PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Special Meeting
October 17th, 2013
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator
PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Special Meeting
Thursday,
October 17th, 2013

Mr. Lignos, Chairman called the Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, October 17th, 2013 in the Council Chambers of the Borough Hall to order at 8:00 PM. He stated that the meeting was being held in compliance with the provisions of the Open Public Meetings Act of the State of New Jersey and had been advertised in the newspaper according to law. He advised that the Board adheres to a twelve o’clock midnight curfew and no new matters would be considered after 11:00 P.M.

Mr. Lignos invited all persons present to join the Board in reciting the Pledge of Allegiance.

The following Planning Board members and professional persons were present at the meeting:
Mayor Heymann
Councilwoman Amitai
Mr. Lignos, Chair
Dr. Maddaloni, Vice-Chair-8:02 PM
Mr. DiDio
Mr. Baboo-8:03 PM
Mr. Sinowitz
Mr. Pialtos
Ms. Stella- (alt # 1)
Mr. Nyfenger- (alt # 2)
Mr. Weiner, Acting Board Attorney
Mr. DeNicola, Board Engineer
Rose Mitchell, Planning Board Coordinator

The following Planning Board members and professional persons were absent from the meeting:
Ms. Isacoff
Mr. Chagaris- Board Attorney

**Item # 1**

Block 1607 Lot 1 (BL 1310/ L 2)
19 Ver Valen Street (7 Campbell Ave.)
Application # P-2013-03
Applicant: Closter Marketplace (EBA), LLC
Centennial AME Zion Church
Attorney: Mr. Basralian

*Refer to attached transcript.*

Motion was made by Mayor Heymann & seconded by Mr. DiDio to adjourn meeting. Meeting was adjourned at 12:00 A.M.
STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF CLOSTER

IN THE MATTER OF
The Application of:

CLOSTER MARKETPLACE (EBA), LLC.,
CENTENNIAL AME ZION CHURCH, BLOCK
1607, LOT 1 (BLK 1310/L 2) 19 VER
VALEN STREET (7 CAMPBELL AVE.)
APPLICATION #P-2013-03

BOROUGH OF CLOSTER MUNICIPAL BUILDING
295 Closter Dock Road
Closter, New Jersey
October 17th, 2013
8:00 p.m., Volume X

BEFORE:
PLANNING BOARD
JOHN LIGNOS, CHAIRMAN
SOPHIE HEYMANN, MAYOR
VICTORIA RUTI AMITAI, COUNCILWOMAN
MARK MADDALONI, BOARD MEMBER (8:02)
DAVID BABOO, BOARD MEMBER (8:01)
IRENE STELLA, BOARD MEMBER
ROBERT DI DIO, BOARD MEMBER
LEONARD SINOWITZ, BOARD MEMBER
DEAN PIALTOS, BOARD MEMBER
PAUL NYFENGER, BOARD MEMBER
ARTHUR CHAGARIS, ESQ., BOARD ATTORNEY
NICK DENICOLA, P.E., BOARD ENGINEER
ROSE MITCHELL, BOARD SECRETARY

APPEARANCES:
WINNE, BANTA, HETHERINGTON, BASRALIAN & KAHN, P.C.
ATTORNEYS FOR THE APPLICANT
BY: JOSEPH L. BASRALIAN, ESQ.
SEGRETO, SEGRETO & SEGRETO, ESQS.
ATTORNEYS FOR THE OBJECTORS
BY: JOHN J. SEGRETO
GINA M. LAMM, CSR/RPR, Court Reporter
CHAIR LIGNOS: I call to order this special meeting of the planning board of the Borough of Closter, New Jersey, being held on this day, Thursday, October the 17th, the year, 2013, in the council chambers of the borough hall.

This meeting has been duly advertised in accordance with the Open Public Meetings Act, State of New Jersey.

It is commencing, according to our computer, at 8:00 p.m. sharp.

The planning board adheres to a 12:00 midnight curfew. No new matters will be considered after 11 p.m. Please join the board in the pledge of allegiance.

Thank you all very much.

Ms. Mitchell, would you kindly take attendance.

MS. MITCHELL: Sure. Mayor Heymann.

MAYOR HEYMANN: Here.

MS. MITCHELL: Councilwoman Amitai.

MS. AMITAI: Here.

MS. MITCHELL: Dr. Maddaloni.

Mr. Baboo. Ms. Stella.

MS. STELLA: Here.

MS. MITCHELL: Mr. Lignos.
CHAIR LIGNOS: Here.

MS. MITCHELL: Mr. Chagaris.

MR. WEINER: Ira Weiner here for Mr. Chagaris.

MS. MITCHELL: Mr. DeNicola.

MR. DENICOLA: Here.

MS. MITCHELL: Mr. Sinowitz.

MR. SINOWITZ: Here.

MS. MITCHELL: Mr. DiDio.

MR. DIDIO: Here.

MS. MITCHELL: Ms. Isacoff.

Mr. Pialtos.

MR. PIALTOS: Here.

MS. MITCHELL: Mr. Nyfenger.

MR. NYFENGER: Here.

CHAIR LIGNOS: Let the record show that Dr. Maddaloni joined the board at --

MS. MITCHELL: 8:02.

CHAIR LIGNOS: 8:02.

Item No. 1 on our agenda is block 1607, lot 119, Vervalen Street, application P2013-03. The applicant, Closter Marketplace, Centennial AME Zion Church. Mr. Basradian is the attorney. This is the subdivision site plan, soil movement application, received back on May the
16th, deemed perfected, with mentioned stipulations, on June the 5th's work session meeting. The application was continued, and received final perfection on June the 27th, 2013, regular monthly meeting. Meetings have now taken place on July the 11th and the 18th, August the 7th, 8th and 29th, September 12th, October 2nd and 10th of 2013. The application will continue, again, this evening, October 17th, at this special meeting.

Mr. Basralian, welcome once again.

MR. BASRALIAN: Good evening. Good evening, Mr. Chairman, and members of the board. We were unable to finish up on cross-examination with Mr. Hamilton, our landscape architect. And I'd like to pick that up here.

CHAIR LIGNOS: Okay. Let us -- Let us begin. Let the record show that Mr. Baboo has joined the board at 8:01.

MR. BASRALIAN: Mr. Hamilton, you're still under oath, having been sworn at the session in which you testified, which I believe was September 12th.

MR. HAMILTON: I understand.

MR. BASRALIAN: At that time we had
finished with the direct testimony and questions
from the board, and we had not done
cross-examination by any interested parties.

CHAIR LIGNOS: Right. At this point
I would like to open up this portion of the
meeting to any member of the public. Any member
of the public with a question of Mr. Hamilton, the
landscape architect, regarding this application,
please step forward.

Sir, can you please give us your
name for the record.

MR. ROSENBLUME: Sure. Jessie
Rosenblume, 65 Knickerbocker Road.

Do you know what your -- what the
owner's policy is regarding snow plowing in
reference to landscaping?

MR. HAMILTON: I do not.

MR. ROSENBLUME: Any way you can
check with an owner's rep?

MR. HAMILTON: Umm, sure.

MR. BASRALIAN: Excuse me. Before
you answer that, we didn't have any testimony
about snow plowing. This was a landscape
architect. Direct testimony would be the plans
that were submitted. You know, I can stipulate,
for the record -- I can stipulate for the record, that they promptly take care of all snow removal, because without it the shopping center wouldn't function.

CHAIR LIGNOS: Okay. I guess perhaps a question that the landscape architect may answer, is, with typical snow removal, would any of the landscaping be -- be hurt?

MR. HAMILTON: No, not in my opinion.

MR. ROSENBLUME: Okay. Thank you.

CHAIR LIGNOS: Thank you very much. Yes, sir. Mr. Segreto, please step forward. Or don't step forward. Whatever you wish.

MR. SEGRETO: Thank you.

CROSS-EXAMINATION BY MR. SEGRETO:

Q Mr. Hamilton, good evening. How are you?

A I'm very good.

Q All right. Mr. Hamilton we have a 15-acre site here, is that correct?

A Yes.

Q All right. And there's going to be a complete redevelopment of that site, isn't that
correct?
A It's going to be a redeveloped site, correct.
Q Now, the current impervious coverage is 93.7 percent, isn't that true?
A I believe the engineer testified to that. I testified with regard to the planting for the project.
Q Yeah, I understand that. And at the end of phase I, when this redevelopment is done, the impervious coverage is going to be 93.02 percent, is that your understanding?
A Again, I'd have to refer to the engineer on that.
Q That doesn't sound like there's going to be much landscaping on the site, does there?
A It's significantly more landscaping -- excuse me -- than the existing conditions. But, again, my charge was to provide planting. I was not involved with regard to the layout of the site, specifically.
Q Right. You'll agree with me that the more landscaping you have, the more pervious coverage you have, as opposed to impervious
coverage, am I correct?
A The more landscaping -- could you repeat that?
Q If you added more landscaping than you propose, then the impervious coverage would be a lot less, wouldn't it?
A Potentially.
Q Now, you indicated that none of the landscaped islands will be irrigated, is that correct?
A None of the landscape islands within the parking fields will be irrigated, correct.
Q All right. Is there any other landscaping that's going to be irrigated on the site?
A Yeah, I believe I testified that the streetscape, as well as the plaza areas and the areas adjacent to the buildings, would all be landscaped. The only areas that would not be landscaped were those landscape islands within the parking areas.
Q What about irrigation --
MR. BASRALIAN: Excuse me. Did you mean landscaped or irrigated?
MR. HAMILTON: I'm sorry, irrigated.
Sorry about that.

BY MR. SEGRETO:

Q     Now, the lawn area on Vervalen, isn't that correct it's going to be in the right-of-way?
A     A portion of it is within the right-of-way, correct.
Q     What portion of it is in the right-of-way?
A     Maybe I could refer to an exhibit. I'm now looking at Exhibit A-12. There is an area. It looks like the right-of-way bisects the grass area that's between the sidewalk and the parking stalls on the southern side of that facility. So, that right-of-way basically bisects that grass area.
Q     That's for the entire length of the site on Vervalen?
A     Correct.
Q     Is -- similarly, is any part of the landscaping on Homans in the right-of-way?
A     Again, there are -- there is a grass area between the plantings that are on the northern side of the parking and loading areas along Homans, and that grass area is partially within
the right-of-way of Homans Avenue.

Q     All right. And that's, again, across the entire site, or across the entire portion of that grass area on Homans?
A     Correct. With the exception of the access drive.

Q     Why is it that this applicant is proposing landscaping in the right-of-way and not on its property?
A     Well, in effect, the applicant is proposing streetscape improvements, as the town has directed, to provide a sidewalk, and grassed area. The trees that are being proposed are all proposed within the property itself, and not within the right-of-way of either Homans or Vervalen. So, the only landscaping that's proposed within the right of way is grass.

Q     How wide is the land -- the grass area on Vervalen?
A     Let me just check that. I believe it's approximately 13 feet.

Q     And all of that is in the right-of-way?
A     No, it's 13 feet from the edge of the sidewalk to the curb line of the parking on the
southerly side of the -- of the facility. A portion of that is within the right-of-way, and a portion is within the property.

Q Now, you spoke about, or you indicated in your direct testimony, that Eden's maintenance plan, for the landscaping, is going to be a lot better than the landscaping maintenance plan, or lack thereof, that the property has now. Can you tell us what Eden's landscape maintenance program is?

A I don't recall testifying to that. Could you repeat that, please?

Q Yeah. You said, their, meaning Eden's maintenance, is going to be a lot better. And you were talking about the current maintenance of the landscaping, or lack thereof, and that Eden's maintenance plan will be a lot better. My question is: Can you tell us what their maintenance plan is?

MR. BASRALIAN: Excuse me. Could you refer to the page and line number you're reading from in the transcript?

MR. SEGRETO: I don't have it. I have it in quotes in my notes, and I'm sure I got it down perfectly.
MR. BASRALIAN: Well, do you know what day that was, and what time of the hearing it was?

MR. SEGRETO: I have no idea.

MR. WEINER: Well, then why don't you ask him a foundation question, whether he remembers saying that. And if he does, then he can answer it.

BY MR. SEGRETO:

Q    Do you remember testifying that Eden’s plan is going to be a lot better?

A    I remember testifying that I have -- I have conferred with Edens, I am familiar with many of their other facilities, and I was impressed with the landscape maintenance that they’ve had throughout their facilities. I did not, I’m sure, testify as to what their maintenance plan is, for this facility.

Q    You don't know what plan is then, is that correct?

A    Correct.

Q    Now, in your landscaping plan, have you used any boulders or rock outcroppings?

A    No.

Q    Have you used any berms or mounds?
A No.

Q Now, what is the height of the shrubs going to be on Vervalen?
A Thirty-six inches.

Q And that's going to be planted on flat ground, is that correct?
A Correct.

Q Is that going to -- is that going to provide a screening so that cars cannot be seen in the parking lot?
A The intent is to provide screening for the lower level of the cars so that headlights will be blocked from the cars traveling on Vervalen, for the most part.

Q Does any part of your landscaping plan incorporate any part of the Closter sustainability initiative that's found in the master plan?
A I am familiar with the master plan and that initiative, and I did not see any specific references in it with regard to the plant material, with the exception, I believe, that they recommended native material, and material that would not have high irrigation requirements, and we have -- we have provided that.
Q     Is the applicant going to recapture any of the rain water and use it for landscape irrigation?
A     No.
Q     Or watering?
A     No.
Q     How come?
A     Well, couple reasons, which I believe I expressed in my earlier testimony. One, is that the rain water that falls on the site goes into an aquifer where the water is drawn from. So, in effect, providing cisterns, or some other mechanism to capture the rain water, is not really going to help in terms of groundwater -- supplying groundwater to the area. And the second is that, you know, we've -- we've looked at the option of providing some sort of cisterns, and it was determined that, because of the fact that we picked material, for the most part, that doesn't have a high irrigation requirement, that irrigation is not going to be significantly needed on this site.

The irrigation that's proposed is a drip system, which is one of the most effective and efficient systems for irrigating plants. And, for
that reason, we felt that the capturing of the rain water in a cistern would be, not really warranted, for this property.

Q Have you provided any landscaped buffers on the site?

A Buffers; well, we've provided the landscaping that's shown on the plan, with regard to the shrub plantings and the tree plantings on both of the frontages of the public road.

Q And those would be considered to be landscape buffers for the site?

A Land -- yeah, they're providing some buffering between the roadway and the parking area.

Q You'll agree with me that if the applicant reduced the square footage of the buildings, they would reduce the parking requirement, and that would open the site up for --

MR. BASRALIAN: I'm going to object to the question.

Q -- isn't that true?

MR. BASRALIAN: I'm going to object to the question. There's no relevancy to his testimony regarding the landscaping that is being
provided on the site plan, or for the site, on the site plan, before the board. It's a hypothetical, at best.

MR. SEGREGO: I know. And he's an expert, and you're allowed to ask hypothetical questions of an expert. And they're asking for a number of variance -- you're asking for a number of variances. And my understanding of the law, as it pertains to the variances that they're asking for, and one of the issues is going to be, whether or not there is a better zoning alternative for this property.

MR. WEINER: And you can present that through your expert witness. You can ask him a hypothetical about trees, or what would happen to plants if it was higher or lower. But to ask him if he reduced some other elements, whether it would create more room, that's really an engineering question. And I think -- I think the board understands that if you reduce the size of the parking lot and the building, or whatever, there's going to be more room for landscaping. And I'm not sure you're making any points that anybody doesn't already know. So --

MR. SEGREGO: Well, sir, I have to
create a record, and I think I have to ask the questions that I think are legally proper, and if you want to sustain the objection, then that's fine, and we'll move on.

MR. WEINER: Yeah, I do. I would sustain it.

MR. SEGRETO: I have no further questions.

CHAIR LIGNOS: Okay. Mr. Basralian, your next witness.

MR. BASRALIAN: Thank you.

CHAIR LIGNOS: Oh, I'm sorry.

MR. ROSENBLUME: Just one.

CHAIR LIGNOS: There is one other question. I apologize. I didn't see you.


Has the owner considered planting bulbs for color, and maybe to accent entry points on the property?

MR. HAMILTON: The -- I think I mentioned this in my direct. What we're planning on doing, is, putting a lot of planters around this site. And that's where they're going to get a lot of seasonal color.
MR. ROSENBLUME: Okay.

MR. HAMILTON: So, there is going to be quite a bit of seasonal color throughout.

MR. ROSENBLUME: But no bulbs?

MR. HAMILTON: I don't believe bulbs, but I'm not ruling that out. There could be bulbs in the planters as well.

MR. ROSENBLUME: Thank you.

MR. BASRALIAN: I have one question on redirect, if I could.

CHAIR LIGNOS: One question on redirect. Okay.

REDIRECT-EXAMINATION BY MR. BASRALIAN:

Q    Mr. Segreto asked you about grass being planted in the right-of-way. Many properties plant within the right-of-way because it covers a distance between the curb, which is a street width, which is typically narrower, or can typically be narrower than the right-of-way. Is it any different in this application, wherein they're planting within the right-of-way because otherwise there would be nothing?

MR. SEGRETO: I object to the question as leading.

MR. BASRALIAN: Let me ask it --
I'll rephrase the question.

Q     If no grass were planted within the
right-of-way what would you propose would be
there, separating the end of the property line and
the landscaping that's proposed, and the
sidewalks?

A       Well, the soil has to be stabilized with
something. So, if it's not grass or some sort of
vegetative cover, it would have to be a pervious
surface. Perhaps a sidewalk.

MR. BASRALIAN:  Thank you.

CHAIR LIGNOS:  Okay. Your next
witness.

MR. BASRALIAN:  We call Mr. Keller.

CHAIR LIGNOS:  And can you refresh
our memories Mr. Basralian?

MR. BASRALIAN:  Yes. Mr. Keller had
completed his direct testimony on his -- on
traffic and parking. There were some questions by
the board, during the course of his testimony.
I'm not sure whether the board has any more
questions.

CHAIR LIGNOS:  I thought we had -- I
thought we brought it to the end. But let me ask.
Because -- does -- does any member of the board
feel that the board has not exhausted the
questions they had of Mr. Keller? Mayor.

MAYOR HEYMANN: I just want to
comment, because it bothered me, and I took
Mr. Keller's information as gospel too. But I
just --

CHAIR LIGNOS: Can you comment in
the form of a question, please.

MAYOR HEYMANN: Yes. I would like
you to prove out your comments about the waiting
time making a left turn from Vervalen into
Piermont Road. It just took me three full
minutes.

CHAIR LIGNOS: So, I guess the
question, Mr. Keller, is: Could you, once again,
explain how you got to your findings and --

MR. KELLER: Certainly.

MAYOR HEYMANN: And what time.

CHAIR LIGNOS: And, why perhaps it
seems less than what people are experiencing now.

MR. KELLER: Sure. As I
tested --

MR. WEINER: Mr. Keller, you're
still under oath.

MR. BASRALIAN: Yes, he's still
under oath and brought back from the hearing of October 2nd, 2013.

MR. WEINER: Okay. Okay. Thank you.

MR. KELLER: We looked at the -- well, we looked at a lot of intersections. That particular one of Piermont and Vervalen we looked at two ways. One, we used -- excuse me, the standard capacity analysis software that we all, all traffic engineers use. And being an unsignalized intersection, we input the numbers and used the software to calculate what that average -- that average delay would be for that intersection. And that's the key thing, is that it's an average delay. Mayor, you had to wait three minutes. Maybe the person behind you waited thirty seconds.

Now, Atlantic Traffic, in their first review letter said, because of the excessive delay for that left turn movement from eastbound Vervalen onto Piermont Road, asked us to do a gap study. And, yes, we did the gap study in July and August, because I had anticipated being here in August, and I wanted to be responsive. We wanted to be responsive to your consultant's request.
So, we did the study. And what that study had, or the purpose of that gap analysis was, recognizing that there's signals on either side of Piermont that create platoons of traffic, that create gaps in the flow. We wanted to understand what those patterns actually were. Because the software that we use, assumes a random pattern of traffic along the road, which you would have if there were no signals close by. So, we know that's not the case. So, in our analysis, in our study of actual gaps that are created by those signals, we counted how many there were, how long they lasted, and based on how many there were, and how long they lasted, we came up with how many vehicles could be occupied -- could move from Vervalen and make that left or come out of the bank and make a left, right, whatever, onto Piermont Road.

Now, again, and I think it came out at the last meeting, that doesn't necessarily tell you that you don't have to wait three minutes in that particular instance. But you drive up at another time, and, again, you wait 30 seconds, enough to stop, look both ways, and enter into the flow of traffic. It's not -- in either case, it's not saying that you don't have to wait. And in
some cases a longer amount of time. But it's an average. The software gives you an average delay over the period of time.

MAYOR HEYMANN: You know, I buy into everything that you explained except for the fact that you took your tests in July and August when, in fact, it's a block away from a school that is not in session at that time. And I don't know to what extent you went into the rush hour traffic that moves towards Piermont Road because --

CHAIR LIGNOS: Let's ask that in the form of -- let's ask that in the form of a question. Mr. Keller, do you think --

MAYOR HEYMANN: All right. The question was: Did you consider other times besides July and August --

CHAIR LIGNOS: -- would make a diff -- would have different results?

MR. KELLER: I think we talked about that last time, that, yes, generally in July and August, the volumes are -- are lower. Now, on a Saturday, I don't think that really is the case. While people may be on vacation and not going to work on a Saturday, people still need to go shopping, will go shopping. Maybe it's a little
lighter. Because some people are away and not in
town. Now, on a -- we did the evening peak hour
from 4 to 5, and on Saturday we did the peak hour,
I believe it was 12 -- 12 to 1. And because
that -- yes, 12 to 1, because those were the
defined peak hours based on our counts. Now, the
weekday p.m. peak hour, being between 4 and 5,
you're really not going to get much school traffic
because the students are gone. And, for the most
part, the teachers are gone. Maybe there's some
there, but -- so, I don't think that having the
school there had any effect because we did it in
the summertime as opposed to school hours.
Because we were after the school hours. So, the
baseline traffic volumes, you know, yeah, there's
probably some percentage less, but what we -- what
I testified to, was that the number of gaps, and
the size of gaps, were such that they were -- it
wasn't that we need to get 55 cars out during the
hour and we were talking about numbers over a
hundred. So, even if that hundred and -- let me
be specific, 136 on a p.m. peak hour were how many
vehicles could make -- could cross the road
because of gaps in both directions. So, even if
that was down to a hundred, we are still well
above the 55 vehicles that are trying to make that turn. So, I'm not saying that you're not going to have to wait, Mayor.

CHAIR LIGNOS: Any other member have a question?

MS. AMITAI: Yes. I was wondering what your ITE, institute, or whatever it is, how do they calculate the number of truck deliveries to a shopping center of this size?

MR. KELLER: I don't know if it's published by ITE. There is a generalized calculation of rate, based on the square footage of the center, and how many trucks would be expected on a daily basis. I don't know what it is off the top of my head. Our trip generation numbers that we -- that I testified to last time, include all vehicles; employees, customers, delivery trucks, anything that goes in and out of a shopping center. But the trip generation manual does not specifically, when they say that, you know, there's an additional 75 trips, they don't say, so much are this type of vehicle, so much are that. They don't break that down.

MS. AMITAI: So they include the trucks?
MR. KELLER: Yes. Yes, the trip generation includes all the vehicles in to and out of a facility.

CHAIR LIGNOS: Any other question councilwoman?

MS. AMITAI: No.

CHAIR LIGNOS: Dr. Maddaloni.

MR. MADDAŁONI: That 55 vehicles per hour making that left on Vervalen onto Piermont --

MR. KELLER: Correct.

MR. MADDAŁONI: -- is that an observed or a calculated number?

MR. KELLER: Very good question, Doctor. It's both. In -- as I testified to last -- well, two weeks ago, we counted the intersection. And that's -- that -- those numbers are contained on figure 2-A, which are in appendix 6 of my April 26th -- April 26th report. Those are the actual numbers that we counted. Now, as I said, the center is about two thirds full. So, we made an adjustment, based on the data in table 1, to come up with the exist -- what we call existing conditions with the full occupancy of the shopping center. And that's presented in figure 2 of the report. So, those are the volumes that would be
there if Edens, or, you know, took that center and said, we're just going to lease it up the way it is, and put tenants into those stores, at the square footage it is now, and not make any changes. We then made an adjustment for background traffic growth, and we also included, at the time there was a pending application for TD Bank over on Piermont Road. We included that traffic. Those numbers are in figure 3.

MR. MADDALONI: I don't have it in front of me. So, the observed, rather than the expected, what's the difference between those?

MR. KELLER: Okay. The -- in -- you're asking about that left turn movement, correct?

MR. MADDALONI: Right. Yes.

MR. KELLER: Okay. I just want to be clear. What we counted were 42 eastbound left turns on Vervalen to Piermont northbound in the p.m. peak hour. And 56 left turns during the Saturday peak hour. Okay. Those were adjusted up to the no-build condition, which is what would be in place in 2014 if nothing was done to the center, other than fully occupying it. There would be 54 left turns during the p.m. peak hour
and 75 left turns during the Saturday peak hour.

MR. MADDALONI: Okay. Thank you.

CHAIR LIGNOS: Mr. Baboo do you have a question?

MR. BABOO: Yes, I have a few questions. I wanted to talk about the --

CHAIR LIGNOS: Can you speak up, please. I just want to catch you on the --

MR. BABOO: Sure. I want to talk about the drive-thru. I just wondered when it said how many lanes are going through the drive-thru. I understand it was 1 for a, you know, a dedicated drive-thru and then another one that kind of leads into the mall.

MR. KELLER: Yes. There is a separate lane which is separated from the parking aisle so-to-speak, by an island that's about 6 feet wide. So, the drive-thru lane is up against the building where the window would be, separated by an island, and then you have an 18-foot wide drive aisle, that comes from Homans into the center, and on the bank -- I'm sorry, not on the bank. On the church property, you have the annual parking along the side of the church.

MR. BABOO: Okay. And all those
lanes are in one direction?

   MR. KELLER: Correct.
   MR. BABOO: Coming into --
   MR. KELLER: They're in a southbound direction into, towards the front of the stores.
   MR. BABOO: Okay. And the church members, when they leave, they're going to be taking the other road to exit the property --
   MAYOR HEYMANN: That's going to Lewis Street.
   MR. KELLER: They would go to Campbell and then to Lewis and head north or south.
   MR. BABOO: Okay. And you don't envision this road being a main entrance to the mall, you envision all the other pathways being more utilized?
   MR. KELLER: Correct. I mean today it's not a major entrance. It's -- of all the driveways, other than the dead end parking on the east end of Homans, it's the least used. There is more traffic coming in Campbell today than using that driveway on the side of K-mart.
   MR. BABOO: And the -- forgive me for not remembering, the queue lengths, what was
the calculated queue length, the average queue length --

MR. KELLER: Oh, for the drive-thru window?

MR. BABOO: For the drive-thru.

MR. KELLER: I mean the average is probably less than 1. But at most, you're going to see 1 or 2 vehicles in there.

MR. BABOO: Okay. Just based on the fact that they're supposed to only be picking up drugs and nothing else, based on that premise -- or based on experience --

MR. KELLER: Yes. My discussions and conversations with CVS is that that's all they can use it for.

MR. BABOO: Okay. My second question is: I'm trying to figure out how much traffic will be backed up, traveling east on Vervalen, basically coming in from the center of town going east. Did you look at that at all or is that included with delays?

MR. KELLER: Well, where on -- where on Vervalen did you -- are you asking, Mr. Baboo? Over at Closter Dock or --

MR. BABOO: Yeah, going from here,
going down there. And I'm specifically concerned there is a traffic light there, the police station there, and I kind of wanted to see if there would be any type of backup area heading back in the direction. The cars would have to wait.

    MR. KELLER: Wait as they headed east?

    MR. BABOO: As they head eastbound.

    MR. KELLER: No, I mean we analyzed the intersection of Vervalen/Closter Dock and Lewis Street. And that intersection operates very well. This is in table 2 of my report. Because it's a signalized intersection, all of the approach movements operate at level of service B today, and no-build and in build.

    MR. BABOO: Okay.

    MR. KELLER: So, there's a nominal to no impact on the level of service in the average delay at that intersection, as a result of the -- the redevelopment of the center. And the levels of service are all -- are all very good.

    MR. BASRALIAN: Just the, Mr. Baboo and Mr. Keller were referring to Exhibit A-12 when they had the discussion about this and this roadway and that intersection, just to be clear.
Thank you.

MR. BABOO: Okay. Thank you. Thank you. I think it was last Saturday morning I remember walking on Vervalen, and there was a lot of traffic backed up. I think it's because of Heidenberg Plaza. And I just don't want -- I'm just trying to figure out if that's going to exacerbate the condition. Because Saturday morning is a popular time for people to go shopping, and everything else, it's Sunday --

MR. MADDALONI: It was backed up going west on Vervalen?

MR. BABOO: Going east. Yeah. And with the traffic light there, I was just sort of wondering if, you know, if it's going to make the situation worse or -- but according to what you said, it's not going to make the situation worse. So, I am just trying to line it up in my head.

MR. KELLER: Understood.

CHAIR LIGNOS: Any other? I'm going to go around.

MR. BABOO: Would you have to make changes to the traffic light frequency or anything like that or the utility would stay the same?

MR. KELLER: No. Neither of the two
signalized intersections that we looked at, the 
one at Lewis Street, and the one at Homans and 
Piermont, need any modifications. They are 
continuing -- I'm not saying that, you know, the 
county shouldn't, on a periodic basis, re-examine 
them, but, based on the counts that we have in our 
projection, there's no need to make any 
modifications to those -- to the timing or phasing 
of those signals.

MR. BABOO: Okay. My other question 
is: Does your traffic study take into account any 
changes of that subdivision, in terms of is there 
going to a building there, some sort of 
restaurant, or fast food, or anything like that?

MR. KELLER: Our traffic analyses 
include a 6,000 square foot retail building on 
that site.

MR. BABOO: On that site. Okay. Is 
there a significant deviation from a retail 
business versus a fast food restaurant, such as 
traffic usage or --

MR. KELLER: Well, the thing is, 
it's a shopping center. So, whether the specific 
uses in any part of the building are irrelevant. 
As a shopping center it's, as I testified to last
time, anticipates a mix of different retail uses, restaurant uses, and the -- from a trip generation perspective there's no different calculation. And we actually, and your consultants agreed, the way we calculated the trip generation increased for this site, was very conservative. Because we based it on the increase in square footage of the supermarket. Because I didn't want to come in and say, we're increasing the total square footage of this, including whatever goes in on that out parcel on that subdivided lot, by only 2,800 square feet. And that would -- if I compared the current shopping center to the future shopping center, we'd add less than 10 trips.

MR. BABOO: Okay.

MR. KELLER: I'm not going to sit here before you and tell you, it's only going to go up by 10 trips.

MR. BABOO: I understand what you're saying based on the fact that the mall has -- the part is not subdivided, it has many entrances and exits. But since this is going to be subdivided, I presume that we are only going to have one entrance and one exit. So, my concern is concentrating the traffic in that area. Because
people who are using that particular building will not have any other means of entering or leaving the mall. So, I'm just --

    MR. KELLER: Maybe I -- that's -- that subdivided lot is only going to have access within the shopping center. It's not having its own driveway to Vervalen. It's access will be the same as for the rest of the shopping center.

    MR. BABOO: Oh, I didn't realize that. Okay.

    MR. KELLER: Yes. The way you asked the question, I --

    MR. BABOO: Okay. So, it's going to be open to the internal shopping center --

    MR. KELLER: Yes. Yes.

    MR. BABOO: Accessible.

    MR. KELLER: It's part -- it's part of the center, just like the bank is. Other than it's on its own lot.

    MR. BABOO: Okay. Okay.

    MR. KELLER: No different than the way the bank operates.

    MR. BABOO: I see. Okay. Thank you. That's it.

    CHAIR LIGNOS: Ms. Stella, any
questions?

MS. STELLA: No questions.

CHAIR LIGNOS: Mr. Nyfenger.

MR. NYFENGER: No.

CHAIR LIGNOS: Mr. Pialtos?

MR. PIALTOS: No questions.

CHAIR LIGNOS: Mr. DiDio.

MR. DIDIO: With regard to your studies, you testified that the area between the existing K-mart and the church had very little traffic.

MR. KELLER: Correct.

MR. DIDIO: That may be quite possibly because of the road condition there. Did you look at the amount of traffic that goes in the shopping center between K-mart and the old supermarket? Because that appears to get a lot of more traffic of people entering, than the other entrance. I know that for a fact. In addition, when you increase the size of the supermarket area that entrance is going to be closed, which will force more people to that other entrance by the church and K-mart.

MR. KELLER: We did look at that, Mr. DiDio. We looked at how much traffic came in
and out of all the driveways. And, yes, there is more traffic using that driveway. And it's about 50/50 split, 50 from the west and 50 from the east. So, that traffic that's now coming from Piermont and using that center driveway is going to naturally shift to the east driveway, because they really probably want to enter there anyhow.

MR. DIDIO: I would assume.

MR. KELLER: And, so, that goes that way. And, yes, the traffic that's coming from the Lewis Street side, since they're no longer going to be entering there, some of that traffic may come past to the east driveway in, but only a small percentage, only because if they're -- if they're destined for retail B, or retail D, which are on the east side of the site, they might find it more convenient, even though they're going a little but further past, to come in that eastern driveway. We did put most of the traffic that makes a right or a left out of that center driveway on Homans, over to the driveway on the west side of what's now K-mart. Now, obviously, with it being one way in, the traffic that wants to exit that way is going to use Campbell to Lewis, which is used -- if I look at the traffic
from Campbell to Lewis to Homans, is about equal
to what goes out the center driveway and heads
west on Homans. So, we're going to shift maybe 80
percent of that traffic over to where they're
naturally doing it now. I will say that the
amount of traffic exiting on the west side of
K-mart, and heading west, is very light.

MR. DIDIO: Okay.

MR. KELLER: So --

MR. DIDIO: I'm glad you included
that in your calculations because that's a big
factor there.

MR. KELLER: Yeah. No, we looked at
all that.

MR. DIDIO: All right. Thank you.

CHAIR LIGNOS: Mr. Sinowitz.

MR. SINOWITZ: The activity on
Homans Avenue with the trucks making deliveries,
is that going to be the only area for deliveries,
pickups, shipment of goods, receipt of goods?

MR. KELLER: Well, it will be for
Whole Foods and for at least most of retail F.
Now, I'm not going to say that some of the --
obviously, some of the smaller stores, if they get
deliveries in box vans or smaller trucks, they may
come in through the front door, where they don't have convenient access to the rear. But we do --

MR. SINOWITZ: But those trucks will they have to block the driveways to make the deliveries in the front?

MR. KELLER: Well, it depends on whether there's -- what traffic control signs are placed on those driveways. But it would certainly be short, short durations.

MR. SINOWITZ: Are you suggesting parking signs or prohibited area parking signs for provided loading area signs, no loading zones?

MR. KELLER: I'd have to --

MR. SINOWITZ: Is there going to be any attempt to regulate that?

MR. KELLER: Yeah, I would presume that's part of the operational. I'd have to check with Edens as to what their standard practices are in their centers.

MR. SINOWITZ: Good. Thank you.

CHAIR LIGNOS: Mr. DeNicola.

MR. DENICOLA: Yeah, I just have a question. I know the last revision, it seemed like a truck route changed to utilizing Homans Avenue and Piermont Road intersection, rather than
Vervalen. Because currently you show the entrance on your soil erosion plan as being through Vervalen. But the truck route is really utilizing Homans and Piermont, which is in conflict with what the plan shows. If you look on the soil erosion plan, there's a stabilized construction, phase I, accessing Vervalen.

MR. BASRALIAN: Are you talking about deliveries versus --

MR. DENICOLA: I'm talking about construction.

MR. BASRALIAN: Well, that's different than the delivery issue.

MR. DENICOLA: No, no, no, no, no, I'm talking about during construction. On your soil movement application you showed -- there's a statement where you're utilizing Homans to Piermont, then Piermont north, for your truck route. However, the truck route, on the soil erosion plan, indicates Vervalen is being utilized. The two are not jiving. That's all. I just want to see what the actual truck route is and what --

MR. KELLER: Well, that's really a question for the site engineer.
MR. DENICOLA: Well, it's a traffic question because it's shown as a traffic route on the soil movement application.

MR. KELLER: But that was -- that was not part of my responsibility.

MR. DENICOLA: All right. Then we'll just have to question him again, I guess.

MR. KELLER: Well -- but the point is, you know, we -- the stabilized -- for this site, the stabilized construction entrance could actually be any one of the existing driveways. It's not a virgin site where we're putting down stone or anything. We note on here that the stabilized construction entrance is an existing paved driveway. So, we could just, as soon make it --

MR. DENICOLA: Which one?

MR. KELLER: The one on -- we can make it any one of the driveways.

MR. DENICOLA: Well, you're closing the one in the middle. The one on the east doesn't exist yet. So, I'm not sure which one you're saying, when you say, any one of them. What does that mean?

MR. KELLER: We -- we could -- we
could use the one on the west side of K-mart. We could -- we may have to temporally use the one to Vervalen until the demolition of that existing plaza area is done so that we can get access to the east driveway. You know, right now, between building retail B, and retail D, it's a paved plaza area. That could be opened up fairly quickly to make that a truck route, if that's an issue.

MR. DENICOLA: Your plans don't indicate these issues. That's why I'm raising them. That's all.

MR. KELLER: I mean it's a detail that we can work it out. I mean I don't think it's --

MR. DENICOLA: And the reason I bring it up during the traffic testimony is because if they are utilizing Vervalen there will be a problem with those truck moves. Your gap analysis, does that take into account trucks making left hand turn lanes, when they're fully loaded with tandems?

MR. KELLER: Well, the -- the gaps, no. I mean --

MR. DENICOLA: Right. I didn't
think so.

    MR. KELLER: But we're also, the
trucks aren't going to be going out during rush
hour. They're not going to be going out at
between 4 and 5. They're going to be done. I
don't know what -- and I don't know about
Saturdays, but, again, you know, this work has to
occur around an existing shopping center that's
operating. Also, the truck route, I'm not sure
where the materials are going. Obviously, we're
looking at getting to the county road as soon as
possible. They could as soon go out Vervalen to
Piermont and head south.

    MR. DENICOLA: Right. That's
correct.

    MR. KELLER: You know, so, it's
going to depend on the route. Obviously, if they
have to go north, we want to, on Piermont, we want
to get them out to Homans.

    MR. DENICOLA: Right. All I'm
saying is the plans, I think the plans jive with
what was given to us at the last revision. That's
all. Right now it's little bit of a conflict.
One indicates Vervalen. One indicates Homans.
So, that's the issue.
MR. KELLER: Okay.

CHAIR LIGNOS: That's it?

Mr. Weiner, do you have any questions?

MR. WEINER: Yeah, Mayor was --

MR. KELLER: Would -- it would result, I believe in fewer gaps. But I don't think it would make a difference in our -- in the results. There would still be more than enough gaps to accommodate that left turning traffic.

MR. WEINER: And what's the basis for your opinion?

MR. KELLER: Just, I don't think that there's that much of a difference. While, yes, the volumes are going to go up by some percentage, they're still released by the signal on either end. So, you can have 6 cars go by in a group, or you could have 10 cars go by in a group,
and you still, you know -- and then there's a gap, because the signal is turning to yellow, and before the next movement comes north, or comes south, you have that gap, where the traffic is more random, and more spread out. So --

MR. MADDALONI: Chair, could I ask a related question? Because it has to do with --

CHAIR LIGNOS: Let me see if he's finished.

MR. KELLER: I'm done.

MR. DENICOLA: Is the attorney done?


MR. MADDALONI: You testified that shopping malls of this size, 100 to 300,000 square feet, do not have a great deal of variability in their parking demands, correct, as opposed to regional centers --

MR. KELLER: Correct.

MR. MADDALONI: -- like you stated that has a huge increase in parking demands during the holidays.

MR. KELLER: Right.

MR. MADDALONI: And perhaps that, in a sense, addresses that question, that there is
not a great deal of variability in parking, which
if there's not a lot of change in parking, there
would seem to be, not a lot of change in people
going in and out, right? That's my premise.
But -- okay -- so -- but then you went on to say
that, you used an expression, which I'm quite
familiar with, you said, malls of this size have,
you know, their parking demands have a small
coefficient of variations.

    MR. KELLER: Correct.

    MR. MADDALONI: Which would be
uninitiated as the standard deviation divided by
the means. But could you tell me what it is? I
mean what's small to you? Because I have my own
ideas on what's small. I'd like to hear your's.

    MR. KELLER: I can tell you exactly.
For Friday it's 30 percent. And for Saturday it's
24 percent.

    MR. MADDALONI: Okay.

    MR. KELLER: Now, I mean you put
that --

    MR. MADDALONI: I would have offered
about 20 percent is what I would consider small.
Again, the standard deviation under the 20 percent
of the mean of --
MR. KELLER: Remember one --

MR. MADDALONI: That's borderline small as far as I'm concerned.

MR. KELLER: One thing I want to clarify on that, this is for all size shopping centers. So, this takes into fact the bigger ones, if you, you know, and this is not in my report. This is not something that's been submitted. When you look at the parking, the actual data points, and then the average line through it, for centers under 500,000 square feet, they're all grouped close to the line. When you get out over a million, they start to spread from the line. That's the co efficiency of variation.

MR. MADDALONI: Right. Right. And that's a number though. And, so, that's what I was asking if you could provide that.

MR. KELLER: If mean if they had this, and if I had all of the data points, we could calculate it for those centers between 100 and 350,000 dollars --

MR. BASRALIAN: Square feet you mean.

MR. KELLER: What did I say?

MR. BASRALIAN: Dollars.
MR. MADDALONI: Okay.

MR. KELLER: So, it would be completely empty at that kind of price. And that size, I think the coefficient of variation would be much smaller for that size center.

MR. MADDALONI: Right. Okay. But you don't have --

MR. KELLER: I don't have that. They don't publish that. They publish it for shopping centers as in totality.

MR. MADDALONI: Right. Okay.

MR. KELLER: So, it's skews it.

MR. MADDALONI: Yeah, it does. And it doesn't really help you discern the difference between the smaller centers and the larger centers, if the data is aggregated that way.

MR. KELLER: Other than looking at the actual data points, and it shows it very close to the average. Means that the variations --

MR. MADDALONI: So, you have to eyeball it, where it's nice to have a number.

MR. KELLER: Right. Unfortunately we don't always have all the numbers we want.

CHAIR LIGNOS: I'm going to ask the attorney to finish up his questions because I have
some from myself.

    MR. WEINER: I notice you took, you
took all your counts on Friday.

    MR. KELLER: Yes.

    MR. WEINER: And many traffic
engineers don't believe Friday is an appropriate
day because the traffic is lighter. People leave
early. Especially at -- is there any reason you
didn't take it on Tuesday, Wednesday, Thursday, as
normal?

    MR. KELLER: For retail we almost
always use a Friday. Because the shopping centers
are busier. Because people are stopping for the
weekend. In the retail industry we do Fridays.

    MR. WEINER: Okay. The other
question I had, is, and again, forgive me, because
I wasn't here before, and, really, honestly, I
haven't gone through your report in detail. The
increase in the p.m. peak hour, you have as what
number?

    MR. KELLER: This is for the trip
generation increase?

    MR. WEINER: I'm looking at table 4.
I don't know if that's the right table. But 239.

    MR. KELLER: Yes, table 4, the very
last line in table 4, net change. So, we have 75 increase in -- 75 additional vehicles p.m. peak hour. And 103 on a Saturday.

   MR. WEINER: That's based on ITE numbers?

   MR. KELLER: Yes.

   MR. WEINER: Well, the question is: Did you do any -- did you make any adjustment for those numbers on the basis that your center, which is partially vacant now, is already exceeding the ITE predictions?

   MR. KELLER: Well, that's back to table 1.

   MR. WEINER: Right.

   MR. KELLER: And table 1, is, you know, unfortunately you were not here when I testified --

   MR. WEINER: Oh, okay. And I apologize for that.

   MR. KELLER: No, that's okay. What we counted at all of the driveways to the shopping center today, and if I compare that number to the ITE trip generation for that size of occupied space, on a p.m. peak hour we're off by 6 cars. On a Saturday we're off by about 100 cars. But
that's a typical -- I think is a reasonable variation for the center.

MR. WEINER: Well, that was my question. The ITE predicts for the -- maybe I don't understand the table. Did you do the predictions based upon only the occupied space numbers or the total square footage of the center?

MR. KELLER: You mean in table 4?

MR. WEINER: No, table 1.

MR. KELLER: Table 1.

MR. WEINER: The ITE number is based upon the total square footage of the center.

MR. KELLER: If you look at table 1, in the top half of it --

MR. WEINER: Right.

MR. KELLER: -- we have how much is -- would be generated, using the ITE data, based on the center as it is today and if it was fully occupied. There is 66,601 square feet of vacant space. That would generate 235 trips on a p.m. peak hour and 304 on a Saturday peak hour.

MR. WEINER: All right. So, you took the ITE, based upon the occupied portion of the center and compared it?

MR. KELLER: Yes. Correct.
MR. WEINER: Okay. Fair enough.

MR. KELLER: And that traffic was added to what we counted out there, and that formed our baseline. Because Edens has the right, today, to just lease up the whole center, and that additional traffic is vested by the square footage of the building that is already there on the site.

MR. WEINER: Okay.

CHAIR LIGNOS: Mr. Keller, just -- I just want to understand the testimony, and just put this on record. Have gap studies and calculations ever been wrong? Have you come across, where you've made calculations, you've looked at the gaps, you've done actual trip counts, you've looked at the gaps, you've come up with numbers, and you've experienced something different in actuality later on. Does that ever happen? Or are these things pretty much --

MR. KELLER: Well, you know, it's a -- it's the approach that we take. I mean, I wouldn't characterize it as wrong. Are numbers different? I can --

CHAIR LIGNOS: Yeah, different is fair.

MR. KELLER: I can go out there,
and, you know, we've counted intersections here a couple of times. I can go out -- and I said that in here, we counted the intersection of Lewis and Campbell in May of 2012, and got a set of numbers. We then counted it in September of 2012, because we made the change for the driveway on the west side of K-mart, and I didn't have counts for Lewis and Homans. And now I'm not putting traffic out through that existing driveway. I need to put them out to Lewis and Homans. So, we counted those two intersections again. In September of 2012 the traffic counts at Lewis and Campbell were lower than they were in May of 2012 on that particular Friday and Monday -- Friday and Saturday. So, doesn't mean that they're wrong. It just means that they were different. So, I mean, when we did that, we adjusted them up. Now, what I will say, traffic volumes on any given roadway, at any given site, vary from day-to-day. And what the procedure is, the methodology we use, is that the counts that we take on any given day are representative of the conditions that you would find on average, over, you know, the majority of the year.

CHAIR LIGNOS: I may not have been
-- maybe I didn't phrase my question correctly.
You've anticipated, after the -- the -- the mall
is -- the plaza fully occupied, certain gap
periods, and certain amount of cars that will be
able to get through and make the turn onto
Piermont.

    MR. KELLER:  Piermont.

    CHAIR LIGNOS:  I'm sure you've done
this for tens of malls in other testimony. In
those tens of other applications, testimonies,
have you ever thought that you expected a certain
amount of -- certain amount of cars being able to
make turns, and it turns out, in reality, later
on, that it was a lot different than what you
expected?  Has that ever happened to you?

    MR. KELLER:  Not that I recall.

    CHAIR LIGNOS:  So, nothing
significant from what you've expected?

    MR. KELLER:  No.  And as I said,
I've studied malls as small as a couple thousand
square feet, up to a million and a half, with
Short Hills and Morristown mall, and a lot of
other regional malls.

    CHAIR LIGNOS:  So, there's never
been a significant difference from what you
anticipated to what is -- what became the reality?

MR. KELLER: As it relates to

those -- for the impacts to those shopping centers, no.

CHAIR LIGNOS: Okay. Is there

any -- traffic-wise, any other impacts that were
different than what you expected?

MR. KELLER: Well, depending on the
time frame, and what else is going on in an area,
there could be -- you know, cumul -- traffic is
cumulative. If you're building something in an
area that has a lot of other growth, when you do
your analysis you base it on the information you
have available. If other things come on, that
either come on quicker, or that you didn't know
about, or weren't anticipated at the time, by the
time you finished construction, you have a
different baseline than was anticipated. But, you
know, that's not related to that specific project.

CHAIR LIGNOS: In your testimony,
and please correct me if I misunderstood it, you
said that a person who's going to look to go north
on Piermont, ultimately coming out of the plaza
will use the -- will use the Homans exit.

MR. KELLER: The --
CHAIR LIGNOS: Do you remember saying that?

MR. KELLER: I didn't say that they would only use that, but they're predominant -- the desire would be to head to the northeast.

CHAIR LIGNOS: Because there's a light there, right?


CHAIR LIGNOS: Why would a person want to get to a -- to a corner that has a light?

MR. KELLER: Well, I mean it's a -- I'm not going to necessarily say it's an easier movement, but it's a controlled movement that eliminates some variability that could occur.

CHAIR LIGNOS: Okay. So, Mr. Keller, I have three possibilities of getting out of Vervalen. I have only one way of getting out of Homans. And yet your testimony is that the person most likely, knowing the area, would choose to wait, because there's one, as opposed to three, to get out on Homans, because he has an opportunity to get to Homans and Piermont because there's a light.

MR. KELLER: Well -- but the --
Mr. Lignos, what you have to look at too, is, if you look at the levels of service, because the movements out of the shopping center convey traffic, not just to that northbound left turn, but southbound traffic that's headed west. If you look at the different levels of service, you know, those on Vervalen, while they're still at good levels of service, are at a level of service C. They may have to wait a little bit because there's other people in front of them. While the Homans, the easterly driveway to Homans has a level of service B. So, they're going to see less delay at that location than they would to Vervalen because they're mixed in with a greater amount of other traffic.

CHAIR LIGNOS: Now, you made an interesting comment. And I thought I understood it, and I'm afraid I may not have. Presently the plaza is two thirds occupied?

MR. KELLER: Correct.

CHAIR LIGNOS: And then you said that if you extrapolate out, with the plaza being fully occupied, you come up with some additional X, of both parking and traffic.

MR. KELLER: Correct.
CHAIR LIGNOS: The success of a center, of a plaza, does it also intensify the existing square feet? What I mean by that, is, if two thirds of the plaza is presently used today, at some level of use, is there intensification of car use, of population, of driving and parking, for even that original two thirds that is right now occupied, but maybe not as intense a use?

MR. KELLER: Possibly.

CHAIR LIGNOS: Does that make sense?

MR. KELLER: Yes. I know what you're trying to say. And that's why, if you go back to your attorney -- I'm sorry, I don't --

CHAIR LIGNOS: Mr. Weiner.

MR. WEINER: Ira Weiner.

MR. KELLER: I know you're not Mr. Chagaris.

CHAIR LIGNOS: He's more handsome than Mr. Chagaris. We can say that because Mr. Chagaris isn't here.

MS. MITCHELL: It's on the record.

CHAIR LIGNOS: Oh, that's right.

MR. BASRALIAN: He will get the transcript.

CHAIR LIGNOS: Yes, I know. He's a
friend so I'm sure he'll forgive me.

MR. KELLER: Just let the record show that that was Mr. Lignos who said that.

CHAIR LIGNOS: Let the record show that Mr. Weiner agrees. So now we can go on.

MR. KELLER: The bottom of table 1 is just that comparison. We looked at Closter Plaza, as counted, with the vacancies, and it comes up with a series of numbers. And then we say, how much would ITE say that the center would generate. And on a p.m. peak hour, it's, for all intents and purposes, a wash. Now, for the Saturday, it's about 10 percent less, what's there now than what ITE says. But when we added -- that goes into the baseline. That's going to be in the base -- existing and in no-build. What we add the traffic, you know, as we did, we added it in the conservative approach, we showed it was, you know, we added more than the ITE numbers.

CHAIR LIGNOS: So, you intensified the existing two thirds?

MR. KELLER: Correct.

CHAIR LIGNOS: And then used that same intensified number for the rest of the 1/3.

MR. KELLER: Yes.
CHAIR LIGNOS: Okay. From your experience, what happens to a shopping center such as this, if traffic becomes unbearable? Does it effect its success? Does it -- does it -- what happens? Do people still put up with it? What happens?

MR. KELLER: Yeah, I mean I think one of the examples that comes to mind, is, a number of years ago we studied an urban farm shopping center in Franklin Lakes. They had this little store, kind of popular, called the Market Basket.

CHAIR LIGNOS: The Market Basket, yes.

MR. KELLER: The place is packed. Every time we were out there it's packed.

CHAIR LIGNOS: I know it well.

MR. KELLER: So, what happens -- now, remember we're studying commuter peak hours, or retail peak hours on a Saturday. Because that's when the roadways are their busiest. What people -- retail is a discretionary trip. You get to choose when you go. Unless you are employed there, and then you go when your employer tells you to be there. But most of the traffic is
customer based. So, customers have the ability, within, you know, reason, of picking when they decide to go. If the conditions are such that they say, oh, you know, every time I go there it's 4:30 in the afternoon, you know, I can't find a parking space I want, I'm parking too far out. So, maybe they go a little later. They go a little earlier. It modifies. Now, the ITE data is based on hundreds of shopping centers. And it's a compilation of all these things. I think the numbers, you know there's a number of land uses that are studied a lot. And this is one of them. And I think we have very, very good data. And I judge that by the past -- the trip generation manual, 7th, 8th and 9th. The trip rates varied very little over the editions because we've studied it so much, we know what the traffic is going to be.

CHAIR LIGNOS: From your experience, during holidays, and I'm aware that you said you don't think there would be an increase during the holidays because of the type of mall it is. But, during the holidays, in your experience, have any of these centers found it necessary to provide shuttle services to public lots?
MR. KELLER: For this type of a center, and let me -- let me take -- let me clarify one thing. When I talked about not seeing a significant increase in traffic during the holidays, I'm talking about peak hour.

CHAIR LIGNOS: Right.

MR. KELLER: I'm not saying that you don't have more traffic during the non peak hours, that there's not more traffic to the center. There's not a significant increase in peak hour activity. And that goes for both traffic and for parking. For these type of centers I have not been involved in any, in the 30 years I have been doing this, where a center of this type has, you know, offsite parking, has shuttle service to someplace else. Have I done it for regional malls, absolutely. But not for this type of a center. I've never been involved in one where they do that.

CHAIR LIGNOS: By extension, do any centers of this size offer shuttles for their employees, to have employees park offsite?

MR. KELLER: No. Actually, the shuttles are always for the employees. They don't ever make a customer park someplace else and take
a bus, because they won't do it. The employees, you tell them that you will park over there, and do it. But not for this. Again, that's regional malls.

CHAIR LIGNOS: Other than regional, you haven't seen it?

MR. KELLER: No, no.

CHAIR LIGNOS: Any -- okay. I'm going to go one last time. Please, only if you have a question. Because we got to open up this portion of the meeting to the public.

Mayor.

MAYOR HEYMANN: My question has to do with the gap calculations. And I was wondering whether you're aware of the fact that the traffic light on Homans and Piermont is subject to electronic timing. And, so, therefore, it may -- the gap that you measured may not be appropriate for times when the electronic measuring may see traffic move much more rapidly towards Piermont or Homans.

MR. KELLER: The signal is, and I don't recall if it's semi actuated or fully actuated. What that means in laymen's terms, is, that there are vehicle detectors of, probably
cameras, that determine where the traffic is, and it adjusts the time within a cycle light. There's a fixed amount of time. Again, I don't remember what the cycle length is, 90 seconds. And there's a minimum and a maximum for every movement on the signal. And if one approach doesn't have any traffic, it doesn't get any green time. That happens 24 hours a day, 7 days a week. So, within the 2 hours that we did the gap study, there were adjustments in that signal time, based on the flow. Does that mean that on a different day that timing is a little bit different, probably. But over an hour period of time, I don't think it makes any significant change in the results that we would find.

MAYOR HEYMANN: Not over an hour, but over 8 hours, because of the type of traffic that moves. But never mind, you just answered my question.

MR. KELLER: Okay.

CHAIR LIGNOS: Councilwoman. Last chance.

MS. AMITAI: Yes, a few questions. My summer commute, back and forth to my job, is such a piece of cake. It's so easy. It's always
faster than fall and winter. So, I question doing
the study in July and August, in feeling that
we're close to what it really is. So, my question
to you, is, a couple. First of all, how do you
arrive at that time, rush hour, at 4 to 5:00 p.m.? Is that a given from the ITE? That's what they
say? Or is that something -- because I think it's
too early, 4 o'clock, to start rush hour.

MR. KELLER: Well, no, it doesn't
come from the ITE. It came from the counts that
we took in May of 2012. We looked at all the
intersections, and what we do, is, you're looking
for those 4 consecutive 15 minute intervals when
the traffic is higher. And some intersections
were 4 to 5. Some were 4:15 to 5:15. And what we
did, is, we took the major intersections that had
the most traffic, and looked at where those were,
and it came out that 4 to 5 overall for the system
had the most traffic on it. So, what -- when we
do our analysis, we want to take that time frame
when there's the most traffic on the system. So,
yes, it's 4 to 5, but it could just assume be 4:30
to 5:30. We're picking the highest baseline
traffic and then adding everything on top of it.

MS. AMITAI: Do you have the date of
that study? May 31st?

MR. KELLER: It was -- no. It was Friday May 4th and Saturday May 5th.

MS. AMITAI: Okay. Great. Thank you. Do your calculations also include 6,000 square foot subdivision?

MR. KELLER: Yes.

MS. AMITAI: I see. Okay. And could you show me how the trucks are going to travel when they're making deliveries there on the back of Homans, where they might be coming from, where they would be turning and --

MR. KELLER: Well --

MR. BASRALIAN: It's exhibit 12-A.

Exhibit A-12.

MR. KELLER: Using Exhibit A-12, depending on which portion of the center they're going to, if they're coming to retail F, they would enter, it's a one-way flow, they would enter on the west side, pull in, go to a loading zone, pull out, and either head east on Homans or make the left out to go west on Homans. The Whole Foods loading area, the loading docks are located on the west end of the store, and the same thing, is, they would either -- most likely they are
coming -- coming here, coming from the east. They would turn in and then back into the dock, and then they would head back out east on Homans. The smaller trucks, for retail B, or the smaller trucks for Whole Foods, would travel on the back of the store and then go out on the east driveway to Homans. There is also a loading area behind retail D. They would come in either from Homans or they could come in from Vervalen, come in here and head back in either direction. And then there is another loading area behind the theater, which is an existing, and they would come in off Vervalen, pull in and back up, and then go back out to Vervalen. I know Mr. Thomas or -- we submitted truck turning paths as an exhibit. I would presume that they testified to them.

MS. AMITAI: I can imagine we are going to have some difficulty with the trucks turning on the little narrow streets.

MR. KELLER: Well, I mean there's trucks coming to the center today. You have, you know, the K-mart trucks, when Stop & Shop was open you had their trucks. You know, with any retail center you're going to have truck traffic. And, you know, on the two lane roads in Bergen County
it can be a challenge sometimes. But, you know, they're doing it on a regular basis. So, they -- it's why they're licensed and skilled at what they do.

MS. AMITAI: So then would you -- would you recommend right turns only? Or -- or certain turning restrictions for these trucks coming in and out of the loading areas?

MR. KELLER: Given the orientation of the roads, the layout of the roads, I don't believe that it's necessary. I don't know what else has been discussed in the past. I haven't looked at that in detail, because that's really been our site engineer has been dealing with those issues. I haven't looked at that level of -- to that level of detail.

MS. AMITAI: I have a question I would like to ask, and it wouldn't relate to him really. But this board, I believe, approved an application for another supermarket in town where a light was installed. And that store was only 43,000 square feet. And I'm wondering why the light was necessary for that particular store, where it has so little square footage as compared to this -- I'll call this a huge project, and a
light that's not necessary. I'm trying to get my head around it. And I don't know who to ask that to.

CHAIR LIGNOS: I think Mr. DeNicola might be able to answer it. But I can tell you that the intersection I think you're talking about is Demarest and Durie. And I believe the traffic was not just generated by that food retailer, but was an ongoing condition, am I correct?

MR. DENICOLA: Yeah. It was a poor level of service.

CHAIR LIGNOS: It was a poorly --

MR. DENICOLA: Level of service.

CHAIR LIGNOS: Level of service for that intersection.

MR. MADDALONI: Wasn't there a blinking light there?

MR. DENICOLA: It was a blinking light.

CHAIR LIGNOS: Yes, it was. It was at a blinking light. And, quite frankly, it was a condition because of the traffic. And not because -- and I also believe that that was a county --

MR. DENICOLA: That was a county
signal, yes.

CHAIR LIGNOS: That was a county signal.

MS. AMITAI: What does it cost to install a traffic light?

CHAIR LIGNOS: Well, let's not -- I don't want to ask it of -- let's move on. And if we have conversations later on when we're reviewing the application. Is it possible, Mr. Basralian, that -- because I'm going to go through this, the board one last time, is it possible that the witness could be available after the board's traffic consultant, if there's any additional questions?

MR. BASRALIAN: Yeah. Well, he's going to be here for several purposes. One is I've got a couple of questions to follow up to. We have cross-examination. He's going to be here for the board's consultant to ask questions, and for us to ask questions of the board's consultant. So, he is not going anywhere until we are finished with the -- with the traffic.

CHAIR LIGNOS: Okay. Thank you.

So, let's -- let's see if we can wrap this up since we'll have an opportunity to ask additional
questions.

    MR. NYFENGER: My only question relates to her question. Was the applicant required to pay for the installation of a light?

     CHAIR LIGNOS: I believe not, but I don't remember the answer.

     MR. DENICOLA: Yes, a portion of it, yes.

     CHAIR LIGNOS: It was a portion of it?

     MR. DENICOLA: Yes.

     CHAIR LIGNOS: Then I stand corrected.

     MR. NYFENGER: Okay. Thank you.

     CHAIR LIGNOS: There was a portion of it Nick says.

     Mr. Pialtos, questions? Mr. Di Dio.

     MR. DIDIO: I have a question.

     CHAIR LIGNOS: Yes.

     MR. DIDIO: Currently on Homans Avenue side, you basically have, I'm going to use the word, in essence, three entrances and three exits to Homans. You have, by the church. You have between A&P and the old supermarket, and then you have all the way at the end. You can go in
and out. Although it's not connected with the main part, people do, including myself, park there and go to the mall.

MR. KELLER: Correct.

MR. DIDIO: Upon the completion of this project you're really only going to have directly onto Homans, one exit. And that's between at the end of the property, the eastern side between the eastern end and the Burger King.

MR. KELLER: Correct.

MR. DIDIO: In phase II you're taking the front of K-mart off?

MR. KELLER: Correct.

MR. DIDIO: And bringing that back, reducing the square footage. If you were to take the side off, as well, and reduce the overall dimensions of that physical building, would it be possible to have an entrance in and out on that side between the edge of the building and the church?

MR. KELLER: There's a number of different ways that we could have a two-way driveway on the west side. As I testified to tonight, and last time, the amount of traffic, you know, I understand the question that we have less
driveways. But the point of the location of driveways in any shopping center are based on how much traffic you have and where is it destined to. We can afford to eliminate that driveway because we don't have that much traffic that's using that. And we have Campbell and Lewis, which are already used by the shopping center, to accommodate that traffic. And shifting traffic to that -- to those intersections has no impact on the level of service at those locations.

MR. DIDIO: Campbell and Lewis are also used by emergency vehicles, the police department, exiting from the side, to get to that part of the town. And that's another concern. If you're having shopping center traffic coming out, that could create issues as well. That's why I'm thinking in my head, if you would reduce the side of that building and make that a two-way you would avoid some of the congestion that's backed up on.

MR. NYFENGER: One going this way, one going that way.

MR. DIDIO: That would have to be redesigned.

MR. NYFENGER: It would be all messed up.
MR. DIDIO: It would have to be redesigned.

MR. KELLER: I mean the bottom line is that if in shifting the traffic to Campbell and Lewis created operating conditions that were materially different than what they are today, I think a concern about having your emergency services vehicles using that street might be of greater issue that would have to be looked at.

We're not changing the level of service. We're not changing the average delay. Yes, there's a few more cars, you know, 20 or 30 cars over an hour. But the amount of traffic that's coming out of the shopping center and using Lewis Street, and just general traffic that's using Lewis Street is very low. So, the fact that we're putting a few more cars there, I don't think has a material impact on your emergency services. So --

MR. DIDIO: Okay.

CHAIR LIGNOS: Mr. Sinowitz.

MR. DENICOLA: One question. You keep on talking about Vervalen and Piermont. Was there a warrant analysis done to see if a signal was warranted there?

MR. KELLER: Well, you know, we did
a gap study, which was requested by your consultant. Because the software said we had a failing condition. So, the gap study, which could potentially be one of the warrants, would be a peak hour warrant; possible. We did a gap study that showed there was sufficient gaps. That takes that potential out.

MR. DENICOLA: That one.

MR. KELLER: Right. But the majority of the warrants for a traffic signal relate to volume. Now, we're not meeting peak hour volumes. We're not going to meet a 4 hour warrant and we're certainly not going to meet an 8 hour warrant. Now, it's not to say that, you know, we did not study the a.m. peak hour, which I testified to last time, because the shopping center traffic is very small at that point, and the increase related to the addition is small as well. So, we didn't study that. I don't know what the peak hour conditions are there in the morning. And maybe it's warranted. Maybe it's not. But it's certainly not warranted as a result of anything that this applicant is doing. Now, the warrant -- warrants are guides. And they're set forth in the manual and uniform traffic
control devices, MUTCD. By the federal highway administration. And there is guidance in there that says, you know, if I looked at just the side street, yeah, there is a lot of traffic using Vervalen, but most of that is making a right-hand turn to go south on Piermont. And you looked at that level of service, even in peak the hour it's a level of service C, on an unsignalized intersection. Signals are good for some traffic. They are bad for other traffic. Traffic that's traveling through on Piermont doesn't have to stop. They have no delay other than the flow of traffic in general. Their speed and their ability to move isn't impeded by anything at that location. You put in a traffic signal and now they're going to be stopped. So, that creates an added delay. That creates air pollution and so on. So, signals are good in certain circumstances. The same thing with the northbound left. Coming up Piermont headed west on Vervalen. Again, there's a fairly heavy left turn movement during the p.m. peak hour. But the level of service is very good. I think it's level of service C because there's not that much southbound traffic that opposes it. The only thing that
comes close, you know, from the analysis, that came close to potentially satisfying a warrant, was the eastbound left. And we have one car a minute.

MR. DENICOLA: That's the --

MR. KELLER: No, no, no, that's what's there today.

MR. DENICOLA: Oh, I thought you said it increased by one car.

MR. KELLER: No, no, no, I said there's one car a minute today.

MR. DENICOLA: Okay.

MR. KELLER: Yes, our distribution is adding one car to that.

MR. DENICOLA: And out of curiosity that's going left, north on Piermont?

MR. KELLER: Correct.

MR. DENICOLA: How many people are going, in increase-wise, left on Piermont from Homans, in distribution? Increase --

MR. KELLER: Four on a p.m. and five on a Saturday.

MR. DENICOLA: So, you're getting a total of, on a weekday, 6 more lefts than occur today, for a peak hour?
MR. KELLER: Correct. That's -- that's 6 percent -- that's six percent of the -- of the site generated traffic.

MR. DENICOLA: That distribution was arrived out how?

MR. KELLER: It was a combination of the -- we assigned it to the driveways based on the driveway utilization. To the network itself we used the gravity model, which is based on the population of the surrounding area.

MR. DENICOLA: Okay.

CHAIR LIGNOS: Okay. Mr. Weiner, do you have questions?

MR. WEINER: No.

MR. BASRALIAN: I do.

CHAIR LIGNOS: Okay. We are now, from our standpoint, for this round, completed.

MR. BASRALIAN: I have a question. We keep talking about the gap study. If I remember your testimony correctly, you said that the left-hand turns in the p.m. peak are approximately 55 in an hour.

MR. KELLER: Correct.

MR. BASRALIAN: You testified that the gap study would permit over a hundred
left-hand turns per hour, up to a hundred and fifty was the number.

MR. KELLER: A hundred and thirty-six on a p.m. and a hundred and seventy-eight on a Saturday.

MR. BASRALIAN: Okay. So, even if there was an increase in traffic because you did the gap study on September 6th or 7th, versus when you did do it, the difference between the capability of the traffic, is what's, according to your report, is 135 cars versus 55 that are actually making a left. So, if you did a study, and there was an increase of 10 or 15 percent, would it effect the gap study that you've already prepared?

MR. SEGRETO: I object to the question. It's a hypothetical. I thought we were not allowed to ask hypotheticals.

MR. BASRALIAN: There was a response --

MR. WEINER: Whoa, he is allowed to ask a hypothetical of an expert in his field. All right. You were asking a hypothetical of the landscape architect about an engineering question.

MR. KELLER: The number of the gaps,
and how many vehicles could be accepted in that
gap, is going to be less. But it's still, in my
opinion, going to be more than the traffic that's
there today.

    MR. BASRALIAN: The gaps would be
greater than the traffic that is there today, or
even if there was an increase of, by my
hypothetical, of 10 or 15 or 20 percent?

    MR. KELLER: Correct. Remember, you
know that most of this traffic that we counted at
that location is there today. They're making that
movement. So, there's gaps to accept them.

    MR. BASRALIAN: Thank you. I have
no further questions at this point.

    MR. BABOO: Mr. Chairman, I don't
think we got to complete this part of the circle.

    CHAIR LIGNOS: Yes, we did. I
started like this and then I finished -- oh, did I
cut you off?

    MR. BABOO: Yeah. Well, you cut
maybe Mark.

    MR. MADDALONI: I'm good.

    MR. BABOO: Yeah. So, Mark is good
but I had --

    CHAIR LIGNOS: Okay. Then I
apologize. All me to -- Mr. Baboo. Mr. Baboo and then Ms. Stella and then we're finished.

MR. BABOO: I was waiting patiently.

CHAIR LIGNOS: I'm sorry.

MR. BABOO: No, no problem. Have --

have there ever been studies commissioned where there was a mall, it was renovated or rebuilt, and a lot of anchor tenants moved in and the mall became very successful.

MR. BASRALIAN: Excuse me. Let's characterize -- this is not characterized as a mall. It's not. It's a shopping center. There's a different connotation. So, let's call it a shopping center. Because that's what it is. Not a mall.

CHAIR LIGNOS: Let's keep it to plaza, which is what it is.

MR. BABOO: Okay. I'm sorry I used the wrong wording.

MR. BASRALIAN: It has a different connotation, Mr. Baboo.

MR. BABOO: Yeah, it won't happen again. Okay. So, I'm sorry the right word to use is plaza, shopping mall --

MR. DENICOLA: Not shopping mall.
MR. BASRALIAN: Shopping center.

MR. BABOO: The shopping center.

MR. WEINER: The point of the question is, a facility of similar sizing. That's what I think he's asking a question about.

MR. BABOO: Okay. So, a shopping center. Has there been a commission study after it was built, and after they realized that, because of the increase in traffic, and increase in anchor tenants, and increase in activity, that they needed to do another study, and maybe come up with remediation for the issue? Has there been anything like that that has happened, that you've come across in your travels?

MR. KELLER: I'm sure in the 30 years I've been doing this that I have been asked, by a retailer, you know, a shopping center owner, come and look at their center. But it's -- it's not necessarily because of the traffic from that center. It's because of growth in the area. And they're having difficulty with their center. You know, the fact that there's 1, 2, 3 kind of anchor stores within -- within a shopping center this size, doesn't necessarily mean that there's going to be, even though they're very successful,
doesn't necessarily mean that there's going to be traffic issues associated with that. You know, the data is, I think very consistent, and very appropriate for analyzing the impacts of shopping centers.

MR. BABOO: Okay. If I could be presumptuous and say, if you have a CVS and a Whole Foods, and I'm not sure what other stores are lined up, and let's say there is a big traffic problem. What are some of their remediation, mitigation techniques that a mall could possibly do? A center. I'm sorry. Sorry. Strike that, shopping mall.

MR. KELLER: I mean the possibilities are, you know, I don't want to say endless, but there is a lot of different opportunities that could occur. Reconfig -- or changing the flow patterns, the driveways, providing extra turn lanes out.

CHAIR LIGNOS: By the way, we've done that to one of our -- in town already. That's one thing we have done already.

MR. KELLER: Right. Right. You know, as it relates to the area around it, I mean if there's existing signals, you can modify the
existing signals. You can add turn indications at those signals. You know, Homans and Piermont the county, you know, used, recently, kind of quotes, has redone that signal. From, you know -- and added all that type of stuff. You know, in certain centers it's possible that you end up looking to put a traffic signal in. But that has to be, again, any time that you look to put in a signal, at any location, you have to meet warrants. You know, this particular center has a lot of benefits with its access to both -- to two streets. Having a lot of frontage on those streets, that you have multiple points of access in to and out of the center, that don't concentrate the traffic at any one location. And I think when you look at our levels of service at the site driveways, there is adequate capacity in those -- at those driveways today, with no change, to accommodate more traffic during the peak hour and other hours of the day. The same with the adjacent signalized intersection, in that they're operating at level service of B and C on all the approaches. So, there is available capacity in the peak hours, to accommodate more traffic. So, in this particular setting, there is flexibility
in the network to accommodate, you know, daily, weekly, monthly variations in traffic conditions.

MR. BABOO: You're saying with the numerous exits and entrances you feel that there should be some absorption if there is additional activities that are at the mall due to a widely successful store, more anchor tenants?

MR. KELLER: There -- there is plenty of capacity into and out of this center that isn't -- that could be utilized if there was a surge in traffic on any particular day. But I'm very confident that the numbers that we're putting in this report would be representative of an average day, typical condition throughout the year at this center.

MR. BABOO: Okay. With a typical shopping mall condition --

MR. KELLER: Shopping center.

MR. BABOO: -- shopping center condition. The studies that you base this on, do you assume a certain number of anchor tenants? Maybe an average of two or three?

MR. KELLER: No. We base it on the square footage.

MR. BABOO: Okay.
MR. KELLER: And I mean if you took
20 shopping centers and 200,000 square foot,
250,000 square foot range, they are going to have
generally between 2 and 4 major stores. And the
rest are smaller stores. But there's nothing in
the data that specifically says what they are or
how many there are. As I said, the amount of data
we have for retail centers, is, I mean tremendous.
It's one that office, residential are probably 3
of the land uses that we deal with on a regular
basis that have a ton of data. Because we've
studied them for a long time.

MR. BABOO: Okay. But this
particular scenario, you're sort of taking the
average of all that data and sort of assuming that
would be a typical day-to-day condition?

MR. KELLER: Well -- we're not --
for the shopping centers we don't use the average
rate for the center. There is -- they -- they
develop formulas. And for this particular one I
know it's -- I don't remember my math. It's
steeper in the beginning and smaller square
footages and then it flattens out. But we use the
equation because that, in my opinion, is a more
accurate, and more appropriate way to do it. And
it counts for, you know, it's not saying it's an average rate of X. Because averages for shopping centers are not really an appropriate way to do it.

MR. BABOO: Okay. This is just a hypothetical question. If traffic became a very big concern, especially traffic within the mall, would it be conceivable that you could build another entrance or exit?

MR. KELLER: I honestly I can't see in any scenario where the traffic is to such a degree that we need another driveway. You know, so much capacity in the driveways that are there that I do not see any scenario where that happens.

MR. BABOO: All right. Thank you.

CHAIR LIGNOS: Ms. Stella.

MS. STELLA: No questions.

CHAIR LIGNOS: Okay --

MS. AMITAI: Will we have another opportunity to ask --

CHAIR LIGNOS: I think we have asked about every question we can, but we will have an opportunity, I think, of our traffic engineer and then I'm sure there will be cross questioning.

MS. AMITAI: So, is that a yes.
CHAIR LIGNOS: It's about as yes as I can give you almost two hours into it. Into this meeting. Yeah.

MR. NYFENGER: Maybe this is a silly question but we're going week after week after wee and there's a ton of things we've talked about. Are we going to wait till the very end to talk about them amongst ourselves?

CHAIR LIGNOS: Correct. And I'm sure you're taking notes, just like I am.

MR. NYFENGER: Mm-mm. Okay.

MR. BASRALIAN: I'm just going to request for my stenographer here that we take a break.

CHAIR LIGNOS: We do that now, and then we come back with questions from the public. Let's take a -- we're going to do this in -- what time is it?

MS. MITCHELL: 9:42.

CHAIR LIGNOS: We're going to do this for 8 minutes. So, 9:50.

(A recess was taken.)

CHAIR LIGNOS: Okay. The time now is -- the time now is 9:50. And this meeting is back -- this meeting is back in order. Now, I
think we'll do it, it's just going to be more thorough if we do it this way.

I'd like to open up this portion of the meeting to the public. Any member of the public that has a question of this witness. I'm going to ask the public, sincerely, that if the board has asked the question, please, please, don't reask it. We got our answer. And I'm sure you did too. Just so that we can move this along. So, yes, sir?

MR. ROSENBLUME: I think I remember everything that happened.

CHAIR LIGNOS: I'm sure if there's one person in the audience --

MR. ROSENBLUME: Jessie Rosenblume 65 Knickerbocker Road. I believe that currently the shopping center in front of the stores is a designated fire lane, am I correct?

MR. KELLER: That would be the site engineer. I don't know.

MR. ROSENBLUME: Okay. So, you don't know if this plan has a fire lane in front?

MR. KELLER: No. That would be the site engineer.

MR. ROSENBLUME: Okay. This is
considered a community shopping center, right?

MR. KELLER: Yes.

MR. ROSENBLUME: Okay. That the --
that basically the clientele will come within a
4-mile radius?

MR. KELLER: That's the primary
trade area for a community shopping center, yes.

MR. ROSENBLUME: Okay. Do you know
of any theaters within 4 miles?

MR. KELLER: I don't, no.

MR. ROSENBLUME: Do you know how
many newer homes were built since that traffic
study was done?

MR. KELLER: No.

MR. ROSENBLUME: Okay. Does the ITE
figures differentiate between a community shopping
center that is located like this project on two
local streets, versus a highway?

MR. KELLER: No.

MR. ROSENBLUME: There is no
difference?

MR. KELLER: No.

MR. ROSENBLUME: Okay. The Whole
Foods loading docks, they're designed to
accommodate like 50 foot trailers?
MR. KELLER: Yes.

MR. ROSENBLUME: Back in that area, the loading area, is there a walk-in door?

MR. KELLER: I don't -- I don't know I'm not involved in the internal, you know, details of the stores.

MR. ROSENBLUME: Okay.

MR. KELLER: That's the site engineer.

MR. ROSENBLUME: Because generally bread deliveries or soda deliveries will not use the loading docks. They're looking for an easy way in.

MR. KELLER: Well there's -- I know there's a ramp along the loading docks in the rear that goes into the receiving area. The receiving area for the Whole Foods is in the back of the store.

MR. ROSENBLUME: But is that ramp like a walk-in type as far as you know?

MR. KELLER: As far as I know, yes.

MR. ROSENBLUME: Okay. Thank you.

CHAIR LIGNOS: Thank you. Any other member of the public. Yes, sir.

MR. ISAACSON: Steve Isaacson 97
Columbus. Follow up with Mr. Rosenblume asked, I go to the A&P early in the morning, and all the trucks that are servicing the racks, park right in the parking lot. They don't even go in the back. Is that going to cause an issue?

MR. KELLER: Well, I can't testify to what A&P does. You know, in Whole Foods, you know, this -- this center is designed that they go in the rear.

MR. ISAACSON: Okay. I won't touch that one. Also, how many loading docks are there for Whole Foods?

MR. KELLER: I don't know. I believe it's two but --

MR. ISAACSON: Okay. What happens if 5 trucks show up at the same time? Where are the other 3 trucks going to queue up?

MR. KELLER: The trucks are scheduled, that go to the loading docks are scheduled.

MR. ISAACSON: They make appointments?

MR. KELLER: Yes.

MR. ISAACSON: People don't break appointments, and traffic jams run late?
MR. KELLER: They're scheduled.

MR. ISAACSON: Okay. I'm just curious, and you have to bear with me, because I came here at 9 o'clock, I do not know if this question was asked. Why were the counts taken when the schools were closed?

MR. KELLER: The counts were taken in May and September of 2012.

MR. ISAACSON: When the schools were closed.

MR. KELLER: School was opened.

MR. ISAACSON: School was in session but was the school open?

CHAIR LIGNOS: In other words, it was after 3 o'clock.

MR. ISAACSON: The time of day the counts were taken.

MR. KELLER: Oh, okay, that's a different --

MR. ISAACSON: No, that's the same question.

MR. KELLER: No. I'm not going to argue about it. The counts for retail centers are done during the p.m. peak hour and on Saturdays, because that's when the shopping center is at its
busiest. We don't study a period. We look for the period where the roadway is busy, and the land use is busy. And that's why we selected those times of day and hours of the day.

MR. ISAACSON: Okay but you're not from Closter?

MR. KELLER: No.

MR. ISAACSON: Have you ever been at the intersection of Homans and Piermont when the schools were loading in or when the schools were loading out?

MR. KELLER: No.

MR. ISAACSON: So, you're not familiar with the peak traffic periods in our town at that particular intersection, is that correct?

Simple yes or no.

MR. KELLER: It's not a yes or no question. We studied, and I've seen the peak conditions when the streets and the shopping center are at their peak.

MR. ISAACSON: Okay. This was done at 2:12. So, there was no time in between 2:12, 2012 and 2013 to have done an additional traffic count while the schools were in session, maybe at 3 o'clock, maybe at 2:30, or during the holiday
peak period when the shopping center is used to
its peak, is that correct?

MR. KELLER: That's correct.

MR. ISAACSON: Okay. Thank you. Do you feel that a bus route going down Vervalen
Street would be a good thing for the shopping center, and might help increase or decrease the
need for parking in the lot?

MR. KELLER: Materially, no. I don't think it would have a material impact on it. As to whether it's a good idea, I don't know.

MR. ISAACSON: Okay. And, also, I respect the fact that you took the traffic study in 2012, but it seems like the shopping center may not be completed until 2017. Now -- I'm figuring maybe a year, year and a after the K-mart lease expires in 2015. Do you feel that things will be the same as they were in 2012 in 2017?

MR. KELLER: Well, we added background growth to the counts that we took in 2012, to 2014. We used 2 percent growth because that's what the DOT says we should use on these roadways. Actual traffic growth in Bergen County, and most of New Jersey isn't 2 percent per-year. Generally it's pretty flat. So, do I think our
study is representative of what would happen in 2017, yes, I do.

MR. ISAACSON: Okay. But these DOT numbers, based upon a road where the shopping center that's being developed over five years, or are they just any old road in the county?

MR. KELLER: The growth rates are for a class of road from local up to interstate. And it's divided into rural areas and urban areas. And, yes, there are rural areas as far as the DOT is concerned, in Bergen County. Not around here. This is Urban. So --

MR. ISAACSON: So, you consider this to be an Urban area?

MR. KELLER: Yes. I don't. The DOT does, yes.

MR. ISAACSON: Okay. Thank you very much.

CHAIR LIGNOS: Thank you. Anyone else from the public? Mr. Segreto.

MR. SEGRETO: Yes. Thank you.

CROSS-EXAMINATION BY MR. SEGRETO:

Q Mr. Keller, your traffic counts were performed in May and September of 2012, correct?

A Yes.
Q Now, were they -- were they performed for purposes the 2012 application that this applicant submitted?
A We prepared a traffic study for this application that's currently before this board, yes.
Q Right. So, you submitted a report with the 2012 plans, did you not?
A I don't recall. I don't recall.
Q I think you indicated that you went out and performed the studies in September of 2000 -- 2012 as a result of, I guess it would be the board's engineer had some questions, and then you went out and performed additional counts, is that correct?
A No.
Q Is that with regard to the counts you did in 2013?
A The counts we did in September of 2012 were based on a change to the development program established by the client. The counts -- the only count -- we actually did not do counts in 2013. We did a gap study in 2013.
Q All right. What changed in the plans from May of 2012 to September of 2012?
A       We added a drive-thru on the west side of
retail building F.

Q     And you indicated that you did
have -- you've had conversations with CVS, is it
contemplated that CVS is going to be going into
the K-mart building?
A       My conversations with CVS were for a
project we did in Whippany. Not for this project.

Q     But it's anticipated that's the
reason why you have that drive-thru, it's
anticipated that a pharmacy would be going into
that area of the K-mart building, is that correct?

MR. BASRALIAN: Excuse me. That was
not the testimony of the architect. He said he
was providing it, if as and when they elected to
put in, if they ever got a tenant for that space
at that location. There was no indication it
would go in. There was no indication who that
tenant would be. His reference is correctly
stated as he was talking about his conversations
with a CVS which he is also familiar. Not for
this center.

Q     Well, this applicant is showing a
drive-thru, correct?
A       Yes.
Q  And the proposal is that it's going to only be an ingress and not an egress, is that correct?
A  I don't understand the question.
Q  At the end of phase II, that driveway that's near the drive-thru --
A  Yes, it's an ingress only.
Q  All right. If a pharmacy does not go there and you do not put a drive-thru, will it be an ingress and egress?
A  I haven't discussed that with the client. Physically if there's no drive-thru that could be a two-way driveway, yes. But we haven't discussed that.
Q  With regard to table 1, your traffic activity comparison table, am I correct that the observed data, Closter Plaza with the vacancies, p.m. peak hour, there's going to be 810 trips, is that correct?
A  There are 810 trips. That's counted data.
Q  Right. Yeah.
A  Yes.
Q  Right. And that's under the existing conditions, that's with the K-mart, 84,000 square foot K-mart building, right, in the
dilapidated condition of the shopping center, right?

A Your characterization. But that's the traffic generated by the center today.

Q And with the 1/3 vacancies?

A Yes.

Q And then in the Saturday peak hour it's 975?

A Correct.

Q The problem I'm having is, is I'm trying to, when I look at table 4, the trip generation, I'm trying to compare those two numbers, that is the existing counts with what you propose the generation will be in the build stage for this shopping center.

A Table 4 has nothing to do with vacancies in the center.

Q Yeah, I understand that. I understand that. That's what you -- what you propose will be the trip generation for the shopping center, correct?

A Yes.

Q All right. Am I correct in looking at the line, proposed retail space, that's what you propose this shopping center will generate at
the end of phase II, correct?
A No, that's only part of what will be
generated by this center. You have to take the
supermarket, the proposed supermarket, and the
proposed retail space, is a total of 214,337
square feet.
Q With regard to the proposed
supermarket you did not take into account the
3,000 square foot mezzanine, is that correct?
A That's correct.
Q And am I correct, in the p.m. peak
hour then, your trip generation figures, you're
showing for the p.m. peak hour 502 for the
shopping center, right?
A No, 502 for the supermarket.
Q Supermarket. I'm sorry.
A Yes, that's correct.
Q And for the remainder of the space,
919 trips?
A Correct.
Q Total of 1,421?
A Yes.
Q Then for the p.m. peak hour, same
supermarket, 448 and 1224 for the remainder of the
space.
A       Right. For Saturday, correct.
Q       For Saturday?
A       Yes.
Q       That figure of 173,081 square feet includes restaurants, is that correct?
A       Yes.
Q       It includes the freestanding bank that's existing in the parking lot?
A       Yes.
Q       And it also includes a 6,000 square foot retail building for the subdivided lot?
A       Yes.
Q       Now, why didn't you do a trip generation for the bank and for the restaurant separately than the proposed retail space?
A       Because the right way to do this, is, to just treat the whole thing as a shopping center. And if I had treated the whole thing as a shopping center, the supermarkets are part of shopping centers, those increases of plus 75 and plus 103 would have been plus 5 and plus 10 ballpark. I don't know the exact number. But they would be very small, because the shopping center is increasing by 2,800 square feet. This generally -- this is not the way you do it. But I
wanted to have a conservative number so we could add traffic. And I felt that this was the appropriate way to give the board and its professionals a higher than -- a higher estimate of how much traffic would be generated by this redevelopment.

Q     So, on the line where it says, proposed supermarket, you used the supermarket land use code from the ITE manual?
A       Yes.

Q     Now, you concluded that the -- based upon your actual counts, the p.m. peak hour occurs between 4 and 5 p.m. for weekdays, is that correct?
A       Yes.

Q     And on Saturday 12 to 1?
A       Yes.

Q     You also indicated in your report that the increase in any trip generation associated with the redevelopment is going to be the result of the increase in square footage of the supermarket use, is that correct?
A       For the reasons that I stated a couple of times, yes.

Q     And that is because the supermarket
space is going from 27,000 square feet to
approximately 41,256, right?

A Yes.

Q And if you include the mezzanine
it's an additional 3,000 square feet, right?
A As I recall, yes.

Q But the ITE manual may tell you that
you should not include any type of mezzanine in a
supermarket space when you're doing trip
generation?

A The mezzanine space -- the ITE does not
specify how to deal with mezzanine space. But
it's support, back office, storage, lunch area.
Generally it's not -- if somebody was studying a
supermarket and doesn't know that there is a
mezzanine in there. So, the trip rates are what
you count going in and out of the supermarket, or
a shopping center, based on what somebody can see
from an aerial, from a site plan, and they don't
know that there's a mezzanine in there. So, I
think -- I don't think including the mezzanine is
appropriate. Plus, the fact that it wouldn't
materially change our results.

Q I want to talk about your tables 1A
and 2A, the shared parking analysis.
A       Sure.

Q     Now, in both tables, when it comes to parking provided you indicate that there is 844 spaces available. And I believe that the Omland site plans indicate that there will be 830 spaces at the end of phase II.

A       Actually on site it's 820. The 844 I've treated this, including the subdivided lots. So, because the retail, if you added these up, it comes to 214,337 which includes 6,000 square feet assumed on the subdivided lot.

Q     And, again, why did you include the subdivision lot in your calculations?

A       Because I wanted to deal with the potential full development of this tract, including the subdivided lot.

Q     Now, based upon table 1A, and that deals with the weekday p.m. peak hour, isn't the actual peak hour, as shown on this schedule, between 12 and 1:00 p.m. during the week?

A       That's for parking.

Q     Doesn't that -- doesn't that correspond with actual trip generation to the site?

A       No.
Q      Why not?
A      Because parking is not necessarily based on traffic in and out. It's based on duration of stay. It is obviously based on, you have to have people coming in and leaving. But it's also based on duration of stay. It doesn't mean that that period is when you have the most traffic going in and out of the center.
Q      So, for that period of time, 12 to 1, the alleged surplus for spaces is very small, 56 and 62, isn't that correct?
A      You're characterization. Not mine.
Q      Well, compared to the -- compared to the availability of spaces at every other time period that you show on table 1-A it's substantially less than the rest, correct?
A      Yes, it's lower than other hours of the day when the center would not be as busy.
Q      Now, in table 2, the number of cars parked corresponds with the peak hour per Saturday, does it not? The highest use of the parking lot.
A      Yes.
Q      And, again, the alleged surplus is substantially smaller during that time than all
the other time periods, right?
A       It's less than other hours of the day, yes.
Q You'll agree with me, that, if you reduce the size of the supermarket space you would reduce the traffic generation, correct?

MR. BASRALIAN: Objection. It's hyp-- the application is what's before us. It's not a hypothetical to reduce the shopping center in size to accommodate Mr. Segreto's request for an answer.

MR. WEINER: Well, I mean I ruled on that before. But I mean if you can answer. We all understand if the shopping center -- the whole center is less it's going to reduce the parking. Is that basically what you're asking?
A If there is less square footage of any use you're going to have less traffic generated. 
Q And a supermarket is one of the greatest traffic generators, correct, of the retail uses?
A It's -- yes.
Q Now, you didn't do -- for a trip generation purposes, you didn't do separate counts for the theater, is that correct? You just
included that in the retail space?
A Yeah, the theaters -- the theater is there. No, so we did not do it separately, no. It doesn't change from what it is now to what it will be, you know, when this is -- would be redeveloped.
Q Traffic will stay the same?
A As it relates to the theater, sure.
Q But you included the theater in your square footage for retail space for purpose of traffic generation.
A Yes.
Q Now, your gravity model says the trade area will be 4 miles.
A Yes.
Q And then how did you determine that it will be 4 miles?
A That's the industry accepted primary trade area for community shopping center.
Q And where does one find that industry standard? Or where did you find it?
A I don't know. I don't remember. I have been doing this for 30 years. It's something -- I don't look it up anymore. I have -- I have a, you know, I don't have to go back and look it up.
It's --

Q Is it in the ITE manual?
A It's in the ITE. It's in the ULI. It's in other development guidelines that we follow.

Q And that guideline is for what, community shopping centers?
A Well, they have it for neighborhood. They have it for community and they have it for regional and neighborhood is smaller. Regional, by name, is bigger.

Q According to your gravity model the greatest travel distance that customers will be or traffic will be coming from is 3.7 miles North Vale, is that correct?
A We looked at a 4-mile radius. I don't understand your question.

Q Well, the greatest distance, according to your document and gravity model is 3.7 miles, and that's North Vale, isn't that correct?
A Well, let me get -- get to my -- that's to the center of the community.

Q You have not included in your gravity model Hillsdale, Rivervale, Westwood, Emerson or Old Tapan, correct?
Yes, correct.

And you don't expect this new redeveloped shopping center to attract traffic from those towns, is that right?

On a primary basis, no. There is competing shopping centers that offer similar or same services that are closer.

And that's also because those towns, according to you, are outside the trade area, 4 miles, right?

The primary trade area, yeah, 4 miles, that's correct.

And same thing for Oradell and New Milford, you don't expect traffic to be generated to this shopping center from those two towns, right?

Correct.

And also no part of any of the towns right on the border with Rockland County, such as let's Palisades and Tapan.

Correct.

Now, councilwoman Amitai, I guess it was at the last meeting, indicated that Whole Foods is not your ordinary supermarket. It's a very special type of market. And I even think she
said she drives all the way to Montclair to go to Whole Foods. Now, did you take that into account when you did your trip generation figures?

A       The trip generation figures, no.

Q     Do you think that Whole Foods is a special type of supermarket?

A       Well, I mean let me answer that in a different way. The approach, as said 3 or 4 times now, the approach we took on a trip generation I think accounts for a higher level of activity for this center than I would otherwise calculate if it was a brand new center. Because I wanted to be conservative. So, I would say, yes, I have accounted for maybe a potential draw associated with, not just the Whole Foods, but with the center itself. But any time we do distribution, you know, this isn't the only Whole Foods that exists in Bergen County. So, somebody in Hillsdale may not come here because they're going to drive to Ridgewood. Somebody in, you know, to the -- to the southeast down towards Tenafly is going to go to Englewood. They're not going to come here. Somebody over in -- by Oradell, would go to Paramus. You know, it's -- there's other Whole Foods. There's also Fairway Markets that,
you know, if you're in Nanuet or in the towns over
the border in Rockland County, would go to the
Fairway in Nanuet. So, I'm not saying that they
are exactly the same as Whole Foods. But they
offer a similar type of service that -- so, you
also have to account for that when you look at
retail trade areas. This isn't the only, you
know -- you know, my clients don't necessarily
want to hear, but they recognize there is
competition out there. That's what the market
place is. That's why we are in America.

Q All right. I want to turn to
parking.
A Okay.
Q The K-mart building, at the end of
phase I will be approximately 73,000 square feet,
correct?
A The end of phase I, no, it's the end of
phase II.
Q Phase II. I'm sorry. Phase II.
A Yeah. Correct.
Q And according to the parking
requirement of 1 space for every 175 square feet,
my calculations indicate that that K-mart building
would need 417 parking spaces.
MR. BASRALIAN: Objection. The calculation of parking is based upon the entire center, and not upon a particular structure or building. We had the same discussion last -- last week with Mr. Burgis. And Mr. Chagaris ruled that you must deal with the center, not individual parking for individual stores.

MR. WEINER: I'm not -- where are you trying to go?

MR. SEGRETO: Where am I trying to go? Well, I'll ya where I'm trying to go. They are proposing to subdivide a piece of property off -- right in front of the K-mart building. The requirement for parking for that building is 417 spaces. And they're only going to provide 206 spaces.

MR. BASRALIAN: Objection. There is no requirement for that building. It's for the center.

MR. SEGRETO: I think it's absolutely relevant for all of the purposes with regard to the variances that they're requesting, and all of the jurisdictional legal issues that are involved in this case. Because they chose to subdivide the property, that I be allowed to ask
this question of the witness.

MR. WEINER: Everybody -- I don't think that's an issue. I think it's a fact. There's so many spaces on the subdivided lot. Is that an issue?

MR. SEGRETO: No, I'm not talking about the subdivided lot. I'm talking about the fact that they are substantially deficient in parking spaces for the K-mart building, and they're choosing to subdivide off a piece of property and make their property smaller, thereby intensifying the use.

MR. WEINER: That's your legal -- but that's your legal position.

MR. SEGRETO: And I know and I'm not allowed to ask an expert about -- about what I want to establish in this case.

MR. WEINER: No --

MR. SEGRETO: No?

MR. WEINER: You want to wait? What I'm saying, is, you're trying to make a legal argument with the traffic engineer. If you want to make a legal argument that because of the subdivision they need a separate parking and they need a variance, there's nothing wrong with that.
Make your case. Somebody will decide that at some point in time. The problem here, is, there's a certain number of parking spaces in the parking lot. Period. And now you want to characterize it one way. You have a right to take your position. But to ask the traffic engineer about whether they need a variance, or to try to establish --

MR. SEGRETO: I didn't ask him if they need a variance.

MR. WEINER: Then what are you asking? Are you asking him a fact that's not known? What is the -- what is the fact you're trying to establish?

MR. BASRALIAN: Mr -- last --

last --

MR. SEGRETTO: Substantial deficiency in the amount of the required parking in front of the K-mart building.

MR. BASRALIAN: Objection.

MR. WEINER: He's the traffic engineer. He's not -- he's not making a decision about how much is needed. He's telling you how much is there. That's a planning question.

MR. BASRALIAN: That question was asked of Mr. Burgis last week.
MR. WEINER: Which is why it was a planning question.

MR. BASRALIAN: Planning question.

And what Mr. Chagaris --

MR. SEGRETO: No, Mr. Chagaris said that it was an improper question. He did not allow it to be answered.

MR. WEINER: So then you didn't want to be guided that ruling. You were going to figure you're going to go back over it.

MR. SEGRETO: No, I'm asking now the traffic guy who talked about the parking requirement.

MR. BASRALIAN: The reason why he was not permitted to answer it, is because what Mr. Segreto was trying to establish is a separate parking ratio for each structure and use within the -- within the center, rather than the application, which says that at the completion of phase II, there will be 820 parking spaces serving the center, for which the applicant asked for a waiver on parking. That's it. And he's trying to establish separate uses across the board for each structure. And that was overruled. It's not an appropriate question.
MR. SEGRETO: It wasn't anything of the sort.

MR. WEINER: Well, look, you have a right to make that argument. Get yourself a traffic guy, or whoever you want, bring him and let him make that argument. But to sit here and cross-examine the traffic guy about what the requirements are, and what the interpretation of the ordinance is, as to whether or not there's a separate requirement, per building, as part of an overall plan, I don't think it's appropriate. So, I am sustaining the objection.

MR. SEGRETO: And I'm just going to state, for the record, that I didn't ask him anything about variances, waivers or about --

MR. WEINER: But you're asking him what the requirement is. That involves an interpretation of the ordinance. And he's not qualified to do that. He just -- he told you this is how many spaces there are. This is how many spaces are required overall per square foot, and this is how many we need. Period. Now we established that. I'm not saying you can't make that argument or you don't have a right to make it. Bring your expert in and let him testify as
to that. And that's how -- that's how the board will be able to establish that. Not trying to try and have a traffic guy determine what requirements are, and whether they can be on -- on a -- on a fractional basis based upon what the building or uses are. So, I'm sustaining the objection.

BY MR. SEGRETO:

Q    All right, sir, Mr. Baboo asked you a question concerning if problems arise after the redevelopment of this site, what do you believe can be done to mitigate any traffic problems with regard -- with regard to the -- with regard to driveways near the K-mart building that's going to have the drive-thru, if a pharmacy goes in there, and if a drive-thru is created, and you make it only ingress, if problems arise you're not going to have the avail -- the ability to modify that driveway, make it ingress and egress, isn't that true?

MR. BASRALIAN: Excuse me.

Objection. Mr. Baboo -- Mr. Baboo. Sorry. Asked whether or not in his experience there were traffic reports done after a shopping center was established, rather than would he do it.

MR. WEINER: Yeah, but I think he
has the right to ask him -- he asked hypothetical
that if there's a problem later, and it has to be
modified, based upon whatever he said there,
whether or not you would be able to fix it. I
think he can answer that.

Q     You won't be able to make
modifications to that driveway, will you?
A       That's not true. We could make
modifications to that driveway.

Q     All right. Could you make it an
ingress and egress if you have that drive-thru
window there?
A       Based on the layout now, no.

MR. BASRALIAN: The layout --
Q     With regard to the existing driveway
between the K-mart building, and the old Stop &
Shop building, you're going to put the Whole
Foods -- Whole Foods building in that driveway,
correct?
A       Yes.

Q     So, you won't be able to make any
modifications with regard to that driveway because
it's going to be gone, right?
A       Yes.

Q     And there's going to be a building
there, right?

A Yes.

Q All right. Let's go to the next ingress and egress on Homans. What are you going to be able to do with that entrance and -- entrance and exit in the event that problems arise with traffic?

MR. BASRALIAN: Clarification. Which driveway are we talking about? Because there other driveways on Homans.

MR. SEGRETO: The driveway near the Closter Commons.

MR. BASRALIAN: That's the northeast corner. Right.

MR. SEGRETO: Yeah, I guess so.

MR. WEINER: Could you be more specific about what you mean problems with traffic. I think it's a little general.

MR. SEGRETO: That's what -- that's what -- I'm just going by what --

MR. WEINER: But that was his question. You're now asking it. You're an attorney.

MR. SEGRETO: I'm following up. I'm asking the -- I'm following up on his question.
MR. WEINER: Hey, listen, the board member asked what the board member was. I don't overrule board members when they want to ask questions. You're now -- you're now an attorney here representing a client. Ask a proper question. If you want to know -- I'm not saying you can't ask it. But tell him what -- what are you saying? Is it too long a queue. There's too many cars. They're parking in the wrong place. What's the problem you're asking him a hypothetical about?

MR. SEGRETO: All of that? All of what -- all of what that gentleman just said. What modification can you make in that driveway that mitigate any problems?

MR. WEINER: That's not -- rephrase your question. Would you please rephrase your question so he can answer it. Ask a proper hypothetical if you want, but please do it right. Mr. Segreto, you have a question?

Mr. Segreto, is there a question? The board is waiting.

MR. SEGRETO: Yeah, I know, I'm looking at my plan. I'm formulating -- I'm formulating a question so it won't be
objectionable.

Now, you indicated with regard to the subdivided lot, there was going to be ingress or egress from Vervalen onto that lot, is that correct?
A        Yes.
Q     And how do you -- how do you know that?
A       That's what we discussed with the client.
Q     So, the only ingress and egress is it going to be through this parking lot, correct?
A       Yes.
Q     Am I right that in phase II you're going to -- there's going to be curb cuts into that subdivided lot from this -- from the existing parking lot?
A       Yes.
Q     And they're going to, I guess during phase I, they're going to be blocked off by some type of barrier?
A       We don't have a layout for that lot at this time, as to how the connection will occur, or what will happen with those areas that are shown as aisles. There's no curb cuts. There's aisles so that it all will function as one shopping
center.

Q Right. During -- during phase I it will be -- there will be some type of barrier blocking that off so people can't use that area, correct?

A I don't know that.

Q Last question for you concerns your figure 2, existing peak hour volumes.

A Yes.

Q And it's your testimony that the majority of the traffic movements will be coming to this site, at least the existing is from Vervalen, is that correct?

A That's correct.

Q You don't have a figure for the existing Saturday peak hour volumes, do you?

A No, it's on here. One number is p.m. One number is Saturday.

Q Oh, I'm sorry. That's right one is p.m. and one is Saturday.

A I like to save paper and put it all under one figure.

Q No, no, I understand that. And do you have a figure that shows the trip, the trip generation in the build stage?
A       Yes, that's figure 5.

Q     Figure 5 is showing what, the additional trips?
A       Correct.

Q     Now, figure 5, how many additional trips are you showing from Vervalen, both for the p.m. and for the Saturday coming to the site?
A       Twenty inbound trips in the p.m. and 28 inbound trips on a Saturday. And 19 outbound on a p.m. and 28 outbound on Saturday.

Q     What about for Homans? Same thing inbound/outbound, additional trips.
A       Fourteen inbound on p.m., 18 inbound on a Saturday. Outbound 8 on a weekday and 12 on a Saturday.

Q     And then for Campbell, am I correct, additional trips p.m. as well as Saturday would be 5 on each?
A       Correct.

Q     And that's -- that's, you know, the brand new redeveloped Closter Plaza?
A       Yes.

MR. SEGRETO: I have no further questions.

CHAIR LIGNOS: Okay. You have a
question, sir?

MR. ROSENBLUME: Yeah, just one.

CHAIR LIGNOS: Okay.

MR. ROSENBLUME: Jessie Rosenblume 65 Knickerbocker Road. Do you have any traffic generation numbers for the church, which is part of this application?

MR. KELLER: No.

MR. ROSENBLUME: No. Should you have included it in some way?

MR. KELLER: No.

MR. ROSENBLUME: What if the persons using the church exceeded the number of parking spots for the church, wouldn't they spill into the plaza?

MR. KELLER: I would presume that they would spill over someplace, whether it's the plaza or the bank. But it's Sunday morning.

MR. ROSENBLUME: Well, I don't think the church is only used one day out of the week.

MR. KELLER: The other -- generally churches in other times of the week have very low attendance.

MR. ROSENBLUME: Okay. Thank you.

CHAIR LIGNOS: Okay. If -- I think
the best way to do this, is ask our planner, just
to take a -- bring a seat up, if you don't mind.

MR. BASRALIAN: I do have a question
regarding that --

CHAIR LIGNOS: Yes.

MR. BASRALIAN: With respect to the
church, do you know how many parking spaces are
required for the church, and how many currently
exist?

MR. KELLER: I don't.

MR. BASRALIAN: Thank you.

CHAIR LIGNOS: Okay. Now, would you
be so kind as to introduce yourself to the board
members, and a little bit about your -- yourself.

MR. BASRALIAN: He's got to be sworn
in.

MR. WEINER: Could you raise your
right hand. Do you swear or affirm that the
testimony you're about to give shall be the truth,
the whole truth and nothing but the truth?

MR. CHASE: I do.

MR. WEINER: Could you tell the
board your name.

MR. CHASE: My name is Corey Chase.

I am a project manager at Atlantic Traffic and
Design Engineers. I'm a licensed professional engineer in the State of New Jersey. I'm also licensed in Pennsylvania, Connecticut, and New Hampshire. I've been with Atlantic Traffic for approximately 11 years. I've performed well over 500 traffic studies and provided expert traffic testimony in various municipalities throughout New Jersey, New York, Pennsylvania and Connecticut.

CHAIR LIGNOS: Have you done any here?

MR. CHASE: I have not testified before this board.

MR. WEINER: Any other towns in Bergen County?

MR. CHASE: Recently Montvale.

CHAIR LIGNOS: Okay.

MR. BASRALIAN: Montvale or Montville -- Montvale did you say?

MR. CHASE: Montvale.

MR. BASRALIAN: Okay.

CHAIR LIGNOS: Any objections from the board?

MR. BASRALIAN: I have a question.

CHAIR LIGNOS: Yes.

MR. BASRALIAN: You indicated you
have been with Atlantic Traffic for 11 years. How long have you been a PE?

MR. CHASE: I have been a PE for five years. Six years. 2007 I was licensed.

MR. BASRALIAN: Okay. With Atlantic 11 years, PE for 6 years. All right. Thank you.

MR. CHASE: Yes.

CHAIR LIGNOS: Would you please give us kind of an overview.

MR. WEINER: We're going to accept him as an expert?

CHAIR LIGNOS: Yeah, I see no objection from the board.

MR. WEINER: For the record, he's qualified as an expert in traffic engineering.

CHAIR LIGNOS: Thank you.

MR. CHASE: Thank you.

CHAIR LIGNOS: So, would you be so kind then to give us an overview of your report as you found it and then the board will ask some questions. Obviously you've heard the testimony at this point, of Mr. Keller. I guess the board would be most interested if there is anything that you hear that you're in complete opposition -- have a different opinion on.
MR. BASRALIAN: Mr. Lignos, I omitted to ask a question. Since Mr. Corey was not here when Mr. Keller testified, I would ask that he -- we had provided a copy of the transcript of that hearing. Has he read it and certified that he has read it and looked at the exhibits. So, if you would put that on the record.

MR. WEINER: I'm not sure he has to certify it. He can testify as to that he read it.

MR. BASRALIAN: Well, tell me -- you know, he should represent to the board that he's read the entirety of the transcript.

MR. WEINER: No, certifying.

MR. BASRALIAN: Verbally certify that he's read it, okay.

MR. CHASE: Thanks. I was provided a copy of the transcript from Mr. Keller's previous testimony, and I did -- I did review it in detail. So, I am familiar with it.

MR. BASRALIAN: Read it. You've read it. You read the entire --

MR. CHASE: Yes, I read the entire transcript.

MR. BASRALIAN: You said, reviewed
in detail. Read the whole thing. That's all I want to make sure. Thank you.

CHAIR LIGNOS: Okay. If that's okay we can then proceed.

MR. SEGRETO: Mr. Chairman, could you just tell me the date of this report?

MR. CHASE: It was last revised September 17th, 2013.

We did conduct a review of Mr. Keller's original traffic impact analysis, as well as the update that he provided.

You know, I think there are a couple of key issues with the report that we -- and that you guys have been focusing on and that we were also focusing on. I think the primary issue is the intersection of Piermont and Vervalen. You know, we looked at, there is a significant capacity issue out there for the Vervalen Street approach. And I think that Mr. Keller would agree, that really the only solution to alleviating that capacity issue is signalizing the intersection. It's an unsignalized T-intersection, a four leg intersection with a bank driveway coming in opposite Vervalen. There's not a whole else you can do at that
intersection other than to signalize it.

We asked him to perform a gap study at the intersection to see if there were available gaps out there to even accommodate the existing left turns that are out there. And they did perform that in accordance with industry standards, and they found that there were available gaps out there. The gaps were above what they're projecting for left turns at the intersection.

The availability of the gaps doesn't necessarily mean that there isn't a capacity issue out there. Because the availability of the gaps may not translate into when those vehicles are arriving. So, in fact, you may still have a capacity issue out there at the intersection, just because you have the excess in gaps, as opposed to the amount of vehicles that we're projecting at that intersection, does not mean that there is no capacity issue out there. Adding any traffic to that intersection exacerbates that capacity issue, as you can see in table 3 of Mr. Keller's original traffic impact analysis.

The way the HCS analysis works, is, that once you get to failing level of service, you
add one or two additional cars, and it grows significantly. As you can see between the existing no-build and the build, you know, there's a substantial increase in delay, even though we're not adding a huge amount of cars at that intersection.

And I know that you mentioned, I believe it was the AP, that previously there was a fair share assessment done for an intersection with a similar scenario. You know, that was something that we had suggested in our letter, that the applicant prepare and potentially investigate, is the possibility of signalizing this intersection, you know, what would their fair share contribution be towards that signalization. You know, I wouldn't say that -- the issues at that intersection aren't solely responsible for the plaza. So, I think it would be unfair to expect them to, you know, pay for the entire signalization.

Typically in a situation like this we would look at it and we would ask the applicable to prepare a fair share assessment and figure out what their portion of improving that intersection would be. And then hopefully, either
through the county, or other means, you know, if the plaza to the east is developed in the future, you know, you're able to collect more fair share money then go through and actually, you know, construct that improvement.

The other major issue that we saw with the application, was parking. You know, I know that -- I believe the proposed parking ratio is 3.94 per thousand. For a community shopping center this, you know, ITE recommends a parking supply of 4.0 per thousand. You know, I know that we're just under that. And I think the -- the Urban -- the Urban Land Institute, they actually recommend a 4.90 or 4.09 rather. They have a sliding scale based on the amount of restaurant space and entertainment space to take the 4.0, and then you increase it incrementally for any amount of restaurant, or entertainment space over 10 percent. And, I believe -- I believe it's approximately 18 percent of the overall square footage. So, based on that --

MR. BASRALIAN: No, it's incorrect.

Say that again.

MR. CHASE: It's 20,000 square feet of restaurant space and then 8,000 square foot
cinema?

MR. BASRALIAN: Which is preexisting.

MR. CHASE: Understood. But it still factors into calculations.

MR. BASRALIAN: When you calculate shared parking. But it's not 18 percent restaurant. Restaurant is less than 10 percent.

MR. WEINER: Mr. Basralian, I appreciate the information. Why don't you let him finish his report. You can cross-examine on that.

MR. CHASE: We also took a look at Mr. Keller's shared parking analysis, which the methodology utilized to prepare the shared parking analysis was correct with typical industry standards. That shared parking analysis noted a surplus of, and I believe this is with the most recent version, which also considered a fitness center, and the -- as part of the development. It was a surplus of approximately 9 percent during the p.m. and 7 percent on Saturday.

ITE indicates that once parking occupancy approaches 80 percent and the 80 to 90 percent range, that patrons feel that the parking lot is full, just because the majority of the
spaces they see are occupied. So, they perceive
the lot is full. That's going to causes them to
circulate and, you know, look for spaces and
frustrate patrons.

So, you know, those were our major
concerns; the offsite intersection of Piermont and
Vervalen, and, you know, the parking supply that
was proposed in association with the application.

You know, everything else, the trip
generation, the level of service analysis, that
was all done consistent with typical industry
standards.

CHAIR LIGNOS: Okay. Let me -- let
me -- is it okay Mr. Basralian, I'm going to go --
MR. BASRALIAN: It's your show,
Mr. Lignos, not mine.

CHAIR LIGNOS: Yes, it is my show.
It's the late show too. So, what I'm going to do,
is, I'm going to go through our questions first
and then we'll allow, you and Mr. Basralian, and
society, to ask additional questions.

So, mayor since you sit over there
normally, I'm going to ask you first.

MAYOR HEYMANN: I'm going to pass.

CHAIR LIGNOS: You're gonna pass.
Ms. Amitai. Councilwoman, I'm sorry.

MS. AMITAI: I'm going to pass.

CHAIR LIGNOS: You're gonna pass.

Dr --

MR. MADDALONI: So, Mr. --

MR. CHASE: Chase.

MR. MADDALONI: Mr. Chase, in your expert opinion, do you think signalization of this intersection of Vervalen and Piermont is indicated for this shopping center?

MR. CHASE: Not necessarily through the shopping center. I think that -- I mean I took a look at the peak hour volumes at the intersection, and compared them to the peak. As Mr. Keller said, there's -- there's three really volume related traffic signal warrants there. The 8 hour, the 4 hour and the peak hour. All the data that we had available to review, was just for the peak hour. So, I took a look at the peak hour volumes and compared that to the warrants for signalization. From a quick review, I believe that a signal would be warranted during the peak hour. But, like I said, it's not necessarily just a result of the shopping center. The shopping center, obviously, adds to it. And that's why we
suggested that, you know, a fair share analysis be
prepared to determine what that proportion be.
But they're not solely responsible for all the
traffic volumes at that intersection.

MR. MADDALONI: Right. But
regardless, you can't have just a traffic light
around the peak hours. You either have one or you
don't.

MR. CHASE: No. That's a good
point. But, like I said, you know, usually what
we do, is, we'll evaluate different sets of data.
We'll evaluate the peak hour data. We'll also
evaluate four consecutive hours -- or four hours
worth of data and eight hours worth of data, to
see. And there's various thresholds. Depending
on, you know, those various scenarios to see if
signalization is met.

MR. MADDALONI: Thank you.

MAYOR HEYMANN: Comment?

CHAIR LIGNOS: Comments, no.

Question, yes.

MAYOR HEYMANN: Question, okay.

CHAIR LIGNOS: In the form of a

question.

MAYOR HEYMANN: You pointed out that
the volume of traffic that is potential, is not necessarily all from the shopping center. But if you think of the traffic patterns coming from the west, what traffic could be coming from the west, making a northbound turn at Piermont Road outside of the shopping center?

MR. CHASE: There is -- I mean, you would have to do a tracking study to find out, the people leaving the shopping center now, and where they're going.

MAYOR HEYMANN: No, I'm not talking about the people in the shopping center. You pointed out that the traffic back up may not necessarily all come from the shopping center, that it's not fully responsible for the additional traffic as well. But from what I'm saying to you, you tell me, what traffic could be coming from the west and turning north on Piermont Road outside of the traffic coming from the shopping center?

MR. CHASE: You know, honestly, I don't know. I don't think that all of the traffic at that intersection is associated with the shopping center. I think that there is a portion of traffic --

MAYOR HEYMANN: Northbound. I'm
talking northbound traffic.

MR. CHASE: You're talking Vervalen turning northbound onto Piermont.

MAYOR HEYMANN: Vervalen turning northbound on Piermont.

MR. CHASE: Right and I can tell you that I can't, without a doubt, say that all of those left turns are directly associated with the shopping center.

CHAIR LIGNOS: Mr. Baboo.

MR. BABOO: Hi, I have a question about the parking ratio.

MR. CHASE: Sure.

MR. BABOO: You mentioned that there's a sliding scale based on the population of certain types of stores. And the two major categories were?

MR. CHASE: Restaurant and entertainment.

MR. BABOO: Restaurant and entertainment. Okay. Do -- in general, do anchor tenants, is there a scale for that?

MR. CHASE: There's not. Mr. Keller was correct that, you know, when they factored in all this data for shopping centers, that they
assume a variety of anchors throughout. What they found was that, you know, the amount of restaurant space and the amount of entertainment space, typically results in a longer duration of stay. And that's why they had that sliding scale added on. They come up with a base rate of 4 spaces per thousand square feet. And that assumes up to 10 percent of restaurant or entertainment space. Anything above and beyond that to 20 percent they recommend a sliding scale. And then beyond 20 percent, they recommend that you do a full shared parking analysis.

MR. BABOO: Okay. But in order to -- in order to arrive at that parking ratio, you would have to know what's coming in the mall, in the shopping plaza.

MR. CHASE: Generally speaking you're right. You would need to know somewhat of the makeup of the shopping center. You would need to know how much restaurant space. And I believe this application is limited to 20,000 square feet of restaurant space, if I'm correct.

CHAIR LIGNOS: Correct.

MR. DENICOLA: Correct.

CHAIR LIGNOS: They've already --
that's the application. They stipulated to that.

  Ms. Stella.

MS. STELLA: No questions.

MR. BABOO: Sorry. One more question. Sorry. The subdivided portion, in your opinion will that have any negative impact on -- in terms of build up of traffic, build up of wait times, left or right turns, things of that nature?

  MR. CHASE: In my opinion, no. I mean the subdivided parcel, if I'm correct in understanding, will not have any of its own direct access to Vervalen, to the access through the shopping center, which -- which is a benefit, honestly, to the motoring public. You know, the less curb cuts that you have on Vervalen, the better. Because you're concentrating those conflicting turning movements at certain locations rather then, you know, having ten driveways up and down the street.

  MR. BABOO: Okay. Thank you.

CHAIR LIGNOS: Okay.

MS. AMITAI: I do.

CHAIR LIGNOS: Well, I'm going to go back this way. There's rules.

MR. NYFENGER: Yes. So, the only
issue that I continue to see, is that intersection
of Vervalen and Piermont. I personally avoid it,
because not only can it take time, but it can be
dangerous at the same time. Is there a type of
traffic signal that would minimize the creation of
traffic by having red lights where they're not
necessary, yet allow the turn to be made when
there is a car that needs to make it?

MR. CHASE: It is a balancing act
when you're talking about signalization. Because
right now the traffic on Piermont is free-flow.
They don't have to stop. And with the
introduction of any traffic signal, that traffic
at some point is going to be stopped. That's
just, you know, that's why the MUTCE lays out all
these volumes because they don't want traffic
signals being installed anyway. Because they do
in fact, they create a certain amount of delay.
What you have to do really, is, you have to weigh
the delay that's created on the main line, versus
the delay that you're going to take away from the
side street, and see if that would be a benefit to
the motoring public. In this case, you know, I
mean we're talking in upwards of 500 seconds of
delay on the side street and that's substantial.
I would, in my professional opinion, I would say that signalization of the intersection would have -- be a betterment. Because you're going to reduce that delay significantly. You may incur some additional delay on Piermont, but it's going to be far outweighed by the delay that you're removing from Vervalen.

MR. NYFENGER: Is it safe to say that a camera style light could be put in so that it views and monitors that left turn and only changes the light green for that left turn when necessary?

MR. CHASE: Yes, the intersection can be actuated so that, you know, they call it maximum recall. So, basically it would always default back to the main line in that the side street would only come up, in this case Vervalen, if it was actuated by a camera.

MR. NYFENGER: So, that would be, in your opinion, the way to mitigate the need to have a safe left turn without creating more traffic than necessary?

MR. CHASE: More delay than necessary.

MR. NYFENGER: More delay than
necessary.

    MR. CHASE: Yes, and the only other thing to consider, is, you would also have to signalize the bank driveway. And that was that the bank had the egress driveway that forms the fourth leg of the intersection. That would also have to be taken into consideration. You wouldn't be able to just signalize the Vervalen and Piermont approaches and then just have that bank driveway operate unsignalized. That would have to be, you know, as part of the scenario.

    MR. NYFENGER: Okay. Thank you.

    MR. PIALTOS: That was part of my question too. And I have a second part actually. You had mentioned unsignalization, the fair share. How would that be determined, and who would make that decision also?

    MR. CHASE: Ultimately it would be up to the borough to determine, you know, the mechanism for determining the fair share. Different agencies have different methods. I know Bergen County uses NJDOT methodology to determine fair share. Some municipalities use your percent volumes at the intersection. You know, they take the total volume of traffic at the intersection.
They determine what your percentage of that volume is at the intersection. And that's your fair share. That's the simplest method.

MR. PIALTOS: Who would propose that to them then?

MR. CHASE: Who would propose preparing the fair share analysis?

MR. PIALTOS: No, the NJDOT, who would propose it to them?

MR. CHASE: No, it's just NJDOT has a very detailed methodology for determining the fair share. And because it's a set -- set methodology, you know, like Bergen County, for example, they've adopted that methodology so that they don't have to come up with their own way to calculate a fair share. They just say, we're gonna use DOT's, it's already been prepared. It's accepted. We're going to use that in lieu of us coming up with our own way of calculating a fair share.

MR. PIALTOS: Do you have any idea what that would be?

MR. CHASE: I don't.

MR. PIALTOS: Thank you.

MR. NYFENGER: Could I ask, does
anybody know about how we go about doing that?

CHAIR LIGNOS: I think we've --
we've done that before for the township. But,
again, it's not -- I want to keep focused on --

Mr. Didio?

MR. DIDIO: No questions at this
time.

MR. SINOWITZ: In your calculations
have there -- there are three major plots of land
within a thousand yards of each other from one
corner to the next corner. From the light to the
next light. Roughly a thousand yards. Were those
three properties taken into account for their most
likely potential development?

MR. CHASE: We didn't --

MR. SINOWITZ: I know they're not
developed now, to any extent. In fact, they are
pretty vacant, but the probability of occupancy
within the next, let's say the shopping center is
still two years, you know two years, and the
probability of success in developing that land is
probably pretty high. So, have you taken into
account the traffic that that would generate in
conjunction with this project?

MR. CHASE: We didn't prepare any
separate analyses for these intersections. We reviewed Mr. Keller's analysis. And as typical, you know, we take into account what's current, what we know, what is a known value. And then we apply back the background growth to account for potential future development. But without knowing, for sure, you know, what those parcels could be developed as, you know, in my professional opinion, I wouldn't include those in my analysis, and I don't believe Mr. Keller included them in his.

MR. SINOWITZ: That's it.

CHAIR LIGNOS: Mr. DeNicola.

MR. DENICOLA: No.

CHAIR LIGNOS: Mr. Weiner.

MR. WEINER: You know, maybe I should just make a statement. And I don't know how the board -- I know you have been asking questions about the fair share analysis. Let me just give you a minute. The reason -- this light that you're considering on this property. It's an off tract light. It's not at the corner. It's not at one of their driveways. The law says that if you're going to require that as an improvement, you can't ask one applicant, just because they're
here now, to pay the cost of that. Even though
this may generate a little bit more traffic. I
mean you can make your own judgments about how
much. Mr. Keller said it's very little, based
upon the facts that there's already an existing
shopping center. And there's a process, even
assuming that would happen at this one, because
the county is involved. First of all you're going
to need warrant analysis before the county is
gonna even consider it. Once they find that it's
needed, and let's assume that it is needed, then
the fair share analysis, based upon the
methodology will come up. It might be that they
have 5 percent. I mean remember it's only one
shopping center. This is all the traffic
everywhere, from whoever uses the road. So, if it
winds up 5 or 10 percent, 90 percent of the cost
has to be borne by somebody else. Now, if the
town is requesting this from the county, the
county might throw some money in, assuming they
want to -- have any money and want to do it. But
they're gonna look to the town for some of the
money probably. Now, if the county came in and
said, this is a dangerous intersection, we're
gonna fix it, they would fix it. But this is
not -- this is not something that you just go to the applicant and say, here, go build a traffic light because you're improving the center. There is a lot of other regulations and steps that have to be gone through. A lot of that is expensive. And if you go to the county and say we want a light there. They might say all right well you do the warrant analysis. And if you ask them to do it, say we're adding five cars an hour there, we don't want to do it. So, there's a lot of different pieces there now. So, just be aware that that's the overall. And, Mr. Chase, if I was wrong about any of that --

MR. CHASE: No.

MR. WEINER: Is that a correct analysis?

MR. CHASE: You're correct.

MR. WEINER: I just wanted the board to know that, as you ask your questions.

MR. MADDALONI: Thank you. That was very helpful.

CHAIR LIGNOS: Mr. Chase I'm going to ask you the same questions that I asked Mr. Keller. I just want to see if you have a different answer. I used to watch a show called
Tell the Truth. So, I just want to see which one
is --

MR. KELLER: I'm not sure how I
should take that comment.

MR. WEINER: Good thing we got some
older folks in this room.

CHAIR LIGNOS: These calculations
and estimates for what are anticipated to be gaps,
the perceived gaps, or what we expect to be the
gap, the amount of cars that we calculate to be
put into circulation, can they ever be wrong?
Meaning, can you ever make -- not make a mistake,
but can you --

MR. DENICOLA: Under estimate.

CHAIR LIGNOS: Under estimate or
over estimate.

MR. CHASE: The gaps are finite.
Like Mr. Keller explained, you're literally timing
the gaps between cars that are going on the road.
So, for that day, during that hour, that is
exactly what the gaps are.

Now, like I mentioned before, that's
not to say that it's a direct correlation to
capacity. Because for those gaps to be utilized
you have to have a car at that intersection to
take that gap. So, you may have gaps in traffic, and you may not have a car on the approach to Vervalen to utilize that gap. So, there is -- those gaps are finite. For that one hour time period that is exactly what the gaps in traffic were for that one hour. But, like I said, that's not to say that if you get gaps that can accommodate a hundred cars, that those gaps are taken by a hundred cars. Because they may not all arrive there at that exact time to take those gaps.

CHAIR LIGNOS: But the amount of cars that one estimates to be exiting at a specific time, can the calculation of that, because obviously you can't do a count today. You have to -- you have to do calculations assuming that the -- of the increase intensity because of the, hopefully the popularity of the plaza. Also the assumption that, what used to be, what is now two thirds occupied, to be fully occupied, you're making a calculation on the amount of cars that you anticipate to be exiting this plaza, center. Can those calculations be underestimated or overestimated?

MR. CHASE: They could. But that
being said, you know, as traffic engineers, we all use the exact same methodology typically to prepare studies and --

CHAIR LIGNOS: And the way this was done exactly --

MR. CHASE: It follows those standards. You know it's --

CHAIR LIGNOS: That's all I wanted to hear.

MR. CHASE: Okay.

CHAIR LIGNOS: There are three exits coming onto Vervalen. One onto Homans. Mr. Keller said something very interesting, that a person who would tend to go north on Piermont and knows the center, would probably exit Homans. Because there's a light at Homans. And probably knows that once the light turns green he will -- he or she will be able to make the left in but there is also three driveways on Vervalen. With those three driveways exiting the plaza, and needing to go north or south, would that not intensify the amount of cars? And I know there's existing cars on Vervalen, but would that not intensify those, the amount of those cars?

MR. CHASE: It could. Because if
you just look at the way the center is laid out on -- I mean all of the parking, the primary access points are all centered around Vervalen, you know the back of the stores are really facing Homans, it's almost like it's a secondary access. So, you're right, it is. You can assume that the orientation of the center, the magnitude of the parking proximate to Vervalen, you know, and number of access points that that would lend patrons to utilize those access points more than the access to Homans. What you could end up with, is, what we call almost conditioning. Where, if patrons know that they can't turn left off of Vervalen onto Piermont, they may be conditioned to use the Homans access. But just looking at this from afar, you look at the center the way it's laid out, the parking, you know, the access layout, it would lend you to believe that Vervalen is the primary access point for the center.

CHAIR LIGNOS: You said something about 80 percent utilization at some point, patrons driving around in cars, probably more havoc than good. Is there at some point, where too much traffic actually jeopardizes the success of a plaza?
MR. CHASE: I can't point to a, you know --

CHAIR LIGNOS: A specific ans -- a specific example.

MR. CHASE: A specific answer. In my professional opinion, you know, I would say that if you frustrate your patrons repeatedly and they're unable to find parking, they're going to tend to go to another establishment.

CHAIR LIGNOS: Okay. But if I -- and from what I heard, that a patron can also be conditioned to know that 4 to 4:30 or 4 to 5 is not a good time, and that he or she should go at 11 in the morning, does that tend to happen? Because quite frankly when I need something --

MR. CHASE: It's gonna really --

CHAIR LIGNOS: -- I need it. I can't say, you know something, it's not a good time for me to go shopping, or I'll go tomorrow. I can't -- maybe other people do it. And maybe I'm not the normal one.

MR. CHASE: It's going to depend on the users. It's really going -- it depends on the users in the center. And, you know, for convenient oriented users, people may change
their -- their habits just to, you know, not to go in a certain busy time. But if it's a destination oriented use, you're right when they want whatever material items is at that store, you know, they're going to go there. And it could -- it has the potential to have an impact on the success of the center if there is not sufficient parking provided.

CHAIR LIGNOS: We were told that a community plaza such as this center, such as this, really doesn't have much fluctuation around the holidays as far as the amount of traffic that it generates. Do you hold that opinion as well?

MR. CHASE: I would say that the fluctuation for a community shopping center is not as great as say a regional mall. But I would still contend that there will be some fluctuation. Even for a grocery store, I would contend that Thanksgiving and Christmas, the holiday times are the busiest times for those users, as well as the traditional retail use. So, they're most definitely, you know, if this was a 25,000 square foot shopping center, you know, with small 3,000 square foot stores, I would say that you would not have any sort of fluctuations associated with
that. It's over 200,000 square feet. I mean in my professional opinion you're going to see some sort of fluctuation. It will likely not be as great as a regional mall, but there will be some variation, you know, during those November, December months.

CHAIR LIGNOS: And in your opinion, providing a bus for employees, to a remote employee parking, is it something that a center of this size would not normally do?

MR. CHASE: I think that a center of this size may not normally do it, but you also have to take into consideration the amount of parking that a center would be providing, and weigh that into whether you would consider that normal or not. You know, I think that each situation is unique in that, you know, looking at the way the site is laid out, you know, I don't think they could fit substantially more parking on site. But then that leads you to, are there alternatives for things like offsite parking for employees. You know, the snow -- does there have to be a condition that snow has to be removed from the site during the winter months and not just piled up because, you know, if you get a snowstorm
in December and snow is piled, you could lose 50, 60, 70 parking spots as a result of the snow. Things like that, you know, I think that you really need to think outside the box when you're looking at a parking supply like this, and see if there are other alternatives, you know, like you said, off site employee parking, you know, snow removal, things like that.

CHAIR LIGNOS: Well, no, that's a very good point. Okay. Now -- you always do that to me. Why?

MS. AMITAI: I'm sorry. I thought you'd come to me sooner.

CHAIR LIGNOS: Well, it should come to you sooner.

MS. AMITAI: Well, I'm the first one.

CHAIR LIGNOS: No you're not, you're the second.

MS. AMITAI: So, my question is this: As a parking engineer, I'm really concerned about the way traffic, that's going westbound in front of the K-mart store. Now that we have only ingress alongside the -- between the church and the K-mart building, going west in front of the
K-mart store, there's a jog in the road and it's, you head to cross over the incoming traffic to get onto Campbell Street to exit. That to me looks really clumsy and maybe dangerous.

MR. CHASE: I believe, and Mr. Keller will correct me if I'm wrong, but in the latest subdivision, I believe that intersection is always stop controlled.

MR. KELLER: Yes.

MR. CHASE: And it's always stop controlled. So, basically every approach to that intersection, they're required to stop. What that does, is, that alleviates clumsiness associated with the intersection. Because everyone approaching, they have to stop, and they'll be cognizant of vehicles approaching, pedestrians in the area, and they'll have to yield the right-of-way to any other traffic at that intersection. So, if there was -- if it wasn't stopped on all the approaches, then, yes, you know, there would be issues associated with site distance and other things. But I think that, in my professional opinion, because it is stopped on all approaches, it should operate --

MS. AMITAI: How many cars would fit
between Campbell Street and Homans if they were, you know, trying to enter that driveway, come into the shopping center? Would you get 6 cars or 10 cars?

MR. CHASE: You know, I could scale it.

MS. AMITAI: I don't know if it's to scale. Is that to scale?

MR. KELLER: Yes.

MR. CHASE: This is applicant's A-12?

MR. BASRALIAN: Yes.

MR. CHASE: And you're referring to the distance between Campbell and the on --

MS. AMITAI: From here -- well, both if you don't mind. From here to here is what I was thinking. People coming in, how many cars would there be in a line before there is a jam on Homans?

MR. CHASE: Approximately --

MR. BASRALIAN: Mr. Chase, would you do me a favor and indicate where the councilwoman was talking about so that we know when we read a transcript what we mean.

MS. AMITAI: Mall driveway.
MR. BASRALIAN: But I didn't hear the word. So, if you just say that so we know exactly what it is.

MR. CHASE: Certainly. I'm referring to applicant's A-12. And, specifically, I measured the distance on the westerly side of the shopping center. The ingress only access from Homans as it approaches the, I'll call it the southwest corner of the building. It's approximately 200 feet in length. Conservatively assuming a car queue would be about 20 to 25 feet, you could get 8 cars stacked there before you've reached -- a minimum of 8 cars before you've reached Homans Avenue. Campbell, as you approach Campbell in an easterly direction, as approach the shopping center from Lewis Street, approximately 100 feet if you get a minimum of 4 cars in queue on that approach.

MS. AMITAI: Four backs into the lane of traffic before it backs into the lane of traffic.

MR. CHASE: Correct.

CHAIR LIGNOS: Okay. I'm assuming that there are no questions, any other questions from the board, and, therefore, open to the public
or I guess Mr. Basralian first.

MR. WEINER: Doesn't matter.

CHAIR LIGNOS: All right let's go to Mr. Basralian.

MR. BASRALIAN: It -- yeah, it matters to me I guess.

Mr. Weiner, you really saved me a number of questions regarding the -- the lights and the allocation of costs as amongst the parties.

In this instance, though, it is a county roadway and the county would make the final determination as to whether or not it believed there were sufficient warrants to submit to the State of New Jersey or the DOT.

MR. CHASE: That's correct.

MR. BASRALIAN: And utilizing the share allocation that DOT utilizes, it is not up to the planning board to make that determination, but rather DOT, or the county through the DOT standards, right?

MR. CHASE: You know honestly I don't think I could answer that question. It's a county road, would they be the sole determining factor in how that is calculated, I mean I can't
answer that, honestly.

MR. BASRALIAN: Thank you. It's an honest answer, but in your experiences, you talked about -- about this in your experience as a traffic consultant, it is quite likely that it would be more than one party that would be contributing to a light given the existence of the traffic that already is on the roadway.

MR. CHASE: That is correct. And, we, you know, in the application that I worked in Montvale we had a similar situation where we -- we did a fair share calculation and contributed a set amount of money to Bergen County. You know, they were the ones that -- it was county intersection, similar to this, and they were the ones that directed us to use the DOT methodology, and the money was contributed from the county.

MR. BASRALIAN: You also talked about warrants. There is more than one test for a warrant, rather than peak period turning, and must there be a satisfaction of more than one warrant in order to make a determination whether or not a light is required, and if it's required whether the county would do it?

MR. CHASE: Must there be, no, I
think satisfying one warrant in some jurisdictions would be enough. In my professional opinion I would say that you would preferably you'd like to see the 8 in the format as opposed to the peak but usually, yes, you know, if the 8 hour is met, I think that holds more weight than the peak hour. But, you know, it really depends on the jurisdiction. Some jurisdictions will consider meeting one sole warrant.

MR. BASRALIAN: When you talk about jurisdictions which do you mean?

MR. CHASE: I mean county municipalities. Because DOT has relinquished review of local traffic signals, local and county traffic signals. So, the municipalities, the counties are now responsible for reviewing warrant analyses and determining whether signalization is warranted in an intersection.

MR. BASRALIAN: Now, in this instance, since it's a county signal or county roadway, would not the jurisdiction lie within the county as the determination of whether or not it met its criteria and warrant before it submitted to DOT?

MR. CHASE: Yes, the jurisdiction
would be with the county, but I don't think that
they would have -- actually I know they would not
have to submit to DOT to confirm that the signal
is warranted. The county would be able to make
that determination on their own.

MR. BASRALIAN: All right but still
you have a fair share allocation that county uses
the DOT standard, does it not?

MR. CHASE: It does.

MR. BASRALIAN: Okay. You asked the
applicant to make a gap study and in your reports,
the revised report of September 17th, 2013, you
said that the result of the gap study indicate
sufficient gaps in traffic to exist to accommodate
the projected turning movements on the Vervalen
approach to Piermont Road. Now, if the gap study,
as you've indicated, says that there are
sufficient gaps, then why is it that the number
10, you talked about a excessive delay calculated
in the level of service analysis at that
intersection? Those two statements seem to be in
opposition to each other.

MR. CHASE: They are. And as I
explained before, gaps are not directly related to
capacity. You assess the amount of gaps available
in traffic, but that does not indicate that a car
is there to take that specific gap. So, while you
can have enough gaps to accommodate those specific
amount of turning movements, you can also not have
enough capacity at that intersection to
accommodate the vehicles that are making those
turning movements.

MR. BASRALIAN: But isn't capacity
finite?

MR. CHASE: Isn't capacity finite, I
mean it's a finite calculation, yes, but the
capacity take into -- if you plug these numbers
into the highway capacity software, it's assuming,
based on the arrival rate, and the peak hour
factors and everything else that you input, it's
using that same gap, and calculating the capacity
for this intersection.

MR. BASRALIAN: But then we made an
actual visual calculation and study of each of the
gaps so that we knew exactly, and you knew
exactly, what the gap study results were for the
peak period so that you concluded that sufficient
gaps in traffic exist.

MR. CHASE: We concluded that there
were available gaps to accommodate the projected
demand, which, as I stated, does not necessarily mean that there's not a capacity issue at that intersection. The results of that gap study would assume that there was a car there to take each one of those gaps. That may not in fact be the case. So, you still end up with a capacity issue at the intersection because the vehicles don't arrive at a specific time when there is a gap there.

MR. BASRALIAN: What's the level of service during the peak period, do you know?

MR. CHASE: Level of service at that approach?

MR. BASRALIAN: Mm-mm.

MR. CHASE: Is F.

MR. BASRALIAN: How about turning right?

MR. CHASE: It's C I believe.

MR. BASRALIAN: Is the ability to turn left, at all inhibited by any obstructions, plant material, as one looks south on Piermont, in order to be able to determine whether the gaps so they can pull out and go north?

MR. CHASE: Honestly we hadn't conducted sight distance measurements out there. Driving the network, that left turn is a difficult
maneuver to make. It's also difficulties increase when you have a vehicle next to you that's turning right. And there is a high amount of vehicles turning right at that intersection because what the right turn vehicle tends to do, is they'll tend to creep out a little bit ahead of the left turn vehicles just to get around them. And that further inhibits your view as you're looking to the south.

MR. BASRALIAN: And if there were further obstruction of shrubberies, trees, et cetera, would that also not inhibit the ability -- if you were in the right-of-way, would that not inhibit the ability of someone to look out?

MR. CHASE: It would. It would.

MR. BASRALIAN: And would that not slow down the process?

MR. CHASE: It would.

MR. BASRALIAN: If there was a gap of 20 seconds and 4 cars lined up, how many cars could get out on the left-hand turn?

MR. CHASE: Probably accommodate 4. The gap is 7.1 seconds and then there's a follow-up time associated, and with that follow-up time you can accommodate one additional car. I
think the follow-up time is 3.5 seconds, if I'm not mistaken. So, you can probably accommodate 4 cars. But that's assuming that those 4 cars are aggressive and they're going to pull up to the stop line, stop quick, look and go. I mean if any one of those people hesitate then that gap is going to be gone.

MR. BASRALIAN: You made a statement when you opened up and you were talking about that you were sure Mr. Keller would agree regarding a light at that intersection. I don't recall anything he ever said in any of his testimony or any of the reports, that he would agree that there was -- a light was necessary at that intersection. I think that was your opening statement. You said, I'm sure he would agree.

MR. CHASE: I didn't stay a light was necessary. I said that a light was the only method to mitigate the capacity issues at the intersection.

MR. BASRALIAN: I misspoke it. But even having misstated you, I don't recall anything he ever said, in any of his testimony on October 2nd, or today, which indicated that was the only solution.
MR. CHASE: I would interested to hear if there was another solution.

MR. BASRALIAN: All right. Well, I'm trying to point out you did not characterize testimony properly.

MR. CHASE: Apologize that -- for that.

MR. BASRALIAN: I also notice that, you know, in your original report which is --

MR. WEINER: I don't think he was.

MR. BASRALIAN: I beg your pardon.

MR. WEINER: I don't think he was mischaracterizing his testimonying. I think he was making a basic statement that this is the only way I see it, I think Mr. Keller would agree, and if Mr. Keller, you can call him on rebuttal and he can give us his opinion whether he agrees or doesn't. I don't think it's a significant point. I think it was more a figure of speech. His testimony is that the only way to fix it is with a light. I got the point.

MR. BASRALIAN: Well, if --

MR. WEINER: If Mr. Keller wants to disagree with that, that's fine too.

MR. BASRALIAN: Well, you know --
MR. WEINER: Then call him back and we'll be happy to hear it.

MR. BASRALIAN: I'm just trying to clarify, in my mind, what the statement are, and that's why I am asking the questions, as you do, and everybody else would.

MR. WEINER: And that's fair and I'm criticizing that. At the same time, if that's an issue, and it's an important issue that you want to clarify, the board would like to hear from Mr. Keller whether he agrees or disagrees. So, we can dispense with the issue as to who said what.

MR. BASRALIAN: Not to beat a dead horse, I was just trying to find out how he characterized it because that wasn't in any of the testimony. So, that's all.

MR. WEINER: We understand. Thank you.

MR. BASRALIAN: It's getting late. I lost my train of thought too. I don't know of your familiarity in determining the fair share allocation, but if this shopping center were not proposed to be improved, and a light was warranted by virtue of the county determination of it, would a fair share allocation be put back to this
property owner?

MR. CHASE: If there was no expansion of the shopping center proposed?

MR. BASRALIAN: Well, if there were no improvements. There's no exp -- there's no expansion of the shopping center being proposed.

MR. CHASE: If there was no application associated with the shopping center and the county decided that there was a light that was needed at the intersection, they're not going to go back to someone that's existing and allocate a fair share associated with that use, is that what you're saying?

MR. BASRALIAN: Yes. Right.

MR. CHASE: Would they go to the existing uses around the intersection and say you're responsible for this, you're responsible for that, no. In my past experience I haven't seen that done. It's typically done when there's an application before the board municipality when those types of things are assessed.

MR. BASRALIAN: I understand. You just used the word, expansion, but there is no expansion in the aggregate square footage of the shopping center above what currently exists by the
end of phase II. Would that have an impact, at all, as to fair share allocation?

MR. CHASE: I thought there was a slight expansion associated with the shopping center?

MR. BASRALIAN: No, it's being reduced from 211,000 to 208,000 square feet.

MR. CHASE: That 6,000 square foot --

MR. BASRALIAN: Well, that's not in the boards yet though. That's not a part of -- there's no application for any expansion on that lot or any provision for that lot at this point.

CHAIR LIGNOS: He said, just for clarification, the testimony was that the parking and the traffic was included for that 6,000 square feet?

MR. BASRALIAN: Yes.

CHAIR LIGNOS: So, which one is it? Is it or isn't it?

MR. BASRALIAN: He said he did his calculations on traffic by including that, but there is no proposal to have a building of up to 6,000 square feet on this property at this point.

CHAIR LIGNOS: So, what you're
saying, just for our understanding, is that, if
and when a 6,000 square foot building appears then
that comes into play.

MR. BASRALIAN: Then that may come
into play, yes.

Would you disagree or agree?

MR. CHASE: I would agree, if the
slopping center is being reduced in size, I mean
you're grandfathered the approval for this square
footage that's on site now. If you're reducing
that then theoretically you are reducing the
amount of traffic associated with it and stuck
strictly to the ITE equation.

MR. BASRALIAN: I understand. With
respect to the restaurant entertainment use that
you talked about, the total of that, using your
18 percent, is less than 20 percent, which, under
ULI, and even ITE, would not require an additional
or change in the parking ratio that you have for
retail.

MR. CHASE: That's incorrect. If
you -- I'm pretty sure if you're looking at the
same table that I'm thinking of is that the ULI
parking requirements for shopping center?

MR. BASRALIAN: Yeah, I -- I -- I --
it talks about, and I'm referring to parking requirements for shopping centers, summary recommendations and research study report, second edition, Urban Land Institute, it refers to, on page 3 to --

MR. CHASE: Table 1 recommended --

MR. BASRALIAN: I haven't asked the question. So, let me finish it up, okay?

MR. CHASE: Okay.

MR. BASRALIAN: Table 1 is recommended parking ratios -- table 1 recommended parking ratios is percentage of ULA and restaurants, entertainment and/or cinema space, shopping center size of gross leasable area less than 400,000 square feet, is at 10 percent, 4 per thousand at 11 to 20 percent, 4 per thousand, over that, over 20 percent is shared parking. The calculation then, you and I were both wrong, the calculation for the maximum 20,000 square feet of restaurant and theater of 8,000 square feet equates out to about 13 percent.

MR. CHASE: You're right, I was wrong, but the 4. --

MR. BASRALIAN: And I went along with it so apologize too.
MR. CHASE: The 4.09 per thousand that I quoted was correct. My percentage was off. It's actually 13 percent. And that's where you get the additional .09 that's added onto the 4.0 face value.

MR. BASRALIAN: Well, as I read this chart, I don't see it quite the same way. Recommended table 1 shoes the recommended number of parking spaces per thousand square feet of gross leasable area.

MR. CHASE: If I may, if you read footnote B, it says for each percent above 10 percent of linear increases 0.3 spaces per thousand square feet to be calculated.

MR. BASRALIAN: .03.

MR. CHASE: Right. But every percentage point above 10. So, it's 13 percent so that's 3 percent above 10, which is 3 percent -- 3 X's .03 is .09.

MR. BASRALIAN: Even when it's preexisting?

MR. CHASE: That doesn't come into play.

MR. BASRALIAN: This is for shopping centers of less than 400,000 square feet, and I
don't see -- let's see, 11 to 20 percent. So, lineal increase of .03 spaces per thousand would increase should be calcu -- what does that come to?

MR. CHASE: 4.09.

MR. BASRALIAN: 4.09. The parking -- your report indicated that it should have a parking ratio of about 4 per thousand I think is what you said, and as Mr. Keller testified, that we're about 13 -- 13 spaces shy of hitting that ratio of 4 per thousand. And if that 13 spaces were added to the existing parking by reducing some landscaping here or other things on the site, would that satisfy the four per thousand that you've recommended is what we should be having?

MR. CHASE: The 4 per thousand is really a target minimum. And, you know, Mr. Keller provided a shared parking table that evaluated retail versus restaurant and everything else. The 4 per thousand you can at least reference ITE and say that you meet this standard. Does that make all these issues associated with the parking supply go away completely, I would disagree. You know, I still think that some of
the things that we talked about before, you know, offsite parking employees, snow removal, and things like that, I think they still apply. You know, really, when you get below 4, we don't typically see parking supplies below 4 for a shopping center this size. That was really, you know, our target.

MR. BASRALIAN: Well, let me ask you something, is not -- do not ITE and ULI really are recommendations, and there are studies of many, many centers, some of which have a much lower parking ratio in the mix, and that is also acceptable under those standards as well, is it not?

MR. CHASE: That is. If you can go out and do parking counts in an existing shopping center that's, you know, functioning in a good state, and almost fully occupied, and justify a reduced parking ratio, that would be more than accepted methodology. But you also have to take into account, you know, seasonal variations and other thing. So, there's a lot that goes into evaluating parking supply. Because if you look at ITE for a community shopping center, the average parking supply is 4.9 per thousand. So, that
would lend you to believe that there aren't many shopping centers that provide less than 4 per thousand.

MR. BASRALIAN: Yeah, but how old were the shopping centers that they examined in that study if they're much older the parking ratios would tend to be higher, would they not, than a new shopping center?

MR. CHASE: You know, that may be true. It may not. That's a theory.

MR. BASRALIAN: Well, but you don't know whether it is or it isn't, you don't know whether those shopping centers are very high --

MR. CHASE: I don't. I'm -- I'm simply stating that the average supply that the manual identifies is 4.9. So, that would lend me to believe --

MR. BASRALIAN: As a recommendation.

MR. CHASE: As a recommendation. As an average supply.

MR. WEINER: Did you say 4.9 or 4.09.?

MR. CHASE: The ITE in the 4th edition of parking generation, they categorize the average parking supply for variance types of
shopping centers. It's 4.9.


    MR. CHASE: For a community shopping center.

    MR. WEINER: Okay. Thank you.

    MR. BASRALIAN: Okay, but ULI recommends -- recommends again 4.7 based upon the studies using the same number of shopping centers in its studies. I refer to you the same edition, page 25.

    MR. CHASE: Yeah, the ULI also recommends 4.5, I believe, in one of their other publications. So, there is a variety of recommendations for parking slides for shopping centers.

    MR. BASRALIAN: I mischaracterized it by saying a recommendation. They found that that was what the average was in the 104 community shopping centers that they studied.

    MR. CHASE: The average supply.

    MR. BASRALIAN: The average supply. That's what -- that's what they talked about, number of centers responding, 104, and that they use the average of 4.7 from those 104 responding shopping centers, community shopping centers. So,
it's not a recommendation is what the study shows.

MR. CHASE: And I didn't characterize the 4.9 as a recommendation. I characterized it as the average supply.

MR. BASRALIAN: I did and I mischaracterized it. So, you were correct in that regard. But it also says in the -- in the ULI second edition, to which I referred to earlier that, parking supply, and I quote this, "Parking supply is higher than the parking demand by an average of almost a full space per 1,000 square feet of JLA for centers of smaller than 600,000 square feet. And by about half a space for larger centers. This suggests that the parking supply is not constricting demand. Moreover, it's suggests that building parking spaces will not result in increased traffic volume and subsequently an increased sales and centers." So, the whole study is based upon what they observed out there, but observed also that the supply is higher than the parking demand by an average of almost one car per thousand square feet. Are you familiar with the study?

MR. CHASE: I am. And I think that we're all trying to get to the same result. We're
all trying to make sure that the center is going
to provide enough parking in the end. Because the
last thing that I would assume your client wants
to see, is a center that doesn't have enough
parking. The last thing the borough wants to see
is a center that doesn't have enough parking. So,
we're all trying to get to the same end point.
It's just a question of, is the 3.94 per thousand
sufficient. If it's not, are there other
alternatives that we can investigate to make sure
that that 3.94 is sufficient. You know, I think
that the borough requires 5.8 or 5.9 per thousand,
and, you know, we acknowledge that that's an
unusually high standard for parking for retail.
And I wouldn't suggest that the center should be
reduced to accommodate that parking demand, but I
think that there needs to be some discussion as to
if this is the parking supply that's going to be
provided for the center, are there other
alternatives that can be considered to make sure
that there is not a parking issue on site.

You know, I think that all of these
references, they all recommend that the best thing
to do, is, to go out and collect local data,
because parking demands are very regionalized.
They vary from town to town depending on the tenant mix. So, depending on what users you get in there, that's gonna really --

MR. BASRALIAN: Excuse me. This is a retail center with 13 percent restaurant and entertainment. That's what it is. The recommendation by the applicant's proposal, is, for 3.9 parking spaces. And say 4 per thousand if we add the 13. It's making that recommendation. Is it not a good judge of its business demand for what is necessary to operate a successful shopping center?

MR. SEGRETO: I object to the question.

MR. CHASE: Yeah, I mean --

MR. WEINER: I'm sorry, what's -- what's the objection?

MR. SEGRETO: The objection is, 1, to the form of the question. I think it's an improper question for this witness. He is asking the witness to ask about the determination made by this applicant, that 3.94 is sufficient, when no one has testified to that fact.

MR. WEINER: Well, I mean certain sense you're right. You're asking him if the
applicant is the best judge of the parking. I'm not sure he knows what the applicant knows.

    MR. BASRALIAN: On the other hand he just said that really it's the board should know what the -- the board should make a judgment as to what the best parking ratio, and if he's making that statement, then I should be able to ask him whether or not the applicant is not a -- would not the applicable, who is applying for the approval of the center and 3.94 parking spaces per thousand, to be a better judge.

    MR. WEINER: If the board listened to applicants about how much parking we needed everybody would be parking on the street. We know that. I mean, look, if you want to call your client and have him come up and explain why he -- they operate centers and they expertise they have, and why that's enough parking, I think that that would be great testimony for the board to hear. His opinion as to whether your client is the best judge, I'm not sure gets the board any information that's going to help them. But, you know, you want to ask it. I don't think it's -- you know, if he can answer it. Maybe he can. Maybe he can't.
MR. BASRALIAN: Well, just --
just -- just -- just to respond, you know, it is
not just, you know -- just as the municipal land
use law applies to applicants it applies to
boards. Just as judgments as to what is necessary
rests within boards, it rests within the
applicant, and this applicant has asked for a
waiver, which is within the power of this board to
grant for parking. And its put in its case as to
why it believes the parking that its provided is
adequate for the purpose of this shopping center.
This witness is saying, well, I'm not sure, and
it's up to the board to really decide. And that
was part of what he said. And I'm asking -- I'll
rephrase the question, if you wish, just to get on
with it.

MR. WEINER: That maybe helpful.

MR. BASRALIAN: Just to get on with
it. Okay.

Now, how do I rephrase it because
I've now gone so far beyond it. The applicant has
made a judgment of to what its parking spaces, and
it submitted an application for the parking as
provided in the application, which you reviewed.
Would an applicant not be the best judge in this
instance as to what its parking demand would be
for a successful center?

MR. SEGRETO: Objection.

MR. BASRALIAN: You can say, no, I
don't know. Yes, I do. Maybe --

MR. WEINER: Listen, I don't think
it's -- for what it's worth, I'm going to let him
answer. I'm not sure it's going to help the board
very much. I think if they want to know what the
applicant's opinion is as to their parking, call
the applicant. Call an expert from the applicant
to talk about why they think it's enough parking
and let the board ask some questions. But if he
wants to answer, I'm going to allow him to answer.

MR. CHASE: I can't definitively
answer. I mean --

MR. BASRALIAN: Well, does that make
a board a better judgment of what -- judge of what
the parking requirements should be for this
center?

MR. WEINER: Mr. Basralian, I'm not
gonna have the traffic expert decide whether the
board is -- the board is the judge because we're
gonna make a decision. So, by definition of the
MLU, we get to -- we, the board, gets to decide
MR. BASRALIAN: I understand it.

But he made a statement that the board would be able to judge as to whether or not it's appropriate. That's what he said.

MR. WEINER: All right. I think the board recognizes the traffic engineer doesn't decide whether the board is a good judge. I think the board is the judge. So, I don't know that this is significant. Why don't you get to something that would be helpful.

MR. BASRALIAN: You indicated that, as a result of question from Mr. Lignos, regarding the possibility of parking or your report indicated perhaps the applicant should explore offsite parking for employees. And as Mr. Lignos asked, whether busing of employees would be appropriate in a shopping -- in a community shopping center like this of 208,000 square feet. In your experience, has that ever been a mechanism employed for a shopping center of this size?

MR. CHASE: And my response to that, his question, it's going to be similar to my response to your question, it's the amount of parking provided that's really the mechanism, not
the size of the shopping center.

    MR. BASRALIAN: And if the shopping
center provides a function appropriately for the
amount of parking it's provided, whether it's 3.9
or 4 or some other number, why would anyone ever
consider doing something different, such as off
street parking or busing of employees?

    MR. CHASE: If the shopping center
was functioning in an acceptable manner they
wouldn't consider that.

    MR. BASRALIAN: And if you correctly
stated, the shopping center doesn't provide
adequate parking then customers might not come and
the applicant would suffer for it.

    MR. CHASE: That is correct.

    MR. BASRALIAN: And under those
circumstances would a developer of this magnitude,
putting this kind of improvement in site -- in
place, really want to be in a position of
inadequate parking to dissuade customers and
tenants?

    MR. SEGRETO: Objection. Same
objection. He keeps asking about developers of
this magnitude, developing this, would they want a
-- it's improper. It just doesn't make sense.
MR. WEINER: I will sustain that.

Mr. Basralian why don't you get to something else.

MR. BASRALIAN: Well, you know I was curious why, in your -- you have your report of August 8th. You ask for the applicant to make certain additional studies. And then you supplemented your report of -- I'm sorry, July 8th. I said August 8th. You supplemented your report -- revised September 17th, 2013. And there were whole areas of the report that were never addressed in the -- your initial letter, without having anything changed within the report. The supplemental report itself. I'm wondering how those issues arose, especially, for example, when you added No. 10, regarding level of service and traffic warrant. Where did that come from, that it wasn't in the first letter that you submitted in response to the applicant's report of July 8th, 2013?

MR. CHASE: You know, we wanted to evaluate the gaps initially to see how many gaps were out there. You know, if there's a substantial amount of gaps in traffic. Many multiples of what is projected, you know, maybe the intersection does operate better than what the
capacity analysis shows. The gap analysis result show that there were available gaps, but there weren't such a substantial amount of gaps available that you could rule that the capacity analysis was providing a negative projection of the operational condition at the intersection. So, based on our review of the gap analysis results we thought that further investigation was warranted.

MR. BASRALIAN: Well -- but that was done with the gap analysis. You said there was sufficient gaps through -- in traffic exists to accommodate the projected traffic movement onto Vervalen. But then you jump down and added the whole warrant study and peak hour traffic, and that a signal would be warranted -- a signal -- I'm sorry traffic signal warrants would be satisfied. So, I'm just trying to get the connection between those two, how sufficient gaps are indicated, and then down to a warrant study. Which may or may not ultimately be the result. But how did you make that jump?

MR. CHASE: As I stated several times, gaps do not directly correlate to capacity. There are gaps that exist out there. We didn't
feel that the results of the gap study were so substantial that they did not warrant further investigation as to how to improve the capacity of this intersection.

MR. BASRALIAN: But you only were focused on the possibility of the peak period and not any other times of the day.

MR. CHASE: Which is the focus of the traffic study.

MR. BASRALIAN: But you don't know that that situation would be -- in other times of the peak would be greater or lesser than it is during the peak period.

MR. CHASE: You're right, we don't. And that's why we asked for a warrant analysis to be conducted because what that will do is that will provide you several hours, many hours worth of value and then you can evaluate the operational conditions at the intersection through an extended period of time to see if that is in fact the case throughout the majority of the day or if it is just concentrated during the --

MR. BASRALIAN: Shouldn't the county be asking for the warrant study?

MR. CHASE: As a traffic reviewer,
you know, we are tasked with reviewing the traffic impact analysis.

MR. BASRALIAN: But shouldn't the request come from the county?

MR. CHASE: Not necessarily.

MR. BASRALIAN: Well, why would -- if there is an existing problem there today shouldn't a warrant of study been done at some point before this applicant came down the road?

MR. CHASE: Typically studies are only done if someone asks for them. So, if, you know, no one asks for it then obviously it's not going to be done now. We're analyzing this intersection as a result of this development. This information is being brought forward. So, that's why we are asking it to be done.

MR. BASRALIAN: Well, it was Mr. Keller's testimony that as a result of the improvements here or the improvements to the center, would result in additional one car per hour during the peak period -- p.m. peak to the existing traffic on the roadway. The left hand turn rather on Piermont from Vervalen to -- from Vervalen north on Piermont. That was in his testimony.
MR. CHASE: I read that but there are -- there is also --

MR. BASRALIAN: Would that one car justify -- one additional car, per hour, justify a warrant study under such circumstances?

MR. CHASE: You also have to take into consideration the vehicles on Piermont. Because you're not just looking at the left off of Vervalen on to Piermont. You're now adding additional traffic on Piermont, that's going to conflict with those lefts. So, it's a combination of everything. You can't just say that one car, that's the only additional traffic. You're adding through traffic on Piermont. You're adding left turning traffic on Piermont. That all conflicts with these left turns. So, it's not -- it's not just that one movement, that one car.

MR. BASRALIAN: Well, I'm just curious where it came about when it wasn't raised, even in the first letter. And you've sort of explained that. But there had been a question or a statement earlier by someone on the board that there are safety concerns at that intersection. I was curious whether or not the warrant study came as a result of whatever those safety concerns
might have been at Piermont and Vervalen.

MR. CHASE: No.

MR. BASRALIAN: There were a couple of other comments in your letter, which were added, again, for example, No. 6 on page 5 of your report, all signal -- single yellow lines striping on the internal circulation aisles should be modified to double yellow line. And you go on to say that the -- although the application, the manual on uniform traffic control devices is not required for all drive aisles within shopping centers, we still recommend yellow striping to be provided on the internal circularized -- circulation aisles, to be modified to a double yellow line.

Are not the MUTCD road standards, are not internal shopping center standards?

MR. CHASE: And that's what it says, but if you read the MUTCD says, although it does not specifically apply to shopping centers it is recommended that you maintain those similar standards. While you don't need to put shopping centers -- stop signs on the end of every aisle, if you're going to put a single yellow line it's not that much additional work to put a double
yellow line. You know, in my professional opinion, I always recommend, any site engineer, when they show a single yellow line on the plans that they make that a double yellow line.

MR. BASRALIAN: But do you really think they're necessary at all. People are at shopping centers everyday. There are islands at the end of each of the aisles here, which don't exist today. Isn't it indicative that you're coming to an intersection. Why would you add more lines; not one, not -- not even one, two as you recommended, when you have islands with trees at the end of every aisle?

MR. CHASE: I would rather see no yellow line than a single yellow line.

MR. BASRALIAN: Well, that's what the applicant would prefer as well, but if that is the case, than what is wrong with the applicant's proposal not to put yellow lines, even a single yellow line, because you do have traffic, you know, the islands at the end of each aisle -- at the end of each aisle.

MR. CHASE: We didn't say that there was anything wrong with it. You know, we looked at the plan. There were single yellow lines
proposed on the plan. We recommended that those lines be double yellow for consistency purposes.

MR. BASRALIAN: Well, I like your recommendation that you'd rather see none although that's an alternative. Right.

MR. CHASE: It is. I would see double or none.

MR. BASRALIAN: You also added a statement regarding in number -- your No. 8 regarding MUTCD guidelines with respect to the speed tables, which deals with striping. It was Mr. Keller's testimony that the speed tables would be white concrete as contrasted to -- as contrasted to -- I'm sorry, that was striping. It would be concrete and that contrasts to the black macadam, and that he didn't feel the line striping, which you recommended, was warranted.

MR. CHASE: We said and/or warning signage. We said and/or signage. Not necessarily striping and signage. You know, in my professional opinion given that the speed tables -- given they are a little bit higher and I understand, you know, that the applicant's desire to have level crossings, and the genesis for the height of the speed tables, given that they are a
little bit higher than, you know, a standard speed
table, you're going to cause a little more
deflection in the cars. In my professional
opinion, I would like to see warning signs out
there advising the motorist of the speed table.
Because all it takes is one person not paying
attention, to hit that at a more than desired rate
of speed, and you know --

MR. BASRALIAN: Yeah, but that's

only about a 6 percent grade, which is about the
same as a driveway cut. And that doesn't -- does
that really constitute a hazard if it's a
6 percent grade which is similar to any driveway
cut that we go in and out of. Same thing as any
driveway here as well.

MR. CHASE: I understand that, but
if you look at MUTC's design for speed tables, you
know there's excessive warning striping, striping,
and signage, to advise the motorist of -- that
there is something that they may not potentially
expect, coming up, and that they should slow down
for this -- for this design in the road.

MR. BASRALIAN: But isn't that also
a road standard rather than a shopping center
standard?
MR. CHASE: It is. And I'm not saying that you need to implore the exact striping that they recommend, you know, the chevrons leading up to it. I'm saying that, in my professional opinion, I think that a warning sign should be added, advising motorists of the speed hump in advance of it so that they are aware of it.

MR. BASRALIAN: But you're within a shopping center where the traffic is slow. You have traffic in and out. It's not a 25 mile an hour or 30 mile an hour roadway. It is a shopping center roadway. And why would you pollute the ground, and the air, or pollute the ground with striping or signs on the side to warn something that obviously evidenced because it's white verses black?

MR. CHASE: I would contend that to every motorist it may not be obvious. And this is my professional opinion. You know, you're allowed to disagree with my but it is my professional opinion I would include advanced warning signs to advise motorists of something that they may not expect coming up. And I understand that it is within the shopping center. It's still, in my
opinion, I would think --

MR. BASRALIAN: Even though the MUTCD guidelines really refer to roadways rather than shopping centers?

MR. CHASE: That's correct.

MR. BASRALIAN: Mr. Chairman, I have no further questions at this time. Although, if there are -- there is more questions from others, I may wish to supplement it, and I will call back Mr. Keller on redirect. And I didn't realize it's six minutes to 12.

CHAIR LIGNOS: It's 12 to 12. I mean it's 6 minutes to 12. Mr. Segreto, how many questions do you have?

MR. SEGRETO: I have no questions.

CHAIR LIGNOS: Okay, Mr. Rosenblume.

MR. ROSENBLUME: Jessie Rosenblume, 65 Knickerbocker Road. There's been discussion about county and traffic light, whatever, can you or Mr. Basralian or Mr. DeNicola tell me if --

CHAIR LIGNOS: No, no, no, no, no, hold on. Hold on. I can't have Mr. DeNicola do or Mr. Basralian do it.

MR. BASRALIAN: We only think we're traffic experts.
MR. WEINER: What's the question?

CHAIR LIGNOS: Can you -- the question that's up before --

MR. ROSENBLUME: The question is:

Did the county receive a set of plans of this project?

MR. BASRALIAN: I can answer. Yes, it did.

MR. ROSENBLUME: Okay. The other question is: Will shoppers prefer shopping centers with convenience, available parking spaces?

CHAIR LIGNOS: Can you say that again?

MR. ROSENBLUME: Will shoppers prefer shopping centers with convenience available parking spaces.

MR. CHASE: In my assumption, yes, that's a fair assumption.

MR. ROSENBLUME: So, when a shopper comes on the property, they would like to know that there is space available basically?

MR. CHASE: Correct.

MR. ROSENBLUME: Good. Thank you.

CHAIR LIGNOS: Okay. I don't see
any other questions. Either -- you really.

   MS. AMITAI: I really do.

   CHAIR LIGNOS: No, no, I think the
public is finished. So, therefore, what other
questions can we possibly have. We have been
asking questions all night.

   MAYOR HEYMANN: Our attorney -- our
attorney made a statement earlier on, that I think
deserves some elaboration.

   CHAIR LIGNOS: Okay therefore we're
going onto Monday because that's going to be new
business. And this way we can continue it.

   The chair will entertain a motion to
adjourn.

   MR. BASRALIAN: Excuse me. I'm back
on, on the 21st. Mr. Keller will be back. I
assume your expert will be back on the 21st.

   CHAIR LIGNOS: Are you available on
the 21st?

   MR. CHASE: I'll make myself
available.

   CHAIR LIGNOS: I'm sorry.

   MR. CHASE: Is it Monday?

   CHAIR LIGNOS: Yes.

   MR. CHASE: I'll make myself
available.

CHAIR LIGNOS: Thank you.

MR. BASRALIAN: And under those --

MS. AMITAI: Or not?

CHAIR LIGNOS: Hold on. Hold on.

Hold on. One thing at a time, please.

MR. BASRALIAN: And just before you adjourn it, that you announce, again --

CHAIR LIGNOS: Yeah, I'm going to do all that.

MR. BASRALIAN: Okay.

CHAIR LIGNOS: Members of the board, we have -- we need to go -- we have Monday the 21st is our next meeting. We have our regular meeting on November -- October the 31st. We have a work session on the 6th of November. And I understand that Mr. Segreto will be ready with his witnesses on -- if we have -- if you so accept this, at a special meeting on the 14th. Any objection to say a special meeting on the 14th?

MR. SINOWITZ: What day is that?

MR. DENICOLA: Thursday.

CHAIR LIGNOS: It's a Thursday.

Now, after that, there would be a special meeting on the 21st. But I understand several people are
not available. The mayor and one other --

        MS. AMITAI: I won't be here either.

        CHAIR LIGNOS: Three people are not available. So, therefore, the only meeting in November, other than our work session would be the 14th then we'd have to go into December because Thanksgiving is the next Thursday. So, it's the 14th. I'm hoping that we are -- Mr. Segreto, you think your three witnesses would take one day?

        MR. SEGRETO: Yes.

        CHAIR LIGNOS: So, it's a very good possibility that we can wrap on the 14th.

        MR. BASRALIAN: To that end, if Mr. Segreto's witness is going to be submitting reports, I'd like to have a copy of the report before the hearing since all of our's were submitted at least ten days before a hearing date.

        CHAIR LIGNOS: Mr. Segreto any --

        MR. SEGRETO: I don't believe we are going to do a report.

        CHAIR LIGNOS: Okay.

        MR. BASRALIAN: If they are -- if they are then they should be submitted and I should be provided with copies as well.

        MR. SEGRETO: I don't know --
MR. WEINER: If anybody is going to
do a report have them submit it within ten days --

MR. SEGRETO: I don't know about
providing Mr. Basralian with a copy --

MR. BASRALIAN: Provide it to the
board and then I have access to it sure.

MR. SEGRETO: Mr. Basralian has
supplied me with none.

MR. BASRALIAN: They have all been
filed and they're available to you just as those
-- your reports will be available to me.

MR. SEGRETO: I understand that
Mr. Basralian.

MR. BASRALIAN: Semantics John,
semantics.

CHAIR LIGNOS: So, we are
carrying -- this application will be carried to
our next hearing, which is a special meeting to be
held on Monday, October the 21st. That's this
following Monday. Yes, sir.

MR. BASRALIAN: Given what
Mr. Segreto said about his witness, would it be
possible to do maybe the 13th and the 14th? And
we can wrap this up. If we're really very lucky,
not to carry it into December.
CHAIR LIGNOS: Mayor and council.

We're on the 14th.

MR. WEINER: So, this application is being carried to October 21st.

CHAIR LIGNOS: Correct.

MR. WEINER: No further notice will be given. Anybody in the public wants to attend, October 21st at 8:00 p.m. here, this application will continue.

CHAIR LIGNOS: If the board members have no objection, chair will entertain a motion to object -- to --

MR. WEINER: Mr. Chairman, one more thing. There were some other dates discussed. Those may or may not ultimately wind up being the day. So, the only day you have to remember is October 21st. We expect there will be other dates.

CHAIR LIGNOS: Mr. DiDio, I'd like to have a motion accepting November 14th, please.

MAYOR HEYMANN: So moved.

CHAIR LIGNOS: Moved by the mayor. Seconded by Mr. Didio. Can you please poll the board.

MS. MITCHELL: Oh, sure.
Mayor Heymann.

MAYOR HEYMANN: Yes.

MS. MITCHELL: Councilwoman Amitai.

MS. AMITAI: Yes.

MS. MITCHELL: Dr. Maddaloni.

MR. MADDALONI: Yes.

MS. MITCHELL: Mr. Baboo.

MR. BABOO: Yes.

MS. MITCHELL: Ms. Stella.

MS. STELLA: Yes.

MS. MITCHELL: Mr. Lignos.

CHAIR LIGNOS: Yes.

MS. MITCHELL: Mr. Sinowitz.

MR. SINowitz: Yeah.

MS. MITCHELL: Mr. DiDio.

MR. DIDIO: Yes.

MS. MITCHELL: Mr. Pialtos.

MR. PIALTOS: Yes.

CHAIR LIGNOS: Thank you very much.

Seeing no objection, this meeting is now adjourned. It is exactly midnight.

(Meeting concluded.)
CERTIFICATE

I, GINA MARIE VERDEROSA-LAMM, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the deposition of said witness(es) who were first duly sworn by me, on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

________________________________
GINA MARIE VERDEROSA-LAMM, C.S.R.
LICENSE NO. XI2043
<table>
<thead>
<tr>
<th>&amp;</th>
<th>1:21,23 67:22 119:16</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0.3 175:13 03 175:15,19 176:2 09 175:4,19</td>
</tr>
<tr>
<td>1,000</td>
<td>180:11</td>
</tr>
<tr>
<td>1,421</td>
<td>101:21</td>
</tr>
<tr>
<td>1/3</td>
<td>59:24 100:5</td>
</tr>
<tr>
<td>100</td>
<td>45:15 47:20 50:25 160:17</td>
</tr>
<tr>
<td>103</td>
<td>50:3 102:20</td>
</tr>
<tr>
<td>104</td>
<td>179:18,23,24</td>
</tr>
<tr>
<td>10th</td>
<td>4:8</td>
</tr>
<tr>
<td>119</td>
<td>3:21</td>
</tr>
<tr>
<td>11th</td>
<td>4:6</td>
</tr>
<tr>
<td>1224</td>
<td>101:24</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>12:00</th>
<th>2:12</th>
</tr>
</thead>
<tbody>
<tr>
<td>12th</td>
<td>4:7,23</td>
</tr>
<tr>
<td>13</td>
<td>10:21,24 174:21 175:3,17 176:10,10 176:12 182:5,9</td>
</tr>
<tr>
<td>1310</td>
<td>1:6</td>
</tr>
<tr>
<td>135</td>
<td>79:11</td>
</tr>
<tr>
<td>136</td>
<td>24:22</td>
</tr>
<tr>
<td>13th</td>
<td>203:23</td>
</tr>
<tr>
<td>14th</td>
<td>201:19,20 202:6,8,12 203:23 204:2,20</td>
</tr>
<tr>
<td>15</td>
<td>6:22 65:13 79:13 80:8</td>
</tr>
<tr>
<td>1607</td>
<td>1:6 3:21</td>
</tr>
<tr>
<td>16th</td>
<td>4:1</td>
</tr>
<tr>
<td>173,081</td>
<td>102:4</td>
</tr>
<tr>
<td>175</td>
<td>112:23</td>
</tr>
<tr>
<td>17th</td>
<td>1:10 2:4 4:9 130:8 164:12 188:9</td>
</tr>
<tr>
<td>18th</td>
<td>4:6</td>
</tr>
<tr>
<td>19</td>
<td>1:6 124:9</td>
</tr>
<tr>
<td>1:00</td>
<td>105:20</td>
</tr>
<tr>
<td>1a</td>
<td>104:24 105:17</td>
</tr>
</tbody>
</table>

| 2,800 | 34:11 102:24 |
| 20,000 | 133:24 140:21 174:19 |
| 200 | 160:10 |
| 200,000 | 86:2 156:1 |
| 2000 | 97:12 |

| 2007 | 128:4 |
| 2012 | 53:4,5,12,13 65:11 93:8 94:23 95:14,18,21 96:24 97:2,8,12,19,25,25 |

| 3 | 2013-03 | 1:7 |
| 2014 | 27:23 95:21 |
| 2015 | 95:17 |
| 2017 | 95:15,18 96:2 |
| 206 | 113:15 |
| 208,000 | 172:7 186:19 |
| 211,000 | 172:7 |
| 214,337 | 101:5 105:10 |
| 21st | 200:16,17,19 201:14,25 203:19 204:8,17 |
| 235 | 51:20 |
| 239 | 49:24 |
| 24 | 46:18 64:8 |
| 25 | 160:11 179:10 197:11 |
| 25,000 | 155:22 |
| 250,000 | 86:3 |
| 26th | 26:18,18 |
| 27,000 | 104:1 |
| 27th | 4:4 |
| 28 | 124:8,10 |
| 295 | 1:9 |
| 29th | 4:7 |
| 2:12 | 94:22,22 |
| 2:30 | 94:25 |
| 2a | 104:25 |
| 2nd | 4:7 21:2 168:24 |

| 3 | 3 | 27:9 82:22 86:9 |
| 3 | 21:2 93:15 94:25 |
| 111:8 | 131:22 174:5 |
| 175:18,18,18 |

| 3,000 | 101:9 104:5 155:23 |
| 3.5 | 168:1 |
| 3.7 | 109:13,19 |
| 3.9 | 182:8 187:4 |
| 3.94 | 133:9 181:8,11 |
| 300,000 | 45:15 |
| 304 | 51:21 |
| 31st | 66:1 201:15 |
| 350,000 | 47:21 |

| 4 | 4 | 24:3,7 43:5 49:23 |
| 4 | 49:25 50:1 51:8 65:5,8,13,15,18,22 |
| 4 | 75:12 86:4 90:5,9 |
| 4 | 100:11,16 103:13 |
| 4 | 108:14,17 109:15 |
| 4 | 110:9,11 111:8 |
| 4 | 136:17 140:6 |
| 4 | 154:12,12 160:17 |
| 4 | 167:20,22 168:2,3 |
| 4 | 174:15,16,23 176:8 |
| 4 | 176:11,17,21 177:4 |
| 4 | 177:5 178:2 182:8 |
| 4 | 187:5 |

| 4.0 | 133:11,16 175:4 |
| 4.09 | 133:14 175:1 |
| 4.09 | 176:5,6 178:22 |
| 4.5 | 179:12 |
| 4.7 | 179:7,24 |
| 4.9 | 177:25 178:21 |
| 4.9 | 180:3 |
| 4.9 | 178:16 179:1,2 |
| 4.9 | 133:14 |
| 400,000 | 174:15 |
| 41,256 | 104:2 |
| 417 | 112:25 113:14 |
| 42 | 27:18 |

Veritext/NJ Reporting Company

800-227-8440 973-410-4040
| 43,000 | 68:22 |
| 448   | 101:24 |
| 4:15  | 65:15  |
| 4th   | 66:3 178:23 |

### 5

| 5.8   | 181:12 |
| 5.9   | 181:12 |
| 50    | 37:3,3 90:25 157:1 |
| 50/50 | 37:3 |
| 500   | 127:6 142:24 |
| 500,000 | 47:11 |
| 502   | 101:13,15 |
| 54    | 27:25 |
| 55    | 24:19 25:1 26:8 78:22 79:11 |
| 56    | 27:20 106:11 |
| 5:00  | 65:5 |
| 5:15  | 65:15 |
| 5:30  | 65:23 |
| 5th   | 66:3 |
| 5th's | 4:2 |

### 6

| 6,000 | 33:16 66:5 102:10 105:10 172:8,16,24 173:2 |
| 60    | 157:2 |
| 600,000 | 180:12 |
| 62    | 106:11 |
| 65    | 5:13 17:17 89:16 125:5 198:18 |
| 66,601 | 51:19 |
| 6th   | 79:8 201:16 |
| 7     | 1:6 64:8 134:21 |
| 7.1   | 167:23 |
| 70    | 157:2 |
| 73,000 | 112:16 |
| 75    | 25:21 28:1 50:1,2 102:20 |
| 7th   | 4:7 61:15 79:8 |
| 8000  | 133:25 174:20 38:3 134:23,23 153:21 |
| 810   | 99:18,20 |
| 820   | 105:7 116:20 |
| 830   | 105:5 |
| 84,000 | 99:25 |
| 844   | 105:3,7 |
| 8800  | 1:11 2:10 204:8 |
| 8:01  | 1:15 4:19 |
| 8:02  | 1:15 3:18,19 |
| 8th   | 4:7 61:15 188:5 188:8,8,18 |
| 9     | 93:4 134:20 |
| 90    | 64:4 134:23 148:17 |
| 919   | 101:19 |
| 93.02 | 7:11 |
| 93.7  | 7:5 |
| 97    | 91:25 |
| 975   | 100:8 |
| 9:42  | 88:19 |
| 9:50  | 88:21,24 |
| 9th   | 61:15 |
| a     | 71:24 92:2,7 |
| a.m.  | 75:15 |
| abil  | 167:12 |
| ability | 61:1 76:13 118:17 166:18 167:14 |
| able   | 54:5,12 69:5 118:2 119:4,6,21 120:5 133:3 144:8 152:18 164:4 166:21 183:7 186:4 |
| absolutely | 56:9 62:17 113:21 |
| absorption | 85:5 |
| accent | 17:19 |
| accept | 80:12 128:10 201:18 |
| acceptable | 177:13 187:9 |
| accepted | 80:1 108:18 145:18 177:20 |
| accepting | 204:20 |
| accessible | 35:16 |
| accessing | 40:7 |
| accommodate | 44:17 |
| account | 33:11 42:20 101:8 111:2 112:6 146:13,23 147:3,5 177:21 |
| accounted | 111:14 |
| accounts | 111:10 |
| accurate | 86:25 |
| 206:6 |
| acknowledge | 181:13 |
| acre | 6:22 |
| act | 2:8 142:9 |
| action | 206:11,13 |
| activities | 85:6 |
| activity | 38:17 62:11 82:10 99:16 111:10 |
| actuality | 52:17 |
| actuated | 63:23,24 143:14,18 |
| add | 34:14 59:16 84:1 103:2 132:1 182:9 194:10 |
| adding | 65:24 77:14 131:20 132:5 149:9 192:9,13,14 |
| addition | 36:19 |
| 75:18 |
| additional | 25:21 |
| addressed | 188:11 |
| addresses | 45:25 |
| adds | 136:25 |
| adequate | 84:17 184:11 187:13 |
| adheres | 2:11 |
adjacent 8:18 84:21
adjourn 200:14
201:8
adjourned 205:21
advanced 27:21
53:17
adjustment 26:21
27:5 50:8
adjustments 64:10
adjusts 64:2
administration 76:2
adopted 145:14
advance 197:7
advanced 197:22
advertised 2:7
advise 196:19
197:23
advising 196:5
197:6
aerial 104:19
afar 153:16
affirm 126:18
afford 73:4
afraid 57:18
afternoon 61:5
agencies 144:21
agenda 3:20
aggregate 171:24
aggregated 48:16
aggressive 168:4
ago 26:15 60:9
agree 7:23 15:15
107:4 130:20
168:10,13,16
169:15 173:6,7
agreed 34:4
agrees 59:5 169:17
170:11
ahead 45:12,13
167:6
air 76:17 197:14
aisle 28:17,21
193:23 194:13,21
194:22
aisles 122:24,24
193:7,11,14 194:8
alleged 106:10,24
allegiance 2:14
alleviates 158:13
alleviating 130:21
allocate 171:11
allocation 161:9,18
164:7 170:22,25
172:2
allow 116:7 135:20
142:7 185:14
allowed 16:5 79:18
79:21 113:25
114:16 197:20
alongside 157:24
alternative 16:11
195:5
alternatives 156:21
157:6 181:10,20
ame 1:5 3:23
america 112:11
amitai 1:14 2:20,21
25:6,24 26:6 64:23
65:25 66:4,8 67:17
68:5,17 70:4 87:19
87:25 110:22 136:1
136:2 141:22
157:12,16,20
158:25 159:7,15,20
160:19 200:2 201:4
202:2 205:3,4
amount 23:1 36:15
38:6 54:4,12,12
57:14 64:3 72:24
74:13 86:7 115:17
131:18 132:5
133:15,17 140:2,3
142:18 150:10
151:12,21 152:22
152:24 155:12
156:13 162:13
164:25 165:4 167:3
173:12 186:24
187:4 188:23 189:3
analyses 33:15
147:1 163:17
analysis 21:9 22:2
65:20 74:23 77:1
104:25 130:10
131:23,24 134:13
134:15,16 135:10
137:1 140:12 145:7
147:2,10,19 148:9
148:12 149:8,16
164:20 189:1,1,5,7
189:11 190:15
191:2
analyzed 31:9
analyzing 83:4
191:13
anchor 81:8 82:10
82:22 85:7,21
139:21
anchors 140:1
announce 201:8
annual 28:23
ans 154:3
answer 5:22 6:7
12:8 69:5 71:6 89:8
107:11,13 111:7
116:15 119:5
121:18 149:25
154:5 161:23 162:1
162:3 183:24 185:8
185:14,14,16 199:7
answered 64:18
116:7
anticipate 151:22
anticipated 21:23
54:2 55:1,16,18
98:9,11 150:8
anticipates 34:1
anybody 16:24
146:1 203:1 204:7
anyhow 108:24
anyway 142:17
ap 132:8
apologize 17:15
50:19 81:1 169:6
174:25
appears 36:17 173:2
appendix 26:17
applicable 132:23
183:9
applicant 1:21 3:22
10:7,10 14:1 15:16
71:3 75:23 97:3
98:23 116:21
132:12 147:25
149:2 164:11
182:22 183:1,2,8
184:7,7,21,25
185:11,11 186:15
187:14 188:5 191:9
194:17
applicant's 159:10
160:5 182:7 185:10
188:18 194:18
195:23
applicants 183:13
184:4
application 1:3,7
3:21,25 4:3,8 5:8
18:20 27:7 40:16
41:3 68:20 70:9
97:2,5 107:8 116:19
125:7 133:7 135:8
140:21 141:1
162:10 171:8,20
172:12 184:23,24
193:9 203:17 204:3
204:8
applications 54:10
applies 184:4,4
apply 147:5 177:3
193:20
applying 183:9
appointments 92:22
92:25
appreciate 134:10
approach 31:14
52:20 59:18 64:6
<table>
<thead>
<tr>
<th>Page 4</th>
</tr>
</thead>
</table>
| **[approach - backs]**
| 111:8,9 130:19  
151:2 158:11  
160:14,15,18  
164:16 166:12  
**approaches** 84:23  
134:23 144:9  
158:20,24 160:8  
**approaching** 158:15  
158:16  
**appropriate** 49:6  
63:18 83:4 86:25  
87:3 103:3 104:22  
116:25 117:11  
186:5,18  
**appropriately** 187:3  
**approval** 173:9  
183:9  
**approved** 68:19  
**approximately** 10:21 78:22 104:2  
112:16 127:5  
133:20 134:20  
159:20 160:10,16  
**april** 26:18,18  
**aquifer** 14:11  
**architect** 4:15 5:8  
5:24 6:6 79:24  
98:14  
**area** 9:3,11,13,16,22  
9:25 10:4,13,19  
14:15 15:14 31:4  
34:25 36:9,20 38:19  
39:11,12 42:4,7  
55:9,12 56:20 66:23  
67:7,11 78:10 82:20  
83:24 90:7 91:2,3  
91:16,17 96:14  
98:12 104:13  
108:14,19 110:9,11  
123:4 158:17  
174:14 175:10  
**areas** 8:17,18,19,21  
9:24 68:8 96:9,9,10  
112:7 122:23  
188:10  
**argue** 93:23  
**argument** 114:22,23  
117:4,6,24  
**arose** 188:14  
**arrival** 165:14  
**arrive** 65:5 140:14  
151:10 166:7  
**arrived** 78:5  
**arriving** 131:15  
**arthur** 1:18  
**asked** 18:14 21:21  
35:11 44:5 82:16  
87:21 89:7 92:1  
93:5 115:25 116:21  
118:8,21 119:1  
121:2 131:2 149:23  
164:10 174:7 184:7  
186:17 190:15  
**asking** 16:6,7,9  
27:14 30:23 47:17  
79:23 82:5 107:16  
115:11,11 116:11  
117:16 120:22,25  
121:10 147:18  
170:5 182:20,25  
184:14 187:23  
190:24 191:16  
200:6  
**asks** 191:11,12  
**assess** 164:25  
**assessed** 171:21  
**assessment** 132:9,23  
**assigned** 78:7  
**associated** 83:2  
103:20 111:14  
138:22 139:8  
155:25 158:13,21  
167:24 171:8,12  
172:4 173:12  
176:23  
**association** 135:8  
**assume** 37:8 65:22  
85:21 140:1 148:11  
153:6 166:4 181:3  
200:17  
**assumed** 105:11  
**assumes** 22:7 140:7  
**assuming** 86:15  
148:7,20 151:16  
160:11,23 165:13  
168:3  
**assumption** 151:19  
199:18,19  
**atlantic** 21:18  
126:25 127:4 128:1  
128:5  
**attempt** 39:15  
**attend** 204:7  
**attendance** 2:17  
125:23  
**attention** 196:7  
**attorney** 1:18 3:24  
45:11 48:25 58:13  
120:23 121:4 200:7  
200:8 206:9,13  
**attorneys** 1:21,23  
**attract** 110:3  
**audience** 89:14  
**august** 4:6 21:23,24  
23:6,16,21 65:2  
188:5,8  
**avail** 118:17  
**availability** 106:14  
131:11,13  
**available** 55:14  
70:12 84:23 105:4  
131:3,8 136:18  
164:25 165:25  
189:2,4 199:11,16  
199:22 200:18,21  
201:1 202:1,4  
203:10,11  
**ave** 1:6  
**avenue** 10:1 38:18  
39:25 71:21 160:14  
**average** 21:13,13,15  
23:2,2 30:1,6 31:19  
47:10 48:19 53:23  
74:11 85:14,22  
86:15,18 87:2  
177:24 178:15,20  
178:25 179:18,20  
179:21,24 180:4,11  
180:21  
**averages** 87:2  
**avoid** 73:19 142:2  
**aware** 61:20 63:15  
149:11 197:7  |
| **b** 1:12 31:14 37:15  
42:6 57:12 67:4  
84:22 175:12  
**baboo** 1:15 2:23  
4:18 28:3,5,9,25  
29:3,6,14,24 30:5,9  
30:16,23,25 31:8,16  
31:22 32:2,13,22  
33:10,18 34:15,19  
35:9,13,16,20,23  
80:15,20,23 81:1,1  
81:3,5,18,21,22  
82:2,6 83:6 85:3,16  
85:19,25 86:13 87:5  
87:15 118:8,21,21  
139:10,11,14,20  
140:13 141:4,20  
205:7,8  
**back** 3:25 21:1 31:4  
45:13 50:12 58:13  
64:24 66:11 67:2,3  
67:5,10,13,13 72:14  
88:16,25,25 91:2,17  
92:4 104:13 108:25  
116:10 138:13  
141:24 143:16  
147:5 153:4 170:1  
170:25 171:11  
198:9 200:15,16,17  
**backed** 30:18 32:5  
32:11 73:19  
**background** 27:6  
95:20 147:5  
**backs** 160:19,20 |
<table>
<thead>
<tr>
<th>Word</th>
<th>Line Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>closed</td>
<td>36:21 93:6,10</td>
</tr>
<tr>
<td>closer</td>
<td>110:7</td>
</tr>
<tr>
<td>closing</td>
<td>41:20</td>
</tr>
<tr>
<td>closter</td>
<td>1:2,5,9,9,10</td>
</tr>
<tr>
<td>code</td>
<td>103:9</td>
</tr>
<tr>
<td>coefficient</td>
<td>46:9</td>
</tr>
<tr>
<td>coefficient</td>
<td>48:4</td>
</tr>
<tr>
<td>cognizant</td>
<td>158:16</td>
</tr>
<tr>
<td>collect</td>
<td>133:3 181:24</td>
</tr>
<tr>
<td>color</td>
<td>17:19,25 18:3</td>
</tr>
<tr>
<td>columbus</td>
<td>92:1</td>
</tr>
<tr>
<td>combination</td>
<td>78:6</td>
</tr>
<tr>
<td>come</td>
<td>14:7 22:16</td>
</tr>
<tr>
<td>comes</td>
<td>28:21 45:3,3</td>
</tr>
<tr>
<td>containing</td>
<td>145:19 152:12</td>
</tr>
<tr>
<td>commencing</td>
<td>2:9</td>
</tr>
<tr>
<td>comment</td>
<td>20:4,7</td>
</tr>
<tr>
<td>comments</td>
<td>20:10</td>
</tr>
<tr>
<td>commission</td>
<td>82:7</td>
</tr>
<tr>
<td>commissioned</td>
<td>81:6</td>
</tr>
<tr>
<td>commons</td>
<td>120:12</td>
</tr>
<tr>
<td>community</td>
<td>90:1,7</td>
</tr>
<tr>
<td>community</td>
<td>90:16 108:19</td>
</tr>
<tr>
<td></td>
<td>109:6,22</td>
</tr>
<tr>
<td></td>
<td>133:9</td>
</tr>
<tr>
<td></td>
<td>155:10,15</td>
</tr>
<tr>
<td></td>
<td>177:24</td>
</tr>
<tr>
<td></td>
<td>179:3,18,25</td>
</tr>
<tr>
<td></td>
<td>186:18</td>
</tr>
<tr>
<td>commute</td>
<td>64:24</td>
</tr>
<tr>
<td>commuter</td>
<td>60:19</td>
</tr>
<tr>
<td>compare</td>
<td>50:22</td>
</tr>
<tr>
<td>compared</td>
<td>34:12</td>
</tr>
<tr>
<td>comparison</td>
<td>59:7</td>
</tr>
<tr>
<td></td>
<td>99:16</td>
</tr>
<tr>
<td>competing</td>
<td>110:6</td>
</tr>
<tr>
<td>competition</td>
<td>112:10</td>
</tr>
<tr>
<td>compilation</td>
<td>61:10</td>
</tr>
<tr>
<td>complete</td>
<td>6:25 80:16</td>
</tr>
<tr>
<td></td>
<td>128:24</td>
</tr>
<tr>
<td>completed</td>
<td>19:18</td>
</tr>
<tr>
<td></td>
<td>78:17 95:15</td>
</tr>
<tr>
<td>completely</td>
<td>48:3</td>
</tr>
<tr>
<td></td>
<td>176:24</td>
</tr>
<tr>
<td>completion</td>
<td>72:5</td>
</tr>
<tr>
<td></td>
<td>116:19</td>
</tr>
<tr>
<td>computer</td>
<td>2:10</td>
</tr>
<tr>
<td>conceivable</td>
<td>87:8</td>
</tr>
<tr>
<td>concentrate</td>
<td>84:15</td>
</tr>
<tr>
<td>concentrated</td>
<td>190:22</td>
</tr>
<tr>
<td>concentrating</td>
<td>34:25</td>
</tr>
<tr>
<td></td>
<td>141:16</td>
</tr>
<tr>
<td>concern</td>
<td>34:24 73:14</td>
</tr>
<tr>
<td></td>
<td>74:7 87:7</td>
</tr>
<tr>
<td>concerned</td>
<td>31:1 47:3</td>
</tr>
<tr>
<td></td>
<td>96:11 157:21</td>
</tr>
<tr>
<td>concerning</td>
<td>118:9</td>
</tr>
<tr>
<td>concerns</td>
<td>123:7</td>
</tr>
<tr>
<td></td>
<td>135:6 192:23,25</td>
</tr>
<tr>
<td>concluded</td>
<td>103:11</td>
</tr>
<tr>
<td></td>
<td>165:22,24</td>
</tr>
<tr>
<td></td>
<td>205:22</td>
</tr>
<tr>
<td>concrete</td>
<td>195:13,15</td>
</tr>
<tr>
<td>condition</td>
<td>27:22</td>
</tr>
<tr>
<td></td>
<td>32:8 36:14,69:9,22</td>
</tr>
<tr>
<td></td>
<td>75:3 85:14,17,20</td>
</tr>
<tr>
<td></td>
<td>86:16 100:1 156:23</td>
</tr>
<tr>
<td></td>
<td>189:6</td>
</tr>
<tr>
<td>conditioned</td>
<td>153:14</td>
</tr>
<tr>
<td></td>
<td>154:12</td>
</tr>
<tr>
<td>conditioning</td>
<td>153:12</td>
</tr>
<tr>
<td>conditions</td>
<td>7:19</td>
</tr>
<tr>
<td></td>
<td>26:23 53:22</td>
</tr>
<tr>
<td></td>
<td>61:3</td>
</tr>
<tr>
<td></td>
<td>74:5 75:20</td>
</tr>
<tr>
<td></td>
<td>85:2</td>
</tr>
<tr>
<td></td>
<td>94:19 99:24</td>
</tr>
<tr>
<td></td>
<td>190:19</td>
</tr>
<tr>
<td>conduct</td>
<td>130:9</td>
</tr>
<tr>
<td>conducted</td>
<td>166:24</td>
</tr>
<tr>
<td></td>
<td>190:16</td>
</tr>
<tr>
<td>conferred</td>
<td>12:13</td>
</tr>
<tr>
<td>confident</td>
<td>85:12</td>
</tr>
<tr>
<td>confirm</td>
<td>164:3</td>
</tr>
<tr>
<td>conflict</td>
<td>40:4 43:23</td>
</tr>
<tr>
<td></td>
<td>192:11</td>
</tr>
<tr>
<td>conflicting</td>
<td>141:17</td>
</tr>
<tr>
<td>conflicts</td>
<td>192:15</td>
</tr>
<tr>
<td>congestion</td>
<td>73:19</td>
</tr>
<tr>
<td>conjunction</td>
<td>146:24</td>
</tr>
<tr>
<td>connected</td>
<td>72:1</td>
</tr>
<tr>
<td>connecticut</td>
<td>127:3,8</td>
</tr>
<tr>
<td>connection</td>
<td>122:22</td>
</tr>
<tr>
<td></td>
<td>189:19</td>
</tr>
<tr>
<td>connotation</td>
<td>81:13</td>
</tr>
<tr>
<td></td>
<td>81:21</td>
</tr>
<tr>
<td>consecutive</td>
<td>65:13</td>
</tr>
<tr>
<td></td>
<td>137:13</td>
</tr>
<tr>
<td>conservative</td>
<td>34:6</td>
</tr>
<tr>
<td></td>
<td>59:18 103:1 111:13</td>
</tr>
<tr>
<td>conservatively</td>
<td>160:10</td>
</tr>
<tr>
<td>consider</td>
<td>23:15</td>
</tr>
<tr>
<td></td>
<td>46:23 96:13</td>
</tr>
<tr>
<td></td>
<td>144:3</td>
</tr>
<tr>
<td></td>
<td>148:10 156:15</td>
</tr>
<tr>
<td></td>
<td>163:8 187:6,10</td>
</tr>
<tr>
<td>consideration</td>
<td>144:7</td>
</tr>
<tr>
<td></td>
<td>156:13 192:7</td>
</tr>
<tr>
<td>considered</td>
<td>2:13</td>
</tr>
<tr>
<td></td>
<td>15:10 17:18 90:1</td>
</tr>
<tr>
<td></td>
<td>134:18 181:20</td>
</tr>
<tr>
<td>considering</td>
<td>147:21</td>
</tr>
<tr>
<td>consistency</td>
<td>195:2</td>
</tr>
<tr>
<td>consistent</td>
<td>83:3</td>
</tr>
<tr>
<td></td>
<td>135:11</td>
</tr>
<tr>
<td>constitute</td>
<td>196:12</td>
</tr>
<tr>
<td>constructing</td>
<td>180:15</td>
</tr>
<tr>
<td>construct</td>
<td>133:5</td>
</tr>
<tr>
<td>construction</td>
<td>40:6</td>
</tr>
<tr>
<td></td>
<td>40:11,15 41:10,14</td>
</tr>
<tr>
<td></td>
<td>55:17</td>
</tr>
<tr>
<td>consultant</td>
<td>70:13,19</td>
</tr>
<tr>
<td></td>
<td>70:20 75:2 162:5</td>
</tr>
<tr>
<td>consultant's</td>
<td>21:25</td>
</tr>
<tr>
<td>consultants</td>
<td>34:4</td>
</tr>
<tr>
<td>contained</td>
<td>26:17</td>
</tr>
<tr>
<td>contemplated</td>
<td>98:5</td>
</tr>
<tr>
<td>contend</td>
<td>155:17,18</td>
</tr>
<tr>
<td></td>
<td>197:18</td>
</tr>
<tr>
<td>continue</td>
<td>4:8 142:1</td>
</tr>
<tr>
<td></td>
<td>200:12 204:9</td>
</tr>
<tr>
<td>continued</td>
<td>4:3</td>
</tr>
<tr>
<td>continuing</td>
<td>33:4</td>
</tr>
<tr>
<td>contrasted</td>
<td>195:13</td>
</tr>
<tr>
<td></td>
<td>195:14</td>
</tr>
<tr>
<td>contrasts</td>
<td>195:15</td>
</tr>
<tr>
<td>contributed</td>
<td>162:12</td>
</tr>
<tr>
<td></td>
<td>162:17</td>
</tr>
<tr>
<td>contributing</td>
<td>162:7</td>
</tr>
<tr>
<td>contribution</td>
<td>132:15</td>
</tr>
<tr>
<td>control</td>
<td>39:7 76:1</td>
</tr>
<tr>
<td></td>
<td>193:10</td>
</tr>
<tr>
<td>controlled</td>
<td>56:14</td>
</tr>
<tr>
<td></td>
<td>158:8,11</td>
</tr>
<tr>
<td>convenience</td>
<td>199:11</td>
</tr>
<tr>
<td></td>
<td>199:16</td>
</tr>
</tbody>
</table>
| Term | Page
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>decrease</td>
<td>95:7</td>
</tr>
<tr>
<td>dedicated</td>
<td>28:13</td>
</tr>
<tr>
<td>deemed</td>
<td>4:1</td>
</tr>
<tr>
<td>default</td>
<td>143:16</td>
</tr>
<tr>
<td>deficiency</td>
<td>115:16</td>
</tr>
<tr>
<td>deficient</td>
<td>114:8</td>
</tr>
<tr>
<td>defined</td>
<td>24:6</td>
</tr>
<tr>
<td>definitely</td>
<td>155:22</td>
</tr>
<tr>
<td>definition</td>
<td>185:24</td>
</tr>
<tr>
<td>definitively</td>
<td>185:15</td>
</tr>
<tr>
<td>deflection</td>
<td>196:3</td>
</tr>
<tr>
<td>degree</td>
<td>87:12</td>
</tr>
<tr>
<td>delay</td>
<td>21:13,15:20</td>
</tr>
<tr>
<td>23:2</td>
<td>31:19 57:12</td>
</tr>
<tr>
<td>74:11</td>
<td>76:12,17</td>
</tr>
<tr>
<td>132:4</td>
<td>142:18,20,21</td>
</tr>
<tr>
<td>142:25</td>
<td>143:4,5,6,23</td>
</tr>
<tr>
<td>143:25</td>
<td>164:19</td>
</tr>
<tr>
<td>delays</td>
<td>30:21</td>
</tr>
<tr>
<td>deliveries</td>
<td>25:8</td>
</tr>
<tr>
<td>38:18,19,25</td>
<td>39:5</td>
</tr>
<tr>
<td>40:9</td>
<td>66:10 91:11,11</td>
</tr>
<tr>
<td>delivery</td>
<td>25:18 40:13</td>
</tr>
<tr>
<td>demand</td>
<td>166:1</td>
</tr>
<tr>
<td>180:10,15,21</td>
<td></td>
</tr>
<tr>
<td>181:16</td>
<td>182:10</td>
</tr>
<tr>
<td>185:1</td>
<td></td>
</tr>
<tr>
<td>demands</td>
<td>45:17,21</td>
</tr>
<tr>
<td>46:8</td>
<td>181:25</td>
</tr>
<tr>
<td>demarest</td>
<td>69:7</td>
</tr>
<tr>
<td>demolition</td>
<td>42:3</td>
</tr>
<tr>
<td>denicola</td>
<td>1:19 3:5,6</td>
</tr>
<tr>
<td>39:21,22</td>
<td>40:10,14</td>
</tr>
<tr>
<td>41:1,6,17,20</td>
<td>42:10</td>
</tr>
<tr>
<td>42:16,25</td>
<td>43:14,20</td>
</tr>
<tr>
<td>45:11</td>
<td>69:4,10,13,18</td>
</tr>
<tr>
<td>69:25</td>
<td>71:7,11 74:21</td>
</tr>
<tr>
<td>75:8</td>
<td>77:5,8,12,15</td>
</tr>
<tr>
<td>77:18,23</td>
<td>78:4,11</td>
</tr>
<tr>
<td>81:25</td>
<td>140:24</td>
</tr>
<tr>
<td>147:13,14</td>
<td>150:14</td>
</tr>
<tr>
<td>198:20,22</td>
<td>201:22</td>
</tr>
<tr>
<td>department</td>
<td>73:13</td>
</tr>
<tr>
<td>depend</td>
<td>43:17</td>
</tr>
<tr>
<td>154:22</td>
<td></td>
</tr>
<tr>
<td>depending</td>
<td>55:8</td>
</tr>
<tr>
<td>66:17</td>
<td>137:15 182:1</td>
</tr>
<tr>
<td>182:2</td>
<td></td>
</tr>
<tr>
<td>depends</td>
<td>39:6</td>
</tr>
<tr>
<td>154:23</td>
<td>163:7</td>
</tr>
<tr>
<td>deposition</td>
<td>206:6,11</td>
</tr>
<tr>
<td>deserves</td>
<td>200:9</td>
</tr>
<tr>
<td>design</td>
<td>127:1 196:17</td>
</tr>
<tr>
<td>196:22</td>
<td></td>
</tr>
<tr>
<td>designated</td>
<td>89:18</td>
</tr>
<tr>
<td>designed</td>
<td>90:24 92:8</td>
</tr>
<tr>
<td>desire</td>
<td>56:5 195:23</td>
</tr>
<tr>
<td>desired</td>
<td>196:7</td>
</tr>
<tr>
<td>destination</td>
<td>155:2</td>
</tr>
<tr>
<td>destined</td>
<td>37:15 73:3</td>
</tr>
<tr>
<td>detail</td>
<td>42:13 49:18</td>
</tr>
<tr>
<td>68:13,16</td>
<td>129:20</td>
</tr>
<tr>
<td>130:1</td>
<td></td>
</tr>
<tr>
<td>detailed</td>
<td>145:11</td>
</tr>
<tr>
<td>details</td>
<td>91:6</td>
</tr>
<tr>
<td>detectors</td>
<td>63:25</td>
</tr>
<tr>
<td>determination</td>
<td>161:13,19 162:22</td>
</tr>
<tr>
<td>163:22</td>
<td>164:5</td>
</tr>
<tr>
<td>170:24</td>
<td>182:21</td>
</tr>
<tr>
<td>determine</td>
<td>64:1</td>
</tr>
<tr>
<td>108:16</td>
<td>118:3 137:2</td>
</tr>
<tr>
<td>144:19,22</td>
<td>145:1</td>
</tr>
<tr>
<td>166:21</td>
<td></td>
</tr>
<tr>
<td>determined</td>
<td>14:18</td>
</tr>
<tr>
<td>144:16</td>
<td></td>
</tr>
<tr>
<td>determining</td>
<td>144:20</td>
</tr>
<tr>
<td>145:11</td>
<td>161:24</td>
</tr>
<tr>
<td>163:17</td>
<td>170:21</td>
</tr>
<tr>
<td>develop</td>
<td>86:20</td>
</tr>
<tr>
<td>developed</td>
<td>96:5</td>
</tr>
<tr>
<td>133:2</td>
<td>146:17 147:8</td>
</tr>
<tr>
<td>developer</td>
<td>187:17</td>
</tr>
<tr>
<td>developers</td>
<td>187:23</td>
</tr>
<tr>
<td>developing</td>
<td>146:21</td>
</tr>
<tr>
<td>187:24</td>
<td></td>
</tr>
<tr>
<td>development</td>
<td>97:20</td>
</tr>
<tr>
<td>105:15</td>
<td>109:4</td>
</tr>
<tr>
<td>134:19</td>
<td>146:14</td>
</tr>
<tr>
<td>147:6</td>
<td>191:14</td>
</tr>
<tr>
<td>deviation</td>
<td>33:19</td>
</tr>
<tr>
<td>46:12,24</td>
<td></td>
</tr>
<tr>
<td>devices</td>
<td>76:1 193:10</td>
</tr>
<tr>
<td>di</td>
<td>1:16</td>
</tr>
<tr>
<td>didio</td>
<td>3:9,10 36:7,8</td>
</tr>
<tr>
<td>36:13,25</td>
<td>37:8 38:8</td>
</tr>
<tr>
<td>38:10,15</td>
<td>71:17,18</td>
</tr>
<tr>
<td>71:20</td>
<td>72:5,11,14</td>
</tr>
<tr>
<td>73:11,22</td>
<td>74:1,19</td>
</tr>
<tr>
<td>146:5,6</td>
<td>204:19,23</td>
</tr>
<tr>
<td>205:15,16</td>
<td></td>
</tr>
<tr>
<td>diff</td>
<td>23:17</td>
</tr>
<tr>
<td>difference</td>
<td>27:12</td>
</tr>
<tr>
<td>44:8,12,15,21</td>
<td>48:14</td>
</tr>
<tr>
<td>54:25</td>
<td>79:9 90:21</td>
</tr>
<tr>
<td>different</td>
<td>18:20</td>
</tr>
<tr>
<td>23:18</td>
<td>34:1,3 35:21</td>
</tr>
<tr>
<td>40:13</td>
<td>52:17,22,23</td>
</tr>
<tr>
<td>53:16</td>
<td>54:14 55:7,18</td>
</tr>
<tr>
<td>57:6</td>
<td>64:11,12 72:22</td>
</tr>
<tr>
<td>74:6</td>
<td>81:13,20 83:16</td>
</tr>
<tr>
<td>93:19</td>
<td>111:8 128:25</td>
</tr>
<tr>
<td>137:11</td>
<td>144:21,21</td>
</tr>
<tr>
<td>149:11,25</td>
<td>187:6</td>
</tr>
<tr>
<td>differentiate</td>
<td>90:16</td>
</tr>
<tr>
<td>difficult</td>
<td>166:25</td>
</tr>
<tr>
<td>difficulties</td>
<td>167:1</td>
</tr>
<tr>
<td>difficulty</td>
<td>67:18</td>
</tr>
<tr>
<td>82:21</td>
<td></td>
</tr>
<tr>
<td>dilapidated</td>
<td>100:1</td>
</tr>
<tr>
<td>dimensions</td>
<td>72:17</td>
</tr>
<tr>
<td>dio</td>
<td>1:16</td>
</tr>
<tr>
<td>direct</td>
<td>5:1,24 11:5</td>
</tr>
<tr>
<td>17:22</td>
<td>19:18 141:11</td>
</tr>
<tr>
<td>150:23</td>
<td></td>
</tr>
<tr>
<td>directed</td>
<td>10:12</td>
</tr>
<tr>
<td>162:16</td>
<td></td>
</tr>
<tr>
<td>direction</td>
<td>29:1,5</td>
</tr>
<tr>
<td>31:5</td>
<td>67:10 160:15</td>
</tr>
<tr>
<td>directions</td>
<td>24:24</td>
</tr>
<tr>
<td>directly</td>
<td>72:7 139:8</td>
</tr>
<tr>
<td>164:24</td>
<td>189:24</td>
</tr>
<tr>
<td>disagree</td>
<td>169:24</td>
</tr>
<tr>
<td>173:6</td>
<td>176:25</td>
</tr>
<tr>
<td>197:21</td>
<td></td>
</tr>
<tr>
<td>disagrees</td>
<td>170:11</td>
</tr>
<tr>
<td>discern</td>
<td>48:14</td>
</tr>
<tr>
<td>discretionary</td>
<td>60:22</td>
</tr>
<tr>
<td>discussed</td>
<td>68:12</td>
</tr>
<tr>
<td>99:11,13</td>
<td>122:9</td>
</tr>
<tr>
<td>204:14</td>
<td></td>
</tr>
<tr>
<td>discussion</td>
<td>31:24</td>
</tr>
<tr>
<td>113:4</td>
<td>181:17</td>
</tr>
<tr>
<td>198:18</td>
<td></td>
</tr>
<tr>
<td>discussions</td>
<td>30:13</td>
</tr>
<tr>
<td>dispense</td>
<td>170:12</td>
</tr>
<tr>
<td>dissolve</td>
<td>187:20</td>
</tr>
<tr>
<td>distance</td>
<td>18:17</td>
</tr>
<tr>
<td>109:12,17</td>
<td>158:22</td>
</tr>
<tr>
<td>159:14</td>
<td>160:6</td>
</tr>
<tr>
<td>166:24</td>
<td></td>
</tr>
<tr>
<td>distribution</td>
<td>77:13</td>
</tr>
<tr>
<td>77:20</td>
<td>78:4 111:16</td>
</tr>
<tr>
<td>divided</td>
<td>46:12 96:9</td>
</tr>
<tr>
<td>dock</td>
<td>1:9</td>
</tr>
<tr>
<td>31:10</td>
<td>67:2</td>
</tr>
<tr>
<td>docks</td>
<td>66:23 90:24</td>
</tr>
<tr>
<td>91:12,15</td>
<td>92:11,19</td>
</tr>
<tr>
<td>doctor</td>
<td>26:14</td>
</tr>
<tr>
<td>document</td>
<td>109:18</td>
</tr>
<tr>
<td>doing</td>
<td>17:23 38:5</td>
</tr>
<tr>
<td>62:14</td>
<td>65:1 68:2</td>
</tr>
<tr>
<td>75:23</td>
<td>82:16 104:9</td>
</tr>
<tr>
<td>108:23</td>
<td>146:1 187:6</td>
</tr>
<tr>
<td>dollars</td>
<td>47:21,25</td>
</tr>
<tr>
<td>door</td>
<td>39:1</td>
</tr>
<tr>
<td>dot</td>
<td>95:22</td>
</tr>
<tr>
<td>161:15,18,20,20</td>
<td></td>
</tr>
<tr>
<td>162:16</td>
<td>163:13,24</td>
</tr>
<tr>
<td>164:3,8</td>
<td></td>
</tr>
<tr>
<td>dot's</td>
<td>145:17</td>
</tr>
<tr>
<td>double</td>
<td>193:8,14,25</td>
</tr>
<tr>
<td>194:4</td>
<td>195:2,7</td>
</tr>
<tr>
<td>doubt</td>
<td>139:7</td>
</tr>
<tr>
<td>dr</td>
<td>2:22</td>
</tr>
<tr>
<td>136:4</td>
<td>205:5</td>
</tr>
<tr>
<td>draw</td>
<td>111:14</td>
</tr>
<tr>
<td>drawn</td>
<td>14:11</td>
</tr>
<tr>
<td>drip</td>
<td>14:23</td>
</tr>
</tbody>
</table>
Page 12
<p>| measurements | 166:24 |
| measuring | 63:19 |
| mechanism | 14:13 |
| 144:20 186:20:25 |
| meet | 75:12,13 84:9 |
| 176:22 |
| meeting | 1:3 2:2,6 |
| 4:3,5,10 5:6 22:19 |
| 63:11 75:11 88:3,24 |
| 88:25 89:4 110:23 |
| 163:9 201:14,15,19 |
| 201:20,24 202:4 |
| 203:18 205:20,22 |
| meetings | 2:8 4:5 |
| member | 1:15,15,16 |
| 1:16,17,17,18 5:6,6 |
| 19:25 25:4 89:4 |
| 91:24 121:2,2 |
| members | 4:13 29:7 |
| 121:3 126:14 |
| 201:12 204:10 |
| memories | 19:16 |
| mentioned | 4:1 |
| 17:22 132:7 139:14 |
| 144:15 150:22 |
| messed | 73:25 |
| met | 137:17 163:5,23 |
| method | 145:3 |
| 168:19 |
| methodology | 53:20 |
| 134:14 144:22 |
| 145:11,13,14 |
| 148:13 152:2 |
| 162:16 177:20 |
| methods | 144:21 |
| mezzanine | 101:9 |
| 104:4,8,11,12,16,20 |
| 104:21 |
| middle | 41:21 |
| midnight | 2:12 |
| 205:21 |
| mile | 90:5 109:15 |
| 197:11,12 |
| miles | 90:9 108:14,17 |
| 109:13,19 110:10 |
| 110:11 |
| milford | 110:14 |
| million | 47:13 54:21 |
| mind | 60:8 64:18 |
| 126:2 159:16 170:4 |
| mine | 106:12 135:16 |
| minimize | 142:5 |
| minimum | 64:5 |
| 160:13,17 176:18 |
| minute | 65:13 77:4 |
| 77:11 147:20 |
| minutes | 20:13 21:16 |
| 22:20 88:21 198:11 |
| 198:13 |
| miscalculated | 179:16 180:6 |
| miscalculating | 169:13 |
| misspoke | 168:21 |
| misstated | 168:22 |
| mistake | 150:12 |
| mistaken | 168:2 |
| misunderstood | 55:21 |
| mitchell | 1:19 2:16 |
| 2:18,20,22,25 3:2,5 |
| 3:7,9,11,14,18 |
| 58:21 88:19 204:25 |
| 205:3,5,7,9,11,13,15 |
| 205:17 |
| mitigate | 118:11 |
| 121:15 143:20 |
| 168:19 |
| mitigation | 83:11 |
| mix | 34:1 177:12 |
| 182:2 |
| mixed | 57:14 |
| mlu | 185:25 |
| mm | 88:11,11 166:13 |
| 166:13 |
| model | 78:9 108:13 |
| 109:11,18,24 |
| modification | 121:14 |
| modifications | 33:3 |
| 33:8 119:7,9,22 |
| modified | 119:3 |
| 193:8,14 |
| modifies | 61:8 |
| modify | 83:25 |
| 118:17 |
| monday | 53:14 |
| 200:11,23 201:13 |
| 203:19,20 |
| money | 133:4 148:20 |
| 148:21,23 162:13 |
| 162:17 |
| monitors | 143:10 |
| montclair | 111:1 |
| montevalle | 127:15,17 |
| 127:18,19 162:11 |
| montville | 127:18 |
| morning | 32:3,9 |
| 75:21 92:2 125:18 |
| 154:14 |
| morristown | 54:22 |
| motion | 200:13 |
| 204:11,20 |
| motoring | 141:14 |
| 142:23 |
| motorist | 196:5,19 |
| 197:6,19 |
| motorists | 197:23 |
| mounds | 12:25 |
| move | 17:4 22:15 |
| 63:20 70:7 76:14 |
| 89:9 |
| moved | 81:8 204:21 |
| 204:22 |
| movement | 3:25 |
| 21:20 27:14 40:16 |
| 41:3 45:3 56:14,14 |
| 64:5 76:21 80:12 |
| 189:13 192:17 |
| movements | 31:14 |
| 57:3 123:11 141:17 |
| 164:15 165:4,7 |
| moves | 23:10 42:19 |
| 64:18 |
| mr.chagaris | 116:4 |
| multiple | 84:13 |
| multiples | 188:24 |
| municipal | 1:9 184:3 |
| municipalities | 127:7 |
| 144:23 163:13,15 |
| municipality | 171:20 |
| mutc's | 196:17 |
| muttered | 76:1 193:16 |
| 193:19 195:10 |
| 198:3 |
| mutce | 142:15 |
| northern 9:23 | object 17:3 107:7 |
| 206:4 | 113:1,17 115:19 |
| 41:13 | 117:12 118:6,21 |
| 134:16 | 128:13 182:17,18 |
| 11:24 88:10 | 185:3 187:22,23 |
| notice 49:2 169:8 | 201:20 204:11 |
| 204:6 | 205:20 |
| november 156:5 | objectionable 122:1 |
| 201:15,16 202:5 | objections 127:21 |
| 204:20 | objectors 1:23 |
| number 11:21 16:7 | observed 26:12 |
| 26:12 47:16 48:21 | 180:20 |
| 49:20 50:22 51:11 | obstruction 167:11 |
| 59:24 60:9 61:11 | obstructions 166:19 |
| 72:21 79:2,25 85:21 | obvious 197:19 |
| 102:22 103:1 | obviously 37:22 |
| 106:19 115:3 | 38:24 43:10,17 |
| 123:17,18 125:13 | 106:4 128:21 |
| 175:8 179:8,23 | 191:12 197:16 |
| 187:5 195:9 | occupancy 26:23 |
| numbers 21:1 | 134:23 146:18 |
| 26:19 27:9 48:23 | 50:23 51:6,19,23 |
| 50:5,9 51:7 52:16 | 54:3 57:19,23 58:8 |
| 61:11 85:12 96:4 | 177:18 |
| 100:13 125:6 | occupying 27:24 |
| 165:12 | occur 43:8 56:15 |
| nominal 31:17 | 77:24 83:17 122:22 |
| non 62:8 | occurs 103:12 |
| normal 49:10 | october 1:10 2:4 4:7 |
| normally 135:23 | 201:15 203:19 |
| 156:10,12 | 204:4,8,17 |
| 43:18 45:3 55:22 | 112:5 |
| 138:18 152:14,21 | 144:2 152:10 |
| 166:22 191:24 | 154:10 157:10 |
| northbound 27:19 | 160:23 164:10 |
| 57:4 76:19 138:5,25 | 174:8,9 179:2,5,6 |
| 139:1,3,5 | 184:19 198:16 |
| northeast 56:5 | 199:9,25 200:10 |
| 120:13 | 201:11 202:21 |
| new 0:1 | older 150:6 178:6 |
| newer 90:12 | omitted 129:2 |
| nice 48:21 | on 105:4 |</p>
<table>
<thead>
<tr>
<th>once</th>
<th>4:11 20:15</th>
</tr>
</thead>
<tbody>
<tr>
<td>ones</td>
<td>131:25 134:22</td>
</tr>
<tr>
<td>ongoing</td>
<td>148:10 152:17</td>
</tr>
<tr>
<td>open</td>
<td>47:7 162:14,15</td>
</tr>
<tr>
<td>opened</td>
<td>69:9 2:7 5:5 15:18</td>
</tr>
<tr>
<td>operating</td>
<td>35:14 63:10 67:22</td>
</tr>
<tr>
<td>operates</td>
<td>89:3 93:13 160:25</td>
</tr>
<tr>
<td>p2013-03</td>
<td>42:7 93:11</td>
</tr>
<tr>
<td>p</td>
<td>168:9 168:15</td>
</tr>
<tr>
<td>operate</td>
<td>31:14</td>
</tr>
<tr>
<td>operating</td>
<td>144:10 158:24</td>
</tr>
<tr>
<td>operational</td>
<td>182:11 183:17</td>
</tr>
<tr>
<td>operational</td>
<td>188:25</td>
</tr>
<tr>
<td>original</td>
<td>31:11</td>
</tr>
<tr>
<td>operating</td>
<td>35:22</td>
</tr>
<tr>
<td>operational</td>
<td>43:9 74:5</td>
</tr>
<tr>
<td>operations</td>
<td>84:22</td>
</tr>
<tr>
<td>operational</td>
<td>39:17</td>
</tr>
<tr>
<td>operators</td>
<td>189:6 190:18</td>
</tr>
<tr>
<td>opinion</td>
<td>6:10 44:19</td>
</tr>
<tr>
<td>operating</td>
<td>80:3 86:24 128:25</td>
</tr>
<tr>
<td>operating</td>
<td>136:8 141:6,9 143:1</td>
</tr>
<tr>
<td>operate</td>
<td>143:20 147:9 154:6</td>
</tr>
<tr>
<td>owner's</td>
<td>155:13 156:2,7</td>
</tr>
<tr>
<td>overrule</td>
<td>158:23 163:2</td>
</tr>
<tr>
<td>overrules</td>
<td>169:17 183:20</td>
</tr>
<tr>
<td>overrules</td>
<td>185:10 194:2</td>
</tr>
<tr>
<td>overestimated</td>
<td>195:21 196:4 197:5</td>
</tr>
<tr>
<td>overrules</td>
<td>197:20,22 198:1</td>
</tr>
<tr>
<td>opportunities</td>
<td>189:6 190:18</td>
</tr>
<tr>
<td>opportunity</td>
<td>83:17</td>
</tr>
<tr>
<td>opportunities</td>
<td>56:23</td>
</tr>
<tr>
<td>opportunity</td>
<td>70:25 87:20,23</td>
</tr>
<tr>
<td>opposed</td>
<td>7:25 24:13</td>
</tr>
<tr>
<td>opposed</td>
<td>45:17 56:21 131:17</td>
</tr>
<tr>
<td>opposed</td>
<td>163:4</td>
</tr>
<tr>
<td>opposes</td>
<td>76:25</td>
</tr>
<tr>
<td>opposed</td>
<td>130:24</td>
</tr>
<tr>
<td>opposition</td>
<td>128:24</td>
</tr>
<tr>
<td>opposition</td>
<td>164:22</td>
</tr>
<tr>
<td>option</td>
<td>14:16</td>
</tr>
<tr>
<td>oradell</td>
<td>110:13</td>
</tr>
<tr>
<td>owner's</td>
<td>111:23</td>
</tr>
<tr>
<td>order</td>
<td>5:15,19</td>
</tr>
<tr>
<td>order</td>
<td>8:12,21</td>
</tr>
<tr>
<td>p.m.</td>
<td>20:15</td>
</tr>
<tr>
<td>p.m.</td>
<td>3:22</td>
</tr>
<tr>
<td>packed</td>
<td>20:15,16</td>
</tr>
<tr>
<td>packed</td>
<td>3:22</td>
</tr>
<tr>
<td>packed</td>
<td>11:21 174:5</td>
</tr>
<tr>
<td>packed</td>
<td>179:10 193:5</td>
</tr>
<tr>
<td>packed</td>
<td>110:20</td>
</tr>
<tr>
<td>paper</td>
<td>123:21</td>
</tr>
<tr>
<td>parcels</td>
<td>11:24</td>
</tr>
<tr>
<td>parcels</td>
<td>34:11 141:10</td>
</tr>
<tr>
<td>parcels</td>
<td>147:7</td>
</tr>
<tr>
<td>pardon</td>
<td>169:11</td>
</tr>
<tr>
<td>pardon</td>
<td>62:22,25 63:2</td>
</tr>
<tr>
<td>pardon</td>
<td>72:2 92:3</td>
</tr>
<tr>
<td>parking</td>
<td>106:20</td>
</tr>
<tr>
<td>parking</td>
<td>8:12,21</td>
</tr>
<tr>
<td>parking</td>
<td>9:13,24 10:25 13:10</td>
</tr>
<tr>
<td>parking</td>
<td>15:13,17 16:21</td>
</tr>
<tr>
<td>parking</td>
<td>19:19 28:16,24</td>
</tr>
<tr>
<td>parking</td>
<td>29:20 39:11,11</td>
</tr>
<tr>
<td>parties</td>
<td>143:6</td>
</tr>
<tr>
<td>parties</td>
<td>65:18 72:16</td>
</tr>
<tr>
<td>parties</td>
<td>117:11,21 133:20</td>
</tr>
<tr>
<td>parties</td>
<td>149:12</td>
</tr>
<tr>
<td>parties</td>
<td>151:24</td>
</tr>
<tr>
<td>parties</td>
<td>121:3</td>
</tr>
<tr>
<td>parties</td>
<td>116:24</td>
</tr>
<tr>
<td>parties</td>
<td>128:9,19</td>
</tr>
<tr>
<td>parties</td>
<td>171:1</td>
</tr>
<tr>
<td>parties</td>
<td>171:1</td>
</tr>
<tr>
<td>parties</td>
<td>5:15,19</td>
</tr>
<tr>
<td>p</td>
<td>1:7,20,20</td>
</tr>
<tr>
<td>p.c.</td>
<td>1:21</td>
</tr>
<tr>
<td>p.e.</td>
<td>1:19</td>
</tr>
<tr>
<td>p.m.</td>
<td>1:11 2:10,13</td>
</tr>
<tr>
<td>p.m.</td>
<td>24:7,22 27:20,25</td>
</tr>
<tr>
<td>p.m.</td>
<td>49:19 50:2,24 51:20</td>
</tr>
<tr>
<td>p.m.</td>
<td>59:11 65:5 76:22</td>
</tr>
<tr>
<td>p.m.</td>
<td>77:21 78:21 79:4</td>
</tr>
<tr>
<td>p.m.</td>
<td>93:24 99:18 101:11</td>
</tr>
<tr>
<td>p.m.</td>
<td>101:13,23 103:12</td>
</tr>
<tr>
<td>p.m.</td>
<td>103:13 105:18,20</td>
</tr>
<tr>
<td>p.m.</td>
<td>123:17,20 124:7,8</td>
</tr>
<tr>
<td>p.m.</td>
<td>124:10,13,17</td>
</tr>
<tr>
<td>p.m.</td>
<td>134:21 191:21</td>
</tr>
<tr>
<td>p.m.</td>
<td>204:8</td>
</tr>
<tr>
<td>p.m.</td>
<td>183:1,6,10,13,14,18</td>
</tr>
<tr>
<td>p.m.</td>
<td>184:9,10,22,23</td>
</tr>
<tr>
<td>p.m.</td>
<td>185:1,10,12,19</td>
</tr>
<tr>
<td>p.m.</td>
<td>186:14,16,25 187:4</td>
</tr>
<tr>
<td>p.m.</td>
<td>187:7,13,20 199:11</td>
</tr>
<tr>
<td>p.m.</td>
<td>199:17</td>
</tr>
<tr>
<td>part</td>
<td>9:20 13:14,15</td>
</tr>
<tr>
<td>part</td>
<td>13:16 14:19 24:10</td>
</tr>
<tr>
<td>part</td>
<td>33:24 34:21 35:17</td>
</tr>
<tr>
<td>part</td>
<td>35:17 39:17 41:5</td>
</tr>
<tr>
<td>part</td>
<td>72:2 73:14 80:16</td>
</tr>
<tr>
<td>part</td>
<td>101:2 102:19</td>
</tr>
<tr>
<td>part</td>
<td>110:18 117:10</td>
</tr>
<tr>
<td>part</td>
<td>125:6 134:19</td>
</tr>
<tr>
<td>part</td>
<td>144:11,13,14</td>
</tr>
<tr>
<td>part</td>
<td>172:11 184:14</td>
</tr>
<tr>
<td>partially</td>
<td>9:25 50:10</td>
</tr>
<tr>
<td>particular</td>
<td>21:7</td>
</tr>
<tr>
<td>particularly</td>
<td>22:21 35:1 53:14</td>
</tr>
<tr>
<td>particularly</td>
<td>68:23 84:10,25</td>
</tr>
<tr>
<td>particularly</td>
<td>85:11 86:14,20</td>
</tr>
<tr>
<td>particularly</td>
<td>94:15 113:3</td>
</tr>
<tr>
<td>parties</td>
<td>5:3 161:10</td>
</tr>
<tr>
<td>parties</td>
<td>206:11</td>
</tr>
<tr>
<td>parties</td>
<td>162:6</td>
</tr>
<tr>
<td>parties</td>
<td>135:24,25</td>
</tr>
<tr>
<td>parties</td>
<td>136:2,3</td>
</tr>
<tr>
<td>particular</td>
<td>67:15</td>
</tr>
<tr>
<td>particular</td>
<td>29:16</td>
</tr>
<tr>
<td>patient</td>
<td>81:3</td>
</tr>
<tr>
<td>patient</td>
<td>154:11</td>
</tr>
<tr>
<td>patients</td>
<td>134:24</td>
</tr>
<tr>
<td>patients</td>
<td>135:4 153:10,13,22</td>
</tr>
<tr>
<td>patient</td>
<td>154:7</td>
</tr>
<tr>
<td>pattern</td>
<td>22:7</td>
</tr>
<tr>
<td>patterns</td>
<td>22:6 83:18</td>
</tr>
<tr>
<td>patterns</td>
<td>138:3</td>
</tr>
<tr>
<td>paul</td>
<td>1:18</td>
</tr>
<tr>
<td>paved</td>
<td>41:15 42:6</td>
</tr>
<tr>
<td>pay</td>
<td>71:4 132:19</td>
</tr>
<tr>
<td>pay</td>
<td>148:1</td>
</tr>
<tr>
<td>paying</td>
<td>196:6</td>
</tr>
<tr>
<td>pe</td>
<td>128:2,3,6</td>
</tr>
<tr>
<td>peak</td>
<td>24:2,3,6,7,22</td>
</tr>
<tr>
<td>peak</td>
<td>27:20,21,25 28:1</td>
</tr>
</tbody>
</table>
prefer 194:17
   199:10,16
preferably 163:3
premise 30:11 46:4
prepare 132:12,23
   134:14 146:25
   152:3
prepared 79:15 97:4
   137:2 145:17
preparing 145:7
present 16:13
   17:2
presented 26:24
   presently 57:18 58:4
   presume 34:23
   39:16 67:16 125:16
presumptuous 83:7
pretty 52:18 95:25
   146:18,22 173:22
previous 129:19
   previously 132:8
despite 48:3
primary 90:6
   108:18 110:5,11
   130:15 153:2,19
probability 146:18
   146:21
probably 24:16 30:7
   37:7 63:25 64:12
   86:9 146:22 148:23
   152:15,16 153:22
   167:22 168:2
problem 42:19 81:5
   83:10 100:10 115:2
   119:2 121:10 191:7
problems 118:9,11
   118:16 120:6,17
   121:15
procedure 53:20
proceed 130:4
proceedings 1:4
process 148:6
   167:17
professional 127:1
   143:1 147:9 154:6
   156:2 158:23 163:2
194:1 195:21 196:3
   197:5 20:21
professionals 103:4
program 11:10
   97:20
prohibited 39:11
project 7:8 55:19
   68:25 72:6 90:17
   98:8,8 126:25
   146:24 199:6
projected 164:15
   165:25 188:24
   189:13
projecting 131:9,18
projection 33:7
   189:5
promptly 6:2
proper 17:2 121:5
   121:18
properly 169:5
properties 18:16
   146:13
property 10:9,14
   11:3 15:3 16:12
   17:20 19:4 28:23
   29:8 72:8 113:12,25
   114:11,14 147:21
   171:1 172:24
   199:21
proportion 137:2
proposal 99:1
   172:23 182:7
   194:19
propose 8:5 19:3
   100:14,20,25 145:4
   145:6,9
proposed 10:13,14
   10:17 14:23 19:5
   100:24 101:4,5,7
   102:15 103:8 133:8
   135:8 170:23 171:3
   171:6 195:1
proposing 10:8,11
   113:12
prove 20:10
provide 7:20 10:12
   13:9,11 47:17 61:24
   113:15 178:2 181:2
   187:12 190:17
   203:5
provided 13:25 15:4
   15:6 16:1 39:12
   105:3 127:6 129:4
   129:17 130:11
   155:8 176:19
   181:19 184:10,24
   186:25 187:4
   193:13 202:24
provides 187:3
providing 14:12,17
   15:12 83:19 98:15
   156:8,14 189:5
   203:4
provision 172:13
proximate 153:8
public 2:7 5:6,7 15:9
   61:25 63:11 65:16
   89:4,5,6 91:24
   96:20 141:14
   142:23 160:25
   200:4 204:7 206:4
publications 179:13
publish 48:9,9
published 25:11
pull 66:20,21 67:13
   166:22 168:4
purpose 22:2 108:10
   184:11
purposes 59:12
   70:16 97:2 107:24
   113:21 195:2
put 27:3 37:19
   46:20 52:11 53:9
   60:5 76:15 84:7,8
   98:16 99:9 119:17
   123:21 129:7 143:9
   150:11 170:25
   184:9 193:22,24,25
   194:19
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>reducing</td>
<td>72:15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>refer</td>
<td>7:13</td>
<td>9:10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>reference</td>
<td>5:16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>references</td>
<td>13:21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>referred</td>
<td>180:8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>referring</td>
<td>31:23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>refers</td>
<td>174:4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>refresh</td>
<td>19:15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regionalized</td>
<td>181:25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regular</td>
<td>4:57</td>
<td>68:2</td>
<td>86:10</td>
<td>201:14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regulate</td>
<td>39:15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>regulations</td>
<td>149:4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relate</td>
<td>68:18</td>
<td>75:11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relates</td>
<td>55:2</td>
<td>71:3</td>
<td>83:24</td>
<td>108:8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relative</td>
<td>206:12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>released</td>
<td>44:23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relevancy</td>
<td>15:24</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relevant</td>
<td>113:21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>relinquished</td>
<td>163:13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Veritext/NJ Reporting Company
800-227-8440 973-410-4040
<table>
<thead>
<tr>
<th>set</th>
<th>137:11</th>
</tr>
</thead>
<tbody>
<tr>
<td>sets</td>
<td>137:11</td>
</tr>
<tr>
<td>setting</td>
<td>84:25</td>
</tr>
<tr>
<td>seventy</td>
<td>79:5</td>
</tr>
<tr>
<td>share</td>
<td>132:9,15,23</td>
</tr>
<tr>
<td>shared</td>
<td>104:25 134:7</td>
</tr>
<tr>
<td>sharp</td>
<td>2:10</td>
</tr>
<tr>
<td>shift</td>
<td>37:6 38:3</td>
</tr>
<tr>
<td>shifting</td>
<td>73:8 74:4</td>
</tr>
<tr>
<td>shipment</td>
<td>38:20</td>
</tr>
<tr>
<td>shoes</td>
<td>175:8</td>
</tr>
<tr>
<td>shop</td>
<td>67:22 119:17</td>
</tr>
<tr>
<td>shoppers</td>
<td>199:20</td>
</tr>
<tr>
<td>99:10,15</td>
<td></td>
</tr>
<tr>
<td>shopping</td>
<td>6:3 23:25</td>
</tr>
<tr>
<td>23:25 25:9,19 26:23</td>
<td></td>
</tr>
<tr>
<td>32:10 33:23,25</td>
<td></td>
</tr>
<tr>
<td>34:13,13 35:6,8,14</td>
<td></td>
</tr>
<tr>
<td>36:16 43:8 45:15</td>
<td></td>
</tr>
<tr>
<td>47:5 48:10 49:12</td>
<td></td>
</tr>
<tr>
<td>50:21 55:3 57:3</td>
<td></td>
</tr>
<tr>
<td>60:2,10 61:9 73:2,7</td>
<td></td>
</tr>
<tr>
<td>73:15 74:14 75:16</td>
<td></td>
</tr>
<tr>
<td>81:12,14,24,25 82:1</td>
<td></td>
</tr>
<tr>
<td>82:2,6,17,23 83:4</td>
<td></td>
</tr>
<tr>
<td>83:13 85:17,18,19</td>
<td></td>
</tr>
<tr>
<td>86:2,18 87:2 89:17</td>
<td></td>
</tr>
<tr>
<td>90:1,7,16 93:25</td>
<td></td>
</tr>
<tr>
<td>94:19 95:1,6,14</td>
<td></td>
</tr>
<tr>
<td>96:4 100:1,15,21,25</td>
<td></td>
</tr>
<tr>
<td>101:14 102:17,18</td>
<td></td>
</tr>
<tr>
<td>102:19,23 104:18</td>
<td></td>
</tr>
<tr>
<td>107:9,14 108:19</td>
<td></td>
</tr>
<tr>
<td>109:6 110:3,6,15</td>
<td></td>
</tr>
<tr>
<td>118:23 122:25</td>
<td></td>
</tr>
<tr>
<td>133:9 136:10,12,24</td>
<td></td>
</tr>
<tr>
<td>136:24 138:2,6,9,12</td>
<td></td>
</tr>
<tr>
<td>138:14,19,23 139:9</td>
<td></td>
</tr>
<tr>
<td>139:25 140:16,19</td>
<td></td>
</tr>
<tr>
<td>141:13 146:19</td>
<td></td>
</tr>
<tr>
<td>148:6,15 154:19</td>
<td></td>
</tr>
<tr>
<td>155:15,23 159:3</td>
<td></td>
</tr>
<tr>
<td>160:7,16 170:22</td>
<td></td>
</tr>
<tr>
<td>171:3,6,8,25 172:4</td>
<td></td>
</tr>
<tr>
<td>173:24 174:2,14</td>
<td></td>
</tr>
<tr>
<td>175:24 177:6,16,24</td>
<td></td>
</tr>
<tr>
<td>178:2,5,8,13 179:1</td>
<td></td>
</tr>
<tr>
<td>179:3,8,14,19,25,25</td>
<td></td>
</tr>
<tr>
<td>182:11 184:11</td>
<td></td>
</tr>
<tr>
<td>186:18,19 187:1</td>
<td></td>
</tr>
<tr>
<td>187:2,8,12 193:11</td>
<td></td>
</tr>
<tr>
<td>193:17,20,22 194:7</td>
<td></td>
</tr>
<tr>
<td>196:24 197:10,12</td>
<td></td>
</tr>
<tr>
<td>197:25 198:4</td>
<td></td>
</tr>
<tr>
<td>199:10,16</td>
<td></td>
</tr>
<tr>
<td>showed</td>
<td>40:16 59:18</td>
</tr>
<tr>
<td>75:6</td>
<td></td>
</tr>
<tr>
<td>showing</td>
<td>98:23</td>
</tr>
<tr>
<td>101:13 124:2,6</td>
<td></td>
</tr>
<tr>
<td>shown</td>
<td>15:7 41:2</td>
</tr>
<tr>
<td>105:19 122:23</td>
<td></td>
</tr>
<tr>
<td>shows</td>
<td>40:5 48:18</td>
</tr>
<tr>
<td>123:24 180:1 189:1</td>
<td></td>
</tr>
<tr>
<td>shrub</td>
<td>15:8</td>
</tr>
<tr>
<td>shrubbery</td>
<td>167:11</td>
</tr>
<tr>
<td>shubs</td>
<td>13:3</td>
</tr>
<tr>
<td>shuttle</td>
<td>61:25 62:15</td>
</tr>
<tr>
<td>shuttles</td>
<td>62:21,24</td>
</tr>
<tr>
<td>shy</td>
<td>176:10</td>
</tr>
<tr>
<td>side</td>
<td>9:14,24 11:1</td>
</tr>
<tr>
<td>22:3 28:24 29:23</td>
<td></td>
</tr>
<tr>
<td>37:11,16,22 38:6</td>
<td></td>
</tr>
<tr>
<td>42:1 53:7 66:20</td>
<td></td>
</tr>
<tr>
<td>71:21 72:9,16,19,23</td>
<td></td>
</tr>
<tr>
<td>73:13,17 76:3 98:1</td>
<td></td>
</tr>
<tr>
<td>142:22,25 143:16</td>
<td></td>
</tr>
<tr>
<td>160:6 197:15</td>
<td></td>
</tr>
<tr>
<td>sidewalk</td>
<td>9:13 10:12</td>
</tr>
<tr>
<td>10:25 19:10</td>
<td></td>
</tr>
<tr>
<td>sidewalks</td>
<td>19:6</td>
</tr>
<tr>
<td>sight</td>
<td>166:24</td>
</tr>
<tr>
<td>sign</td>
<td>197:5</td>
</tr>
<tr>
<td>signage</td>
<td>195:19,19</td>
</tr>
<tr>
<td>195:20 196:19</td>
<td></td>
</tr>
<tr>
<td>signal</td>
<td>44:23 45:2</td>
</tr>
<tr>
<td>63:22 64:6,10 70:1</td>
<td></td>
</tr>
<tr>
<td>70:3 74:23 75:10</td>
<td></td>
</tr>
<tr>
<td>76:15 84:4,7,9</td>
<td></td>
</tr>
<tr>
<td>136:16,22 142:5,13</td>
<td></td>
</tr>
<tr>
<td>163:20 164:3</td>
<td></td>
</tr>
<tr>
<td>189:16,16,17 193:6</td>
<td></td>
</tr>
<tr>
<td>signalization</td>
<td>132:15</td>
</tr>
<tr>
<td>132:20 136:8,21</td>
<td></td>
</tr>
<tr>
<td>137:17 142:10</td>
<td></td>
</tr>
<tr>
<td>143:2 163:17</td>
<td></td>
</tr>
<tr>
<td>signalize</td>
<td>131:1</td>
</tr>
<tr>
<td>144:4,8</td>
<td></td>
</tr>
<tr>
<td>signalized</td>
<td>31:13</td>
</tr>
<tr>
<td>33:1 84:21</td>
<td></td>
</tr>
<tr>
<td>signalizing</td>
<td>130:21</td>
</tr>
<tr>
<td>132:13</td>
<td></td>
</tr>
<tr>
<td>signals</td>
<td>22:3,9,11</td>
</tr>
<tr>
<td>33:9 76:9,18 83:25</td>
<td></td>
</tr>
<tr>
<td>84:1,2 142:17</td>
<td></td>
</tr>
<tr>
<td>163:14,15</td>
<td></td>
</tr>
<tr>
<td>significant</td>
<td>33:19</td>
</tr>
<tr>
<td>54:18,25 62:4,10</td>
<td></td>
</tr>
<tr>
<td>64:14 130:17</td>
<td></td>
</tr>
<tr>
<td>169:18 186:10</td>
<td></td>
</tr>
<tr>
<td>significantly</td>
<td>7:18</td>
</tr>
<tr>
<td>14:21 132:2 143:4</td>
<td></td>
</tr>
<tr>
<td>signs</td>
<td>39:7,11,11,12</td>
</tr>
<tr>
<td>193:23 196:4</td>
<td></td>
</tr>
<tr>
<td>197:15,22</td>
<td></td>
</tr>
<tr>
<td>silly</td>
<td>88:4</td>
</tr>
<tr>
<td>similar</td>
<td>82:4 110:6</td>
</tr>
<tr>
<td>112:5 132:10</td>
<td></td>
</tr>
<tr>
<td>162:11,15 186:23</td>
<td></td>
</tr>
<tr>
<td>193:21 196:13</td>
<td></td>
</tr>
</tbody>
</table>
### similarly - standard

<table>
<thead>
<tr>
<th>stopped</th>
<th>76:16</th>
<th>142:14 158:20,23</th>
</tr>
</thead>
<tbody>
<tr>
<td>stopping</td>
<td>49:13</td>
<td>storage 104:13</td>
</tr>
<tr>
<td>store</td>
<td>50.11</td>
<td>60:11 66:24</td>
</tr>
<tr>
<td>stores</td>
<td>27:3</td>
<td>29:5 38:24 82:23 83:8</td>
</tr>
<tr>
<td>streetscape</td>
<td>8:17</td>
<td>10:11 strictly 173:13</td>
</tr>
<tr>
<td>structure</td>
<td>113:3</td>
<td>116:17,24 stuck 173:12</td>
</tr>
<tr>
<td>success</td>
<td>81:9</td>
<td>82:25 85:7 182:11</td>
</tr>
<tr>
<td>start</td>
<td>47:13</td>
<td>65:8 80:18</td>
</tr>
<tr>
<td>state</td>
<td>1:1</td>
<td>2:8 117:14 127:2 161:15</td>
</tr>
<tr>
<td>stated</td>
<td>45:20</td>
<td>98:20 103:23 166:1</td>
</tr>
<tr>
<td>statement</td>
<td>40:17</td>
<td>147:17 168:8,15</td>
</tr>
<tr>
<td>station</td>
<td>31:2</td>
<td>32:4 106:4,6 108:7 140:4</td>
</tr>
<tr>
<td>step</td>
<td>5:9</td>
<td>6:13 14,14</td>
</tr>
<tr>
<td>steps</td>
<td>149:4</td>
<td></td>
</tr>
<tr>
<td>stop</td>
<td>22:23</td>
<td>67:22 76:12 119:16</td>
</tr>
<tr>
<td>streetscape</td>
<td>8:17</td>
<td>10:11 strictly 173:13</td>
</tr>
<tr>
<td>structure</td>
<td>113:3</td>
<td>116:17,24 stuck 173:12</td>
</tr>
<tr>
<td>success</td>
<td>81:9</td>
<td>82:25 85:7 182:11</td>
</tr>
<tr>
<td>start</td>
<td>47:13</td>
<td>65:8 80:18</td>
</tr>
<tr>
<td>state</td>
<td>1:1</td>
<td>2:8 117:14 127:2 161:15</td>
</tr>
<tr>
<td>stated</td>
<td>45:20</td>
<td>98:20 103:23 166:1</td>
</tr>
<tr>
<td>statement</td>
<td>40:17</td>
<td>147:17 168:8,15</td>
</tr>
<tr>
<td>station</td>
<td>31:2</td>
<td>32:4 106:4,6 108:7 140:4</td>
</tr>
<tr>
<td>step</td>
<td>5:9</td>
<td>6:13 14,14</td>
</tr>
<tr>
<td>steps</td>
<td>149:4</td>
<td></td>
</tr>
<tr>
<td>stop</td>
<td>22:23</td>
<td>67:22 76:12 119:16</td>
</tr>
<tr>
<td>streetscape</td>
<td>8:17</td>
<td>10:11 strictly 173:13</td>
</tr>
<tr>
<td>structure</td>
<td>113:3</td>
<td>116:17,24 stuck 173:12</td>
</tr>
<tr>
<td>success</td>
<td>81:9</td>
<td>82:25 85:7 182:11</td>
</tr>
<tr>
<td>start</td>
<td>47:13</td>
<td>65:8 80:18</td>
</tr>
<tr>
<td>state</td>
<td>1:1</td>
<td>2:8 117:14 127:2 161:15</td>
</tr>
<tr>
<td>stated</td>
<td>45:20</td>
<td>98:20 103:23 166:1</td>
</tr>
<tr>
<td>statement</td>
<td>40:17</td>
<td>147:17 168:8,15</td>
</tr>
<tr>
<td>station</td>
<td>31:2</td>
<td>32:4 106:4,6 108:7 140:4</td>
</tr>
<tr>
<td>step</td>
<td>5:9</td>
<td>6:13 14,14</td>
</tr>
<tr>
<td>steps</td>
<td>149:4</td>
<td></td>
</tr>
<tr>
<td>stop</td>
<td>22:23</td>
<td>67:22 76:12 119:16</td>
</tr>
<tr>
<td>streetscape</td>
<td>8:17</td>
<td>10:11 strictly 173:13</td>
</tr>
<tr>
<td>structure</td>
<td>113:3</td>
<td>116:17,24 stuck 173:12</td>
</tr>
<tr>
<td>success</td>
<td>81:9</td>
<td>82:25 85:7 182:11</td>
</tr>
<tr>
<td>start</td>
<td>47:13</td>
<td>65:8 80:18</td>
</tr>
<tr>
<td>state</td>
<td>1:1</td>
<td>2:8 117:14 127:2 161:15</td>
</tr>
<tr>
<td>stated</td>
<td>45:20</td>
<td>98:20 103:23 166:1</td>
</tr>
<tr>
<td>statement</td>
<td>40:17</td>
<td>147:17 168:8,15</td>
</tr>
<tr>
<td>station</td>
<td>31:2</td>
<td>32:4 106:4,6 108:7 140:4</td>
</tr>
<tr>
<td>step</td>
<td>5:9</td>
<td>6:13 14,14</td>
</tr>
<tr>
<td>steps</td>
<td>149:4</td>
<td></td>
</tr>
<tr>
<td>stop</td>
<td>22:23</td>
<td>67:22 76:12 119:16</td>
</tr>
<tr>
<td>streetscape</td>
<td>8:17</td>
<td>10:11 strictly 173:13</td>
</tr>
<tr>
<td>structure</td>
<td>113:3</td>
<td>116:17,24 stuck 173:12</td>
</tr>
<tr>
<td>success</td>
<td>81:9</td>
<td>82:25 85:7 182:11</td>
</tr>
</tbody>
</table>
vacant 50:10 51:19 146:18
vacation 23:23
vale 109:14,19
valen 1:6
take 147:4 175:5 190:18
vans 38:25
variability 45:16 46:1 56:15
variance 16:7 114:25 115:7,9 178:25
variances 16:8,9 113:22 117:15
variation 47:14 48:4 51:2 156:5
variations 46:9 48:19 85:2 177:21
varied 61:16
variety 140:1 179:13
various 127:7 137:15,16
vary 53:19 182:1
vegetative 19:9
vehicle 25:22 63:25 167:2,5
ver 1:6
verbally 129:15
verderosa 206:3,16
verses 197:16
version 134:18
versus 33:20 40:9 79:8,11 90:18 142:20 176:20
virgin 41:12 virtue 170:24 visual 165:19
volumes 23:21 24:15

walk 91:3,20
walking 32:4
wants 37:23 169:23 181:3,5 185:14 204:7
warn 197:15
warning 195:18 196:4,18 197:5,22
warranted 15:3
wash 59:12
watch 149:25
water 14:2,10,11,13 15:2
watering 14:5
ways 21:8 22:23 72:22
we've 14:16,16 15:6 53:1 61:17 83:20 86:11 88:6 146:2,3
wednesday 49:9
wee 88:5
week 64:8 88:5,5 105:20 113:5 115:25 125:20,22
weekday 24:7 77:24 105:18 124:14
weekdays 103:13
weekend 49:14
weekly 85:2
weeks 26:15
weigh 142:19 156:15
weight 163:6