20	62:10,14	24:13,25	46:13 89:9
permanent	41:24	73:6 78:8	25:23	potential
44:22	50:23	79:1 80:2	26:16	83:10 90:6
permission	55:24	80:14 81:2	29:24 30:8	90:9,13
13:23	56:11,20	107:18	31:7 32:6	95:3
permit 7:1	pipes 39:12	125:19	36:21	potentially
43:6 51:3	55:22 56:3	planner's	44:25 45:1	24:12
76:11	56:6,9,12	8:22	46:1 48:3	25:13
permits 7:21	56:13,16	planning	60:9 64:12	29:11,12
51:11 60:6	57:9 58:2	5:24 8:14	64:14,15	69:12,18
77:5	pipng 22:14	10:14	65:1 77:25	87:15
permitted	Pitney 2:2	13:10	87:18 89:8	111:9
7:4 12:1	4:12	60:18	94:16	120:2
person 71:20	place 6:12	102:25	106:9	practica...
personal	16:13 19:9	109:14	pointed	9:19 91:8
127:3	38:21	plans 14:1,4	82:21	pre-cons...
personnel	47:21 62:1	14:5 26:18	points 14:13	70:24 71:2
27:6,6	70:3,11,20	26:21 28:8	30:23 36:1	precipit...

precluded	98:17	102:9,18	50:1 53:10	53:18,20
28:16	120:4	102:24	58:12,12	67:5,5,6,7
predevel...	probable	103:5	58:16	67:10
85:3	62:25	104:23	67:17,20	68:19,19
Preiss 11:7	probably	109:7,8	67:24	84:24
preliminary	7:12 13:9	121:23	68:12,20	89:10 91:7
4:5 5:2,23	71:1 95:11	122:2	70:12 71:6	95:2 96:1
86:10	105:13	projected	72:16,23	99:17
premature	problem	88:12	74:1 76:15	102:18
114:11	29:14	122:19	76:17,22	103:23
prepare 89:3	73:22	projection	78:13,17	107:5,10
prepared	90:13	91:24	78:23,24	112:21
41:1 58:16	procedure	92:12	87:16	121:19
83:4 116:1	66:1	projections	89:18,20	proposing
preparing	proceed 4:22	121:9	90:7,17	6:15 9:24
40:24	proceeding	122:13,23	91:11	10:6 26:8
PRESENT 1:12	12:4 15:19	projects	98:11,17	54:2
1:18	proceedings	84:10	99:24	119:11
presenta...	1:9 86:21	113:20	103:22	protect 39:5
86:23	process 30:6	123:22	104:2	67:23
presented	39:7 40:3	proper 18:10	109:8	74:24
48:6	43:12,22	89:4	110:16,23	protected
presumably	43:23	properly	114:11,22	40:2 48:21
79:16	62:12	48:17	118:17	protocol
pretty 87:14	70:11 75:6	properties	119:10	71:3
89:13 93:1	76:2	47:1 49:16	120:4	proved 57:16
previous	processed	62:8 78:3	123:10	provide 11:8
21:7,24	69:10	106:3	proposal	12:4 13:3
24:4 27:15	processing	108:2	6:16 7:10	14:18 23:4
28:24 47:3	69:18	123:8	40:10	30:22
48:4	produce	property 5:4	45:18	41:14 42:2
previously	110:18	6:20 9:12	propose	42:10,17
28:15 36:5	professi...	9:13 10:4	18:15	43:4 54:5
38:9 93:14	13:4,7	10:25 14:9	45:16	59:11
primarily	82:4,8	15:16	proposed	66:21 82:3
46:5 61:7	128:5	17:11 21:8	5:18,20	87:11
68:25	professi...	21:9,10,16	6:22 7:2,7	108:23
primary 16:5	4:11 49:19	21:17,19	11:1 13:19	provided
109:18	64:3 100:9	21:21	16:14 18:5	37:18 39:4
prime 92:5,7	110:12	22:16,20	18:12	126:19
principal	111:24	22:21	26:11	providers
82:10	125:14	25:10,18	27:17 30:8	89:24
prior 40:10	project 6:6	25:20	30:10	providing
42:3 52:19	10:23 11:4	26:14	32:15 33:3	55:15
71:2 103:6	11:7,21	27:23	34:6,9	provision
105:16	13:17	35:12,15	36:10 38:8	74:14
116:22	57:12	37:3 46:4	39:24	provisions
120:14	66:25,25	47:17,24	44:22 47:9	72:24
128:6	85:4,4	48:14	49:10,11	prudent
private	101:17	49:15,23	52:25	58:14

public 1:8 3:10 64:8 64:21 75:7 81:6 112:1 112:2 117:6 120:6 125:4,15 125:16 128:3 publication 127:3 purposes 33:24 pursued 11:16 purveyor 42:18 put 14:1,3 18:23 19:9 25:10 26:23 28:18 47:14 67:19,21 95:5 106:3 112:6 121:25 putting 89:10	70:14 71:23 73:10 75:11 77:21,22 79:11 80:3 102:13 103:20 104:20 105:22 107:23 112:2,3 117:8,9,15 120:9 questioning 119:19 questions 51:17,24 55:5,7 64:9,13,16 64:17 66:3 66:5,7 67:16 68:15 79:18 81:4 81:6 100:6 100:8,16 110:11 117:6 119:22 123:20 125:4,10 125:15,16 question... 64:2 queuing 25:12 27:23 28:2 29:9 90:4 90:13 quick 14:11 117:7,9,18 quickly 65:22 118:20 quite 96:4	128:1 R0L 5:12 radar 104:13 radius 73:13 74:1,4 raise 12:15 65:8,13 81:16 raising 119:22 range 97:1 ranges 98:1 rate 23:24 49:9 rates 23:18 24:20 26:13 rating 118:5 118:8 119:6 ratings 117:9,16 re-occup... 84:16 re-use 69:11 reach 107:12 reaching 83:9 real 117:18 realize 62:17 realized 47:14 78:8 really 29:13 43:10 47:20 48:21 72:25 78:10 88:13 105:12 122:8,9 rear 36:17 36:20 38:4 78:16 reason 18:3 26:7,23 27:22 78:1 reasoning 74:18	recall 121:10 receipt 7:24 8:8 receive 59:16 63:12 74:14 received 5:22 8:2,2 8:6,14 39:22 40:5 49:2 recommend 56:5 58:10 record 8:1 13:15 81:21 86:19 101:4 recycled 42:7 red 15:10 20:12 redesign 52:21 redesigns 52:24 redevelo... 87:20 90:6 redone 24:1 48:16 reduce 78:24 reduced 23:23 Reduces 23:18 reducing 24:19 49:8 reduction 101:14 reductions 49:9 refer 8:1,12 13:20 72:6 reference 74:4 112:7 referenced 10:17 40:5 75:22	referencing 75:3 108:15 referred 7:21 refers 74:5 refined 107:23 reflect 101:4 102:17 reflects 101:13 regarding 25:7 39:5 41:7 60:3 75:21 regards 76:22 Registered 128:5 regrading 70:3 regular 1:4 27:8 regulations 63:9 rehab 15:23 related 5:9 6:18 8:23 44:4,6 55:15 82:15 93:13 relates 55:8 55:13 relating 5:4 relative 11:18 44:15 70:22 71:12 74:7 83:10 128:14,16 relatively 118:23 relaxing 4:17 relevance 119:19
Q quality 74:16,24 75:20,21 question 15:14 21:4 21:15 22:3 25:6,14 26:15 28:20 29:13 33:6 35:10 37:14 46:23 51:22 56:25 60:2 62:15 64:13,21 65:4,6,13	R R 2:1 12:17 81:18,18			

relevant	8:18 24:4	requirem...	respond 8:17	8:6, 9, 13
41:9 72:25	39:2 40:10	9:3, 25	27:24	8:14, 16, 22
118:15	49:22 50:1	10:7 71:9	response	20:15, 15
relief 5:3	50:4 56:8	72:7, 19	6:16 25:9	30:7 39:3
5:23 7:1	63:22	74:7 75:18	25:12	44:4, 5
8:23 10:20	72:19 75:2	88:21	37:16	93:9 103:4
11:8	75:20, 21	requires	responses	117:18
remain 8:25	75:22 83:5	78:18 80:7	8:20	reviewed
10:2, 9	92:25 97:4	requiring	responsi...	86:14
21:3 40:13	100:18	80:24	42:25 59:1	117:22
60:25	101:13, 20	rescue 29:10	responsible	122:14
119:1	105:23	rescued 28:1	40:19	reviews
remainder	107:19	reserve 25:7	rest 47:21	61:18
67:10	109:12	resident	72:2	revised 8:9
remaining	REPORTED	73:25	resubmis...	8:10, 11
42:11	1:22	118:4, 4	42:14	42:13
43:11	Reporter	119:16, 18	resubmit	51:25
53:10	128:4, 5	119:20, 25	62:1	61:24
61:10	Reporting	residential	result 9:14	86:13
80:17	1:25	6:1 7:3	49:10	102:16
Remembering	128:23	78:12	57:21 70:9	revision
54:8	reports	79:23, 24	109:14	34:2
removal	105:16	80:5, 9, 11	resuming	rezoned
18:22	represen...	80:16 85:1	105:4	114:12, 22
20:13	86:22	94:9, 17	retail 95:21	114:24
38:20 43:5	represented	99:7	112:8, 12	rezones
44:17 53:3	93:8	103:10	112:15, 20	99:24
68:9 69:7	represen...	106:3, 15	113:12	rezoning
77:8	101:12	106:19, 19	120:22	10:12
remove 6:15	request	106:21	123:24	54:10
removed 19:2	41:14	107:10	124:3, 7	99:21, 22
19:4, 9	59:19	108:12, 25	retain 7:7	Ridge 1:1, 5
29:5, 7	75:13	110:6	retained	4:4 6:25
38:24 43:5	83:18 98:9	123:25	52:20	7:1, 15, 25
44:11 57:5	requested	124:23	62:11	8:24 12:2
57:6 61:8	8:17 11:9	residents	retaining	13:13
61:9 68:6	30:6 72:15	27:8, 25	47:4 76:19	14:10, 10
100:21, 24	87:2, 3	29:10, 11	retention	14:25 19:3
101:21	88:20	67:23	21:8, 16, 18	21:10, 17
removing	require	73:13	24:1, 6, 18	21:19 23:6
43:9 68:5	79:24	75:20	25:19	25:20
reoccupied	required	78:15	28:24	27:23
108:4	27:18	87:19	44:15	29:11 31:9
repaired	72:14, 17	124:2, 8	48:14	35:12, 15
56:22	77:23 78:3	resolution	49:23	37:3, 5
replace 56:9	79:6 92:16	5:25	reutilized	39:19 41:1
replaced	127:4	respect	100:19	42:23
56:6 57:10	requirement	15:15	reversed	45:17 46:5
58:3	74:6 78:12	26:15	34:7	46:10
report 8:2, 4	80:21	58:20	review 7:24	47:17, 23

48:14	40:1,8,24	72:15	19:17,20	63:10
49:16,23	41:3 43:2	83:25 86:6	51:23 52:4	68:18 69:8
49:25	43:10	95:2 99:11	52:8,19,24	69:14,17
50:11 51:5	45:11,22	99:15	53:13,17	69:21
53:21	46:17	112:4	53:22	77:19
55:16	48:19,24	118:19	54:12,16	78:20
58:12	49:17	124:12	55:4 64:7	79:10,20
65:14	52:23	roads 104:2	64:11,14	86:7,16
66:10,23	54:11,12	115:16	64:15,19	87:17 89:8
67:2,7	54:15	124:9	65:5,10,24	89:17 90:3
68:20,23	55:25 57:7	roadway	65:25	103:19
70:25 71:5	57:17 62:9	52:22	73:16,19	104:17
72:14	64:4 67:1	122:16	79:10,14	
73:12,25	68:13,14	roadways	81:15,20	S
75:2,21	70:1,5	86:2	96:16	S 2:1 3:21
76:7,7,10	73:5,7	122:12	125:5,6	12:17
76:17	78:17	role 19:18	126:15,17	81:18,18
77:11 78:4	81:16 85:3	round 109:23	127:2	S-K-A-P-...
78:5,23	90:1 91:4	rounding	Rupp's 55:13	12:23
79:8,23	94:6 95:24	107:6	Rutgers 13:6	safe 4:18
80:9,18,22	102:19	route 109:18	82:7	63:3 75:13
83:11,20	103:3	routed 110:2	Rutkowski	99:19
83:23	104:22,23	routes 63:3	19:22	127:18
86:20 87:3	106:14	routine 27:9	25:22	safely 92:18
87:5,8,20	109:11	routing 41:2	26:24	safety 55:15
89:7 90:7	110:10	RPR 1:22	37:17	75:18 96:2
95:3 99:1	117:21	128:23	46:22	96:4 104:9
99:10,23	123:21	rule 107:3	57:15 58:9	sake 88:11
102:9,15	right-hand	rules 23:15	58:18	101:6
103:1,22	15:19	23:15	77:20	sanctioned
106:5,20	17:11 18:6	24:21	RUTOWSKI	9:17
107:10,21	22:10 34:5	run 18:1,4,5	1:16 18:18	sanitary
112:21	34:8,18	18:10,13	19:16,21	16:13 18:4
114:11,21	45:21,23	52:12	20:6 21:4	18:10
123:13,13	Rivervale	running	21:14,23	satisfied
123:23	3:14 70:17	17:24 54:4	23:25 24:3	99:17
124:24	112:4	104:22,23	25:6 26:1	Saturday
Ridge's 7:13	road 2:3	runoff 23:18	27:12	83:18,18
Ridge-owned	3:14 14:25	24:16,20	28:23 29:4	106:17,24
17:19	25:13	26:10 49:7	29:8 35:3	120:24
right 12:15	27:17 29:5	49:9 50:15	35:9 37:1	121:3
17:22	32:3,7	50:21 53:9	37:6,12,19	123:15
21:22	34:19	runs 22:15	38:7,12	Saturdays
25:21	35:11 38:9	22:23 31:4	44:1 47:16	106:24
29:23 31:3	46:23	38:2 53:9	47:22	saw 21:24
31:4,13	47:25	54:24 70:5	48:11,20	53:6
32:1 33:5	54:13	95:15	49:12,18	saying 17:21
34:11 36:8	65:20	Rupp 1:19	50:25 51:3	36:16
36:10,13	66:12	12:12,14	51:13 58:9	46:19
38:3,19,21	70:17	12:20	60:2 62:15	71:25

77:24	sediment	series 71:1	26:20	29:2, 2, 4, 6
105:6, 25	23:18	service 6:23	shape 17:10	34:5 36:4
106:1	40:23	37:8 88:17	shaped 45:4	36:23 37:9
108:18	61:12, 23	90:15	share 7:14	37:24 38:2
122:22	see 14:7, 21	93:21	104:6	38:5, 8
says 37:14	15:9, 11	96:18, 19	sharing	45:24
scale 96:25	16:8 17:8	96:19, 20	13:22	46:13
97:6	17:10, 15	96:25 97:8	sheet 14:3, 8	54:13
scenario	17:21 22:9	97:12, 12	33:13, 16	65:20 67:2
24:16	26:18	97:13, 20	33:17, 18	67:19, 22
105:2, 15	29:23	97:24 98:2	33:25 45:6	67:24 68:2
106:20	30:25 31:1	101:15, 15	45:6, 7	68:4 77:11
schedule	31:18 32:1	101:25	48:9, 12	87:8 88:7
60:8	34:4, 6, 7, 9	104:2, 7	112:16	88:9 99:1
schematic	34:12 35:5	105:14	shift 46:9	99:10, 10
36:7	35:9 36:9	107:13	shipped	102:16
school 89:17	36:10, 14	119:1, 2, 3	69:11	107:10
89:19 90:6	38:7 45:11	services	shop 124:14	109:1
science 13:5	47:6 48:15	16:14	124:15	112:7, 21
82:6	53:8 58:15	serving	short 35:18	114:2
screen 13:22	65:3 73:19	11:25	shot 17:6	115:23
31:12, 17	85:17 86:3	set 9:3, 25	shovel 96:12	124:15, 16
sealed 54:17	88:21 89:5	10:7 14:3	show 31:6	sides 37:22
second 13:25	89:9 90:13	14:5, 8	39:23 46:5	sidewalk
16:5 87:1	91:9	33:6 46:3	62:2 68:19	15:24 16:1
87:12	104:13	48:10	101:24	16:2 31:4
secondarily	seeded 61:13	61:21	showed 21:8	54:1, 6
35:21	seeing 16:21	85:15 87:1	88:16	95:1, 14, 17
secondary	seek 6:7	87:12	108:17	95:25 96:2
27:1, 10	9:22	128:12	showing	96:4, 7
30:23 31:7	seeking 5:1	setback	20:12	sidewalks
31:21 33:2	6:4, 25	67:23	shown 28:13	96:13
34:14	7:13	78:14, 18	28:15	sign 45:18
35:23 37:3	segments	79:6	30:24 68:7	45:23, 24
52:5, 11	56:17	settlement	shows 14:8	45:24 46:9
55:3	selected	7:16, 20	20:10, 10	46:19, 20
seconds	60:13	10:10, 14	32:14	54:2 98:23
33:22 97:1	sending	11:22	38:19 68:3	98:25
97:16 98:2	109:20	42:22 79:2	shrubs 19:6	signage
Secretary	110:24	87:10	sic 11:7	44:22
1:21 13:24	sense 48:1	99:23	side 14:15	45:17
33:15, 18	sensitive	114:17, 24	15:13, 25	98:20
45:8 63:11	72:7	seven 80:17	16:23 17:9	signal 118:6
63:20, 24	separate	122:3	17:11, 12	signaliz...
64:24	5:13 50:6	sewer 6:21	24:21 25:9	88:22
126:2, 23	50:7, 8, 12	16:13, 17	25:11	significant
section 9:3	separates	18:1, 4, 16	26:21	6:15 72:22
10:1, 7	62:7	18:23	27:25	84:11
35:19	separating	shaded 17:21	28:14, 16	94:18
53:21	80:22	17:22	28:17, 18	113:21

120:15	89:25	solution	62:19	93:5
similar	sites 71:11	18:13	119:16	splits
13:12	113:10	somebody	south 30:24	109:22
46:20 98:1	sits 76:11	119:24	36:19 62:6	splitting
108:5	sitting	Sony 1:6 4:4	southern	109:20
simple 117:3	10:13	5:5,8,15	33:3 34:18	spoke 20:16
simply 43:19	situation	5:17 9:18	38:5 54:13	spots 87:19
52:17	50:9 54:9	14:20 15:5	67:17,22	112:15
simultan...	100:1	15:11 16:1	67:23 68:2	spray 61:13
76:15	118:13	16:8,10,16	68:3,21	spreading
simultan...	six 45:25	17:3,12	southwest	91:22
77:10	113:12	18:2,7	22:7 26:22	spreads
single 5:19	115:8	19:4,13	32:9	91:19
79:5	six-foot	21:2 22:21	space 93:24	Spring 83:25
single-f...	66:17	22:25 23:6	94:12,18	86:5 93:18
80:4,23	Skapinetz	23:23,25	108:4	94:3,7
site 4:5 5:2	3:5 10:23	24:17 26:4	112:12	95:18
5:9,19,21	11:11	31:18,18	spaces 17:25	97:25 98:5
5:23 6:10	12:10,14	34:4,5,16	38:3 44:10	104:10
7:15,18,19	12:23	45:3,11,13	91:9,10,21	109:21,24
9:7 10:13	51:22 64:3	45:19	112:8,18	111:9,11
10:15	64:5,13,18	46:11,12	120:11,13	124:12
11:20	82:21	46:19 55:1	speak 65:1,3	square 45:25
14:14,20	105:17	58:11 61:5	99:5	84:13,17
15:16,18	slight 15:23	67:18 70:5	SPEAKER	84:21
16:1 22:6	53:8	70:7 72:16	14:24	101:6,16
22:7,8	slightly	74:1 79:3	speaking	105:5,12
23:8 30:20	45:14	83:24	22:11	105:19
34:1 38:16	116:13	84:17 86:5	32:20	108:3,25
45:3,14	slope 66:14	88:20 93:4	speaks 96:17	111:3
46:17	slopes 10:19	96:23	special 73:2	113:25
48:10 49:8	small 118:21	97:10	specific	stab 105:3
50:22	smaller 29:3	100:18	82:15	stabilize
52:19 54:7	121:25	103:6	101:13	6:10 43:14
54:25	122:1	104:10,22	103:1	stabilized
55:15 57:4	snow 90:5	106:2,2,11	specific...	10:15
59:20,20	software	110:19	102:9	52:12
60:17,21	85:6	113:6,14	105:16	61:11,14
60:23 62:7	soil 23:17	113:15,16	107:4	staging 41:2
66:18	40:23 42:2	116:25	specificity	stalls
83:11,15	42:4,7	soon 6:13	102:18	119:13
87:6 88:1	61:10,11	sorry 15:1	speculation	stanchions
103:10	61:22	66:10	122:9	53:16,18
107:16	68:19	105:17	spell 12:21	stand 63:14
110:5	69:24 70:2	117:11	66:2 81:21	standard
113:8,14	70:9,11	sort 16:23	spill 48:17	84:24 85:6
113:15,16	solely 23:3	34:17 41:3	50:25	91:6 92:16
118:22	28:12 49:6	118:8	split 93:5	122:13
121:15	109:6	sought 79:13	107:8,8	standards
site-spe...	solid 34:12	sounds 55:17	split-town	24:23

61:12	128:11	99:8	93:17	48:15
103:11	step 14:11	strictly	suggesting	sworn 12:18
122:17	114:16,16	80:9	116:25	81:19
124:25	steps 10:16	strikes	suggestion	128:7
standpoint	40:1	49:20	6:17 44:14	sync 71:5
22:3 38:15	STEVE 1:14	studied	Suite 12:24	system 42:18
stands 45:25	stick 25:25	83:22 84:1	super 87:7	56:6 57:10
start 22:4	sticking	88:17	support 6:5	57:14
45:21	25:24	studies	7:2 12:4	systems
74:12	stockpile	110:15	42:19	41:15
93:25	40:12,13	115:11,19	98:24	
107:12	68:19,22	study 62:23	100:2	T
123:24	69:24 70:2	83:13,21	supporting	T 2:4 3:21
125:21,22	stockpiles	85:14 86:9	11:8	12:17,17
125:23	69:3,4,6	87:25 89:3	sure 11:14	12:17 13:1
started 4:17	70:12	93:17	12:22 13:5	82:1 128:1
starting	stockpiling	102:17	16:21 24:5	128:1
120:22	68:11	108:15,23	26:12	table 85:15
starts 73:15	stop 95:4	109:18	32:13 39:2	85:17 86:3
74:2	120:6	113:2	39:3 48:22	97:4
126:13	stop-con...	114:21	57:3,21,23	take 12:13
state 1:2	97:3,22	115:25	58:3,12,17	14:11
12:20 13:7	storm 18:8	116:10,25	59:2 62:23	33:19
13:11	39:12	124:19,24	63:2 64:25	34:18 40:1
23:15	stormwater	125:1	65:25	40:11 41:6
29:17 63:9	5:10 6:10	studying	71:11	41:23 58:3
66:13	20:24,25	83:14	73:11	59:25
81:20 82:9	22:3,12	subject 6:5	87:24 90:1	60:19 69:2
82:14 85:7	23:10,11	105:22	101:20	74:24 85:2
86:18	23:13,14	submission	103:13,20	105:3
128:4,23	23:20,20	32:19 55:8	107:24,24	107:4
stated 38:19	24:21,22	submit 40:22	120:5	111:8
statement	25:18,24	submitted	126:24	taken 39:5
24:14	41:12,19	8:19 14:4	surface 26:6	44:9 63:8
71:24 90:9	42:11 56:4	14:4 40:22	surprise	69:1,3
102:10	56:8	61:21,22	24:9	128:10
107:17	straight	62:23	surprised	takes 47:21
statements	17:2 31:3	63:13,17	27:15	70:11
66:6	31:19,20	63:19 75:5	surrounding	talk 44:13
States 85:8	31:23 32:2	76:2 86:13	10:25	56:14
88:5	32:3 34:16	88:23	23:12	98:20
stay 44:6	46:16,18	subsequent	84:11 86:2	114:20
76:24	54:24 55:1	8:11	108:17	talked 30:6
124:10	111:9	substantial	109:2	38:17
staying 69:5	stream 48:21	52:21	surrounds	41:12
steep 10:19	street 12:24	123:24	20:22	42:21,24
steeper	19:7 78:16	Suez 16:16	survey 43:4	43:3
30:19	81:24	suffer 72:3	58:20	114:19
stenogra...	123:10	suggest	74:23	talking 8:12
1:22	streets 88:1	57:20	surveyed	16:21 17:4

20:2 35:24	119:25	112:19	ties 62:17	10:22
45:4 78:9	testimony	Theres's	time 6:18	11:24 81:6
80:3	8:20 10:20	51:10	13:13	100:13
108:14	11:8 12:4	thing 39:10	19:24 20:3	101:12
118:16	39:4 41:25	53:1 74:17	25:11	114:19
tall 45:25	55:9 57:16	107:25	35:16,16	126:14
Tardibuono	59:12 66:6	112:18	46:7 53:20	127:14
1:21 64:21	79:17,18	things 9:16	56:5,19	tonight's
126:1,22	82:15	25:22 41:3	60:10,15	109:6,14
tax 5:6	86:24	95:11 96:8	60:19,21	Tonya 1:21
team 127:13	117:20	98:7	66:5,7	8:2,5,7,19
technical	118:9	109:11	68:12	16:25 20:9
9:22 72:24	119:19	think 28:6	70:18	33:7,11
technically	125:9	37:14 39:4	71:12	35:7 45:2
10:1	thank 4:1,14	48:20	76:16,16	48:10
technology	4:19,24,25	54:19 57:8	76:24	top 14:21
105:11	12:6,7	57:11,20	77:13,15	15:4,6,11
televis	13:14,18	58:14,18	77:16	16:25 22:4
56:10	15:8 19:21	59:15 60:4	83:21 84:9	32:21,23
televising	20:6,7	65:22 76:4	84:14 87:4	34:5 45:2
55:22	29:13	76:18,19	87:6 89:4	45:12 77:1
tell 89:15	51:13,15	86:14	91:22 92:7	topic 27:12
123:12	55:10,12	107:18	99:7	total 87:8
telling	58:5,6	112:18	102:23	107:6,7,20
89:16	59:5 62:14	113:13	113:20	109:1
108:24	63:10,25	114:2	115:17	touch 40:17
temporarily	64:4,11	118:15	127:14,17	98:9
54:21	67:12	119:22	128:11	town 19:18
temporary	68:14,16	125:23	times 75:23	19:23 20:2
54:9	77:14,17	127:6	92:5	52:14 67:7
Tennessee	79:20 81:1	third 16:7	106:16	78:22
3:17	81:5,6,10	109:24	109:5	109:8
117:14	82:24,25	thorough	timing 59:12	townhouse
119:17,20	86:16	50:19	59:22 77:2	84:14
terms 41:2	96:14	thought	Title 98:10	towns 78:4
44:16	100:4	36:16	today 15:22	Township...
57:20 68:8	104:17	120:8	22:12 23:1	17:18
71:2 72:8	106:7	three 5:13	23:19,21	tract 5:16
75:11	109:16	8:21 10:22	23:24	50:7 72:20
92:25	110:8	14:13	24:24 25:5	79:4 80:15
103:4	111:21	37:22	26:14	80:16
105:8	112:23	113:24	35:22	traffic 1:20
114:17	120:7	three-be...	44:21	11:4,4,5
117:3	127:1,14	87:22	46:17 49:8	25:7,23
tested 104:5	127:16,20	threshold	57:4 89:16	36:11 41:3
testified	127:22	107:12	114:16	54:14
13:9 60:25	Thanksgi...	thumb 107:3	told 89:12	59:12
testify	4:18	Thursday 8:5	Toll 84:13	81:13,13
128:7	127:19	tie 47:19	114:1	82:11,15
testifying	that--	67:9	tonight	82:17 83:4

83:12,13	121:22,25	18:1	98:4 99:9	unchanged
83:19,20	122:1,5,11	triangular	111:8	8:25 10:2
83:21 84:4	122:14	17:10	turns 72:1	10:9
84:12,16	123:14	18:18	twice 89:13	undergo
84:18,23	124:3,19	42:21 45:4	101:8	50:12,13
85:7,12,14	124:24	triangul...	two 8:8 9:8	50:14
86:1,9	125:1	16:9 17:17	25:22	underground
87:24 89:3	traffic- ...	18:15	28:23	29:2
92:15	105:7	Triborough	30:22	underneath
93:10,11	transcript	84:12	49:15 51:4	22:14
93:15,16	1:9 73:20	111:3	61:20 67:9	understand
93:18	128:10	113:25	71:11 74:9	37:6,12
94:14,23	transmis...	trip 88:2	78:3 79:7	38:10 77:9
95:7,9	14:14	90:12 91:7	79:24,25	87:11 90:8
98:22	38:11	91:25	79:25 80:7	90:19 91:1
100:1,10	114:14	103:4	80:7,8,24	96:4
100:12,15	transpor...	107:4	85:19	103:21
100:23,25	82:10	118:9	92:10	115:22
101:2,8,11	84:25	trips 59:12	96:20	119:9
101:13,19	89:24	90:24	108:2,5	123:16
102:1,7,12	97:22	107:6,7	115:7	124:20
102:17,22	103:7,8	108:7	122:14	126:20
102:23	transverse	121:23	two-foot	understa...
103:3,12	21:17	124:1	47:10	22:1 43:21
104:4,8,24	travel 59:18	truck 59:12	two-mile	75:4 76:1
105:1,9,13	91:18	99:4,9	73:13 74:1	79:2 80:6
105:22	123:7	trucking	74:4	understood
106:4,13	traverse	63:3	type 37:8	36:24,25
106:14	32:6 34:19	trucks 27:20	88:7,10	48:24
107:16	55:2	27:24	95:6	51:25
108:9,15	traversing	59:20	types 91:7	102:1
108:23	118:23	62:20 90:5	91:23	104:17
109:12	treated 49:5	99:6 115:5	96:19	105:25
110:15,17	127:6	115:6,7	typical	undeveloped
110:25	treating	true 44:7	83:16	18:19
111:4,6,15	49:5	46:4 58:14	typically	119:10
112:10	tree 19:1,1	128:10	60:17 78:2	Unfortun...
113:2,19	19:11 43:4	truly 27:15	89:22	59:14
113:21	43:5	trust 49:18		UNIDENTI...
114:21	trees 18:23	truth 128:7	U	14:24
115:11,14	19:7,12	128:8,8	ultimately	unit 106:11
115:16,19	43:5,9,11	try 18:13	20:25	United 85:8
115:20,21	43:15	20:19	23:22	88:4
115:25	76:21,23	trying 30:25	29:17 88:9	units 84:23
117:2,16	77:8	32:10 94:6	102:13	85:1,13,23
117:21	tremendous	94:15	104:6	87:5,8,11
118:6,10	123:25	TUESDAY 1:10	unaccept...	88:3,10
120:15,18	124:1	turn 15:19	104:8	89:4,6,7
120:21,23	triangle	18:6 34:18	unaware	89:13
121:1,17	17:3,13,24	45:21 94:6	86:19	90:20,20

91:7,20,24	17:23 18:2	117:16	118:22	24:11,16
93:22	18:8 20:3	vegetated	volumes	24:17
94:24	38:16 43:3	18:19,20	41:13 86:1	42:18,18
97:11	45:5	vehicle	92:15 94:5	42:25
105:6	utility 7:21	85:23,24	95:10	49:25 50:5
107:2,2,5	8:6 16:4	97:2,17	108:9	way 11:1,24
107:21	19:18,22	98:3 99:4	113:21	22:4,11
108:1,1,8	20:1 40:6	vehicles	115:20,21	27:8 28:22
108:16,19	utilization	25:12,23	121:2,22	30:2 31:12
108:20,22	37:2	26:25	122:6	32:22
109:1	utilize	32:25	123:14	34:20 46:6
113:12	15:17 23:5	34:15 36:6	volunteer	55:1 65:5
118:17	27:9 35:21	46:24 55:1	19:23	76:5 85:18
119:12,14	52:5,17	90:4		we'll 25:25
University	utilized	118:23	W	40:1 41:18
13:6 82:7	44:8 70:2	Verderese	wait 33:22	41:23,25
unknown	85:6 87:7	3:6 11:3	waiting 98:4	42:2 43:22
102:18	utilizing	81:12,15	walk 8:19	43:24 62:1
unlock 27:7	35:16	81:23	wall 47:4	70:21 81:8
unusual 90:2	84:24 85:6	82:20 86:7	walls 47:13	89:3
upgrade	115:20	87:17	53:5	we're 8:12
51:11	utmost 57:9	96:17	want 14:25	14:16 18:3
upper 22:9		100:16	16:20	20:2,12
UPS 115:6	V	105:17	33:22 39:2	25:1,24
upside 16:22	V 81:18	109:17	39:3,8	33:18 35:1
use 4:6 5:3	V-E-R-D-...	110:14	45:8,9	38:21
5:17 6:5	81:24	112:2	47:25 48:9	40:17
6:25 7:1,3	vacant 102:3	120:9	48:13,22	41:21 43:8
7:4,5 10:4	102:8	124:18	56:2 57:21	48:8 49:8
11:15,18	Valley 83:25	125:9,10	75:24 76:3	49:9 52:17
12:1,3	86:6 93:18	Verderese's	94:8	56:5 57:20
13:11	94:3,7	107:19	101:19,22	61:25 68:5
14:25	95:18	versus	103:4,13	72:4 76:19
15:15 23:4	97:25 98:5	121:18,19	111:15	77:24,24
27:23 42:7	104:10	vetted 28:21	120:5	84:19 87:9
49:14 69:4	109:21,24	93:2 104:5	126:16	92:14
72:20 80:8	111:9,11	104:15	wanted 19:17	102:3
80:10	124:12	107:15	19:24 27:1	105:6,9
99:24	variance 4:6	vicinity	65:1 77:20	108:24
102:2	5:3,23	52:22	93:6 101:3	118:18
107:1	6:25 7:5,9	video 1:25	111:18	120:14
112:21	7:11 11:8	2:1 39:14	wants 41:24	123:25
115:19	11:15,18	41:15,23	wasn't 28:25	125:20,21
uses 80:1,8	12:3 15:15	videos 56:2	66:12	we've 60:25
80:19,24	72:24	VIRTUAL 1:8	water 6:21	website
95:21	variances	visual 49:1	16:14,16	126:20
110:7	4:7 9:22	voiced	18:2,16,23	week 127:17
utilities	79:12,19	103:16	21:18	weekday
6:21 16:6	various 4:6	volume	22:12	83:17
16:15,17	13:11	115:24	23:22	106:23,23

106:25	12:22 14:2	81:9,14,23	33:10	119:24
107:1	15:1,4,9	82:22	38:19,25	120:2
121:2	16:24 17:5	86:12 88:2	44:12	wooded
weekend 84:6	17:22	89:12,21	51:16 54:8	119:11
96:22	18:20 20:5	90:23 91:5	57:19 58:5	words 87:21
weekends	20:7 21:13	92:8,22	63:21 65:8	work 16:4
123:7	21:22 22:2	93:19 95:8	65:12	22:4 32:22
124:2	24:2,19	96:3,9,15	70:21 71:8	41:1,5
weeks 59:24	25:21 26:2	96:23	71:23 72:4	43:25
60:5,10	28:7 29:1	100:22	72:18 73:3	47:17
Wegmans	29:6,14,21	101:1,5,18	73:5 74:3	53:12
71:22	30:4,13	101:23	74:13,22	57:22,23
84:13	31:13,16	102:5,11	75:4,9,16	59:19 77:7
95:12	32:12,20	102:20	75:24 76:9	90:5 91:14
110:17,21	33:9,12,17	103:2	76:18,25	91:14,15
113:25	33:21	107:24	79:15 81:9	91:15,16
121:4	34:25 35:7	109:22	81:10 82:2	100:12
123:2,9	35:14 36:8	110:9	82:16,25	124:25
weird 49:21	36:13,19	111:2,20	83:2 86:17	worked 85:17
welcome 81:2	36:24 37:4	111:22	89:22	110:4
96:15	37:11,17	112:11,17	90:10	working
110:9	37:21	112:22	92:23 98:6	53:22
111:22	38:14 44:3	113:3,13	98:14,19	117:1
well-des...	45:10 47:8	113:24	100:5	works 57:24
99:19	47:18 48:8	114:4,8	109:4,16	58:2 90:15
went 14:12	48:19,24	115:13	112:20	91:8 93:20
17:3 20:18	49:17 50:3	116:1,5,7	114:13,23	94:17
30:14	51:2,7,15	117:4,21	116:8,12	97:18
weren't 23:5	51:20 52:3	118:20	116:17,21	worst 92:17
west 26:3	52:7,9,23	119:7	119:15	93:22 97:9
28:15 29:2	53:1,15,19	120:11	120:1,4	worthwhile
29:6,16,24	53:24	121:1,8,21	123:19	58:19
61:3	54:11,15	122:10,24	125:12,18	wouldn't
111:12	54:18	123:4,12	126:6,9,10	65:19
118:23	55:20,25	124:6,22	126:24	79:24
122:4	56:11 57:7	125:7,22	127:1,7,11	87:25
124:15,15	57:17,25	witnesses	127:13,16	123:6
wetlands	58:6 59:4	8:21 10:22	127:22	writing 8:17
39:16,18	59:14 60:6	125:23	Wolfson's	written
51:9	60:24 61:3	128:7	125:7	73:20
whichever	61:19 62:9	Wolfson 2:2	wonderful	wrong 47:2
71:6	62:13 63:4	3:3 4:10	72:1	117:25
WILLIAM 1:19	63:14 66:5	4:12,15,16	wondering	
winter 96:2	66:15,24	4:21,25	32:16	X
96:6	67:4 68:1	11:12,17	96:16	X 3:1,21
wish 4:17	68:13,24	12:7,10	Woodcliff	13:1 82:1
wishes	69:12,16	13:2 14:12	3:13 5:15	
127:18	69:20,22	16:12	5:21 67:15	Y
witness	70:1 77:2	20:16	78:4,16	yeah 29:1
11:11	77:12,15	32:18 33:5	80:23	33:21 38:7

41:16	1,100 108:19	185 84:23	206 2:4	448 87:11,18
44:17	109:1	85:13,22	20th 5:25	87:21
65:25	1,100-plus	87:9 90:20	21031 1:24	108:1
68:24	108:16	90:20 91:3	22 44:21	450 106:11
74:22 77:9	1:00 92:2	91:20	220,000	107:5
77:16	10 9:4 17:16	93:22	108:3	48-inch
90:23	108:5	94:24	225 107:6	22:15,23
95:13	125:23	97:11	225,000	23:20
102:20	10:35 125:22	105:6	105:5	41:24
106:2	10:37 127:24	118:17	229 3:15	50:23
120:1	100-foot	119:12,14	71:20	55:24
year 24:7	62:10	190 107:9	73:23 76:7	56:11,20
years 24:10	67:22	1904 81:24	23 80:17	
83:15	78:14,18	1980 62:22	24 1:10	5
110:4	78:19	1990 82:8	245 12:24	533 :13,16
121:7	1000-plus	1st 86:13	250 108:7	33:17,18
Yep 45:11	113:11	113:3,5	26 98:2	33:25 45:6
	101-23 9:3		27th 34:2	84:5 92:6
Z	101-61 10:1	2	29 44:20	50 27:16,20
Z 12:17	101-63 10:7	2 5:14	97:16	28:4 37:15
ZB 1:7	10th 34:1	120:24		37:18,20
zero 92:3	11 17:16	2,000 24:7	3	
zone 5:12	85:15	2:00 92:2	30-acre 79:3	6
12:1 72:15	120:24,24	20-04 1:7	30-day	6:00 84:5
78:14	128:25	4:3	127:10	91:14 92:6
113:11	11:45 84:6	200 108:7	301 1:5 4:5	60 92:20,21
zoned 102:9	110 12:25	200-plus	5:6	110:24
zones 79:25	117 3:16	82:13	304 6:23	600 108:20
zoning 1:1	12 8:15	2000-plus	16:12	6325 2:4
7:4 13:10	113:12	118:23	17:18	633 108:1,8
102:25	120:24	2017 115:12	30XI0023...	64 3:13
zoom 16:24	12-inch	2017-'18	1:22	67:14
16:25 17:5	42:25	115:6	128:24	76:13
20:8 35:8	12:45 84:6	2018 34:1	3302 5:14	65 110:24
45:2,7,12	12612 3:16	83:14	350-plus	65,72,79...
65:1	117:13	115:4,12	91:20	3:12
126:21,25	12th 8:3,5	2018-2019	357 91:10,12	67,76 3:13
	13 3:5 8:11	90:22	120:11,12	
0	13th 8:7	2019 5:25	36 45:25	7
07054 2:3	15 108:6	83:14	39 98:10	7 85:15 86:3
	150 13:10	86:13		91:15
1	150,000	107:19	4	7:45 84:4
1 1:5,6 4:4	84:17,21	113:4,5	4 3:12 66:10	92:6
4:5 5:5,5	101:6,16	116:11	75:1	70 110:25
5:13 6:23	105:19	2020 1:10	112:25	111:13
7:22 14:3	108:25	8:3,10,11	40 9:7	70,111 3:14
16:12	15th 126:3,4	8:15 14:6	111:14	70/30 107:8
17:17	126:7,13	34:2	400 107:2	71 3:15
1-800-31...	127:5,9	128:25	400-plus	75 37:19
1:25	16th 14:6	204 5:14	108:22	
				8

81:10 91:15				
8:00 126:13				
8:45 84:5				
92:6				
80 121:23				
80/20 107:8				
80s 74:21				
82 3:6				
8298 2:4				
85 3:14				
70:17				
112:4				
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9				
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9 8:10 48:9				
91:15				
966 2:4				
972 87:8				
973 2:4, 4				

Tonya Tardibuono

From: Bill Beattie
Sent: Friday, November 13, 2020 4:06 PM
To: Tonya Tardibuono
Cc: Paul Longo; Christopher O'Leary; Julie Falkenstern
Subject: Comments on Landmark (Hornrock) application

Tonya:

Paul Longo (Electric Supervisors), Chris O'Leary (Water Supervisor) and I have reviewed the plans for the demolition and site work at 1 Sony Drive.

Our comments are as follows:

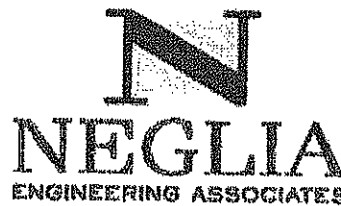
- The contractor must coordinate with the Park Ridge Electric and Water Department for the disconnection of the Electric, Water and Sewer Utilities. They can contact me for this coordination.
- The electric and water utilities will not be disconnected until the Borough Fire Official give us the OK to have the services disconnected.
- With respect to the Electric Service, the large facility transformer is located under the walkway by the loading dock. The contractor shall be responsible for removing that transformer from that location and loading it onto a Borough designated transport vehicle prior to the demolition of the building.
- The contractor shall also be responsible for removing the water meter and providing that to the Water Department before demolition.
- The contractor must set up an account with the Park Ridge Water Department for a Hydrant Meter to be used for any water utilized in the demolition/construction process.
- To prevent the potential contamination of the groundwater supply, the contractor must certify that there are no hazardous chemicals (e.g. diesel fuel, etc.) located on the site prior to the demolition.
- There is an existing water main that runs through the property from Brae Boulevard to Wyndemere Drive in Woodcliff Lake. This water main is part of our distribution system and must remain and not be disturbed in the easement.

I would assume that the Borough Engineer will provide any comments related to protecting the stormwater system.

If you have any questions about this, please feel free to contact me.

Bill Beattie
Director of Operations
Borough of Park Ridge
53 Park Ave
Park Ridge, NJ 07656
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Office: 201-391-2129

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200 Central Avenue – Suite 102
MOUNTAINSIDE, NJ 07092
Tel: 201.939.8805 • Fax: 732.943.7249

Via: E-mail

April 12, 2019

Revised: November 13, 2020

Ms. Tonya Tardibuono
Zoning Board Secretary
53 Park Avenue
Park Ridge, NJ 07656

RE: Preliminary & Final Site Plan Review
1 Sony Drive
Block 301, Lot 1 (Borough of Park Ridge)
Block 3302, Lot 1 (Borough of Montvale)
Block 204, Lot 2 (Borough of Woodcliff Lake)
Borough of Park Ridge, Bergen County, New Jersey
NEA No.: PKRDSPL19.014

Dear Ms. Tardibuono:

As requested, Neglia Engineering Associates ("NEA") has reviewed the below noted documents in reference to the above referenced project:

Current Submission Documents:

- Memo from the Borough of Park Ridge Zoning Board, prepared by Tonya Tardibuono, Zoning Board Secretary, dated November 13, 2019 regarding updated submission;
- Response letter from Brett Skapinetz, P.E. and Steve Schwartz, P.E. of Dynamic Engineering Consultants, P.C., dated November 8, 2019;
- NJDEP Letter of Interpretation from the NJ Department of Environmental Protection dated November 5, 2015 and subsequent corrections dated May 17, 2018 and June 25, 2018 with associated map plan, prepared by Brett W. Skapinetz, P.E., P.P. of Dynamic Engineering;
- Various filed maps regarding on-site easements;
- Signed and Sealed "Stormwater Management Summary", prepared by Brett W. Skapinetz, P.E., P.P. of Dynamic Engineering Consultants, P.C., dated July 2018 with latest revision date of November 2019;
- Signed and Sealed "Traffic Impact Study", prepared by Nick Verderese, P.E. and Justin P. Taylor, P.E., P.T.O.E. of Dynamic Engineering Consultants, P.C., dated July 10, 2018 with latest revision date of November 1, 2019;
- Signed and Sealed "Preliminary and Final Site Plan for Hornrock Properties MPR, LLC Proposed Residential Development" consisting of twenty-eight (28) sheets, prepared by Brett W. Skapinetz, P.E., of Dynamic Engineering Consultants, P.C., dated July 10, 2018 with latest revision number 8, dated November 8, 2019;
- Cover letter, prepared by Peter J. Wolfson, Attorney at Law, of Day Pitney, LLP, dated October 26, 2020;
- Signed and Sealed Engineering Plan set consisting of four (4) sheet entitled "Landmark AR Park Ridge, LLC, Building & Pavement Removal Plan, Block 301, Lot 1, Tax Map #3, One Sony Drive, Borough of Park Ridge, Bergen County, New Jersey" prepared by Brett W. Skapinetz, P.E., of Dynamic Engineering Consultants, P.C., dated October 16, 2020, with no revisions; and
- Wetland Delineation Exhibit prepared by Brett W. Skapinetz, P.E., of Dynamic Engineering Consultants, P.C., dated April 10, 2018 and last revised May 16, 2018.



Previous Submission Documents:

- Cover letter to the Park Ridge Planning Board, prepared by Peter J. Wolfson, Esq. of Day Pitney, LLP, dated August 1, 2018;
- Memo from the Borough of Park Ridge Zoning Board, prepared by Tonya Tardibuono, Zoning Board Secretary, dated March 8, 2019 regarding updated submission;
- Cover letter to the Park Ridge Planning Board, prepared by Nicole M. Magdziak, Esq. of Day Pitney, LLP, dated March 7, 2019;
- Completed Park Ridge Site Plan Application with Application Addendum and Ownership Disclosure Statement, prepared by Nicole Magdziak of Day Pitney, LLP, dated August 1, 2018;
- Completed Park Ridge Land Use Office Application of Appeal to the Zoning Board of Adjustment, prepared by Nicole Magdziak of Day Pitney, LLP, dated September 21, 2018;
- Completed Park Ridge Subdivision and Site Plan Review Checklist, undated;
- Letter to Park Ridge Tax Collector requesting certification of taxes paid, prepared by Nicole Magdziak of Day Pitney, LLP, dated July 31, 2018;
- Certified copy of Park Ridge 200' property owners list, prepared by Robert Campora, Borough of Park Ridge Tax Assessor, dated July 10, 2018;
- Certified copy of Woodcliff Lake 200' property owners list, prepared by Robert Campora, Borough of Woodcliff Lake Tax Assessor, dated July 17, 2018;
- Certified copy of Montvale 200' property owners list, prepared by R. Lorraine Hutter, Borough of Montvale Land Use Administrator dated July 11, 2018;
- Cover Letter to Bergen County Planning Board, prepared by Brett W. Skapinetz, P.E., P.P. and Steve L. Schwartz, P.E., C.M.E. of Dynamic Engineering Consultants, P.C., dated July 10, 2018;
- *Signed and Sealed "Stormwater Management Summary", prepared by Brett W. Skapinetz, P.E., P.P. of Dynamic Engineering Consultants, P.C., dated July 2018 with latest revision date of March 2019; See revised document above;*
- *Signed and Sealed "Stormwater Management Facilities Operation and Maintenance Manual", prepared by Brett W. Skapinetz, P.E., P.P. of Dynamic Engineering Consultants, P.C., dated July 2018 with latest revision date of March 2019;*
- *Signed and Sealed "Traffic Impact Study", prepared by Nick Verderese, P.E. and Justin P. Taylor, P.E., P.T.O.E. of Dynamic Engineering Consultants, P.C., dated July 10, 2018 with latest revision date of October 22, 2018; See revised document above;*
- Signed and Sealed "Park Ridge Site Improvement Plans" consisting of one (1) sheet, prepared by Brett W. Skapinetz, P.E., P.P. of Dynamic Engineering Consultants, P.C., dated July 30, 2018 with latest revision date of March 6, 2019;
- *Signed and Sealed "Preliminary Site Plan for Hornrock Properties MPR, LLC" consisting of twenty-three (23) sheets, prepared by Brett W. Skapinetz, P.E., of Dynamic Engineering Consultants, P.C., dated July 10, 2018 with latest revision date of June 19, 2019; See revised document above;*
- Signed and Sealed "ALTA/NSPS Land Title Survey Tax Lot 1, Block 301, Tax Lot 1, Block 3302, Tax Lot 2, Block 204, Boroughs of Park Ridge, Montvale, Woodcliff Lake, Bergen County New Jersey" consisting of four (4) sheets, prepared by James J. Heiser, P.L.S. of DPK Consulting, dated June 26, 2018 with no revisions; and



- Copy of "Utility Exhibit Tax Lot 1, Block 301, Tax Lot 1, Block 3302, Tax Lot 2, Block 204, Boroughs of Park Ridge, Montvale, Woodcliff Lake, Bergen County, New Jersey" prepared by James J. Heiser, P.L.S. of DPK Consulting, dated June 26, 2018 with latest revision of July 30, 2018.

1. General Information

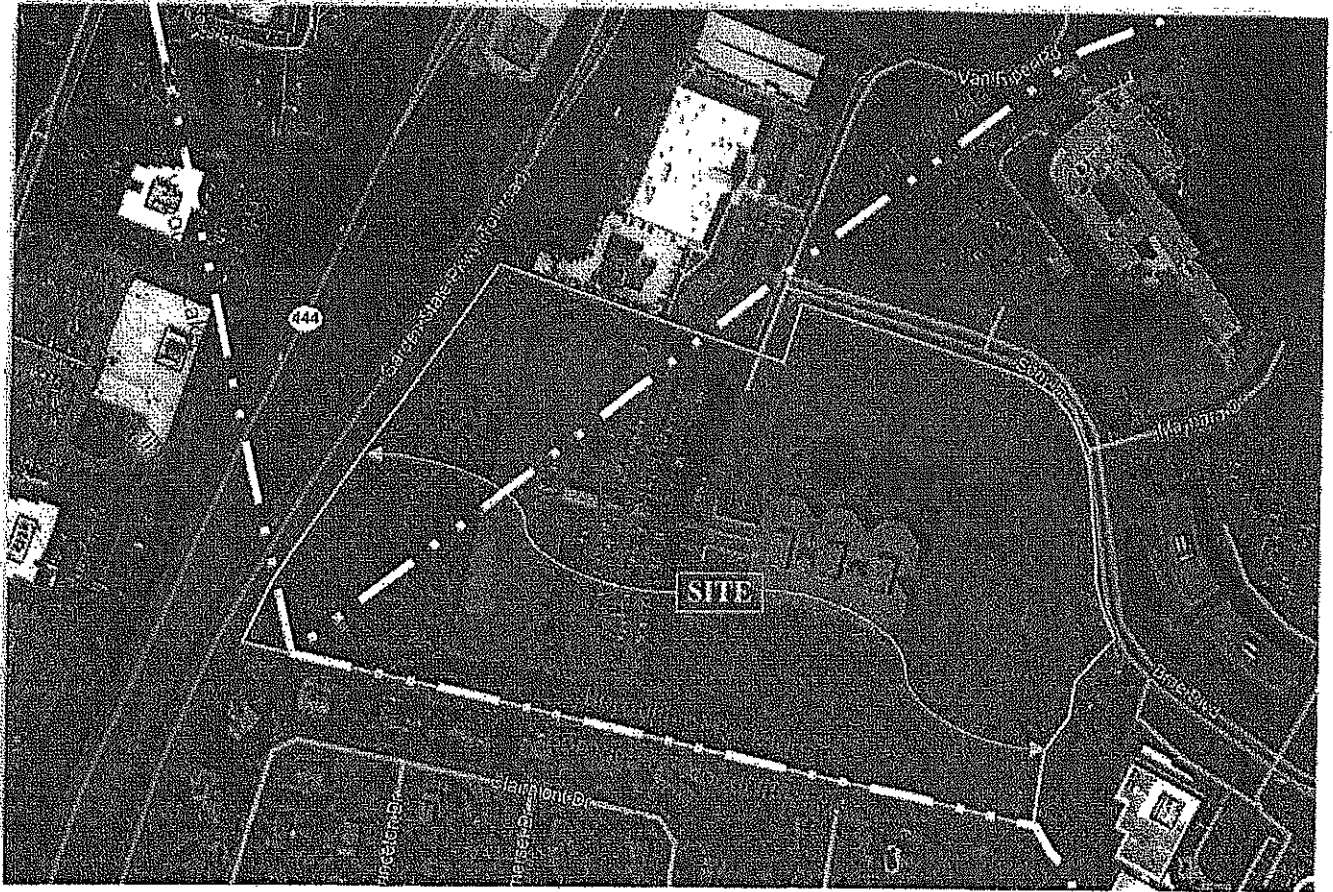
The subject property consists of 37.2 acres within the Boroughs of Park Ridge, Montvale and Woodcliff Lake. Specifically, 29.85 acres in Park Ridge, 7.05 acres in Montvale and 0.3 acres in Woodcliff Lake. The subject property is commonly known as 1 Sony Drive and is identified in the respective municipalities as Block 301, Lot 1 in the Borough of Park Ridge, Block 3302, Lot 1 in the Borough of Montvale and Block 204, Lot 2 in the Borough of Woodcliff Lake. The property is currently occupied by the building formerly occupied by Sony and associated driveways, parking areas, landscape areas and stormwater management features. The site is accessed via Sony Drive, to the north of the property. The subject property is bounded on the west by the Garden State Parkway, to the north by Lifetime Fitness (in Montvale) and Brae Boulevard and the Marriott Hotel beyond (in Park Ridge), to the east by the Sartak Holdings and former Hertz multi-story office buildings (in Park Ridge) and to the south by several single family homes (in Woodcliff Lake). The site is situated in the ORL Office Research Laboratory Zone as indicated on current zoning maps of the Borough of Park Ridge. It is noted that the Borough of Park Ridge ordinance only permits one principal use on each lot in the ORL zone whereas; the Applicant is proposing a second use on the overall property. Given that the property is bisected by the municipal boundary between the Borough of Montvale and the Borough of Park Ridge, we defer to the review of Board Planner and Board Attorney on the applicability of this requirement for the parcel.

The Applicant is seeking approval to modify the layout of the parking lot for the former Sony Building within the Park Ridge portion of the parcel to permit driveways, parking areas and landscape areas associated with a proposed multi-family residential building that consists of a 185-unit four (4) story building over podium parking within the Montvale portion of the parcel. Other improvements within the Montvale portion of the parcel include parking areas, driveways, stormwater management facilities, landscaping and lighting. The Applicant has obtained approval for the multi-family residential building from the Borough of Montvale Planning Board.

The original approval for the development of the Sony building was granted by the Borough of Park Ridge Planning Board on September 15, 1980. A subsequent application for the addition of twenty (20) visitor spaces and a truck turn-around area was approved by the Borough of Park Ridge Planning Board for the truck-turn around area only as indicated in a resolution dated April 24, 1985.

The Applicant has submitted a revised Site Plan with significant revisions from the original submissions including a revised building, parking and drainage system layout. Furthermore, the Applicant has revised the plans so that the proposed improvements will be contained within the Montvale portion of the tract with exception of modifications to the existing parking lot within the Park Ridge portion of the tract required to permit the improvements within the Montvale portion of the tract.

The Applicant has submitted a revised Site Plan illustrating that the existing on-site building, parking lots, curb, landscaping, etc. will be razed to the subbase material.



Source: Google Earth imagery. Accessed March 2018. Note: Lot and boundary lines are approximate.

2. Variances/Waivers

- a. Neglia Engineering Associates defers to the Board Planner with respect to variances, waivers, and other elements specifically requiring planning review as it relates to the Borough of Park Ridge Ordinances.

3. Parking and Loading Requirements

- a. This section is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures.

4. Engineering Comments

Engineering Comments:

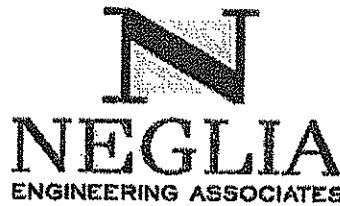
- a. We request that copies of all information submitted to the Borough of Montvale as well as copies of the Borough of Montvale Planning Board's professionals' reports be provided to the Borough of Park Ridge, so that the impacts of the development and potential changes that are requested can be considered in this review. NEA reserves the right to provide additional comments as they relate to the development impacts in the Borough of Park Ridge. This comment remains applicable.
- b. Sheet 1 of the "Park Ridge Site Improvements Plans" prepared by Brett W. Skapinetz, P.E. of Dynamic Engineering, dated July 10, 2018 with latest revision date of March 6, 2019 with latest revision date of November 8, 2019, indicates the required and proposed parking count as 648-598 600 based on "462,000

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ENGINEERING ASSOCIATES

149,500 150,000 square feet net floor area" for the building, however, the existing building is indicated as 225,000 square feet. Notes on the plans indicate "Portions of the existing office building to be restricted to non-usable areas. Restricted floor areas to total ~~63,000-75,500~~ 75,000 sf of existing 225,000 sf building." The Applicant shall provide testimony on how the Applicant proposes to restrict the ~~63,000-75,500~~ 75,000 sf portion of the building to be "non-usable". **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures. No further action required.**

- c. The Applicant appears to be constructing improvements within two (2) existing drainage easements along the northern site boundary. Copies of the easement language shall be provided confirming the nature of the easement and the developer's rights to install improvements within same. Additionally, the Applicant should provide testimony regarding such, and the potential impact on the performance and/or perpetual inspection and maintenance of drainage features within this easement. **Copies of the filed maps delineating the easements have been provided. The Applicant shall provide testimony addressing measures to be taken to protect existing drainage infrastructure within on-site easements during the demolition process.**
- d. The submitted information indicates the presence of a single relatively small isolated wetland area near the property boundary between the three (3) Boroughs in the southwest corner of the parcel. However, based on publicly available data provided by the New Jersey Department of Environmental Protection, there appears to be a significantly larger, State-mapped wetlands area on the site, within the limit of disturbance, than that which is currently indicated on the plans. Additionally, the submitted ALTA/NSPS survey labels an "isolated man-made ditch" along the boundary between the Lifetime Fitness and the former Sony parcel, but does not indicate an NJDEP Letter of Interpretation number for same. Copies of a current valid NJDEP Letter of Interpretation shall be provided to our office confirming the absence or presence of all wetlands on the site and within one hundred (150) feet of same. If wetlands or their transition areas are present within the project limits that are to be disturbed, NJDEP permits will be required for same, copies of which shall be provided to our office. Additionally, the Applicant shall provide testimony regarding the discrepancy between the submitted mapping and the State mapping. The Applicant has provided a copy of the NJDEP Letter of Interpretation and two (2) subsequent corrections to the letter that are associated with the site. However, the accompanying map has not been provided. The map is indicated as prepared by Martin F. Tirella, P.L.S. of Partner Engineering and Science, Inc. titled "Wetland Delineation Plan One Sony Drive Block 301 – Lot 1 Block 3302 – Lot 1 & Block 204 – Lot 2, Situated in Boroughs of Park Ridge, Montvale and Woodcliff Lake, Bergen County, New Jersey" and dated February 24, 2015, with no revisions. A copy of this map shall be provided. **This comment has been addressed. No further action is required.**
- e. The Applicant shall revise the plans to depict the appropriate required number of ADA accessible parking spaces for the former Sony building, including appropriate signage, striping and ADA accessibility routes that meet current PROWAG standards. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- f. The submitted ALTA/NSPS Land Title Survey indicates the presence of a shed, large planters to protect the shed and several stockpiles situated within the southwesterly parking area. Pursuant to a site visit, it appears the shed houses road salt and the stockpiles consist of mulch. The Applicant shall provide testimony as to the purpose of same, whether appropriate permits have been obtained for same and whether these items will remain in use. The Applicant has indicated in their response letter and made revisions to the plans indicating that the previously indicated shed, large planters and several stockpiles have been removed from the site. **This comment has been addressed. No further action required**
- g. There are several areas of asphalt and/or curbs around the parking lot as well as concrete bumper blocks around shade tree islands that are missing or in severe disrepair. The Applicant shall revise the plans to indicate these areas to be reconstructed or reinstalled. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- h. The Applicant is proposing to construct a retaining wall approximately two (2) feet west of the identified transition area for the wetlands in the southwest portion of the site. The Applicant shall indicate the proposed



type of construction for this wall and shall provide a detail for same. Any disturbance within the transition area will require a permit from the NJDEP. The Applicant proposes to raze existing on-site, at-grade buildings and structures in close proximity to wetlands and wetland transition areas. The Applicant shall provide testimony addressing the impacts to these sensitive areas as it relates to the demolition activities on-site and any associated NJDEP Land Use permitting.

- i. Any damage incurred to surrounding public or private property due to construction activity shall be repaired by the Applicant. The Applicant has acknowledged this comment in their response letter. This comment has been addressed. **No further action required.**
- j. The Applicant shall ensure that all disturbed work areas are stabilized. The Applicant shall topsoil, seed, hay, and straw mulch to ensure lawn growth, where appropriate. This comment has been addressed. **No further action required.**
- k. The Applicant shall comply with comments from the Borough Water, Sewer and Electric Department, Fire Official, Fire Department and Police Department. The Applicant shall provide letters of approval from each agency. This comment remains applicable.
- l. The concrete walkway situated in an east-west orientation that leads from the former Sony building west into the parking lot shall be extended to meet the proposed curb within the modified parking area. This comment has been addressed. **No further action required.**
- m. Pursuant to N.J.S.A. 40:55D-35 Building lot to abut street. "No permit for the erection of any building or structure shall be issued unless the lot abuts a street giving access to such proposed building or structure." Should the Borough of Park Ridge approve this application, this requirement of the Municipal Land Use Law will not be met. The Applicant shall provide testimony regarding same. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- n. It does not appear that the Applicant is proposing new pavement surfaces for Sony Drive or any portions of the driveway within the former Sony parking lot. The existing condition of the asphalt within Sony Drive and the driveway within the former Sony parking lot is in poor condition that will likely be exacerbated by construction vehicles. The Applicant shall revise the plans to indicate the portions of Sony Drive within the Borough of Park Ridge as well as the portions of the driveway within the former Sony parking lot that lead to the proposed development will be resurfaced with new asphalt. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- o. The Applicant proposes to stockpile Asphalt Millings on-site. We recommend that this material be disposed of, off-site in accordance with applicable standards.
- p. The Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. The Applicant shall provide testimony addressing on-site soil stability with the removal of the perimeter curb and other improvements that would have collected stormwater runoff. The Applicant is responsible for any on-site and off-site erosion due to on-site demolition activities.

Grading and Drainage Comments:

- a. The development of this parcel and all of the structures thereupon shall meet the requirements of the Americans with Disabilities Act, the New Jersey Barrier Free Code, and their implementing regulations. The Applicant shall provide testimony regarding compliance with same. This comment remains applicable, as required.
- b. The prior approvals associated with the Sony Headquarters required the installation of landscaped berms along the southerly property line to create a visual buffer between the parking areas for the Sony Headquarters and for the single-family residential dwellings to the south. The southerly portion of the parking lot proposed for the multi-family building is proposed to raise the grades approximately two and a half (2.5) feet above existing elevations. We recommend the grading of the southerly parking area be lowered to be installed at or near the



existing elevations to reduce the visual impact of the proposed parking lot. A revision of this nature would also potentially eliminate the need for the retaining wall proposed in the southerly parking lot. Additionally, a note shall be added to the plans indicating that the berms shall not be disturbed. The Applicant has revised the grading of the proposed parking lot to more closely match the existing elevations. A note indicating no disturbance of the existing berms has been provided on the plans. This comment has been addressed. **No further action required.**

- c. The Applicant has prepared Existing and Proposed Drainage Area Maps which do not completely encompass the delineated drainage area. The Applicant shall revise the plans to accurately depict the entire contributory drainage area on the maps. This comment has been addressed. **No further action required.**
- d. The Applicant has provided watershed maps that identify drainage areas (DA-1 and DA-2) differently under existing and proposed conditions. The Applicant shall revise the plans and calculations accordingly to rectify this discrepancy. This comment has been addressed. **No further action required.**
- e. The Applicant proposes to construct a large, above-ground detention basin west of the proposed building. The Applicant proposes to construct the required emergency overflow spillway for this basin, such that it would directly discharge concentrated stormwater onto Block 3302, Lot 2. The Applicant shall provide documentation from the property owner of Block 3302, Lot 2, acknowledging such. Alternatively, the Applicant shall revise the plans and calculations accordingly to relocate the spillway such that it would not have the potential to adversely impact property not owned by the Owner/Applicant.

The Applicant has revised the design of the basin so the location is on the north side of the proposed building. As a result of the change, the location of the emergency overflow spillway for this basin has been revised such that it will directly discharge concentrated stormwater into the man-made rip-rap swale within the Park Ridge portion of the parcel.

The Applicant is now proposing a "Cascading Stormwater Discharge Area" for the emergency spillway. The toe of the cascade area incorporates a local low point that will hold back overflow runoff. The Applicant shall provide calculations verifying drawdown of water in this area within 72 hours to avoid anaerobic conditions, odor and both water quality and mosquito breeding issues. This comment has been addressed via the Applicant's comment response. **No further action required.**

- f. The Applicant indicates in the Stormwater Management Summary that PR-DA2 is not being provided with water quality treatment. In accordance with NJAC 7:8-5.5(d), If there is more than one onsite drainage area, the 80 percent TSS removal rate shall apply to each drainage area, unless the runoff from the subareas converge on site in which case the removal rate can be demonstrated through a calculation using a weighted average. Additionally, the Applicant indicates that the existing wet pond east of the proposed development site was previously designed to provide water quality treatment, and will continue to provide the required 80% TSS removal rate. The Applicant shall provide documentation that the existing wet pond meets current NJDEP water quality design standards, and documentation that the existing wet pond is being maintained and operated as designed, accounting for the increase in stormwater runoff volume. The Applicant has revised the design of the proposed stormwater management system; however, the revised design still indicates an area, now identified as PR-DA1, that is not being provided with water quality treatment. **This comment remains applicable.**
- g. The Applicant indicates in the submitted Stormwater Management Report that the hydrograph calculation time interval utilized is five (5) minutes. However, with a time of concentration calculated to be approximately twenty-two (22) minutes, the hydrograph data does not represent the conditions at the actual time of concentration (i.e. calculations are performed at time = 0, 5, 10, 15, 20, and 25 minutes, and so on; and are not calculated at time = 22 minutes). As such, the Applicant shall revise the calculations to incorporate a calculation time interval which accurately calculates the peak flow rate at the actual time of concentration. This comment has been addressed. **No further action required.**
- h. The Applicant has modeled the proposed detention basin with a 24-inch HDPE discharge pipe sloped at 1.5%, whereas the submitted plans indicate this pipe will be sloped at 1.0%. The Applicant shall revise the plans and



calculations accordingly to rectify this discrepancy. This comment has been addressed. **No further action required.**

- i. The Applicant shall revise the Stormwater Basin Detail to indicate that the sand filter cross-section is to be constructed throughout the entire basin. This comment has been addressed. **No further action is required.**
- j. The Applicant shall revise the Sand Filter System Detail to coincide with the side slopes (walls) proposed on the plans. This comment has been addressed. **No further action is required.**
- k. The Applicant shall revise the plans to indicate that post-construction testing of the sand filter system must be performed on the as-built sand filter, in accordance with the *Construction and Post-Construction Oversight and Permeability Testing*, in Appendix E (Soil Testing Criteria), set forth in the NJDEP Best Management Practices ("BMP") manual. This comment has been addressed via notation on the plans. **No further action required.**
- l. The Applicant proposes to utilize the proposed sand filter/basin as a temporary sediment basin during construction. The excavation for the sand filter bottom should only occur after all construction within its drainage area is completed and the drainage area is stabilized. If construction of the sand filter cannot be delayed, berms should be placed around the perimeter of the sand filter during all phases of construction, diverting all flows away from the filter. The berms should not be removed until all construction within the drainage area is completed and the area is stabilized. Once the excavation is completed, the floor of the sand filter must be deeply tilled with a rotary tiller or disc harrow and smoothed over with a leveling drag, or equivalent grading equipment. Once both the sand filter and its drainage area are stabilized, the infiltration rate of the sand bed must be retested to ensure that the as-built permeability rate is the same as design permeability rate. This comment has been addressed via notation on the plans. **No further action required.**
- m. In accordance with the NJDEP BMP manual and per NJAC 7:8-5.4(a)2.iv, for any infiltration BMP, a groundwater mounding analysis shall be performed to determine the impacts of the infiltrated groundwater on the water table and surrounding areas. This analysis shall account for the immediate adjacency of the proposed building, as well as the slope to the Garden State Parkway, and any other potentially impacted areas. The Applicant has revised the design of the proposed stormwater management system. However, our office has not received a copy of the stormwater management report or a groundwater mounding analysis for same. The Applicant shall provide the aforementioned information that confirms compliance with NJDEP requirements. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- n. The Applicant proposes a forebay within the proposed sand filter which does not appear to impound stormwater. Presently, the forebay appears to be just a riprap area at the inlet, whereas it shall be designed to temporarily store stormwater. The Applicant shall revise the plans to clearly indicate the means of impoundment of the required volume of water within the forebay. Additionally, the storage volume of the forebay shall not be included in the required storage volume for the sand filter. This comment has been addressed. **No further action required.**
- o. The Applicant shall revise the conveyance calculations to incorporate existing flow rates which are to be maintained, including, but not limited to, upstream of proposed Storm Manhole-106 240. Additionally, the Applicant shall revise the conveyance calculations to include the surface drainage area of Inlet-100. Finally, the Applicant shall revise the calculations to incorporate hydraulic junction losses, as applicable. **This comment has been partially addressed. The Applicant has revised the Stormwater Management Calculations to include the existing flow rates upstream of Storm Manhole 240. However, existing upstream flow rates from the existing structure at the terminus of the 48-inch RCP along the northern property line shall also be provided.**
- p. The Applicant shall revise the plans to include a pipe label for the 24-inch pipe between Inlet-306 and Inlet-305. The Applicant has revised the drainage system. This comment is no longer applicable. **No further action is required.**

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- q. The Applicant has indicated in the Stormwater Management Summary that the proposed basin will reach a maximum 100-year storm water surface elevation of 348.36. However, Inlet-303 has a grate elevation of 347.56, which will result in stormwater surcharging from this inlet. Additionally, most of the drainage structures downstream of the basin have a rim or grate elevation below both the 100-year water surface elevation, and even the bottom of the basin. The Applicant shall provide revised conveyance calculations that include hydraulic grade line elevations to demonstrate that no surcharging will occur throughout the site. The Applicant has revised the design of the proposed stormwater management system; however, our office has not received a copy of the stormwater management report for same. The Applicant shall provide design calculations addressing the aforementioned items. The Applicant has provided a copy of the Stormwater Management Report as requested. This comment has been addressed. **No further action required**
- r. The site improvements have been in existence for 30-40 years. Accordingly, we recommend the Applicant be required to provide inspection video and reports of all on-site drainage systems into which the Applicant proposes a connection or the reuse of, and downstream from same, to confirm the condition and adequacy of same for the proposed conveyance of stormwater runoff flows from the site. **This recommendation remains applicable.**
- s. There are several inlets throughout the site that have adjacent areas of sinkholes which are indicative of breaks in the pipe or structures. There are also several inlets that appeared to have settled over time or have areas of asphalt adjacent to same that are lower than the inlet heads causing ponding water. The Applicant shall revise the plans to indicate corrective action for all areas requiring same. **This comment remains applicable.**
- t. Storm Manhole #106 is proposed to be constructed immediately adjacent to a proposed retaining wall. The location of the manhole shall be revised such that the construction of the manhole will not interfere with the construction or performance of the retaining wall or its foundation. The Applicant has revised the drainage system. This comment is no longer applicable. **No further action is required.**
- u. All existing inlet heads throughout the site shall be replaced with N-eco curb pieces in accordance with current NJPDES requirements. Notation indicating the same shall be included within the site plan. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- v. The Applicant is proposing to tie-in the final downstream 24-inch HDPE pipe to an existing drainage structure near the property line between the Lifetime Fitness and the subject parcel. A detailed design of the existing structure and the proposed modification to same shall be provided to confirm that the existing structure is large enough and of adequate structural condition to accommodate the penetration for the new pipe. The Applicant has revised the final downstream pipe to be 36-inch HDPE. The remainder of this comment remains applicable and shall be addressed. **The Applicant has indicated via their comment response letter that this comment is not applicable to the Park Ridge application. Copies of approvals from the Borough of Montvale Planning Board and the Engineer's report for same shall be provided.**
- w. The Applicant is responsible for any negative drainage impacts to adjacent properties due to on-site grading or drainage. Should a negative impact be identified during and/or upon completion of the project, the impact shall be addressed immediately. A note shall be provided on the plan stating the same. **This comment has been addressed. No further action is required.**
- x. Should there be an import or export of soil for the site, the Applicant shall submit a Soil Movement Application to the Borough Engineer in accordance with Borough Ordinance and obtain the required approvals prior to commencing construction. **This comment remains applicable, as required.**
- y. The Applicant shall be responsible for ensuring that any and all soils imported to the site are certified clean soils in accordance with current NJDEP Standards, with a copy of the said certification provided to the Borough of Park Ridge and NEA prior to the import of any material by a professional. Recycled material or demolished materials are not permitted for the purposes of backfilling a vacated excavation area. The Site Plan Set shall be revised to include notation indicating the same. **This comment remains applicable and shall be addressed prior to import of any material.**

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- z. Pursuant to §84A-9 Stormwater Management: Maintenance and repair, and in accordance with current NJPDES standards, the Applicant shall provide a copy of or prepare a maintenance plan for the existing stormwater management measures. If a maintenance plan exists for the stormwater management measures, copies of records of prior maintenance for the system shall be provided. **This comment remains applicable.**
- aa. The Existing Steep Slopes (Sheet 24) and Proposed Steep Slopes (Sheet 25) shall be revised to indicate the steep slopes within the area northwest of the intersection of Sony Drive and the entrance drive aisle. Additional analysis of compliance with the steep slope ordinance will be performed upon receipt of same. This comment has been addressed. **No further action required.**
- bb. Pursuant to §101-66A. Development in steep slope areas, the maximum allowable disturbed area within Slope Category 1 (15% but less than 20% grade) is 50%. The Applicant is proposing 100% disturbance of a Category 1 Slope in the area of the emergency access drive. The Applicant has correctly identified that the disturbance in the Category 1 area, as a fraction of the subject parcel, does not require a variance. This comment has been addressed. **No further action is required.**
- cc. **The construction note for the drainage structure between Storm Str. #238 and #240 is partially covered by the Legend box and shall be relocated.**
- dd. **The Stormwater Management Report and plans shall be revised for consistency regarding pipe size for the section of pipe between Storm Str. #239 and #240. The report indicates this section of pipe as an 18-inch diameter pipe. However, the plans indicate the 15-inch CMP pipe to remain.**

Utilities

- a. The Applicant shall obtain confirmation from the water purveyor that the water system has capacity to support the proposed development in conjunction with the existing Sony building. **This comment remains applicable. The Applicant has indicated in their comment response letter that the proposed development is serviced by a separate water purveyor than that for the existing building. However, since that the proposed water main for the development conveys through the Borough of Park Ridge, it is pertinent to confirm capacity. Therefore, the Applicant confirm the same.**
- b. The Applicant is proposing to install water and sewer utility improvements within Block 304, Lot 1 within the Borough of Park Ridge. The Applicant shall obtain an easement from the Borough of Park Ridge for same. Mayor and Council approval will be required for same. **This comment remains applicable.**
- c. The Applicant is proposing domestic and fire service via parallel 6" and 8" mains. The mains are proposed to connect to a hot box situated within the Borough of Montvale which will be supplied via a proposed 12" water main that is proposed to traverse via the following path: through the subject parcel, Block 304, Lot 1 (owned by the Borough of Park Ridge), within the Sony Drive Right-of-Way and ultimately tying into the water system within the Borough of Montvale. The Applicant shall provide testimony regarding ownership and maintenance responsibility for the portion of the 12" water main within Block 304, Lot 1 and the Sony Drive Right-of-Way. **This comment remains applicable. The Applicant has indicated testimony regarding this comment will be provided.**
- d. The aforementioned path of utilities through Block 304, Lot 1 passes through a six (6) to seven (7) foot bermed area and will require the removal of several mature trees. We recommend the Applicant relocate the proposed path to avoid deep excavations, disturbance to established vegetated areas and removal of existing mature trees. **This comment remains applicable. The Applicant has indicated testimony regarding this comment will be provided.**
- e. The Applicant shall provide testimony as to ownership and the responsibility maintenance for the sewer lines that are proposed within Block 304, Lot 1 and the portion of the utilities that are proposed within the Sony Drive Right-of-Way. **This comment remains applicable. The Applicant has indicated testimony regarding this comment will be provided.**

- f. Depending on the Applicant's response as to the entity responsible for ownership and maintenance of the utilities, some form of agreement and easements may be necessary since ownership and maintenance of the utilities may be by entities outside of the Borough of Park Ridge. The Applicant has indicated in their response letter acknowledgement regarding this comment. **No further action is required.**

Traffic Circulation

- a. Based on a review of the submitted Traffic Impact Report, it is evident that the proposed residential development will have an impact on the roadways of the surrounding communities, including, but not limited to Park Ridge. The Applicant has prepared the traffic impact and parking analyses under the scenario that the Sony corporate building will remain entirely unoccupied in perpetuity. However, in light of the fact that future expansion of the site, or reuse (adaptive or otherwise) of the existing building is possible, the Applicant should revise their traffic analyses to calculate the impacts from the subject site if both the proposed residential development and the existing Sony development are utilized concurrently. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. However, the Traffic Impact Report shall be revised to reflect the most recent site plan and development potential yield within Park Ridge, based upon current zoning for the property.**
- b. We would recommend that the applicant include a scenario with the future re-occupation of the Sony Building as an office use (corporate office) in the context of parking demand and vehicle trip generation. The Applicant has provided a scenario of the Sony Building as an office use (corporate office). However, the Applicant does not include the future re-occupation of the full 225,000 SF Sony Building. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. However, the Traffic Impact Report shall be revised to reflect the most recent site plan and development potential yield within Park Ridge, based upon current zoning for the property.**
- c. We recommend that a Saturday traffic analysis be included to account for the interaction of the residential use and recent retail projects in the area. This comment has been addressed. **No further action required.**
- d. Based on the vehicle trip generation projection to account for the re-occupation of the Sony Building the following vehicle trips should be included or accounted for:

CO DE	LAND USE DESCRI PTION	MEAS URE (X)	AM PEAK HOUR *	PM PEAK HOUR *	WEEKDAY DAILY TRIPS *	WEEKE ND PEAK HOUR *	WEEKE ND DAILY TRIPS *
710	General Office Building	SQ. FEET	$EXP(0.88*LN(X/1000)+1.06)$	$1.10*(X/1000)+65.39$	$EXP(0.97*LN(X/1000)+2.50)$	$0.53*(X/1000)$	$2.21*(X/1000)$
		225,000	332	307	2581	133	498

This comment remains applicable. The Applicant does not consider the future re-occupation of the full 225, 000 SF Sony Building. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. However, the Traffic Impact Report shall be revised to reflect the most recent site plan and development potential yield within Park Ridge, based upon current zoning for the property.**

- e. Based on the above, we believe that the future build scenario has not been fully vetted and will be revisited upon submission of the requested topline information. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. However, the Traffic Impact Report shall be revised to reflect the most recent site plan and development potential yield within Park Ridge, based upon current zoning for the property.**

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- f. The submitted parking analysis indicates that 648–598 **600** parking spaces are required for 162,000–149,500 **150,000** square foot of the 225,000 square foot former Sony building noting that “Portions of the existing office building to be restricted to non-usable areas. Restricted floor areas to total of 63,000 75,500 **75,000** sf of existing 225,000 sf building.” Rendering portions of the existing office to be “non-usable” areas does not warrant the reduction of the square footage used to analyze the required parking count since the portions of the building upon which the calculations are based are not proposed to be removed. Since the total building square footage will remain 225,000, the analysis for parking shall be based on same resulting in a required parking count of 900 spaces based on 1 space per 250 square feet. This results in a variance for parking for the former Sony building. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- g. As mentioned above, the Applicant indicates the proposed parking count for the Sony parcel is 648 spaces, however, twenty-six (26) of the 648 spaces are located within the parking areas that are only accessible via the driveway that leads to the multi-family development. Should the useable area of the building restriction noted above be acceptable to the Board, the Applicant shall revise the plans so that these spaces are accessible from the driveways associated with the former Sony parking areas and contiguous with the existing parking spaces that are to remain for the Sony portion of the site. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- h. The Applicant has revised the site plan layout to propose ~~598~~ **600** parking spaces for the former Sony portion of the site with no parking spaces for the former Sony Building proposed within the parking lots for the proposed development. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- i. The Applicant is proposing to modify the existing parking area in the southwesterly corner of the former Sony parking lot so that a single ingress/egress access point will be provided for 183 parking spaces. Further, the modification will create a dead end aisle for the most westerly drive aisle that contains thirty-three (33) parking spaces. The Applicant shall revise the plans to provide an additional access point for the 183 parking space area as well as eliminating the dead end or providing an appropriate turn-around area for the thirty-three (33) parking spaces.

The Applicant has modified the site plan layout to address the dead end aisle for the previously proposed thirty-three (33) parking spaces. However, the portion of the comment regarding an additional access point has not been addressed. We note the Applicant is proposing an emergency access driveway along the west side of the former Sony parking area, but it appears this is intended for emergency services vehicles only at this time. NEA recommends the removal of a portion of the grassed island and construction of an additional driveway between the two former Sony parking lots.

This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.

- j. As previously mentioned, the submitted ALTA/NSPS Land Title Survey indicates the presence of a salt shed, large concrete planters and several stockpiles situated within the southwesterly parking area. Within the Park Ridge portion of the site, the shed and stockpiles consume eleven (11) parking spaces. We recommend same be removed to increase the parking count for the former Sony portion of the site. This comment has been addressed. **No further action required.**
- k. The Vehicle Circulation plans, sheets 22 and 23 of the Dynamic Engineering site plans indicate that ingress movements for all truck sizes (refuse trucks, single unit trucks and a Montvale ladder truck) must cross over into oncoming traffic as they maneuver from a southbound direction on Sony Drive to a westbound direction into the driveway for the multi-family building and again when maneuvering from a westbound direction to a southbound direction at the first bend in the driveway to the multi-family building. The Applicant shall revise the plans to eliminate this condition. Additionally, vehicle circulation movements for Park Ridge fire apparatus as well as moving trucks shall also be provided on the vehicle circulation plans. The plans shall also be revised

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to show vehicle circulation throughout the site, in the event emergency services vehicles need to gain access to the southerly portions of the parking lot. Finally, testimony shall be provided on the frequency of access for vehicles of each size.

The Applicant has revised the internal driveway to eliminate internal cross over issues, however, the first turn into the site still exhibits the issue of vehicles needing to cross over the centerline to maneuver into and out of the site.

Further, the Applicant shall also provide vehicle circulation through the emergency access driveway. The Applicant has not provided modeling of Park Ridge emergency services vehicles. The Applicant shall provide modeling for same or confirm that the Montvale ladder truck is larger than the largest piece of Park Ridge equipment. We defer to the review of the Park Ridge Fire Department for further comment regarding same. The vehicle overhang for the Montvale Ladder Truck is still depicted as crossing over the centerline within the Borough of Park Ridge. The Applicant shall provide testimony regarding same. All other comments have been addressed.

- l. There are several traffic regulation signs on the site that are missing, do not conform to MUTCD's standard mounting height, or have signs attached to them which are not in compliance with MUTCD standards. All signs shall be repaired and or replaced. The Applicant shall provide a note within the plans indicating all existing signs will be repaired or replaced. This comment has been addressed via notation on the plans. **No further action required.**
- m. The Applicant shall revise the plans to indicate restriping of the parking lot and drive aisles for the portions of striping that are faded. This comment has been addressed via notation on the plans. **No further action required.**
- n. Stop bars and signs shall be provided at the crosswalk in the main drive aisle west of the former Sony building. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- o. We defer to the Board on the recommendation for the Applicant to enter into a Title 39 agreement for enforcement of traffic regulations on the portions of the site located within the Borough of Park Ridge by the Borough of Park Ridge Police Department if one does not already exist. This comment remains applicable.
- p. The Applicant is proposing two (2) signs within the Montvale portion of the parcel. One sign is proposed along the Garden State Parkway and a second sign is proposed to be installed on the north side of the access driveway to the proposed development, approximately one hundred sixty (160) feet west of the entrance to the former Sony parcel. It appears this sign will be too far from the entrance to the former Sony parcel to be identified by vehicular traffic on Sony Drive. The Applicant shall consider relocating or adding an additional sign closer to the entrance to the former Sony parcel. This comment remains applicable. The Applicant has indicated testimony regarding this comment will be provided.
- q. As previously mentioned, the Applicant proposes a 185-unit Multi-Family apartment. Upon completion of the Multi-Family apartment, the existing former Sony Building office of 225,000 sf will remain of which the 150,000 sf could be re-occupied. The Applicant shall include the full 225,000 square foot of the Sony Building in the build scenario. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements. However, the Traffic Impact Report shall be revised to reflect the most recent site plan and development potential yield within Park Ridge, based upon current zoning for the property.**
- r. The Applicant shall revise Highway Capacity Software (HCS) analysis with the traffic volumes reported on Figure 11 for consistency. This comment remains applicable.

Landscaping

- a. As per Section §101-61C(5) Interior Parking Areas Plantings, "Each landscape end island shall include a minimum of two shade trees and three shrubs." The portions of the two (2) end islands within the Borough of Park Ridge do not meet this requirement. The Applicant shall revise the plans to comply with same. The

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Applicant has revised the plans so no portions of proposed end caps are situated within the Borough of Park Ridge. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**

- b. Pursuant to a site inspection, it appears there are several trees within the parking areas to remain that are dead, dying or have been removed. The Applicant shall perform an analysis of the condition of the existing trees on site and revise the plans to provide a schedule of replacement plants for same. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- c. Clear-cutting of trees is defined in the Borough Ordinance as "the removal in any calendar year of more than four trees or 25% of the trees on any lot in the Borough". Trees are defined as "any living woody perennial plant with a trunk having a diameter of at least eight inches when measured at a point that is four feet six inches above the level of the existing grade, or, for a multiple-trunked tree, with the trunk with the largest diameter that, when multiplied by 1.5, is at least eight inches". The Applicant is proposing development within a wooded section west of the existing parking lot as well as removal of several other trees for the proposed development within the Borough of Park Ridge. The Applicant shall provide a tree survey identifying all trees, as defined above, that are proposed to be removed. An application must be submitted to and approved by the Zoning Officer for removal of same. **This comment remains applicable.**
- d. As per Section §101-61B(1) Perimeter Plantings. Parking areas with more than 30 spaces shall provide at least one shade tree within the perimeter of the parking area for every 15 parking spaces whereas the Applicant does not propose shade trees around the portions of the modified parking areas. The Applicant shall revise the plans for compliance or a variance will be required for deviation from same. The Applicant has provided in their comment response a calculation for the existing tree count along the perimeter of the parking area in question. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- e. As per Section §101-63C(2)(b) Where nonresidential uses abut residential uses or zones in the ORL Zone, a one-hundred-foot buffer is required. Whereas, the Applicant does not provide the appropriate buffer. The Applicant shall revise the plans for compliance or a variance will be required for deviation from same. The Applicant has indicated in their comment response letter and via notation on the plans the request for a variance for this proposed condition. **No further action required.**

Lighting

- a. The Applicant shall revise the lighting analysis on Sheet 14 of the plans to include an analysis of the portion of the parking lot impacted by the proposed improvement within the Borough of Park Ridge. The note indicating "Exist. lighting to remain in this area not modeled and/or included in lighting analysis" shall be removed. The analysis shall be provided to confirm that the combination of existing and proposed light levels will provide light levels that meet the minimum, average and uniformity ratio requirements for parking areas, pedestrian areas and access driveways in the Borough of Park Ridge as identified in the Borough Ordinance. **This comment is no longer applicable since the Applicant proposes to raze existing on-site, at-grade buildings and structures and does not propose any additional improvements.**
- b. The Applicant shall confirm that the maximum apex angle of the cone of illumination is 150° for all proposed lights. The Applicant has indicated in their comment response letter compliance with this comment. This comment has been addressed. **No further action required.**
- c. **The Applicant shall provide testimony addressing site safety within the proposed Park Ridge portion of the site, upon completion of demolition activities.**

Final Comments

- a. It is the Applicant's responsibility to determine what, if any, permits are required from outside agencies and internal municipal agencies and departments in order to construct the proposed development. These agencies



include, but are not limited to Bergen County Planning/Engineering, Bergen County Soil Conservation District, municipal fire / police departments, Park Ridge Water, Park Ridge Electric, BCUA, NJDOT and NJDEP. This comment remains applicable.

- b. New and revised materials shall be filed with the Township and shall not be sent directly to the Board's professionals. The Township will forward the application and related materials to the Board's professionals when they are finished with their review. Materials submitted directly to NEA will not be reviewed. This comment remains applicable, as required.
- c. Revised reports, plans and exhibits that are to be considered at the hearing should be submitted ten days prior to any future scheduled hearing(s). This comment remains applicable, as required.
- d. The above comments are based on a review of materials submitted and/or testimony provided to date. NEA reserves the right to provide new or updated comments as additional information becomes available. This comment remains applicable, as required.
- e. NEA recommends that a response letter be submitted that addresses each of the comments noted above. This comment remains applicable for future submissions.

Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Very truly yours,
Neglia Engineering Associates

Gregory J. Polyniak, P.E., P.P., C.M.E., C.P.W.M.
For the Board Engineer
Borough of Park Ridge

Cc: William Rupp, Esq., Board Attorney *via email*
Joseph H. Burgis, P.P., A.I.C.P., Board Planner *via email*
Landmark AR Park Ridge, LLC, Applicant *via regular mail, 1 Sony Drive, Suite 3A, Park Ridge, NJ 07656*
Peter Wolfson, Esq., Applicant's Attorney *via email*
Brett Skapinetz, P.E., Applicant's Engineer *via email*

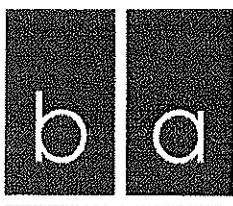
Tonya Tardibuono

From: Lepore, Tom <TomLepore@parkridge.k12.nj.us>
Sent: Tuesday, November 10, 2020 8:49 PM
To: Tonya Tardibuono
Subject: Sony drive

Good morning

I reviewed the demolition plans for 1 Sony drive. The fire department does not have any issues with the plans as submitted.

Chief Lepore



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA

B U R G I S
ASSOCIATES, INC.

MEMORANDUM

To: Park Ridge Zoning Board of Adjustment
From: Joseph Burgis, PP, AICP
Subject: Landmark, LLC
Amended Preliminary and Final Major Site Plan, Use and Bulk Variance Application
Block 301 Lot 1 (Park Ridge)
Block 3302 Lot 1 (Montvale)
Block 204 Lot 2 (Woodcliff Lake)
1 Sony Drive
Date: November 12, 2020
BA#: 3431.08

Introduction

The applicant, Landmark AR Park Ridge, LLC, successor to Hornrock Properties MPR, LLC, has submitted revised plans for preliminary and final major site plan approval including 'c' and 'd' variance relief to develop site improvements at the above referenced lot. The revised plans reflect the Borough of Montvale's approval of their portion of the former Sony tract for multi-family development, various site improvements on the Park Ridge portion of the former Sony tract including circulation and related improvements to accommodate access through Park Ridge on to Sony Drive, and plans to demolish the Sony office building .

We have previously prepared a number of memos on this matter. Our planning review memorandum dated April 10, 2019 provides a complete overview of the development proposal and required variance relief. Memos dated October 11 and November 15, 2019 addressed subsequent modifications to the plan and identified additional variance relief that was needed.

A November 8, 2019 transmittal letter from Dynamic Engineering previously detailed changes made to an updated Site Plan, with the following documents accompanying that letter:

1. Preliminary and Final Site Plan document, first dated July 30, 2018, revised November 8, 2019.
2. Stormwater Management Summary, first dated July 2018, revised November 2019.
3. Traffic Impact Study, first dated July 10, 2018, revised November 1, 2019.
4. Filed Map #7981, dated September 16, 1981.
5. NJDEP Wetlands Letter of Interpretation dated November 5, 2015.

More recently, this office has received the following:

1. A cover letter from Peter Wolfson Esq dated October 26, 2020, with attachments including:
 - a. Application Addendum;
 - b. NJ EDP Freshwater Wetlands LOI Verification, dated November 5, 2015;
 - c. NJ EDP Freshwater Wetlands LOI Verification – Correction, dated May 17, 2018;
 - d. NJ EDP Freshwater Wetlands LOI Verification – Correction, dated June 25, 2018;
 - e. Wetlands Delineation Exhibit by Dynamic Engineering.
2. Plans from Dynamic Engineering, dated October 16, 2020, including:
 - a. Demolition Plan and General Notes;
 - b. Grading, Drainage, and Utility Demolition Plan;
 - c. Soil Erosion and Sediment Control Plan;
 - d. Soil Erosion and Sediment Control Plan and Notes.
3. Traffic Impact Study by Dynamic Traffic, revise November 1, 2019.

Review Comments

The following is offered for the board's consideration:

1. See our previous memos for a description of the property.
2. The submission seeks to modify the proposed activity in Park Ridge by limiting it to driveways to accommodate access to the 185 unit multi-family development to be constructed in the Montvale portion of the former Sony tract.
3. Other than driveway access, it appears that all other improvements on-site in Park Ridge are to be removed. However, there are no plans provided that would indicate how the site will be restored after removal of all of the asphalt and concrete that is on-site. The applicant should address this issue.
4. It is notable that the way the plans are drawn, it appears this results in a number of dead-end parking aisles serving the Montvale portion of the development, with some parking spaces apparently only partially removed.

Further, due to the angle at which the town line bisects the parking lot, many parking spaces in Montvale will clearly need to utilize a portion of the Park Ridge lot for back-up space and circulation, but this is not reflected in the drawings. This must be addressed by the applicant, as it appears this condition will necessitate improvements in Park Ridge to correct these features.

5. The applicant should identify the timing of the demolition, and removal of on-site debris. Issues pertaining to the route of travel for the removal of all material should also be detailed, along with the anticipated number of truck movements.
6. The application continues to require a 'd-1' use variance to permit the proposed access driveway use of the property to serve the adjoining multi-family development in Montvale. While the applicant correctly notes a use variance is required because 'multi-family residential use is not permitted in Park Ridge's ORL Zone", neither is the use of the property as proposed since there is no principle permitted use being proposed for the property.
7. The applicant's zoning table reflects the proposed removal of the Sony building and parking lot, as all yard and coverage factors are shown to be zero, as noted in the accompanying table.

Zoning Indice	ORL Requirement	Existing	Proposed
Min. Lot Area (ac)	10	30	30
Min. Lot Width (ft)	300	1,198	1,198
Min. Lot Frontage (ft)	225	1,352	1,352
Min. Lot Depth (ft)	400	769	769
Min. Front Yd (ft)	100	301	NA
Min. Rear Yd (ft)	100	357	NA
Min. Side Yard (ft)	60	387	NA
Max. Bldg Ht (ft)	40	58.2	NA
Max. Bldg Coverage (%)	20	6	NA
Max. Imprev Coverage(%)	65	29	0.6

In addition to the 'd-1' use variance noted above required of this application, the following additional 'c' variance relief is necessary:

- a. The applicant proposes a zero foot separation between driveways on an adjoining lot where a minimum of 10 feet is required (S.101-23);
- b. The applicant proposes a zero foot separation between parking to the property line where 5 feet is required (S.101-23);

- c. The applicant proposes a zero foot buffer where 100 feet is required for a buffer to adjoining residential development (S.101-63C(2)).
8. Statutory Criteria for Variance Relief. An applicant requesting a "d" variance must demonstrate that special reasons exist for the granting of the variance, and that the granting of such variance will further the purposes of the MLUL (positive criteria). In addition, the applicant must prove that there will be no substantial detriment to the public good and no substantial impairment to the intent of the Master Plan.

The applicant is also seeking variance relief pursuant to NJSA 40:55D-70(c)(1) and/or (2). The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test. These are identified as follows:

- a. Physical Features Test: An applicant may be granted c(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
 - b. Public Benefits Test: An applicant may be granted c(2) variance relief where it can be proved that: 1) the granting of the variance will advance the intent and purpose of the Municipal Land Use Law; 2) that the benefits of granting the variance substantially outweigh any potential detriments. It is notable that the benefits that may be perceived to accrue from the relief are public benefits rather than a benefit that simply accrues to the property owner.
9. The following comments are from our previous memo on this matter. It is suggested that the applicant address these in testimony, and at a minimum may indicate where certain comments may no longer be applicable:
- a. In addition to the above, the applicant must address the Negative Criteria of the statute. To meet the negative criteria, an applicant must demonstrate the variance can be granted without substantial detriment to the public good and that it will not substantially impair the intent and purpose of the master plan and zoning ordinance.
 - b. The parking areas on the site have been slightly reconfigured. The multifamily and Sony office parking lots are shown with a number of inter-connections. The applicant should comment on how the office lot in Park Ridge would not be used as an 'overflow' parking area for the adjoining multi-family building.

- c. The number of parking spaces dedicated for use by the Sony building will be 600 according to the latest site plan, an increase of 2 spaces from what was previously proposed (a notation on the site plan sheet incorrectly indicates 598 parking spaces).

According to §101-62B of the Borough's zoning ordinance, a total of 900 spaces, (1 space/225,000 sq ft of gross floor area = 900 spaces) is required. As noted in our previous memo, the site plan table on the plans incorrectly calculates the parking requirement based on a net floor area of 149,500 square feet (General Note #5).

Also noted on the plan is that approximately 75,000 square feet, or a third of the 225,000 square foot building will be restricted as "non-usable areas". However, as noted above, the Borough's parking requirement for 'offices, other than medical or dental' is based on total floor area, not net floor area. Furthermore, the applicant has not provided any floor plans indicating the third of the building area that will be restricted or indicated any mechanism as to how such a requirement could be enforced by the Borough. In addition, we question the extent to which the applicant has the authority to restrict the office occupant's use of the building and/or whether the occupant has agreed to such a stipulation. To date, our office has not received any such agreement.

According to the November 8th correspondence from Dynamic Engineering, further testimony will be provided to address this issue.

Variance relief is required for the parking shortfall.

- d. The impervious coverage on the Park Ridge portion of the site has been increased from the previously proposed 21.4% to 28.7%. This is still well below the zoning ordinance, which permits a maximum impervious coverage of 65% in the ORL Zone. The applicant should identify the areas where the increased impervious coverage occurred, since there isn't any noticeable change in the site's impervious coverage.
- e. Pertaining to the location of parking spaces, as noted in our previous report, §101-62B states the following:

The approving authority shall approve the location of all proposed parking spaces on the site and shall take into consideration the size and topography of the site, visibility from the site to the adjoining street as well as within the parking area, conditions of safety relating to the movement of people and vehicles and the elimination of nuisance factors, including glare, noise, dust and other similar considerations. Off-street parking shall not

be located in a required front yard. No off-street parking area shall be located closer than five feet from any side or rear lot line. These conditions shall apply to all surface and above-grade parking facilities....

Portions of the Sony parking area are proposed to be 3.8 feet from the lot line and municipal boundary shared with the Montvale portion of the site to be developed with multifamily housing, and thus the applicant shall require variance relief.

- f. The applicant indicates the lot is an existing non-compliance feature with the parking area requirement set forth in §101-23, which states that "No driveway shall be located nearer than five feet to any property line measured from the closest edge of the driveway to the property line."
- g. The applicant indicates they comply with the parking area landscape requirement set forth in §101-61 that states: "Parking areas with more than 30 spaces shall provide at least one shade tree within the perimeter of the parking area for every 15 parking spaces."

According to the revised plans, 59 existing trees will remain, thus exceeding the required 40 trees which are mandated for this site.

- h. The application requires variance relief from the parking area landscape requirement set forth in §101-61, which states that "Parking areas with at least five spaces shall be screened from the street with landscaping, including, at a minimum, one evergreen plant for every five spaces in the parking area."

The applicant notes the plan has "existing screening to street is primarily deciduous." This does not address the requirement. Testimony shall be required on this issue.

- i. The applicant has requested variance relief for buffer requirement set forth in §101-63C(2), which provides that "Buffer widths shall be sufficient to accommodate the ultimate growth of any plantings in the buffer, but in any case no less than 10 feet in width."

The proposed buffer according to the Site Plan the buffer will be 3.8 feet in width, and thus will be non-compliant.

- j. The applicant has requested variance relief for buffer requirement set forth in §101-63C(2), which provides that "Where nonresidential uses abut residential uses or zones in the ...ORL Zone, a one-hundred-foot buffer is required".

The proposed buffer is shown to be 3.8 feet.

- k. The applicant does not comply with the buffer requirement set forth in §101-63C(2), which states "At a minimum, the buffer shall include eight shrubs for every 10 linear feet of buffer, one

ornamental tree for every 30 linear feet of buffer, supplemented by ground cover and perennial plantings."

This is critical in light of the changing nature of adjoining lot in Montvale to a residential use..

- I. The applicant has requested variance relief for buffer requirement set forth in §101-63C(2) regarding "Trees and shrubs used in a buffer shall be spaced to accommodate normal plant growth without overcrowding and to provide a complete visual screen within three years of planting. If necessary to achieve the above intent, double or triple staggered rows of plantings shall be provided".
- M. The applicant had previously requested variance relief by proposing to disturb 100% of Category 1 (15% to <20%) slopes, variance relief is required should disturbance exceed 50% of Category 1 in accordance with §101-66A. This is not referenced in current plan.
- n. The applicant has confirmed that no additional signage is proposed.
- o. The applicant shall provide details of the development's anticipated schedule, phasing, staging, deliveries, etc. the access through the Borough. This shall include the extent to which any parking located on the Park Ridge portion of the site will be used for storage, staging or construction vehicles during the development of the multifamily building and site improvements in Montvale.

JHB

Tonya Tardibuono

From: Joseph Madden <chief@parkridgepolice.com>
Sent: Tuesday, November 10, 2020 8:40 AM
To: Tonya Tardibuono
Subject: Re: Landmark Review

Tonya,

I reviewed the demo plans and the only recommendation I have is to request that the trucks leaving the site with any debris proceed on the most direct route to the salvage yard or other destination, avoiding as many residential areas as possible. Based on the ongoing construction on Mercedes Dr. in Montvale, it would be good if they could use Sony Dr., Van Riper Lane and Mercedes Dr. to access Grand Ave. to Route 17 as the most direct route. We would also want to make sure all hazardous material is removed and processed properly. Any questions please contact me.

Chief Joe Madden

On Mon, Nov 9, 2020 at 8:56 AM Tonya Tardibuono <ttardibuono@parkridgeboro.com> wrote:

Good Morning,

All reviews for the updated Landmark (Hornrock) application are due on or before this Friday, November 13, 2020. Please let me know asap if you will not have the reviews submitted to me on time. As of now the applicant will be listed on the November 24, 2020 Zoning Board agenda.

Regards,

Tonya Tardibuono

Zoning Officer

Planning & Zoning Boards Secretary

Board of Health Secretary

Borough of Park Ridge

53 Park Avenue

Park Ridge, NJ 07656

201-391-5673