PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Work Session & Special Meeting
October 2nd, 2013
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator
Mr. Lignos, Chairman called the Work Session/Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, October 2nd, 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
Mr. Baboo-8:21PM
Mr. DiDio
Mr. Sinowitz
Ms. Isacoff
Mr. Piautos
Ms. Stella- (alt # 1)
Mr. Nyfenger- (alt # 2)
Mr. Chagaris, Board Attorney
Mr. DeNicola, Board Engineer
Rose Mitchell, Planning Board Coordinator

The following Planning Board members and professional persons were absent from the meeting:
N/A

Mr. Lignos read the correspondence list and asked if any members had any comments.

Motion was made by Mr. DiDio & seconded by Mayor Heymann to approve minutes of 07-18-13. All present were in favor of approval. Motion was made by Mr. DiDio & seconded by Mayor Heymann to approve minutes of 08-07-13. All present were in favor of approval. Motion was made by Mr. DiDio & seconded by Ms. Stella to approve minutes of 08-08-13. All present were in favor of approval. Motion was made by Mr. DiDio & seconded by Dr. Maddaloni to approve minutes of 08-29-13. All present were in favor. Ms. Mitchell confirmed that those members who missed any of mentioned meetings have listened to CD (or read transcript) and therefore were able to vote.

WORK SESSION PORTION

Item # 1

Block 2209, Lot 3  Applicant: J & EM LLC
13 Arnold Avenue
Application # P2013-05
Attorney: Donna Vellekamp

Mr. DeNicola spoke of his review letter dated September 17th. Ms. Vellekamp commented on same. Mr. DiDio asked about the proposed patio. Ms. Vellekamp responded stating that will be confirmed by engineer. Councilwoman Amitai spoke of trees. Mr. Lignos stated that tree issues will be addressed at hearing. Mr. DeNicola spoke of swales. Motion was made by Dr. Maddaloni & seconded by Ms. Isacoff to perfect application with mentioned stipulations. All present were in favor of perfection. (Mr. Nyfenger did not need to vote).

Item # 2

Block 1309, Lot 1
40 Homans Avenue
Application # P2013-06
Attorney: David Watkins

Mr. Watkins spoke of application. Mr. DeNicola spoke of parking issues. Mr. Watkins commented on same. Motion was made by Dr. Maddaloni & seconded by Mayor Heymann to perfect application with mentioned stipulations. All present were in favor of perfection. (Mr. Nyfenger did not need to vote.).

Mr. Lignos announced that item # 5 on agenda (Discussion by Mr. Frank Banisch) will not be addressed this evening.

Liaison’s Reports
Councilwoman Amitai reminded the Board of the upcoming music festival. Ms. Stella spoke of revised Certificate of Appropriateness Application (HPC Commission). Councilwoman Amitai spoke of the parking authority’s attempt to find a solution for shopper parking. Mayor Heymann spoke of proposed ordinances regarding parking issues.

Open Meeting to the Public
Mr. Isaacson of 97 Columbus Avenue spoke of e-mail he received from N.J. Transit regarding bus stops. (Copy was given to Mr. Chagaris). Mr. Chagaris spoke of document & requested that Mr. DeNicola follow up on mentioned.

Special Meeting Portion

Item # 1

Block 1607 Lot 1 (BL 1310/ L 2)
19 Ver Valen Street (7 Campbell Ave.)
Application # P-2013-03
Attorney: Mr. Basralian

Applicant: Closter Marketplace (EBA), LLC
Centennial AME Zion Church

*Refer to attached transcript.
Motion was made by Dr. Maddaloni & seconded by Mr. Sinowitz to adjourn meeting. Meeting was adjourned at 10:59PM.
STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF CLOSTER

IN THE MATTER OF
SPECIAL MEETING

The Application of:

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

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BOROUGH OF CLOSTER MUNICIPAL BUILDING
295 Closter Dock Road
Closter, New Jersey
October 2nd, 2013
8:00 p.m., Volume VIII

BEFORE:

PLANNING BOARD
JOHN LIGNOS, CHAIRMAN
SOPHIE HEYMANN, MAYOR
VICTORIA RUTI AMITAI, COUNCILWOMAN
MARK MADDALONI, BOARD MEMBER
DAVID BABOO, BOARD MEMBER (8:21)
IRENE STELLA, BOARD MEMBER
ROBERT DI DIO, BOARD MEMBER
LEONARD SINOWITZ, BOARD MEMBER
ADRIENNE ISACOFF, 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: Okay. Thank you.

Thank you very much. Anyone else? Member of the public? I see and hear no further hands from the public. So, therefore, we close this portion of the meeting to the public. And having done so, close this work session meeting and move right into our special meeting, which we have, our item No. 1, continuation of block 1607, lot 1, 19 Vervalen Street, application P-2013-03. Better known as the Closter Marketplace, LLC, and Centennial A.M.E Zion Church. Mr. Basralian, is the attorney. This is the subdivision, soil plan, soil movement application, which was received back in May the 16th, was deemed perfected with stipulations on June the 5th work session. The application was continued and received final perfection on our June 27th regular meeting, and the meetings have now taken place on July the 11th, the 18th, August the 7th, and the 8th, the 29th, September 12th. We have become rather close at this point, with everyone, and this application is here this evening to continue to be heard at this special meeting.

Mr. Basralian, welcome.

MR. BASRALIAN: Good evening. Thank
you. I'd like to call Eric Keller, our parking consultant.

CHAIR LIGNOS: Before -- before you do that, I need to have -- I just need an assemblance of order because of my own schedule keeping. Can you please put on the record what your intended witnesses are. Because we have your landscape architect, who has made a -- has been -- has provided testimony, and then was going to be questioned.

We haven't finished the questioning, am I correct?

MR. BASRALIAN: The only thing that hadn't been finished, was the public portion. Public questions of him and cross by --

CHAIR LIGNOS: And cross, right.

When do you expect to have him back?

MR. BASRALIAN: He will be back on the 17th.

CHAIR LIGNOS: 17th. Now, your traffic consultant is here this evening. Is he -- obviously, depending on how it goes tonight, he's expected, I assume, to be back again. Because we don't have our traffic expert.

MR. BASRALIAN: He will back on the
17th as well.

MS. AMITAI: Is that November?

MR. BASRALIAN: No. October.

MS. MITCHELL: We have October 10th

and the 17th --

MR. BASRALIAN: That's correct.

MS. MITCHELL: -- correct?

MR. BASRALIAN: And to finish it

out, October 10th -- well, it's a little bit out

of sequence, given the timing of the consultants.

We'll move forward with our planner on the 10th.

MR. CHAGARIS: Okay. So, you

have -- you have --today you have part of your

traffic. On the 10th you would have your planner.

MR. BASRALIAN: That's correct.

MR. CHAGARIS: Who is Mr. --

MR. BASRALIAN: Burgis.

MR. CHAGARIS: Burgis. And then on

the 17th you're going to continue with traffic and

complete landscape?

MR. BASRALIAN: That's correct.

MR. CHAGARIS: And then I think that

there was some questions that the board had of

Mr. Roncati. We'll check the record to make sure.

And when would he be able to return? On the 31st?
MR. BASRALIAN: If there is -- if there is time after Mr. Burgis testifies, I would put Mr. Roncati on at that point to finish up on those questions.

MR. CHAGARIS: Okay.

MS. MITCHELL: Excuse me. Can I interrupt for a minute?

MR. CHAGARIS: Yes.

MS. MITCHELL: Is this application going to be on the 31st? Because I didn't think it was. Because we have -- plus these two that were perfected.

MR. CHAGARIS: I don't know, we're discussing that now.

CHAIR LIGNOS: At this point there are -- no.

MS. MITCHELL: Okay. I just wanted to clarify.

MR. CHAGARIS: So, not on the 31st?

CHAIR LIGNOS: No, it would be --

MR. BASRALIAN: What we have scheduled, obviously tonight, the 10th and the 17th.

MR. CHAGARIS: And the 17th, right.

MR. BASRALIAN: On the 10th,
Mr. Chairman, Mr. Burgis will be coming from Montville. I'd like to start the meeting at 8:30 rather than 8, to make sure that he's here promptly, since he's the principal witness.

Unless --

MR. CHAGARIS: I'm wondering if you can have Roncati finish up on the 10th.

MS. MITCHELL: The 10th. Next Thursday.

MR. DENICOLA: Thursday the 10th.

MR. RONCATI: I'm trying to check my schedule. Eight o'clock?

MR. BASRALIAN: Okay. We'll start at 8 then --

CHAIR LIGNOS: This way -- this way -- okay. Now, were you planning -- I thought we also had a meeting, and you have to excuse me at this point, on the 24th?

MS. MITCHELL: Not the 24th.

MR. BASRALIAN: No.

MR. CHAGARIS: Okay. Now, while we're doing housekeeping, I know Mr. Segreto has entered an appearance as an objector.

Mr. Segreto, are you expecting to have witnesses?
MR. SEGRETTO: Yes.

MR. CHAGARIS: And you'll be ready
to proceed after the completion of the applicant's
case in chief I presume.

MR. SEGRETTO: Yes.

MR. CHAGARIS: And, so, we don't
have any -- I don't think at this time we have any
new dates after the 17th of October. So, we
should probably wait until we get closer to that
before we schedule --

MR. BASRALIAN: I do have a request,
however, since we missed the last meeting, was
cancelled, I was hopeful that we could get another
meeting next week. Either the 8th or the 9th,
that's Tuesday the 8th --

CHAIR LIGNOS: No, we can do the
24th.

MR. BASRALIAN: The 24th I'm not
here. I'm not available.

MR. DENICOLA: That's the council
meeting. So, not the --

CHAIR LIGNOS: It would have to be
November. We can do a special -- a work session
and special. Like we did this evening. And that
would be November --
MR. BASRALIAN:  How about the 8th, there's nothing available on the 8th?

MR. CHAGARIS:  Unfortunately --

MR. DENICOLA:  All Wednesdays are --

MR. CHAGARIS:  The room availability --

MR. BASRALIAN:  Well, the 8th is a Tuesday.

MR. DENICOLA:  Yeah, no, we have court.

MR. CHAGARIS:  Municipal court.

CHAIR LIGNOS:  November the 6th.

MR. BASRALIAN:  Well, I expect to finish my case in the hearings we have scheduled. And witnesses, any other witnesses, would be somebody else's so --

MR. CHAGARIS:  So, Mr. Segreto then November 6th?

MR. SEGRETTO:  That's no good. I'll be coming back from California that night.

MS. MITCHELL:  So, November 6th will be a work session and special?

CHAIR LIGNOS:  No. Just work session. Just work session. After that --

MR. BASRALIAN:  Well, I would -- I
would request that in the event that we don't
finish up on our direct case by the 17th then we
would finish up on the -- on the 6th.

CHAIR LIGNOS: Okay.

MR. SEGRETTO: Except I won't be
here.

CHAIR LIGNOS: Oh, I'm sorry, yes,
Mr. Baboo has joined the board.

MS. MITCHELL: The time was 8:21.

CHAIR LIGNOS: Thank you.

Now, how does that work, if -- if --
if they don't finish and we get to November 6th?
Is there someone from your office that could be
here?

MR. SEGRETTO: No. Both of us will
be coming back from California that night.

CHAIR LIGNOS: Okay. Let's go to
the 17th and figure it out.

MR. BASRALIAN: How about something
like the 15th or 16th, before the meeting on the
17th. That Tuesday.

MS. MITCHELL: The 15th says court
also. I don't know if they're having a special
court. They have court on the 16th.

MS. AMITAI: What about the 29th?
MR. BASRALIAN: The 29th I'm not here. I'm not available.

MR. CHAGARIS: Why don't we --

MR. BASRALIAN: I had announced that several meetings ago.

CHAIR LIGNOS: One second. One second folks. What?

MR. SINOWITZ: The zoning board sometimes has meetings in the senior citizens building. We bring the recording devices there.

MR. DENICOLA: The council members are here. The mayor is here. I'm here.

MR. CHAGARIS: I think this is enough for now.

MR. DENICOLA: I have the council meeting. We can't do two meetings at one shot.

MAYOR HEYMANN: The court is usually over well before 8 o'clock.

THE PUBLIC: Isn't the environmental commission that night too?

MR. BASRALIAN: The 15th. Tuesday the 15th works.

CHAIR LIGNOS: Let's go on. Let's go on and as we get closer, we'll -- we'll see what's available. But right now we have, for the
record, the 2nd, which is today, traffic. The 10th, which is the planner.

MR. DENICOLA: And Roncati.

MR. BASRALIAN: And Roncati.

CHAIR LIGNOS: And the architect.

And the 17th, traffic and the landscape architect. And we'll take it from there. Okay. I also --

MR. BASRALIAN: I would ask you to consider the 15th, or even the 22nd, the 21st, Monday the 21st.

CHAIR LIGNOS: Let's -- let me -- let's get closer and maybe next week we can let you know what else we have available as far as -- no.

MR. BASRALIAN: The 15th is two weeks from tonight. Or two weeks from last night.

MAYOR HEYMANN: John.

CHAIR LIGNOS: Yes.

MAYOR HEYMANN: Why don't you poll us to make sure that if we chose a Tuesday we would be available.

CHAIR LIGNOS: I'm trying to see what the room availability too. So, even if we are all available, and the room isn't, it's going to be tough.
MAYOR HEYMANN: We can do it for 8:31 and then it certainly will be available.

MS. MITCHELL: Not necessarily.

MAYOR HEYMANN: No?

CHAIR LIGNOS: Let me -- let me -- let's keep going here and then let me circle back. Okay. The 2nd, the 10th and the 17th. And we're going to plan Mr -- our -- the board's traffic consultant for the 17th.

MR. CHAGARIS: Right.

CHAIR LIGNOS: So, we should give ourselves a little bit of time there because we'll also have the board's traffic consultant and this way he can ask any questions of your traffic consultant.

MR. BASRALIAN: Fine. The transcripts will be ready before that meeting. So they will be available.

CHAIR LIGNOS: Right. Because he is not here. Okay. We can proceed.

MR. BASRALIAN: Okay. Mr. Keller.

MR. KELLER: Yes, sir.

MR. BASRALIAN: Come on down.

MR. CHAGARIS: Do you swear to tell the truth, the whole truth and nothing but the
truth?

MR. KELLER: Yes, I do.

MR. CHAGARIS: State your name and give us your business address and your occupation.

MR. KELLER: Certainly. Eric Keller, K-E-L-L-E-R, Omland Engineering, 54 Horse Hill Road, Cedar Knolls, New Jersey. I am a civil engineer with a specialty in traffic and transportation.

MR. CHAGARIS: And you are licensed by the State of New Jersey?


CHAIR LIGNOS: Now, you have also testified here before.

MR. KELLER: A few times, yes. Yes.

MR. BASRALIAN: And you've also testified before other boards in the State of New Jersey, is that correct?

MR. KELLER: That is correct. I also represent a number of boards. I've also appeared in superior court in Union and Middlesex Counties, and have been accepted as a professional.

MR. MADDALONI: Move that he be
accepted.

CHAIR LIGNOS: Moved to be accepted.

Any objection? I see and hear none. So, therefore he is accepted.

MR. BASRALIAN: Thank you.

EXAMINATION BY MR. BASRALIAN:

Q  Mr. Keller, in connection with your work you were retained by the Omland Engineering, and you, with respect to traffic, were retained by the applicant in connection with the shopping center facility that's the subject of the application?

A  That is correct.

Q  And in connection with your work, did you review the site plans, the architectural plans, the subdivision plans, all of which have been submitted to the board and marked appropriately as exhibits?

A  Yes, I have.

Q  And in connection with your work as a traffic consultant, did you prepare a traffic assessment study in conjunction with your investigations?

A  I did.

Q  And was that traffic assessment
study for Closter Marketplace, EDA -- I'm sorry, EBA, LLC., dated April 26th, 2013, and supplemented on July 26th, 2013, and both of those prepared by you as an engineer?

A       That is correct.

Q     And in conjunction with your work, did you also review the Atlantic Traffic and Design Engineers traffic consultant, the traffic consultants retained by the board, did you review their letter report dated July 8th, 2013, and the subsequent -- which was in connection with your report dated July 26th, 2013, as a response?

A       I did. It was April 26th was my report.

Q     I'm sorry, April 26th. I'm sorry, the second response rather.

A       Yes.

Q     Have you also reviewed the Atlantic Traffic and Design Engineers revised report dated September 17th, 2013?

A       I have.

Q     And did you also review the various Boswell reports, as they related to traffic and parking matters?

A       I did, yes.

Q     And in conjunction with your work,
did you reach a conclusion, the traffic impact on
the proposed renovations to Closter Plaza?
A I have.
Q And did you also reach a conclusion
on the adequacy of parking proposed for Closter
Plaza?
A I have.
Q Now, in conjunction with your
report, would you please describe the existing
conditions, and what you undertook in order to
promulgate your traffic report that's been
presented to the board?
A Certainly. The report has followed
standard procedures. It follows the standard
methodologies that we use in the -- in our
industry, and in our practice, to establish the
baseline, to establish what exists there today.
We conducted traffic counts at each of the
existing site driveways to the center. We've also
counted the two driveways immediately to the east
of Closter Plaza, at Closter Commons, and we've
also counted five offsite intersections. Those
five intersections are Homans and Piermont,
Vervalen and Piermont, Closter Dock/Vervalen. And
Lewis Street and Closter Dock and Perry. And
Lewis Street and Campbell Avenue. Those are the same intersections that we had -- we've studied consistently for this. Those counts were taken on Friday, May 4th of 2012, between 4 and 6:30 p.m. And on Saturday, May 5th, 2012, from 11 to 2. We selected those hours of the day, the p.m. peak between 4 and 6:30, because that's the peak commuter hour. Also, we want to examine the impact of the shopping center on the peak commuter hour. And we also picked the period from 11 to 2 on a Saturday because that relates to the retail peak of the shopping center.

Q    Did you also take additional count or counts at Lewis and Homans, from additional times?
A    We did. As we went through the site plan process there was a change in our access and circulation for the shopping center. And, as a result of that, we needed to conduct an additional count at the intersection of Lewis and Homans, which we had not counted previously. And, to be able to take the May 2012 counts and correlate them to the counts that we did in September, Friday, September 7th, and Saturday, September 8th, we redid the count at Lewis and
Campbell so that we could then take the Lewis and Homans intersection information and tie it back to the counts that we did in May. And what we did, is, we took the higher of the two numbers. And -- so that it was a conservative amount of traffic at those intersections. The -- now, we counted for several hours, both on a Friday, and on a Saturday, for the purpose to make sure that we count, what we're interested in, is the single -- the one hour in that period, where we had the highest amount of traffic in four consecutive fifteen minute intervals. And we found the p.m. peak hour was from 4 to 5 p.m. And the Saturday peak hour was from 12 to 1. And that's the single hour. And both of those peak periods when traffic volumes on the roadway system are at their highest. And we used that baseline network to evaluate the impacts of the change to the shopping center. Now, we all recognize that Closter Plaza, today, has vacancies in it. Currently there's approximately 144,000 square feet of the 211 some thousand square feet that is occupied space. So, what we want to do, is, we want to reflect in there, in our existing conditions, what the traffic conditions would be on the roadway if all
those vacancies in the center were occupied. So, we did an adjustment. Table 1 of our report illustrates the occupancy of the center, and the amount of traffic that is in and out of all of the driveways today. We adjusted -- there's 66,601 square feet of vacant space in the shopping center today. Using the ITE trip generation manual, which is for traffic engineers, the Bible, what we rely upon to calculate traffic. We've adjusted the counted traffic up, by those numbers, by the incremental difference between the two, a full center, and the existing center.

Q Is that standard a standard procedure to reflect baseline conditions of a fully leased center?

A Yes, it is. Yes, it is.

Q Thank you.

A And we then, also compared what we counted at the shopping center to what the ITE would calculate would be the traffic for the center. And we found that the numbers were within reason of what the ITE says. So, we're confident that the occupied space in the center is generating traffic consistent with what the ITE would expect it to generate. And what we found in looking at
the driveways, that the majority of the shopping
center traffic enters and exits the center from
Vervalen Street. And of that traffic that uses
Vervalen Street to get into and out of the center,
about half is oriented to the west, and half is
oriented to the east. Now --

CHAIR LIGNOS: Mr. Keller, can I ask
you one question as far as to make sure I
understand. Your -- your numbers to see the
activity in our arterial road system, you use the
Friday and the Saturday?

MR. KELLER: Correct.

CHAIR LIGNOS: Obviously, you're
doing that as a baseline, because the plaza
itself, right now is definitely not at its peak,
based on your own testimony. So, much of it is
vacant.

MR. KELLER: Yes.

CHAIR LIGNOS: The part of it not
vacant, did you take into consideration, or do
those numbers take into consideration that maybe
even those stores aren't operating at their
optimal?

MR. KELLER: That -- that -- yes.

The second part of table 1, is, if this was -- the
center didn't exist and we were going to build 145,000 square feet, which is what's occupied. I calculated, using the ITE data, how much traffic would be expected by that, and the numbers that we actually counted were within reason to that.

MR. SINOWITZ: What is IDD?

MR. KELLER: ITE. Institute -- I'm sorry. It's a very good question. I throw these acronyms out. It's the Institute of Transportation Engineers. It's the industry organization that I belong to, and every traffic engineer belongs to. And they're really an educational and technical society. They publish a lot of manuals, how to do traffic studies, speed hump studies, and they publish a trip generation and parking generation manual, which are our guides, where we look to calculate how much traffic or how much parking is needed by a specific land use; in this case a shopping center.

CHAIR LIGNOS: Now, Mr. Keller, just so that I just finish the train of thought. So -- and maybe I'm oversimplifying this. But if I took the amount of traffic that our arterial road system is generating today, plus the anticipated traffic that a fully occupied center, based on ITE
generates, that total would be what you would  
expect, as far as the number of trips and the  
amount of traffic that would be there after the  
center is completed?

MR. KELLER: That's our existing  
conditions. If Edens decided to lease up the  
entire center, as it stood today --

CHAIR LIGNOS: As it stood today.

MR. KELLER: As it stands today,  
this is how much traffic would be on the streets,  
would go in and out of the driveways, to the  
center, today, with it fully leased. And that's  
our baseline. I mean we have an existing  
facility. You know, it's different than if we're  
designing for a raw piece of land.

CHAIR LIGNOS: Okay. But you'll  
also have a number, and, again, please correct me  
if I'm wrong, if Edens doesn't fully lease the  
center, the way it is now, but spends a lot of  
money in refacing it and upgrading it, and  
attracting, maybe more of a trip count.

MR. BASRALIAN: If you would, the  
question is: When they build what is proposed on  
the site plan, rather than upgrading, refacing it.  
It is what the site plan -- let's -- just to be
specific.

CHAIR LIGNOS: That's a very good point. Thank you. I'm sorry. But if they ultimately were to realize the site plan, as everything that's been presented, would those numbers be any different than fully -- fully occupying the center as it is today?

MR. KELLER: Yes. And that's what I was about to get to. All's I wanted to establish, was, the baseline. Because in a traffic study we have to establish where are we starting from. Because the traffic study -- what a traffic study does, is, measure the incremental impacts of what our proposal is. We've established a baseline. And our report presents levels of service and average delay for existing conditions. Because that's what we're going to compare back to.

Now, we have two -- at this point we're showing two build programs; phase I and a phase II. The phase I results in a net increase of about 7,800 square feet. And that's really associated with the new supermarket. And some adjustments, which Mr. Roncati, I'm sure, has gone through in detail, as to where we're taking out parts and adding parts. All told, that's where we
Now, also, again, which Mr. Thomas, I'm sure discussed, is, the driveways that exist there today are going to be completely reorganized. And improved to clarify traffic flow and to direct traffic better, not only within the center, but to the public street system that we connect to.

And let me just exchange -- I've had Exhibit A-10 up here, which is the existing conditions. I'm going to put up existing -- Exhibit A-12-1, which is a phase I plan.

Essentially the phase I plan leaves K-mart space as it is today. With that, we're going to take -- we will have three main driveways along Vervalen. There are two main driveways on Homans. One on the west side of the shopping center. One on the east side. And then there is a third driveway at the rear of the supermarket, which primarily provides access to the loading area and to those handful of parking spaces behind retail B. The importance of this, is, obviously the eastern driveway. That driveway cut exists today, but it goes to a dead end parking lot. It doesn't connect through. This plan will connect.
MR. BASRALIAN: If you would, just for purposes of illustration, indicate where that is --

MR. KELLER: Yeah.

MR. BASRALIAN: -- on the northeast corner of the property.

MR. KELLER: The east driveway to Homans, today, dead ends at the east end of retail B. We're making that connection through, between retail B and retail D. And then it ties into the main parking lot. We have a complete access and circulation system through the whole center, which will result in better distribution of traffic both within the center and to the adjacent public streets.

Now, in phase II, and I'm going to go back to Exhibit A-12, retail F is a reconfiguration of what is now the K-mart space, redoing the parking lot in front of that store. We've also then reorganized the loading, and some parking area behind retail F. There's an entrance -- entrance driveway on the west, and exit driveway on the east, behind retail F. Other than that, all the driveways on Vervalen and on Homans stay the way they were in phase I.
Now, in phase II, the shopping center itself will be decreased by 11,000 square feet. From my traffic study perspective and parking evaluation, we've assumed that there's a 6000 square foot retail building with 24 parking spaces on the out parcel in the southwest corner of the center.

MR. BASRALIAN: That's the parcel that's proposed to be subdivided from the existing tract, is that correct?

MR. KELLER: That's correct.

MR. BASRALIAN: Thank you.

MR. KELLER: From a traffic perspective, we want to look at what the ultimate development of this current tract would be. With that, the net increase in square footage of the shopping center is just under 2800 square feet over what exists today.

And, also, in phase II, the existing westerly driveway on the west side of K-mart, today is a two-way driveway. In phase II this becomes an entrance only driveway. And we're showing a drive-up window for a potential tenant in that space, on the west end cap of retail F.

MR. BASRALIAN: In your opinion will
the revised plan that you've just shown on Exhibit A-12 result in better circulation and be a better plan than currently exists today for the shopping center?

MR. KELLER: Without a doubt, it's a far superior plan. It provides for full integration of all the driveways and circulation within the site, that allows all of the parking areas, all of the different parking fields, to be accessed from both roads, very easily and conveniently.

Now, the next step --

MR. CHAGARIS: One second. You said there's a drive-thru at the location you just talked about?

MR. KELLER: On the west end of retail F we're showing a drive-thru window for a potential tenant in that space.

MR. CHAGARIS: Is that going to be a two lane entrance or still a one lane entrance? Am I asking the right question? In other words, if someone stopped --

MR. DENICOLA: Well, the driveway off of Homans you're talking about.

MR. CHAGARIS: Yeah, the driveway
off of Homans into the center, if you're stopped
at the drive-thru area, there is room for another
car to drive past?

MR. KELLER: Yes. The drive-thru
lane is separated from the drive aisle by a
concrete island. So, the drive-thru window and
the drive-thru lane is physically separated and
that's now an entrance only driveway and not a
two-way driveway, which is what exists today.

MR. BASRALIAN: Mr. Chagaris, you
may recall that Mr. Thomas testified as to the
stacking area, and how it was separated. So, it's
all part of the original testimony. I'm glad to
reiterate it but --

MR. DENICOLA: How many cars can que
up before impacting the traffic driveway from
Homans?

MR. KELLER: At least four. And the
type of -- it's not -- it's not a fast food. You
know, that space is a drug store or some other
type of tenant that would have a -- it's for
convenience. I mean a drug store, if you have one
or two cars in that, it's a lot. So, there's more
than enough space in that area to accommodate that
and not have any impact to the driveway itself.
MR. BASRALIAN: While we're on this subject, do you have any experience in terms of having designed a drug store drive-thru and how they're utilized?

MR. KELLER: Yes. We've -- we've designed a couple of CVS's. I just also had -- I'm the board engineer in West Orange. We just had a CVS come in, and I sat through many nights of hearing the testimony. And what they talked about, and it was the same, our experience as well, is that in an hour there's five to six people that would use the drive-thru window.

MR. SEGRETO: I'm going to object to his testimony. Obviously hearsay.

MR. CHAGARIS: Sustained. Let's talk about this application.

MR. KELLER: Okay.

MR. BASRALIAN: Well, that's fine. Would you, based upon your knowledge of how this would be utilized, if the applicant puts a drug store in, and there is a drive-in there, how that would function.

MR. KELLER: The drug store usage would generate between five and six vehicles in the drive-thru lane in a given hour. And at most
you're going to have one or possibly two vehicles
in at that -- at any given time. It's a
convenient -- it's a convenience usage to allow
parents with children or elderly people, to be
able to drop off a prescription, or to pick up a
prescription, through that window, and not have to
go into the store. That's all that you can do in
that drive-up window. You can't get band-aids or
over-the-counter medicine. All's you can do, is,
your prescription. Drop off and prescription pick
up. That's it.

MR. BABOO: Good point. My brother
works at CVS, and as long as your picking up
drugs, you could pick up other stuff at the
drive-thru window as well too; toilet tissue,
batteries, whatever you want.

MR. KELLER: That's not what CVS had
indicated to us in our discussion.

MR. CHAGARIS: In other words, you
can -- this applicant has previously said that, I
think you said 20,000 square feet would be
assigned for restaurant usage. Is it fair to say
that there would be no fast food restaurant that
would use that drive-thru?

MR. BASRALIAN: The testimony was
that this was proposed for a potential drug store.
It was not proposed for any fast food, whatsoever.

MR. CHAGARIS: So, that could be a condition of, if there is an approval.

MR. BASRALIAN: It is for a drug store. Possible drug store. There's no guarantee that it would be there.

MR. CHAGARIS: But not a restaurant?

MR. BASRALIAN: Not a restaurant, drop off, pick up, take out, no.

MR. KELLER: Now, what I want to go into next, is, we've established a baseline traffic volume conditions on the street network.
What we next -- the next step in the procedures for preparing a traffic study, is to predict and estimate how much traffic will be there. And we've used 2014 as our future analysis year, how much traffic would be on the network at that point in time. Because as we all know, as time goes on, traffic generally goes up. What we used, was, data published by the New Jersey Department of Transportation. They publish annual growth rates for every county in the state, for urban roads, or rural roads, and different classifications of roads. So, we've increased the observed traffic
volumes on the roadways by 2 percent per-year. Now, in my opinion and my experience in doing this for over thirty years, 2 percent per-year is really an over estimation of what the traffic volume increases would be, especially in a stable built up environment. But that's what we use to calculate future traffic conditions.

Now, in addition, at the time that we were preparing this traffic study, there was a pending application for a bank, on the east side of Piermont Road, between Homans and Vervalen. I got a copy of the traffic study for that bank, and we added the traffic from that proposed facility into our no-build network. The no-build is the future year, 2014, without any changes to the shopping center. We will note that that application was withdrawn and is no longer pending. So, again, our -- our background growth is conservative, it's overstated because we -- we're including a project that, at this point, is not scheduled to happen.

MR. BASRALIAN: In the same manner in which you included a potential 6,000 square foot building, even though there's no plan pending for the -- for the subdivided parcel?
MR. KELLER: That is correct.

MR. BASRALIAN: Thank you.

MR. KELLER: The board's traffic consultant, Atlantic Traffic, concurred that the way that we calculated the future no-build was appropriate and reasonable.

Now -- so that 20 -- what we call 2014 no-build conditions are what we are going to compare the impact of this development proposal to, which will be the 2014 build network, build volumes.

And, Mr. Lignos, this comes to your question before, we then looked at how much traffic is going to be generated by this proposed development. Now, as I said, including the potential 6000 square foot on the out parcel that -- the subdivided lot, the shopping center is only being increased by approximately 2800 square feet.

Now, we recognize that the shopping center is a compilation of many different uses. And what we wanted to do to create a conservative, or a higher estimate of traffic for this change, is that we're taking what is now about a 27,000 square foot supermarket pad, and we're going to
create a 41,000 square foot and change supermarket pad. So, using the ITE data for supermarkets, and supermarkets have a higher trip generation than shopping centers do. So, in table 4 in our report, we calculated what the impact would be by increasing the supermarket by 14,000 and change square -- thousand square feet, using the ITE data.

Now, since we're increasing -- using the supermarket to increase -- or to calculate the trip generation, we have to take a deduction because some portion of that is coming out of general retail space. Because there's space in the center that is essentially being converted from retail space to supermarket space, and that's a second part of table 4, all coming up to the net increase in square footage of 2800 square feet.

In the p.m. peak hour we're increasing traffic to this shopping center by 75 trips. And on a Saturday we're increasing it by 103 trips. And that's driven, really, by the supermarket.

Now that traffic -- all retail traffic is made up of two components: What we call; primary traffic and pass-by traffic.

Pass-by traffic is that traffic that's already
traveling on Homans and Vervalen, going to and from their home, to a work, or home, to another shopping, and they're passing by this site. And we're attracting that traffic into the center.

Now, the traffic that's considered primary traffic is traffic that's destined for this shopping center as a primary trip. They're coming here solely as a destination.

Now, the difference in that, is that the pass-by traffic appears in the driveways. We're increasing -- if we look at each of the driveways, the driveways in total, there's going to be 75 more trips in and out of all the driveways on a weekday, and 103 on a Saturday.

MR. BASRALIAN: That's on the driveways in the aggregate, not individually?

MR. KELLER: Correct. In the aggregate all of -- all five -- essentially five primary driveways to the center will increase by those numbers. Now, once we move past the driveways, that pass-by traffic is already there. And that traffic does not reach the -- as new traffic, does not reach the offsite intersections.

MR. MADDALONI: Is it reasonable to assume that each of these five driveways can take
roughly the same percentage of what that total is?

MR. KELLER: No, it's not. Because in this -- one of the advantages of having an existing center, we can see how the traffic approaches the site. As I said in my opening, the majority of the traffic to this center approaches from Vervalen. And of that, about half goes west, half goes east.

MR. MADDALONI: Four right now?

MR. KELLER: There's -- depends exactly how you count them. There's 1, 2, 3, 4. I think there's 5 along -- well, look at Exhibit A-10. There is 1, 2 3, 4, 5, 6 driveways along Vervalen. There's 1, 2, 3, 4, 5 along Homans.

MR. BASRALIAN: Well, when you talk about 5 driveways going into the shopping center, you already testified that the driveway on the northeast corner dead ends. So, it is not a drive into the center. Only to a very small portion of it, is that correct?

MR. KELLER: That's correct. The driveway on the east side of Homans serves the parking behind retail B and on the east side of retail B. It does not connect to the main parking lot along Vervalen.
Atlantic Traffic has also reviewed our trip generation numbers and found that they are appropriate, and it's a conservative approach to use. Those are their words.

We -- once we've calculated how much traffic is generated by the expansion and the change in use, it's distributed to the various driveways, as Dr. Maddaloni asked about. So, we have assigned that traffic to each of the driveways, based on the observed traffic patterns that exist today. We know -- now, obviously, the driveway that comes in between K-mart and the old Stop & Shop store, goes away. And what we've done, is, we've separated traffic that uses that driveway, to both either the west or the east on Homans, and we've distributed the traffic increases based on the numbers in table 4 to each of those driveways.

In addition to looking at the percentage of traffic to each of the driveways we also prepared a gravity model. The gravity model is the traffic engineer's approach. It's like a marketing study. What is a trade area that this shopping center will attract from. And we looked at a 4-mile radius around the site. Four miles is
appropriate for a community center. It's also appropriate in the sense that for this type of community shopping center you'd have to look at competition, where are other supermarkets, where are other retail, retail opportunities for customers to go to, and we selected a 4-mile radius and developed a gravity model, which we used to refine the distribution to the various site driveways. And, again, Atlantic Traffic agreed with our distribution model and the results.

MR. BASRALIAN: Did you also do capacity studies, a capacity analysis performed for the intersections you referred to before?

MR. KELLER: Yes, we did. And the results of the capacity analyses are summarized in tables 2 and 3 of our report. And table 2 is a signalized intersection. Table 3 is an unsignalized intersection. At the signalized intersection, you can see that all of the signalized intersections under no-build conditions operate at level service C. And under build conditions, those levels of service are maintained with only small incremental increases in the average delay on the various approaches.
Essentially, there's no impact at the signalized intersection from the addition of 75 to 100 vehicles, peak hour vehicles, from this expansion.

Table 3 shows the unsignalized intersections at site driveways, and the other offsite intersections. And, again, the shopping center driveways will all operate at acceptable level of service C. Level of service C is a good level of service. It means that there is acceptable delays. The delays are not excessive. And that there are limited ques of people trying to leave the site and get out onto the public streets.

And that's under no-build and build conditions.

MR. DENICOLA: For the board's edification, the term -- explain what the acceptable delays are for the range?

MR. KELLER: Sure.

MR. CHAGARIS: And also you said level C, is that exiting the center and/or entering? Or is it different?

MR. KELLER: For unsignalized -- let me take a step back. That's a very good question,
Mr. Chagaris. For signalized intersections we measure levels of service, an average delay for every movement. Because a traffic signal controls the movement of traffic at that location.

For unsignalized intersections we only analyze the software. The capacity analyses only analyze those movements in which you have to yield the right-of-way to the thru traffic. We're not measuring the level of service of the thru traffic because they don't need to stop for anybody. So, we're measuring -- we're calculating what the level of service and the average delay is for left turns in, right turns in, left and right turns out. So --

MR. BASRALIAN: And that level of service remains the same, level of service C, with current conditions and buildings?

MR. KELLER: Correct.

MR. DENICOLA: The driveways.

MR. BASRALIAN: At the driveways, yes.

MR. KELLER: At the driveways, yes. And at this offsite signalized intersection, level of service C at an unsignalized intersection, and this is an appendix. Appendix 1 of the report.
Level of service C, the average delay is between 15 and 25 seconds. So, it's pretty much, you pull up, you look both ways, maybe you wait for a car or two to pass, and then you pull out. Yes?

MS. ISACOFF: Does offsite unsignalized intersections include Vervalen and Piermont?

MR. KELLER: Yes. We did study that. Now -- and, actually, if you hold -- I'm going to get to that. Because the -- your traffic consultant asked us to do additional studies there. And, I want to -- I'll cover that in a minute.

MS. ISACOFF: Thank you.

MR. KELLER: The board's traffic consultant also requested that we utilize the most current version of the highway capacity software, which is version 6.5. We reran the levels of service for no-build and build, using that software, and that was contained in our August 16th submittal. And, essentially, there is no change in level of service. There's some minor differences in the average delay. But the results of our study, as contained in the April 26th report were affirmed by using the current highway
capacity software. So, really there was no
difference at all.

MR. BASRALIAN: Let me ask you a
question. The Atlantic Traffic reports of
September 17th, 2013, at item No. 4, acknowledged
that the highway capacity manual, in 2010,
recommends the utilization of a signal peak hour
factor for intersection analysis. He did say,
however, that, perhaps gratuitously, that most
jurisdictional agencies typical require
utilization of movement peak hour factors in
efforts to provide a more conservative assessment
of the operational conditions. In your experience
what jurisdictional agencies are being referred
to?

MR. KELLER: I -- I don't know what
he's referring to. I've done traffic studies for
30 years. And this is the approach that we use.
This is what the ITE -- actually, I'm sorry, this
is what the highway capacity manual, the written
document that tells us how to apply the software,
says to use, a single peak hour factor for all
approaches. And I submit these to various
counties throughout the state, to the DOT, and I
have never had anybody reject and tell me to use a
peak hour factor on an approach by approach basis. Because the highway capacity manual says that that overstates the impacts and creates a unrealistic result of what the level of service and average delay would be at an intersection.

So, you know somebody -- they spent a lot of time in preparing this capacity manual. I mean it's been in effect in various versions since at least 1965. Because when I started in this, that's the book that we used, was a 1965 highway capacity manual. And it's been updated over the past, 40, almost 50 years now.

MR. BASRALIAN: And the methodology you used in your analysis, is the same as accepted by the County of Bergen, as well as the Department of Transportation, is that you're testimony?

MR. KELLER: Yes, it is.

MR. BASRALIAN: Thank you.

MR. KELLER: Now, in our -- in table 3 of our report, this goes to Ms. Isacoff's question, the software -- or the results of our capacity analysis at the intersection of Vervalen and Piermont, indicates that the eastbound and the westbound bank driveway, both have failing levels of service today. It'll have failing levels of
service tomorrow and in the future with the addition or with the expansion of our project.

Now, the only traffic that we're adding to that eastbound left turn, to go up Piermont toward Homans, is one peak hour vehicle in both p.m. and the Saturday condition. And the reason that we're not adding really any traffic to that eastbound left turn movement, is, we now have the direct connection from that eastern parking field, out to Homans. And they go out to Homans. They go to Piermont, and then they go through a traffic signal.

Now, that all being said, Atlantic Traffic, in their July review, suggested that we do a gap study. Now, a gap study -- let me take one step back.

The unsignalized intersection analyses, assume on the main roadway, which in this case would be Piermont, is that that traffic is approaching the intersection in a random pattern. Now, we have a signal a couple hundred feet to the north at Homans. You have one a couple hundred feet, plus a little bit, to the south, at Closter Dock Road. The traffic flow on Piermont, at Vervalen, is not random. It's
affected by the signals at either end, which create platoons. There will be a period when there's a lot of traffic going by, and then a period when there's not a lot of traffic going by, because of the timing of the signals to either side.

MR. DENICOLA: They're not synchronized there, you know that, right?

MR. KELLER: They're not. Yeah, I know.

MR. DENICOLA: Okay.

MR. KELLER: But it's not random as if we were in a stretch where there's not a signal within a half mile or mile.

MR. DENICOLA: Correct.

MR. KELLER: So, we went out there and we did a gap study. And a gap study is measuring the time between vehicles. I'm trying -- I can't -- I'm drawing a blank.

MR. BASRALIAN: Gaps in the traffic.

MR. KELLER: Gaps in the traffic. So, a vehicle goes by, you measure it until the next one comes by. And that's -- since we're measuring it for left turns, it's a vehicle in either direction. So, it's not trailing vehicles
in one direction. It's both. And based on that study that we did, and this was contained in our August 16th memo back to the board and its consultants, is that we found adequate gaps in the flow of traffic on Piermont. And what that means, is, when there's enough gaps, yes, the software says it fails. But when there's enough gaps in the flow, to handle the traffic that's on either side, trying to make that left turn, it means that you have an acceptable level of service. You don't have a level of service F.

MR. CHAGARIS: Can you explain to the board, when you say that the intersection fails, what does that mean?

MR. KELLER: The -- using the software, the definition of failure at a unsignalized intersection is that there is an average total delay of more than 50 seconds per vehicle, that you're waiting a fairly long time to make that movement. Now, you have, on Vervalen you have a separate left turn lane and a separate right turn lane. The right turn lane, obviously, only has to accept gaps in the southbound flow of traffic. And that flows much more easily. The capacity analysis shows that that's at level of
service C. At that level of service, with the
gaps that we found, that was affirmed in our
study.

Now, the level of service F, for the
eastbound left turn, and to put this in context,
in the 2014 build conditions, during the p.m. peak
hour there's 55 eastbound left turns. It's an
average of one per minute. On a Saturday, there's
76 eastbound left turns. It's a little over one
per minute. And our gap study indicated that
there were -- that we had the ability to
accommodate 136 left turn vehicles during that
p.m. peak hour, which is --

MR. CHAGARIS: Wait a minute. I
don't understand. Excuse me. You said that
currently there is one set of numbers. But the
gap study shows that there's an additional set of
numbers?

MR. KELLER: No. Let me -- there's
55 left turns. There's 55 vehicles that are
headed east on Vervalen and want to turn north to
go up towards Homans. I'm saying, from our gap
study, from measuring the gaps in the flow of
traffic on Piermont, is that there's the ability
to accommodate 136 left turns.
MR. CHAGARIS: Didn't you just say that the -- that that intersection in the eastbound direction going north is failing?

MR. KELLER: Well --

MR. CHAGARIS: And that's with the gaps as they are now. I mean you're not going to change the gaps. That's the part I don't get.

MR. KELLER: Okay. The failure indication is based on the software, which assumes random flow on Piermont Road. So --

MR. CHAGARIS: I get it.

MR. KELLER: So, we don't have random flow on Piermont. We have gaps that are created by the signals on either side, and actually creates greater ability for that left turn movement to be made. And that's what Atlantic Traffic asked us to look at.

MR. MADDALONI: Let me ask a question. So, how do you account for the gap when a car going north on Piermont is making a left onto Vervalen?

MR. KELLER: We counted that. Because that's still a northbound vehicle.

MR. MADDALONI: Right.

MR. KELLER: The gap study included
that.

MR. MADDALONI: Yeah, okay. All right. Because now it's stopping. It's just not going straight through.

MR. KELLER: No. But when you measure the gaps, it's a vehicle passing that point. So, whether it made a left, or it continued straight to Homans, that affected the available gap.

MR. BASRALIAN: Let me ask you a question to clarify. The software to which you refer, showed level of service F based upon random traffic. As a result of the inquiry from, and request by Atlantic Traffic to do a gap study, you did the gap study, and the resulting information you received was different than what the software would have provided. And that is your testimony, that, as I understand it, correct me if I'm wrong, that there is about 55 cars going through that intersection at the peak period, whereas the capacity to make left-hand turns, even considering cars going north on -- on Piermont that are making a left, has a capacity to accept over 130 vehicles per hour, is that correct?

MR. KELLER: That's correct.
MR. BASRALIAN: And the distinction is between the software program and the actual count in the gap study you produced?

MR. KELLER: That's correct. That's correct. The other thing that I want to point out, is, that when we did our distribution of traffic, is, we did not -- today, people who come in and shop in the eastern portion of the shopping center, they -- today they will leave the site, if they're headed north towards Norwood or Alpine or points north, Rockley, they come out to Vervalen and have to make a left at Piermont. With the improvements to the center, they can now go directly to Homans and go through the signal. We did not take any number of trips that currently are making that movement, out of the flow.

MR. DENICOLA: They can also go out the driveway between the stores now also.

MR. KELLER: K-mart and the old Stop & Shop.

MR. DENICOLA: Right. Right.

MR. KELLER: Yeah, except they have to travel half -- half -- you know, half the distance of the shopping center.

MR. DENICOLA: Half the parking lot.
MR. KELLER: -- back out. It's absolutely true, they could do that. And that's why I didn't want to get into 5 vehicles, 8 vehicles. I assumed that they would continue to travel the way they are today.

MR. BASRALIAN: All right. Your assumptions though, are based upon the most conservative approach, that all those vehicles that currently go out of the shopping center to go east on Vervalen and north on Piermont, continue to do that, but that even though they have the ability, now, to much more easily access Homans from the northeast entrance/exit?

MR. KELLER: That's correct.

MR. DENICOLA: I thought you only had one vehicle going left?

MR. KELLER: Even -- even -- I did. I added -- I took the 75 trips in the p.m. peak hour, and 103 in the afternoon -- and on a Saturday. And the way the distribution works, I still added one there. Again, to be conservative. I really could have said nobody is going to go that way. They're going to go out to Homans. But I wanted to be conservative. And that's the way the distribution worked. And I said, you know --
so, we really have, in my opinion, we're not
adding any traffic to that eastbound left turn
movement. And, likely, we're going to reduce it
by some marginal amount. I mean it's not a highly
traffic movement today, at least during the peak
hours.

MR. DENICOLA: And what was the date
of your gap study?

CHAIR LIGNOS: May.

MR. KELLER: No, the gap study was
Wednesday, July 31st and Saturday August 3rd.

CHAIR LIGNOS: Mayor, did you have
something?

MAYOR HEYMANN: I have a question.
I presumed that Edens, before they engaged in this
development, did a lot of studies of their own as
to where the traffic was coming from, where their
clients were coming from, is that correct?

MR. KELLER: I don't know what
studies they did.

MAYOR HEYMANN: My concern is that
all of the different studies that you presented,
are based on the kinds of traffic that the
traffic -- that the shopping center is generating
now. And I'm wondering how that relates to what
is anticipated is going to be their traffic crowd. Just as an example, right now there isn't much
traffic coming from the north. And you quoted that traffic coming from the south. If there were
a Whole Foods there, and there is not one north of here, you would be getting a lot more southbound
traffic than you accounted for. I presume, I don't know, but I would imagine that it would have
been the better part of wisdom to check with Edens to see where they anticipate their clientele is coming from.

MR. KELLER: Well, I'm not sure what they did. And that's why we did the gravity model. Because what the gravity model does, is it looks at population. Because I was concerned if we just used the driveway patterns that exist today, that they may be skewed by the activity of the center. So, we looked at the gravity model. And what that does, is, it looks at population and distance, and it also looks at competing centers. And, you know, that was all contained in there. And we used that to refine our distribution. So, we did not use just the existing activity at the driveway. We also refined it by using the gravity model, which looked at the population centers
around. So, I think what we've done, and your
own, the board's own consultant agreed with our
distributions of the site.

MR. BASRALIAN: It was your
testimony, was it not, earlier on, that the
gravity model used an estimated trade area of
approximately a 4-mile radius around the center,
as the primary trade area, and all of that
information went into the gravity model, which you
produced, and which Atlantic Traffic said was an
appropriate methodology for the center?

MR. KELLER: That's correct.

MR. BASRALIAN: So, the information
that you put together is based upon the trade
area, irrespective of what the applicant may have
done independently, this is your opinion, as a
professional, that the trade area, is, as you
described it, and the gravity model works?

MR. KELLER: Yes. It's an accepted
methodology we've used for years.

MAYOR HEYMANN: I understand that.
And, Mr. Basralian, explained it perfectly
copiously. And I'm just wondering whether the
theoretical gravity model is appropriate, when at
least one major tenant is already anticipated,
that may generate a different kind of traffic.
I'm only asking. I'm not an expert.

MR. KELLER: No, the approach that
we followed is accepted. I don't know if there's
market studies, but, you know, this is an accepted
approach. And I feel that the numbers are
representative of what we would find at the
center.

MS. AMITAI: I have a feeling that
that may be the appropriate numbers, and way of
doing things for most stores or most supermarkets,
but Whole Foods is a very special supermarket. I
personally have traveled from here to Montclair,
and from here to Edgewater. So, that's a lot more
than 4 miles. I expect we're going to get people,
not only from a 4-mile radius, but a lot further
north and south, coming up to that store.

MR. KELLER: That is entirely
possible. But the point of a gravity model, is,
you're looking at the bulk of the traffic. You
know that traffic, that like you, Councilwoman
Amitai, who's willing to drive 45 minutes to go to
the store, is not a frequent trip. And what we're
doing with our traffic studies is looking at the
typical representative patterns to the center.
So -- and, yes, while Whole Foods is certainly a significant portion of the center, there's a lot of other space in here that I'm sure Edens is going to fill with very desirable tenants that will be attractive to people in this immediate area. And, yes, to a great -- to some extent, to some people outside. However, you also have other retail opportunities in Paramus, in Ridgewood, Montvale, Englewood, that somebody is going to say, which way do I want to go. And it may depend on the time of day. So, we're looking at typical representative conditions. And we feel that this is appropriate for the center as a whole.

MR. DENICOLA: How about, you did your gap study in, I think you said July 17th or July --

MR. KELLER: July 31st and August 3rd.

MR. DENICOLA: That's really summertime traffic, where you have anywhere form 10 to 20 percent lighter volume. How would that affect your numbers?

MR. KELLER: Well, if the volumes were higher, there might -- there would be some reduction in number of gaps. But I mean we're
looking at, right now we're at 40 percent of the
available gaps that we measured, being counted. I
don't see that you're going to have that
significant a change. But I got their letter in
July. And, you know --

MR. DENICOLA: I see.

MR. KELLER: But I think there would
be somewhat fewer gaps. Now, the other thing too,
is that the gaps -- there's a minimum gap that --
of 7 seconds, that needs to be -- you need to have
for a left turn movement to occur. If you have a
20 second gap, which occurs at points, you're not
getting 1 car out, you're getting 4 cars out or 5
cars out. And there is -- you know, it's all in
our reference manuals as to how many vehicles you
get out, depending on the length of the gap.
Those longer gaps are likely to shrink. I think
you're still going to keep the shorter gaps.
Because they're driven by, not necessarily, by
volume, but by the pattern of the signals. So,
yeah, I think we lose some of those. But we're so
far underneath. I think there's more than
adequate gaps.

MR. MADDAلونI: Just following up on
Mr. DeNicola's point, where you said that traffic
could be as much as 20 percent lower in the
summertime. Your words. Is there any standard
way, when you do traffic counts, of adjusting the
counts for the time of year? Because I understand
you can't wait until Christmastime, when probably
it would be highest, to do your traffic counts,
because the application is now. But is there an
adjusting mechanism?

MR. DENICOLA: You wouldn't do it
during Christmas. You would do it during a normal
time, which would be, you know --

MR. MADDALONI: Right. In October
maybe. Right.

MR. DENICOLA: Right. Right.

MR. MADDALONI: Not when it's
highest or not when it's lowest, which clearly is
during the summer.

MR. DENICOLA: Right.

MR. MADDALONI: So, is there an
adjusting mechanism that you have, to take, you
know, should it be adjusted by a certain percent
because it was taken during a time of year when
traffic is relatively lighter?

MR. KELLER: I don't have any
seasonality factor to apply to this. You know --
and really the bottom line, you know, your traffic consultant asked for us to do a gap study. We did it. I want to come back to the point, is, that we're adding, you know, next to no traffic to that left turn movement. So, what it is today, and I'm sure it varies by day, my commute varies by day as well. We're not changing it from what it is today. So, the volumes on that left turn, which we counted in May of 2012, are on the order, you know, of one vehicle every minute. I mean that's not a lot of traffic. And that's what's there today.

MR. BASRALIAN: Let me just reiterate. You -- you said that -- you said that the gap that you measured would accommodate approximately 135 vehicles making a left-hand turn, but the actual number at peak was 55 during the p.m. peak and 100 and --

MR. KELLER: It was 76 on a Saturday.

MR. BASRALIAN: Seventy-six on a Saturday. Which represents, in your words, and just correct me if I'm wrong, again, even if there was an increase in traffic of 20 percent, or there's no basis to say it's 20 percent, assuming
that, is it your testimony that you're well below
the capacity of the gaps, to accommodate all those
vehicles, even should it increase beyond 55 during
the p.m. peak and 75 on a Saturday peak?

MR. KELLER: Yes.

MR. BASRALIAN: Thank you.

CHAIR LIGNOS: Mr. Keller, and,
again, I have to apologize, because I guess I
won't get traffic like I don't get economics.
Because there's something called taste. No one
knows who the tenants ultimately are, and what our
tastes are going to be for that tenant. Because
if our taste is high for that tenant, all of this
stuff to me, makes no sense. Because if the plaza
is popular, it's going to be visited. So, I can't
figure out how traffic engineers can figure out
that thing called taste and my desire to be there.
So -- but I do want to ask, the breakdown of the
uses within the plaza, that you took into
consideration when you put these models to use,
i.e., I see that you basically consider 20 percent
entertainment and restaurants, is that -- am I --
am I correct?

MR. KELLER: No.

CHAIR LIGNOS: Or what percentage
did you use for restaurants?

    MR. KELLER: Well, let me take a
step back. For trip generation we created this as
a shopping center. And a shopping center in the
ITE -- and let me take a -- the ITE trip
generation manual is a compilation of actual
counts that are taken at existing shopping centers
throughout the country.

    CHAIR LIGNOS: Yeah. Yeah.

    MR. KELLER: So -- which contain a
variety of different uses. In this size center,
you have supermarkets, apparel stores. Those type
of things --

    CHAIR LIGNOS: Great. So, if you
can --

    MR. KELLER: -- so, there's a mix.

    CHAIR LIGNOS: -- if you can tell
me -- if you can tell me what the percentages are,
we'll keep this application to those percentages.
See, what I'm getting at, is, there are, by the
ITE, there are -- they're plazas, they're malls,
you're plazas, that are -- that fall into this
typical range, and they come up with these
numbers, based on a variety of these plazas, am I
correct? Isn't that how you just described it?
MR. KELLER: Yes.

CHAIR LIGNOS: Now, they have to be based on a percentage of medical facilities, a percentage of gyms, a percentage of restaurants, a percentage of clothing retail, a percentage of jewelers, a percentage of cinemas, a percentage of --

MR. DENICOLA: All different uses.

CHAIR LIGNOS: -- food retailers. So, if -- what are those percentages in the aggregate as an average?

MR. KELLER: There's no -- there's no standard. Every shopping center is different.

CHAIR LIGNOS: Great. So, now I have to ask the next question. If you, Edens decides to make -- and I'm not saying they will, but a mega mall of restaurants and gyms.

MR. BASRALIAN: Well, except that, remember the application maxes out at 20,000 square foot for restaurants.

CHAIR LIGNOS: So, now I have to --

MR. BASRALIAN: And that's what the application calls for. It doesn't call for 21,000 or 25,000.

CHAIR LIGNOS: No, no, that's fine.
Now we have the restaurant component at 20 percent. Okay.

MR. DENICOLA: 20,000.

CHAIR LIGNOS: I'm sorry, 20,000. I apologize, 20,000. Did the averages that the ITE used, were those numbers at 20 percent?

MR. BASRALIAN: No, not --

CHAIR LIGNOS: I'm sorry, at 20 --

MR. BASRALIAN: It's 10 percent.

CHAIR LIGNOS: At 10 percent, correct.

MR. BASRALIAN: It's actually less than 10 percent.

CHAIR LIGNOS: Yeah, yeah, I know.

MR. KELLER: The ITE trip generation manual is not to publish --

CHAIR LIGNOS: So, what I'm getting at, and the reason why --

MR. BASRALIAN: Mr. Lignos.

CHAIR LIGNOS: Yes.

MR. BASRALIAN: If he could just finish the answer to that, okay? Would you just --

MR. KELLER: The -- I mean let me
just see this. This is from the parking
generation manual, but the definition of a
shopping center in the trip generation manual is
the same. A shopping center is an integrated
group of commercial establishments that is
planned, developed, owned and managed as a unit.
Shopping centers composition is related to its
market area in terms of size, location and type of
store. They don't publish what the individual
components are, in a shopping center. Now, the
ULI also talks about shopping centers having non
retail uses, which would be --

MR. BASRALIAN: Would you just
explain what ULI is. You're using another
definition.

MR. KELLER: Oh, I'm sorry. Urban
Land Institute, which is a nationally recognized
organization that is broader -- they don't look
just at traffic. They look at land use. The ULI,
you know, there is non retail uses, medical
offices, offices, banks, fitness centers,
theaters, recreation -- other recreational uses.
So, that's what a shopping center is. It's a
compilation. It's a composition of many different
stores. And those stores are higher generators
and other ones are low. And that's why when we
look at -- in of all the uses in the trip
generation manual, shopping centers, we have a lot
of data. Because there is a lot of shopping
centers that are developed. There's a lot of
developers that rebuild them, build new ones. So,
we've studied them. I can't tell you how many
shopping centers I've done from a 3,000 square
foot strip, to a million and a half square foot
Short Hills Mall. I mean I've looked at it from
the smallest to the biggest. And, you know, we've
looked at a lot of trip generation. And the ITE
trip generation manual, for shopping centers, is
very representative.

I have a shopping center in
Parsippany that I've been working on for 20 some
years. And we've done counts at it over time, and
it's in the same size as this, a little over
200,000 square feet. And the numbers are similar
to what ITE predicts we should have.

CHAIR LIGNOS: If I tell you the
center, the plaza, the way it is now, you can't
find parking. The way it is now, on certain days,
would you believe it?

MR. KELLER: That you can't find
parking?

        CHAIR LIGNOS: Yeah. In a section. Because people, you know, the other thing you know very well, is that people tend to want to park, literally inside the store if they could. So they don't have to walk to it. So, there are times that you can't, in the condition it's in now, potholes, craters and all, and yet you can't find parking on certain days.

        MR. BASRALIAN: Mr. Lignos, there's a -- you're distinguishing between traffic that we're talking about here, and parking. And it wouldn't be fair to say, you can't find parking in certain sections, when parking is an entire center. Any more than it's fair to say that you can't find parking at Garden State Plaza because it's -- you can't park next to the store, but there are 10,000 spaces if you move a distance.

        CHAIR LIGNOS: No, no, what I'm getting at, no, you gotta give me credit that I'm a little more complex than that. I am simple but I am a little bit more complex.

        MR. BASRALIAN: No, but the statement was you couldn't find parking spaces now. Okay. That was your statement. And then
you corrected to say in certain areas. Yes.

CHAIR LIGNOS: But I have to tell you that when the popularity of the plaza increases, which I hope it will tremendously, I am concerned that the amount of different uses -- we -- we don't know what they're going to be. We don't know what the square footage of the building is going to be. Just as Edens doesn't know who they're going to attract. But from your own testimony, there are certain uses that are heavier in their traffic, in their parking. Restaurants are one. And we know we have 20,000 square feet of those. Gyms? Are they?

MR. KELLER: See now we're -- we're mixing traffic and parking. And I haven't even touched on parking yet. From a traffic perspective, when you look at the peak hours, which is what we analyze from a traffic perspective, some of those uses aren't necessarily high traffic generators during those time frames. Or they happen to have a much higher level of pass-by traffic. If you had a QuickChek, yes, it has a lot of traffic, but during the peak hours, and I'm not saying they're putting a QuickChek in there --
CHAIR LIGNOS: No, no, no, no, --

MR. KELLER: I don't want anybody to
get the miss --

CHAIR LIGNOS: No, no, no, we
understand.

MR. KELLER: Eighty percent of that
traffic is already on the street. They're just
going in and out because nobody is going to go out
of their way, for the most part, to go to a
QuickChek. Because you go down the block and
there's a 7-11 or there's, you know, a Quick Mart,
or something. But they may generate a lot of
traffic, but it's not necessarily all new traffic.

So -- so, it doesn't add to the load on the
traffic -- on the street network, which is what
we're trying to do with the traffic component of
our traffic studies.

CHAIR LIGNOS: I see. Okay. Then
I -- then I -- please continue.

MR. KELLER: Okay. Where were we?

MR. BASRALIAN: Gravity models.

CHAIR LIGNOS: Mayor. The mayor has
a question.

MR. KELLER: Oh, I'm sorry, Mayor.

MAYOR HEYMANN: I want to continue
with the thought that I was trying to express earlier on. The traffic right now, you're saying that you have a 7 second gap that you discovered, and that is adequate to move at least 1 car. If you had a 20 second gap you can move 4 or 5 cars, is that correct?

MR. KELLER: Correct.

MAYOR HEYMANN: I don't deny for a minute that that's what you uncovered when you took the tests. But I drive that section all the time, and the gaps, they may be 7 second gaps, but it may take 45 seconds for a gap to happen. In the meantime, many cars accumulate. I have been concerned enough, that even before Edens took over and made its presentation, I have often thought that either the traffic pattern has to be changed entirely with one way planning, or you need another traffic light at Vervalen and Piermont. And I was hoping that your testimony would go in that direction. What would happen if there were a traffic light at Piermont and Vervalen. Because to me, that's the only way that you can move traffic readily out of that particular street.

MR. KELLER: Well, Mayor, I -- I understand the concern. And, obviously, you are
all much more familiar with this intersection than
I am. I mean I've been up here in the six years
I've been working on this project, you know, a
number of times. But I'm not there everyday. And
we've done the studies that have -- that we had in
our original report. The study that your
consultant has asked for, and from what we've
found, and from our numbers, you know, there is
not -- there's not, in my opinion, a justification
for a signal at this location. And if there is,
it's not because of our development. We're not
adding any measurable amount of traffic to the
movements that would require a traffic signal to
improve their flow. So --

MAYOR HEYMANN: It's not -- it's not
only improving the flow. It's considering safety.
Because there is a bend in the road at that
particular point. There's no thru traffic. It
goes into north and south, as you're aware, and
trying to make a left turn out of Vervalen is
sometimes extremely difficult, and you have to be
very patient. So, obviously that didn't happen to
you otherwise you would have noted it.

MR. KELLER: Well, I mean I'm not
saying that when we measured the gaps that we
looked at the entire hour, that there might not be a ten minute period or a five minute period when you're waiting. But the point, in those five minutes, you're going to have some cars that back up in that line. That que can get somewhat longer. But we're looking at volumes that are not very heavy. I mean it -- from our own counts there's around one vehicle a minute. So, it's not a high volume movement. And certainly the bank driveway is not even, you know, is less than half of what we found on the Vervalen -- the eastbound left.

MAYOR HEYMANN: Right.

CHAIR LIGNOS: But, again, there are times during the day when people are dropping off their children up on the Homans east side and the school.

MR. KELLER: Certainly. And maybe during the morning peak hour, depending on commuter traffic, what the patterns are. So, we're looking -- we didn't look at the a.m. peak hour. We don't look at the a.m. peak hour for shopping centers. Because shopping centers, you know, the supermarket, obviously would be open, but a lot of the other stores would not even be
open during the morning peak hour. And the volume
out of a shopping center in the morning is very
low. So --

CHAIR LIGNOS: See, but if you have
a gym, for instance in the morning, it could be a
place that people would go to. If you had a
breakfast deli, or a bagel place. You see you
would go there on the way to the school. So --
and I think the mayor's point here, is, not so
much just in pure numbers, quantitative, but the
qualitative trip that the person has to make, and
cconcern about safety. We have seen people waiting
at Vervalen and Piermont and getting frustrated
with not being able to make the left-hand turn,
that they just go ahead and ease out into the
intersection. And then finally said, enough with
this, and you hear them, you know, frustratedly
make that left turn just to get onto -- onto
Piermont.

When we have more and more people
using the new plaza, the renovated plaza, does the
likelihood of those types of drivers, getting
frustrated, put them and other's into an unsafe
situation? We are concerned about that.

MR. KELLER: I understand your
point. And I think what we're doing with the shopping center, we're certainly not going to add to that. And I think we're going to take, you know, some of that traffic away. Because people in the shopping center, especially during those times when it is busy, they're going to go right out to Homans and go to the signal at Piermont. They're not -- they're just going to stay away from that intersection because they can.

MAYOR HEYMANN: That's probably true.

MR. KELLER: So, the people who are coming out of the center today, you know if they went to Massage Envy, or one of the other stores over there, that now go out to Vervalen. They're not going to do that. They're going to go out to Homans.

CHAIR LIGNOS: You're hoping that a person who's used the center, the market plaza a couple of times, will say to themselves, you know something, if I can just go around to Homans I can beat this whole idea of having to make that left.

MR. KELLER: They're going to go to a traffic signal.

MR. BASRALIAN: I would like to ask,
you have to distinguish, and I'd like you to reiterate, for the board, there is traffic on the roadway now. And if there's a condition that exists, it already exists. And Mr. Keller's testimony, when he gets back from having water can answer it, what traffic is generated from the center. Even at its peak, no matter what the uses are, is a nominal increase of what goes through the intersection. If that's your response. So, let's distinguish between what everyone thinks are the conditions now. There's traffic on the roadway. You've analyzed the traffic on the roadway. Reiterate what's going to be added based upon your study with respect to center and the gap study that you have done, and how that will function. So, let's separate the two.

CHAIR LIGNOS: Well, we heard that, right?

MR. BASRALIAN: Yeah, but we have gone far afield, because we have, rightfully a personal opinion of people saying, look, I go through that, it's tough, and the people inch in, but, you know, you really have to do it based upon the numbers and the study. And I would just like to reiterate, for the record, the fact what his
answer was so we don't confuse that point.

CHAIR LIGNOS: Are you saying that this is a science so I could take this to the bank?

MR. BASRALIAN: It is the best one that exists for analyzing traffic flow from, not only a shopping center, but everything else that ITE studies. And that's what we utilized, and that's what all these studies are based upon, plus his own experience, and the application of those -- those numbers. So, if you indulge me, let him put it back on the record again, Mr. Lignos.

CHAIR LIGNOS: A year from now, we can have him come back and visit us when there is a concern that --

MR. BASRALIAN: Well, I don't use the word, concern, very often. But I'm concerned when you say, whether you meant it or not, well, we're going to hold him to the percentages of what they have. Because that's not what a shopping center is. As a matter of fact, when you analyze shopping centers, and I'll ask the question of -- first answer the question that I asked, was, let's talk about what's there, and what you're adding
and how it is affected by the gap study. So I get
that back on the record again.

MR. KELLER: We're adding one
eastbound left turn from Vervalen onto Piermont.
One vehicle in the p.m. peak hour and one vehicle
on a Saturday peak hour.

CHAIR LIGNOS: So I can -- this is
the response. So I understand that after this
renovation we're going to add one left --

MR. KELLER: One additional.

CHAIR LIGNOS: One additional to
what's already there. One additional left-hand
turn.

MAYOR HEYMANN: Over what period of
time?

MR. KELLER: In a single hour.

CHAIR LIGNOS: In a p.m.

MR. KELLER: In a p.m. peak hour and
a Saturday peak hour.

MR. DIDIO: The mall is a failure.

MR. DENICOLA: It's doesn't seem
right.

MAYOR HEYMANN: Okay. That makes
sense.

MR. BASRALIAN: Unfortunately you
haven't had the experience of a fully operational mall in here for some time. And, so, what you must take, is, what is planned and the expert opinion of a traffic consultant, who studies this, along with your own traffic consultant, who agreed to the methodology, and asked for these things to be done. So, you know, that's the best information we have. And it's far better than my personal opinion or anybody else's, because this is the way it functions.

MR. BABOO: We don't have experience with the operation what we have now, but we've gone to other malls that are fully operational.

MR. BASRALIAN: Yeah, but it's different roadways, Mr. Baboo, it's different intersections. You have to study what is here. You have to study the trade area, the gravity model.

MR. BABOO: We have much more experience than this local mall. We actually leave town from time-to-time.

MR. BASRALIAN: Right. I understand. But we're talking about this particular center and the roadways. And you've heard his testimony regarding the opening up of
that northeastern entrance/exit so that it accommodates the center. Traffic could go out to the left and people do what best accommodates them. Now, if there is something, because there's a traffic concern or a safety concern in this municipality, because of the existing conditions that are there at Piermont and Vervalen, then that's something that should be addressed by the municipality and the county, which has to make the decision. It's not this applicant, because it's not adding the traffic -- it's not exacerbating what's there. It may be bad, but it's not exacerbating it.

CHAIR LIGNOS: No, the testimony says --

MR. BASRALIAN: That's correct. That's the testimony of this expert and his credibility is at stake when he testifies that way.

CHAIR LIGNOS: We understand. We understand.

MR. BASRALIAN: Okay. If we can continue.

MS. AMITAI: I just want to clarify one thing. So, to go north, you're suggesting
that everyone from the plaza is going to go up
towards the Burger King and out, out onto
Vervalen, turn right and go to the traffic signal?

MR. KELLER: Yes.

MS. AMITAI: That's the only two
way, right, that's an in and an out?

MR. KELLER: That's correct.

MS. AMITAI: The only exit to the
north?

CHAIR LIGNOS: No, there is two,
right.

MS. AMITAI: Well, Lewis Street if
you go the other way.

MR. KELLER: Then you go out to
Lewis Street. Because in phase II, after the
K-mart is reconfigured, the driveway on the west
side -- excuse me, K-mart is one way in.

CHAIR LIGNOS: Oh.

MR. KELLER: So -- but I mean if
you're -- if you're in the parking field in front
of retail F, let me put Exhibit A-12 back up. If
you're in this parking field here, you have, you
know, you have choices. You can either come out
Campbell to Lewis and head to the east, or you can
come out to Vervalen, or you can come along
through the center and go out this way. You know, people are going to make that decision based upon their experiences, their preferences, and we're saying, on the overall, we're assigning 75 p.m. peak hour trips that we're calculating to be added to this center, or a 103 on Saturday. The number that are headed to the northeast, we believe in the design of the center, orients them to Homans and through the signal, and not to the unsignalized left via Vervalen.

Now, obviously, if you're headed south on Piermont, or you want to go down Piermont to Closter Dock and head over towards Alpine and that area, you're going to go out to Vervalen and make a right, which is a very easy movement to make. Obviously, once you've stopped and looked to the north to make sure that there's not southbound traffic coming down from Homans. And the capacity analysis, because we're only looking at traffic coming from one direction, shows that that operates at a level of service C, with a very low average delay for the right turn. So, that right turn movement is very easy.

MR. SINOWITZ: You say level of service C. How many different categories are
there? Levels.

MR. KELLER: Six; A is the best, F is the worst. For this type of environment, you know, a level of service D, and possibly in certain circumstances, a level of service E, as long as the average delay is close to the D side, is acceptable for an unsignalized intersection on a major roadway. We are level service C. I mean that's very good.

MR. BASRALIAN: If I could continue.

In referring to the Atlantic Traffic report, they indicated a peak hour signal warrant would be satisfied presumably at Piermont and Vervalen. And in your opinion is it justified, given the additional traffic that's going to be generated from the center?

MR. KELLER: In my opinion, no. We've looked at -- the traffic signal warrants are set forth by Federal Highway Administration. They are published in the manual on uniform traffic control devices. MUTCD for short. And looking at it, really the critical movement is that left turn. And I've said it a number of times, that the volumes are low. In the gap study that we did, shows that there's generally enough gap.
There's gaps that are available for that movement to be made. With everything we have done, I don't think that a signal is warranted there. And if -- it's certainly not as a result of this development or redevelopment of this center.

    CHAIR LIGNOS: Even though you have three driveways emptying out into Vervalen with one emptying out onto Homans, right?

    MR. KELLER: Well, no. Mr. Lignos, I'm talking about the need for a signal at Piermont and Vervalen.

    CHAIR LIGNOS: Correct.

    MR. KELLER: Which is what Atlantic Traffic is suggesting.

    CHAIR LIGNOS: No, I understand. But is it possible that Atlantic is suggesting that, because, again, and maybe this is a little too simplistic. But there are three driveways that ultimately, for those people that don't know that, if they want to go north, it would be best to go and find a way to get around and get onto Homans to make that left. There are three driveways that take you out into -- out into Vervalen. They'll make that left. They will get to Vervalen and Piermont and still realize they
have to go left. There are three driveways, potentially, just from the plaza. Others from the bank. But, again, just from the plaza there is three. But there's only one on the Homans side. Especially with the phase II being -- the second driveway being an in only, right?

MR. KELLER: I really consider that there's two out to Homans, because we're going to use Campbell and Lewis as part of the circulation system of the center. But, again, it goes back to the gravity model of where people want to go to. It's also where they're coming in. Retail trips, they're going to tend to come in through Homans, because they know they can get into the center on that side, and go to the stores, and they're going to return that way.

MAYOR HEYMANN: You propose, one of the things that I don't understand, is that you propose, in phase II, to make the Campbell Avenue, that exit that you're proposing there, between the church and the whatever it's going to be. Why is that designated one way going to Vervalen? What was your reasoning for that?

MR. BASRALIAN: No, no, that's not correct.
MR. KELLER: The driveway on the west side of retail F, on the west side of what is now the K-mart building, is one way in during -- in phase II because of the drive-thru window.

MS. AMITAI: Unless of course you make the building a little smaller and then you can have two lanes and we can access to Homans.

MR. KELLER: With the drive-thru window here, this wants to be one way in. Then you're going to have somebody coming out and traffic going the other way. It's not good traffic circulation. And we already have Campbell and Lewis that functions. Of all the driveways, this driveway is the least used. Because when people are approaching from the center of town, they come in Lewis and Campbell. They don't come alongside here.

MAYOR HEYMANN: Correct. Then why are you having it go one way into the shopping center?

CHAIR LIGNOS: It's not Lewis that's doing that.

MR. KELLER: Because it works with the parking with the church. It works with the drive-thru lane. And people, again, when they're
leaving, they're also coming out Campbell and Lewis, today, to go left. They don't come out here. So, we're keeping this driveway, because we want circulation on the west side of the building, and also to access the church parking spaces and the potential drive-thru, on that end cap.

CHAIR LIGNOS: How difficult would it be to do an end cap study this time of year, as opposed to July 31st and August 3rd? How much work does that involve?

MR. KELLER: Well, it's getting --

CHAIR LIGNOS: Because now you'll see the schools in action. You know, you'll really get a much more accurate --

MR. KELLER: Well, the schools -- I mean we're looking at the p.m. peak hour and we're looking at Saturday. So --

CHAIR LIGNOS: You'd be surprised.

MR. KELLER: I'm not saying that there's not, you know, but we're not going to see school buses, for the most part at that point, except for those related to sports. I mean -- so --

MR. BASRALIAN: If you're doing the p.m. peak, which is -- which is after schools are
closed, you're not going to see the school buses on the roadway. And on Saturday you're not going to see the school buses on the roadway.

Mr. Lignos, you can shake your head, there might be school buses for sports but not the same number of school buses that transport kids back and forth on a school day. You just can't have the same number on a Saturday.

CHAIR LIGNOS: Can you answer my question, how much work is it -- is it difficult to do?

MR. BASRALIAN: Well, it's also costly, but it's other factors, sure.

MR. KELLER: It's time and money. And it's a matter of getting that information done, getting it analyzed, and having it, you know, at a meeting. If, you know -- it was an accommodation -- your traffic consultant asked for the study. We did it. And there was a debate about whether we were going to do it, because we're not adding a lot of traffic to that intersection. So, you know, I recognize that there may be operational difficulties at points today, but we're not going to make them any worse.

MR. BASRALIAN: I guess, you know,
it seems to me, I get the feeling that somewhere along the line, and I say this, not in a pejorative sense at all, so, don't misunderstand me, that people feel there should be a light or a signal at Piermont and Vervalen. And I seem to get the sense. Because I've heard the word, safety. I've heard the inching out of cars trying to make a left. And, if that is so necessary, it was necessary, irrespective if this center remains the way it is, disappears, or is built. Because building it doesn't change things. If it's necessary now then it's necessary, and that's what --

CHAIR LIGNOS: The amount of cars, again, in my opinion, and I'm not sure the light is the answer, but I just can't imagine the center fully occupied, functioning as beautifully as, you know, the renderings that are shown, and the way it's been designed, will not generate more traffic at that intersection. That's just me. And, again, maybe the science is something different. I'm just not sure if it's science. That's all. I just -- my gut tells me there's going to be more -- more traffic.

MR. BASRALIAN: May I request, we'll
pick this up, may I request a break for my stenographer.

CHAIR LIGNOS: Absolutely. I was going to do that at 10:00. And we're going to take -- is five minutes okay? Ten. A ten minute recess. We'll come back a 10:10. Thank you.

MR. BASRALIAN: Thank you.

(A recess was taken.)

CHAIR LIGNOS: I call the meeting back to order. It's 12 minutes after -- after 10. Mr. Basralian, you -- let's try to get as close to 11 as possible for tonight.

Members of the board, is the 21st, a Monday, a date instead of the 24th, which I thought there was a meeting, but there isn't. So, it would still be one a week. Would the board be willing to add a meeting on the 21st, Monday the 21st?

MR. DIDIO: In addition to the 24th?

CHAIR LIGNOS: No, no, instead of the 24th.

MR. DIDIO: Instead of. That's what I'm clarifying.

MS. MITCHELL: We didn't have the 24th.
CHAIR LIGNOS: We didn't have the 24th. I thought it was.

MR. DIDIO: So, Monday night?

CHAIR LIGNOS: Monday for that week.

So, there would be a meeting everyday -- I'm sorry, one for the rest of our lives.

MR. BASRALIAN: That's good for me.

CHAIR LIGNOS: There will be a meeting once a week for the month of October. So, can you just -- can we poll the board for their availability for Monday the 21st.

MS. MITCHELL: Sure. And just to confirm. I won't be here, but I will ask Mr. Demarest, if he would cover.

Mayor Heymann.

MAYOR HEYMANN: Yes.

MS. MITCHELL: Councilwoman Amitai?

MS. AMITAI: Yes.

MS. MITCHELL: Dr. Maddaloni.

MR. MADDALONI: I will be out of town.

MS. MITCHELL: Mr. Baboo.

MR. BABOO: I'll be out.

MS. MITCHELL: Ms. Stella.

MS. STELLA: Yes.
MS. MITCHELL: Mr. Lignos?
CHAIR LIGNOS: Yes.
MS. MITCHELL: Mr. Sinowitz.
MR. SINOWITZ: I should be all right.
MS. MITCHELL: Mr. Didio.
MR. DIDIO: Yes.
MS. MITCHELL: Ms. Isacoff.
MS. ISACOFF: Yes.
MS. MITCHELL: Mr. Pialtos.
MR. PIALTOS: Yes.
MS. MITCHELL: Mr. Nyfenger.
MR. NYFENGER: Yes, but I'll have to vote that night, won't I.
CHAIR LIGNOS: Okay. So, let's schedule it to include the 21st for October.
Okay. Continue, please.
MR. BASRALIAN: Okay. Let's move on, if we can. Let's talk about parking. Present situation and what's being proposed for parking for the center.
MR. KELLER: Currently, the shopping center has 720 parking spaces, which is a ratio of 3.4 spaces per thousand. So, when we look at parking for retail centers, we have to look at the
type of centers that this is. Because there's different demands and different requirements, depending on the type of center. This is a community shopping center, which is defined by the Urban Land -- Urban Land Institute, as a center between 100,000 and 350,000 square feet, with anchors generally consisting of a supermarkets, general merchandise stores, Kohl's, that type of store, convenient stores, and occasionally large specialty apparel stores.

Now, as we've discussed earlier tonight, the limitation on restaurant is 20,000 square feet, out of the 214 some thousand square feet, that would be in this center. And all of my numbers, when I talk about 214, include the potential for 6,000 on the subdivided lot. And, you know, as I said before, shopping centers contain a mix of uses. And some of those uses are non retail. Non shopping type stores, which are offices, banks, fitness centers. And in the retail -- the restaurant space.

Now, the ITE, Institute of Transportation Engineers, has also published a similar manual to traffic -- to traffic generation. They published one on parking
generation. They're now up to fourth edition. And, again, the parking generation manuals is a compilation of data that has been collected at a variety of centers throughout the country, from smaller ones up to super regional malls like Garden State Plaza. And those parking ratios are encompassing of a variety of different uses within those shopping centers, and there's no differentiation between customer parking and employee parking. It's all -- cause they're just -- we're just counting cars. So, it's the total demand generated by a shopping center, both for the employees and the customers, based on a variety of different stores. And most of the data has been suburban shopping centers. So, the public transit usage in those centers is generally non existent or very small. So, the data that's been collected is representative and appropriate to apply to Closter Plaza.

Now, Atlantic Traffic raised the question about, you know, December, non December. And, certainly, if this was a regional mall, if this was Paramus Park or Garden State Plaza, we would be interested in the December data. Because that's when those type of shopping centers peak.
This type of a community shopping center, when you look at the data, points in the parking generation manual, for this size center of under a 100 -- under 500,000 square feet, the data points follow right along the average line. When you look at the bigger centers, there is a lot of variation above and below the average. So, the parking generation manual also says, as long as the, what they call, the coefficient of variation, statistical measure, as long as that is small and stays close to the average, the average parking demand is what you should design for. And that's what we have with this type of a center.

We're not using the 85th percentile which means that only 15 percent of the days or hours have parking demands greater than this. We use the average. Now, you say, well, average. It's the average of the peak demands that you look at. They're not counting at 9 o'clock in the morning and saying there's 42 cars parked in the lot, and saying that that's an average peak demand. We all know in the industry that when you do parking demands, you're doing them in the middle of the day, you're doing them at the end of the day, and on weekdays, and you're doing them in
the middle of the day on a Saturday. And that's what gets published within this ITE. And that's what the average is calculated on. The average of the peak period usage of a shopping center. So, the data contained in this ITE parking generation manual is an appropriate measure for a retail center.

Now, the ULI, in their study, and they've done this study of shopping center; they started in the early 70's, they published the first manual in 1982, and they just recently -- recently -- in 2000, 1999/2000 or so, they published a second edition. And what they say for community shopping centers, is, the data indicates that we should park them at 4 per thousand. So that there is a trend in the industry that this type of shopping center can be parked as low as 3.7. And that's -- you know, shopping centers have evolved from the 1960's. The tenants have evolved. They're not building as large a store. There's more internet sales. There's less brick and mortar, of going to the center and actually purchasing it. Even the supermarket industry has changed, where you go online, you tell them what you want, they put it together, you drive up to
the door, they have your bags all ready, and you
load them in the car and you go home. You're not
walking around the aisles of the store for an
hour. So, the industry -- the retail marketplace
has changed as well, and with that, the parking
requirements have changed.

Now, the proposed redevelopment of
this site will increase the parking supply to 844
spaces. That's 820 on the main lot. And then 24
spaces on the subdivided lot, which go along which
the 6,000 square foot retail store. So, that's an
increase of 124 parking spaces over what we have
there today. And that results in a parking ratio
of 3.94 spaces per thousand.

MR. NYFENGER: Can I? I thought
since the beginning we're not counting that
subdivided lot. Because that's not what we're
talking about.

MR. KELLER: From a traffic and
parking perspective, you want to look at the
overall, you know, the overall -- even -- for
parking, if we take out those 24 spaces we're
still parked at 3.94 spaces per thousand.

So, for parking, if it makes the
board more comfortable, I can just talk about the
center itself, which means we have 820 spaces, which -- because then it's 208 thousand and change square footage in the main mall itself. Still comes out to 3.94 spaces per thousand.

    MR. NYFENGER: Okay. Same ratio.
    MR. KELLER: It's the same ratio.
    MR. NYFENGER: It doesn't matter.
    MR. KELLER: From a parking, we're talking about ratios.
    MR. MADDALONI: It doesn't matter.
    MR. KELLER: It doesn't change.
    MAYOR HEYMANN: Are you including that lot in order to get at that figure, is that correct?
    MR. KELLER: The 820 spaces are on the shopping center lot itself. The 844 would include that separate lot.
    MAYOR HEYMANN: And that's where you get the 3.9?
    MR. KELLER: We get 3.94 either way.
    MAYOR HEYMANN: Either way.
    MR. KELLER: Yeah. I meant it's a small -- it's 6,000 square feet. So, it still comes out to 3.94 no matter how we calculate it.
    MR. NYFENGER: Okay. Thank you.
CHAIR LIGNOS: Is a mall such as the one in Westwood, where the K-mart is, is that considered a community shopping center?

MR. KELLER: I don't know the square footage of it.

CHAIR LIGNOS: See, I'm wondering, is a community shopping center one that ideally serves just the community as opposed to the northern valley, where this one would be?

MR. KELLER: No. That would be a neighborhood shopping center, where it really serves the community. It's under a hundred thousand square feet. A community shopping center, maybe the term is a little misleading. It means more than the community in which it's located.

CHAIR LIGNOS: Like a regional?

MR. KELLER: No. A regional is Paramus Park, Garden State Plaza. Well, Garden State Plaza is a super regional. That's a special case. Paramus Park.

MR. MADDALONI: Fashion Center.

MR. KELLER: Fashion Center. Bergen Town Square. Those are regional shopping centers.

You have --
CHAIR LIGNOS: Something like Tices
up in --

MR. KELLER: That would be a
community shopping center. That one I'm familiar
with.

CHAIR LIGNOS: Okay. That one is
not the size of this, right? I mean that's got to
be a lot of smaller than this.

MR. KELLER: No, no.

CHAIR LIGNOS: No?

MR. KELLER: That's -- I don't know
the exact square footage.

CHAIR LIGNOS: But that's the kind
of --

MR. KELLER: Yeah, right.

CHAIR LIGNOS: And they're parked at
roughly at around 3.94?

MR. KELLER: I don't know. I don't
know what they're parked at, no.

MR. MADDALONI: But you said, you
used a term that actually I'm quite familiar with.
The coefficient of variation in community parking
lots is small, which means that there isn't much
variability between the number of spots and the
square footage. It doesn't vary much.
MR. KELLER: Not the number of spots. The spaces occupied.

MR. MADDALONI: Spaces --

MR. KELLER: Right. And that was one point that your traffic consultant pointed out, that the IT data says that the average parking supply was 4.9. How many parking spaces you put on a piece of property has really no relation to the parking demand. The number of parking spaces you place on a piece of property generally are guided by zoning regulations. And this is what the municipality, the city, whatever, say you need to put on there. Doesn't mean that they use them.

And part of my business, is, to go to municipalities and say, look, we don't need that many parking spaces. And it's very -- it's much easier to do it when you have -- this is a bad example because you have a shopping center that has a lot of vacancies, and it's not a true picture of what the parking demand is, but we've gone to other shopping centers in other towns and said, okay, here's what the demand is at this facility, here is what we want to do, we don't need 4.9 spaces per thousand because --
MR. MADDALONI: It doesn't vary as much.

MR. KELLER: -- one and a half, you know, two spaces per thousand, are not being used. What we've observed is numbers that are significantly less.

CHAIR LIGNOS: Although I do have to tell you that if Tices is a community plaza center, I have experienced a difference in parking around the holidays. So, it's interesting. Even though they say community, from what you testified to, I have seriously encountered it to be different around the holidays.

MS. AMITAI: Difficult?

CHAIR LIGNOS: Yeah. More, more, more, cars. Anyway, continue, please.

MR. KELLER: Okay. Now, excuse me. One thing when we look at static numbers, and you look at parking ratios, and that's based on a mix of uses in a shopping center. Now, one thing that's not factored into that, is that certain uses have different peaking characteristics than other uses. For example, you know, theaters, restaurants and banks have different peaks than general retail space. And that's all set forth in
the parking generation manual. Retail, for example, peaks between 12 and 3 on a weekday. Theaters are peaking between 8 and 10. Restaurants on a weekend are peaking after 6 o'clock, between 6 and 8. And banks are in the morning or early afternoon, and they would peak with a lot of banks having longer hours, those peaks are spreading out, and they're not as sharp as they used to be. So, they're all occurring at different times of the day. And that's one thing with parking, is the parking demand is a function of the turn over of the space and when that demand is needed. So, if you have all retail in a shopping center, the parking is all going to occur, generally, in that same time frame. But when you mix in restaurants and you mix in a theater, and you mix in maybe a fitness center, those peaks don't all occur in the middle of the day. And the way that we examine that, the temporal variation, the way we examine that -- excuse me, is by doing what is a shared parking analysis. Because a shared parking analysis takes into consideration the different uses that you have, and how those uses vary during the day, during different hours of the day. And that was
contained in our original traffic report in appendix 5. And what we also, because there has been discussion, there is no commitment or anything, but we looked at and said, well, what if we had a fitness center in this shopping center, what would a fitness center do to the parking demand.

Now, in our original traffic report, with a shared parking analysis, during the weekday, we had a surplus of 62 parking spaces at 1 o'clock. On a Saturday we had a surplus of 45 spaces at 12 o'clock.

Now, in our August report or response to Atlantic Traffic, we did another one, with a 30,000 square foot fitness center. Because the fitness center peaks either -- really peaks in the late afternoon, we end up with a surplus of 76 spaces on a weekday, as opposed to 62. And on a Saturday we have a surplus of 57 versus the 45. So, actually taking general retail space out of the center, and putting in a fitness center helps your parking. And, you know --

MR. BASRALIAN: Isn't there a fitness center, isn't the early morning hours of time, and that's most utilized and phase out for
the day, is that what you're saying?

MR. KELLER: There is a peak in the morning but it's also in the afternoon as well. And that's what the, you know, some people are morning people. Other people are afternoon people.

CHAIR LIGNOS: But Mr. Keller, you yourself said that different uses have different peaks. And since we don't really know what the uses are going to be, it's really hard to figure out those peaks, right? I mean --

MR. KELLER: No, no, no, no, when I say different uses, I'm talking about retail. And retail is a supermarket. It's a jewelry store. It's a, you know, anything selling a product falls into that retail group. And that's what has been studied. And that's what the ULI and ITE look at.

Now, they have separate categories for restaurants and theaters and fitness centers. And, you know, other uses as well. Because they are different in their parking demand during the day. But retail, on a broad base --

CHAIR LIGNOS: So, when you did these numbers you used what?

MR. KELLER: We used --
CHAIR LIGNOS: You used 20,000 square feet of restaurant.

MR. KELLER: Correct.

CHAIR LIGNOS: You used our theaters, because our theaters are existing.

MR. KELLER: Correct. We used the bank. Because the bank is there.

CHAIR LIGNOS: The bank is existing.

MR. KELLER: Correct. And we used retail.

CHAIR LIGNOS: And you used the whole rest as retail.

MR. KELLER: Right because that's what --

CHAIR LIGNOS: So, no medical facility, because that would generate additional parking, right? Kind of like a mergi center or something like that. That's not there.

MR. KELLER: The medical, you know, if it was there, would be -- would be even during the day. It would drop off. It would most likely wouldn't have any usage on the weekends. And that's really when your peak demands are.

CHAIR LIGNOS: Like a mergi center. Like a -- because you don't know when they show
up. You know, emergencies happen 24/7. But --
but -- so, for purposes of me understanding how
these numbers were generated, the whole center,
other than 20,000, which was restaurant, was
calculated as retail.

MR. KELLER: No, no, no, no. We had
20,000 retail. We had --

CHAIR LIGNOS: 20,000 are
restaurants.

MR. KELLER: Yeah, thank you.

20,000 of restaurants. 3,000 for a bank.
Theater, it's 8,500 square feet. But we do it on
seats. There's 371 seats in the theater. So, we
take out the 8,500. Retail comes out to just
under a 183,000 square feet of space. And this is
including the 6,000 square feet. Because when I
look -- when I want to do a shared parking
analysis, nobody out there is going to know where
that line on the ground is for the lot between the
two. So, you know, if I take out the 6,000 it's
176,000 and change. So --

Now, when I did in the August 16th
response, we reduced the retail space by 30,000
square feet to account for a fitness center.

CHAIR LIGNOS: Okay.
MR. KELLER: So, that's how we do it.

So, in summary, I believe that the amount of parking that we're providing for the center, the 820 spaces for 208,000 square feet, at a ratio of 3.94, is appropriate. It's sufficient to serve the needs of this center. And that the waiver from the borough code for the number of spaces that would otherwise be required is supportable and is appropriate.

MR. BASRALIAN: You keep mentioning the ratio. And I think in your discussions you indicated that in order the achieve 4 per thousand you would have to add 13 more parking spaces to the totality of the site, is that correct?

MR. KELLER: That's correct. That's correct.

MR. BASRALIAN: So, if you added 13 more spaces to get to 4 per thousand for the shopping center, including the 6,000 retail, okay, maximum retail, in order to do so, you would have to do what?

MR. KELLER: We'd need to have less landscaping to get those additional 13 spaces.

MR. BASRALIAN: But if we wanted to
get to a numerical number of 4.0 you can do that
is what I'm saying, correct?

       MR. KELLER: Yeah. Yeah. We could
get to that.

       CHAIR LIGNOS: By the way you could
also leave the landscaping and reduce building.
In case you're wondering.

       MR. BASRALIAN: The application --
the application -- the application is not to do
that. The application is what it is. The point
of the matter is your own, you know, your
consultants, you know, said, well, it should be
4.0 and I'm saying, well, if you add 13 spaces
you're at 4.0, so, you know, it's a numerical
number, but the important part of it, is,
Mr. Keller's testimony, you have to look at
capacity, not the number of parking spaces.

       MR. KELLER: Right. You know, we
also have a couple of design waivers and some
other issues that were raised by the board's
professional. The parking space size that we're
proposing, is 9 X 18. It's generally -- I mean is
the accepted industry standard. It fits the
vehicle fleet. We do have 119 spaces. Federally
along Vervalen and where there's a two foot
overhang, where those spaces are actually 16 feet of pavement and 2 feet of overhang. I've seen that. We did that at Short Hills mall. It's been done elsewhere. We still have a usable effective space. And you keep the green space with it. Because those spaces at the fringe are the ones that are used only at the peak times. So, for the most part those are used infrequently.

Another one, drive aisle width. We are proposing 24 feet within the parking bays, which, again, is a standard. 9 X 18 spaces with 24 foot aisles are very common. That's what we use. Along the frontage of the store and other main aisles we're using 26 feet. Obviously the main driveway is in front of the Whole Foods that goes out to Vervalen. It's wider where we widen out to get a separate left turn/right turn lane at Vervalen.

Mr. DeNicola had raised a question as to whether or not it would be appropriate to put stop signs at the end of each of the parking bays within the parking lot. I don't feel that it's necessary or appropriate. You're within a parking lot. You know that as you travel along, and you get to the end where the end aisles are,
you need to stop. What we've shown on the site
plans, we have put a stop bar and a single yellow
line, just to demarcate the fact that you've
reached the end, or you're approaching the -- the
main drive aisle.

I think putting up stop signs, it's
a visual clutter. It's a maintenance issue. And
it just is not necessary within a shopping center.

CHAIR LIGNOS: And if you'd confirm,
because the civil engineer, I think testified to
it, there are the hairpin parking spaces, correct?

MR. DENICOLA: Yeah, all the
striping I think is hair pin. It's on the plans.

MR. KELLER: I believe that's what
he testified to.

CHAIR LIGNOS: That's what he
testified to.

MR. BASRALIAN: That's what he
testified to. Well, the stop bars he's talking
about are at the end of each aisle as
distinguished from the hairpins. Yeah, okay. I
missed the seg-way so I was just clarifying it for
myself.

MR. NYFENGER: There are no stop
signs within -- within the lot?
MR. KELLER: Not entirely. But what I'm saying, is that every one of these parking spaces at either end, you don't need a stop sign to say, hey, I've reached the front of the -- I'm at the main drive aisle, I need to stop.

MR. NYFENGER: Correct. What about that main?

MR. KELLER: Now, we have a stop sign here. There's a stop on -- you can see it.

MR. BASRALIAN: Exhibit -- just reference the exhibit, please.

MR. KELLER: A-12. Where this drive aisle comes out to the main drive, there is a stop sign here. Obviously, there's a -- a stop sign at Vervalen. There's a stop sign here. There's a stop sign on Homans driveway. On the east driveway at Homans, those main --

MR. NYFENGER: What about that intersection at the current front corner of K-mart?

MR. KELLER: At Campbell. I need to check that.

MR. NYFENGER: Yeah. Because that's a blind spot currently.

MR. DENICOLA: Yeah, there is a stop
sign.

MR. NYFENGER: There is?

MR. DENICOLA: I think there is.

MR. BASRALIAN: It's coming back though, the building.

MR. NYFENGER: Oh, true.

MR. KELLER: Let me look at the phase II.

MR. NYFENGER: Well, you need something there. Because people come like that or like that.

MR. DIDIO: In only? Campbell in only?

MR. BASRALIAN: Yeah, but what --

MR. KELLER: Campbell is two way.

MR. BASRALIAN: Campbell is two way.

MR. DIDIO: Okay. Coming in from Homans.

MR. BASRALIAN: It's the driveway that's immediately adjacent to the current K-mart, that we convert to one way. But, remember, the K-mart is being pulled back substantially and so you change a lot of the visual effects.

MR. NYFENGER: Even if that was a stop coming in that would satisfy.
MR. KELLER: Today, today there's a stop sign when you come in Campbell into the shopping center. We're adding a stop sign on the way out. Coming along the front of the store there is a stop sign there. There's a stop sign as you come down from Homans and there's a stop sign -- this is the only parking bay where we put one, because it's -- I'm sorry, it's an all way stop. So, each leg of this intersection stops. So, that's the one parking bay where we have a stop sign.

Now, and, again, Atlantic Traffic raised the point, and I wasn't clear as to what they necessarily asked for. We're providing a single yellow line in each of the parking bays, really just as a marker, as a definition. If this was a public street we would have to use a double yellow line. And we're using double yellow lines on the main driveways. But we don't feel it's necessary or appropriate to do that in each of the parking bays. We're just going to put a yellow line just to kind of give an indication that this is the inbound. This is the outbound lane. And we have a stop bar at that location.

MR. NYFENGER: Technically you can't
-- you're not supposed to cross a double yellow line.

MR. KELLER: No. You can cross a double yellow line if you're making a left turn out of a minor street on to a major road. They don't -- they don't make breaks at every driveway and in this case you're not going to make a break at every parking bay because you'd have 20 feet of double. You know, so you can't, if you're traveling longitudinally you can't cross the double yellow line to pass somebody, but you can to make a turn if you're coming from the side.

MR. BASRALIAN: Boswell letter.

MR. KELLER: Yes, another -- Mr. DeNicola raised a point about adding another speed table in front of retail F. And after some examination of the grades and the light out, we're going to provide another speed table right where the center handicap parking spaces are. And then the transition will be beyond the handicap spaces and back down.

Now, this leads right into a question that Atlantic Traffic raised, or concern. All of these speed tables are concrete. The shopping center driveways and parking lots are all
asphalted. So, there is a very clear cut
demarcation between, here is a speed table, and
here is a parking lot. Now, the speed tables in
this setting, they referenced MUTCD guideline,
manual and uniform traffic control devices. The
MUTCD only deals with striping for speed humps,
speed tables. The ITE has actually published a
recommended guideline for the design of speed
humps and speed tables. That design guideline is
for residential streets. Where this really came
up was controlling traffic to residential streets
that either was speeding or should have been there
and you needed to control that. So, the design of
the speed tables in this shopping center are
different. And we are designing it to different
standards than you would on a residential street.
I've designed them on a lot of different
residential streets. And what you're trying to
do, is, you get people to travel the posted
25 miles an hour. Well, the design of a shopping
center, you don't want people doing 25 miles an
hour. Especially along the store fronts. Because
you have that interface between the people walking
from their cars to the front of the store. And
it's a shopping center like this, you have your
flow of vehicles around the front of the store.
So, you want to create a compromise between
vehicular movement and pedestrian movement. In
this case you -- we want the speed table to be at
the level of the sidewalk. So, when you are
coming out of the store there's that smooth
transition. There's not a drop. And not that,
you know, at lot of other, you know, retail stores
and whatever you have, your typical accessible
ramp in front. There's nothing wrong with that.
But that's not the design approach that we wanted
to do here, and that Edens wants to build, and
have for their center. So, these speed tables are
at the height of the sidewalk, and they pitch out
from the driveway so the ramps are somewhat
steeper than if I was designing this for a public
street. But I'm also designing a different speed.
I want to have people traveling at 10 to 15 miles
an hour in these areas because I believe areas of
concentrated pedestrian traffic. So, while I
understand the point that Atlantic Traffic is
trying to make, I don't think it's appropriate for
a shopping center is what we've designed I believe
is. And it better controls traffic and provides
appropriate path for pedestrians to get in.
MR. BASRALIAN: Let me ask you a question to make sure I understand it. The differentiation is visible to the driver because it's a raised concrete?

MR. KELLER: Well, concrete is a whitish gray. It's going to stand out from black.

MR. BASRALIAN: The distinction is the color differential alerts --

MR. KELLER: The motorist.

MR. BASRALIAN: The motorist to the differential.

MR. KELLER: Yeah, absolutely.

MR. BASRALIAN: And did I understand you correctly to say that the MUTCD guidelines, which Atlantic Traffic referenced in its September 17th letter, really relates to residential streets and not to shopping centers?

MR. KELLER: Yeah. The MUTCD talks about striping and signage on a residential street. Because that's where a lot of these are being installed.

MR. BASRALIAN: And in your opinion that's not applicable to a shopping center, given the design that's being proposed for the speed bumps, is that correct?
MR. KELLER: That's correct.

MR. BASRALIAN: Thank you.

MR. DENICOLA: Is there a certain standard you use to guide your design in this particular circumstance?

MR. KELLER: There's no published data on this. But we have done this in other -- in other shopping centers. And, you know I --

MR. DENICOLA: I guess it's the height of it, is that what --

MR. KELLER: Yeah. Because normally you're only coming up three inches.

MR. DENICOLA: Three or four, right?

MR. KELLER: Three or four. Because you're trying to maintain 25 miles an hour.

MR. DENICOLA: Right.

MR. KELLER: Well, here we want to bring it up to the level of the sidewalk which is 6 inches. We're also designing to a much slower speed so that it's an appropriate transition -- transition from the parking lot up to the speed table and then back down.

MR. DENICOLA: Couldn't you just taper the sidewalk area down by two inches over,
you know, over ten feet? If you do the math.

    MR. KELLER: It's -- physically, yes, you could, but that's not what we want to do.

    MR. DENICOLA: How about the other end of the speed humps, obviously if it's meeting the six inches of the curb height, on the other end of the speed hump or speed table.

    MR. KELLER: Well, either side it ramps up to the same six inches.

    MR. DENICOLA: Right. You're talking about going in traffic. I'm talking about people walking on it or the other side, the other end of it. What's going on at the other end of it, away from the sidewalk, the opposite end of the sidewalk.

    MR. MADDALONI: How does it slope off?

    MR. DENICOLA: Yeah.

    MR. KELLER: It slopes back down.

Now, the other thing too is --

    MR. DENICOLA: What kind of rate?

    MR. KELLER: The parking lot is also sloping. So, the transition is not as great in that direction. Because we're sloping out and the parking lot is sloping in. So, it's not --
MR. DENICOLA: Because some of these are used by pedestrians, right, pedestrians are on these?

MR. KELLER: Yes.

MR. DENICOLA: You need to make them ADA acceptable. You can't just have it slope down on the opposite end. It has to be, you know, whatever the slope is.

MR. KELLER: Well --

MR. DENICOLA: For ADA purposes, 5 percent maximum.

CHAIR LIGNOS: Well, it's cross slope actually.

MR. DENICOLA: No, it slopes in the direction of travel, and they are going on top of these speed tables.

MR. KELLER: The only place -- the two places where we have that, is in front of retail B and retail A.

MR. DENICOLA: Right.

MR. KELLER: We'll double check, but I'm sure that the grades in that area are no more than 2 percent where the slope is.

MR. DENICOLA: Okay.

MR. MADDAVOLI: You said you're
going to add another one?

MR. KELLER: Well, yeah, that's in front of retail F. But in this place the handicap parking spaces are up against the store fronts. So, they are on an area that we're not changing the longitudinal grade. In this area we are just raising it simply from where it is. The whole thing comes out. So, the accessible route is on that -- they're on the speed table. So, they actually end up with a flatter. They don't have a ramp from the space up to the sidewalk. They are all right at the sidewalk level.

MS. AMITAI: So, the concrete, does that make it more susceptible to ice conditions?

MR. KELLER: No, no, no, you have the same -- the same, you know, maintenance activity of salting it.

MAYOR HEYMANN: Black ice.

MR. KELLER: And it's all sloped appropriately so that, you know, it will, you know, drain off. But you can, you know, they have to treat the concrete so that the salt doesn't damage it. But that's all part of the construction procedures.

MR. DENICOLA: So, is there going to
be proper signage? Will there be signage for
these speed tables? Or just striping for them?
Or no striping? Or no signage or just be there by
themselves?

MR. KELLER: Right. Because -- I
mean there's a -- there's a significant color, you
know, differentiation with that.

MR. DENICOLA: Of course.

MR. KELLER: The shopping center is
illuminated and the concrete is going to reflect
more light because it's white or whiter, and even
at night, with the parking, it's right, you know,
they are all up against the storefronts. It's
probably of any place the brightest area of the
site.

MR. DENICOLA: How about emergency
vehicles? I mean if you get a possible problem.
That's all.

CHAIR LIGNOS: Fire engines.

MR. KELLER: They certainly can
traverse it. But, again, they would also have
to -- they're not going to be driving 30 miles an
hour down this driveway across the storefronts to
get, you know, and go over those. I mean it's
always an issue. You know, I think it's certainly
a greater issue on a public street when they are
trying to get to somebody's home, or whatever, and
they're traveling a distance, and they have to go
over these. They are certainly traversable.

MS. AMITAI: How long is that slope
from the height of a 6-inch. My car is very low
to the ground. Am I going to scrape my bumper?

MR. KELLER: No. They are not --

MR. NYFENGER: Chairman, it's kind
of separate to this, but does anybody know why
they removed the speed bump in the circle at
Hillside school? They removed the speed bump. Is
there any -- does anybody know? I am just
curious, why they would do something like that.

CHAIR LIGNOS: Let's not do that.

MR. NYFENGER: Any relevance to the
world of that?

CHAIR LIGNOS: I want to try --

MR. BASRALIAN: We're almost done
with direct.

MAYOR HEYMANN: Our police
department does not favor speed bumps.

MR. BASRALIAN: We are talking about
public roadways I presume, rather than a parking
lot to the shopping center. There's a distinction
between them.

    CHAIR LIGNOS: This happens to be in
a parking lot right in the school.

    MR. NYFENGER: It's the drive-thru
at the Hillside school. I am only bringing it up
because it's a curious thing in the context of
what we are talking about.

    CHAIR LIGNOS: Let's -- let's stay
with what we're talking about, the testimony.

    MAYOR HEYMANN: The high school has
them.

    MR. KELLER: Just to put it in
perspective, the slope of the -- up to the speed
table is a little over 6 percent. Where as a
handicap ramp is 8 percent. A driveway apron is 8
percent. So, this is flatter than a driveway
apron. So, it's certainly traversable. You know,
if you're doing 30 and you hit it with, you know,
your low car, you might scrape that front air damn
on there a little bit.

    MR. PIALTOS: Are you driving a
Ferrari?

    MR. BASRALIAN: Mr. Lignos, I don't
have any further questions on direct at this
point.
MR. DENICOLA: I have a couple questions real quick. It's on the same subject. With regard to the striping about the stop signs and what not. I guess stop bars. What about like snow conditions and stuff like that? I'm not talking about the people that go there everyday. I am just talking about people that go to the mall, you know, once in awhile during the winter.

MR. KELLER: I mean in the -- at the end of the parking space, I mean even with the snow on the ground or whatever, you still know you're you've gotten to the end of the aisle. And maybe you can't see the striping there but I don't think you need a stop sign to remind you that you should stop at that location where you're along the main drive aisle where, you know, you have a more major "intersection" within the center. Absolutely. We have stop signs in those locations. But to put it at the end of the parking bay, I just, you know, for that short period of time when there might be snow covering the striping, if, you know, I don't think it's necessary.

MR. MADDALONI: I hope they will have adequate snow removal so it wouldn't be a
long-term problem.

CHAIR LIGNOS: That's it?

MR. BASRALIAN: Retail merchants do quite a pretty good job in their shopping centers to remove snow very, very quickly. And as a --

MR. DENICOLA: I hope so.

MR. BASRALIAN: -- as, you know, as a closing statement, if there aren't any more questions, the truth of the matter is most of us have been to shopping centers we know when we're at the end of an aisle whether it's a stop sign or not, you got to slow down. You have to look in both directions. And to create a bunch of signs just to put a stop sign to remind people who haven't visited that particular center that they have to stop, just seems to be, in a personal opinion beyond what is necessary for people to properly exercise discretion and caution within a shopping -- within any parking lot.

MS. AMITAI: I suppose you could print it on the ground. I have seen that, stop, on the ground.

CHAIR LIGNOS: Haven't you, tell you what you have seen or not seen. Okay. It is three minutes to eleven. So, let's just do re
cap. In eight days on the 10th you'll have your
planner here. And Mr. Roncati. Eight o'clock.
Planner here 8:30.

MR. BASRALIAN: Finish up the four
questions, right.

CHAIR LIGNOS: The following will be
your, back to traffic. This time we'll have
our -- the board will have their traffic
consultant. This way if they have any questions,
he has any questions, can be addressed, and you'll
bring back the landscape architect at that time.

MS. AMITAI: On the 10th we have
traffic and landscape?

CHAIR LIGNOS: Correct. And then --

MR. BASRALIAN: The 22st --

CHAIR LIGNOS: 21st, now, you'll
wrap, I guess.

MR. BASRALIAN: I propose to be
concluded before then. So, if Mr. Segreto has a
witness, they would be appropriate to start that
day.

CHAIR LIGNOS: Okay. Mr. Segreto,
if, obviously, we finish up on the 17th, if you
can kindly have your witnesses prepared for the
21st, that would be great. And we'll know as we
get closer to the date.

Is there anything else? I think --

MR. BASRALIAN: Yes, I do. I would
like, if possible, for the chair to announce that
the next meeting is on the 10th. But there is a
meeting on the 17th and a meeting on the 21st, all
of which will commence at 8 o'clock.

CHAIR LIGNOS: Didn't I just do
that?

MR. BASRALIAN: No, but I just --
no, but the official announcement that this is
carried to the next meeting and so on and so
forth.

CHAIR LIGNOS: For the record, this
application is now carried to the 10th at 8
o'clock. Following that there will be a meeting
on the 17th beginning at 8 and following that on
the 21st beginning at 8.

MR. BASRALIAN: Thank you very much.

CHAIR LIGNOS: Thank you all and
have a very good night. Meeting is adjourned.
Motion made by Dr. Maddaloni and seconded by
Mr. Sinowitz. All in favor?

THE BOARD: Aye.

CHAIR LIGNOS: I see no objection.
Therefore, this meeting is adjourned at 10:59.
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
driveways 16:19,20
19:5 20:1 22:11
24:3,15,16 25:24
27:7 35:10,12,12,14
35:16,19,21,25
36:13,16 37:8,10,18
37:20 39:8 39:6,8
40:19,20,22 82:7,18
82:23 83:1 84:13
112:19 113:25
driving 121:22
123:21
drop 30:5,10 31:10
104:21 115:7
dropping 71:15
drug 28:20,22 29:3
29:20,23 31:1,5,6
drugs 30:14
duly 129:7
d
d e
  1:11,11,20,20 13:6
  13:6 81:5 129:1,1
earlier 54:5 69:2
  91:11
early 94:10 101:6
   102:24
ease 72:15
easier 99:18
easily 27:10 46:24
   51:12
east 16:20 20:6
  24:18 25:7,8,23
  32:10 36:8,22,23
  37:15 47:21 51:10
  71:16 79:24 110:16
eastbound 43:23
   44:4,8 47:5,7,9 48:3
   52:2 71:11 76:4
eastern 24:23 44:9
   50:8
easy 80:15,23
eba 1:4 15:2
economics 60:9

eda 15:1
edens 22:6,18 52:15
   53:9 56:3 62:15
   67:8 69:14 115:12
edgewater 55:14
edefication 39:18
edition 92:1 94:13
educational 21:13
effect 43:8
effective 108:4
effects 42:12
eight 6:12 126:1,2
eighty 68:6
either 7:14 37:15
45:1,5,25 46:8
48:14 69:16 79:23
96:20,21 102:16
110:3 114:12 118:8
elderly 30:4
eleven 125:25
eelse's 8:16 77:9
emergency 105:1
emergency 121:16
employed 129:10,13
employee 92:10
   129:12
employees 92:13
emptying 82:7,8
encompassing 92:7
encountered 100:12
ends 25:8 36:18
engaged 52:15
engineer 1:18 13:8
   15:4 21:12 29:7
   109:10
engineer's 37:22
engineering 13:6
   14:8
engineers 15:8,18
19:8 21:10 60:16
91:23
engines 121:19
englewood 56:9
entered 6:23
entering 39:23
enters 20:2
entertainment 60:22
entire 22:7 66:14
71:1
entirely 55:18 69:17
110:1
entrance 25:22,22
26:22 27:20,20 28:8
51:13 78:1
environment 32:6
81:3
environmental 10:19
envy 73:14
eric 3:1 13:5
es 129:7
especially 32:5 73:5
83:5 114:22
esq 1:18
esqs 1:22
especially 32:5
estimated 194:19,20
exacerbating 78:11
87:13
exact 98:12
exactly 36:11
examination 14:6
113:17
examine 17:8
101:19,20
drug example 53:2 99:19
100:23 101:2
excessive 39:11
exchange 24:9
excuse 5:6 6:17
47:15 79:17 100:17
101:21
exercise 125:18
exhibit 24:10,12
25:17 27:1 36:12
79:21 110:10,11
exhibits 14:18
exist 21:1 24:3 37:11
53:16
existent 92:17
existing 16:9,19
18:24 19:12 22:5,13
23:16 24:10,11 26:9
26:19 36:4 53:23
61:7 78:6 104:5,8
exists 16:17 24:23
26:18 27:3 28:9
74:4,4 75:6
exit 25:23 51:13
78:1 79:8 83:20
existing 39:22
exists 20:2
expansion 37:6 39:4
44:2
expect 3:17 8:13
19:24 22:2 55:15
expected 3:23 21:4
expecting 6:24
experience 29:2,10
32:2 42:13 75:10
77:1,11,20
experienced 100:9
experiences 80:9

Veritext/NJ Reporting Company
800-227-8440
973-410-4040
| 75:14 76:7,11,17 | marginal 52:4 |
| 78:14,20 79:10,18 | marie 129:3,16 |
| 82:6,9,12,15 84:21 | mark 1:14 |
| 85:7,12,18 86:4,9 | marked 14:17 |
| 87:14 88:3,9,20 | marker 112:16 |
| 89:1,4,8 90:1,2,15 | market 55:5 64:8 |
| 97:1,6,17 98:1,6,10 | 73:19 |
| 98:13,16 100:7,15 | marketing 37:23 |
| 103:7,23 104:1,4,8 | marketplace 1:4 |
| 104:11,15,24 105:8 | 2:10 15:1 95:4 |
| 109:16 119:12 | 26:20 37:12 50:19 |
| 121:19 122:15,18 | 68:11 79:16,17 84:3 |
| 123:2,8,23 125:2,23 | 97:2 110:20 111:20 |
| 126:6,14,16,22 | 111:22 |
| 127:8,14,20,25 | massage 73:14 |
| likelihood 72:22 | math 118:1 |
| limitation 91:12 | matter 1:2 74:7 |
| limited 39:12 | 75:22 86:15 96:7,10 |
| line 59:1 71:5 87:2 | 96:24 107:11 125:9 |
| 93:5 105:19 109:3 | matters 15:23 |
| 112:15,18,22 113:2 | maxes 62:19 |
| 113:4,11 | maximum 106:21 |
| lines 112:18 | 119:11 |
| literally 66:5 | mayor 1:13 10:12 |
| little 4:9 12:12 44:23 | 10:17 11:17,19 12:1 |
| 47:9 65:18 66:21,22 | 12:4 52:12,14,21 |
| 123:14,20 | 68:25 69:8,24 70:15 |
| lives 89:6 | 71:13 73:10 76:14 |
| llc 1:4 2:10 15:2 | 76:23 83:17 84:18 |
| load 68:14 95:2 | 89:15,16 96:12,18 |
| loading 24:20 25:20 | 96:21 120:18 |
| local 77:20 | 122:21 123:10 |
| located 97:16 | mayor's 72:9 |
| 64:8 70:10 112:24 | 43:8 46:14 48:6 |
| 124:15 | 52:4 56:25 59:10 |
| locations 124:19 | 63:25 65:10 70:2,24 |
| long 30:13 46:19 | 71:7 79:19 81:8 |
| 81:6 93:8,10 122:5 | 85:16,22 98:7 99:13 |
| 125:1 | 103:11 107:22 |
| longer 32:17 57:17 | 121:6,17,24 124:9 |
| 71:6 101:7 | 124:10 |

Veritext/NJ Reporting Company
means 39:10 46:5,9
 93:15 96:1 97:15
 98:23
meant 75:19 96:22
measurable 70:12
measure 23:13 40:2
 45:22 49:6 93:10
 94:6
measured 57:2
 59:15 70:25
measuring 40:9,11
 45:18,24 47:23
mechanism 58:8,20
medical 62:3 64:20
 104:15,19
medicine 30:9
meeting 1:2 2:5,6,7
 2:17,23 6:2,17 7:12
 7:14,21 9:20 10:16
 12:17 86:17 88:9,15
 88:17 89:5,9 118:5
 127:5,6,12,16,21
 128:1
meetings 2:18 10:5
 10:9,16
mega 62:17
member 1:14,14,15
 1:15,16,16,17,17
 2:2
members 10:11
 88:13
memo 46:3
mentioning 106:11
merchandise 91:8
merchants 125:3
mergi 104:17,24
methodologies 16:15
methodology 43:13
  54:11,20 77:6
middle 93:24 94:1
  101:18
middlesex 13:22
mile 37:25 38:6
  45:14,14 54:7 55:16
miles 37:25 55:15
  114:20,21 115:18
  117:16 121:22
million 65:9
minimum 57:9
minor 41:22 113:5
minute 5:7 18:12
  41:13 47:8,10,14
  59:10 69:9 71:2,2,8
  88:5
minutes 55:22 71:4
  88:5,10 125:25
misleading 97:14
missed 7:12 109:22
misunderstand 87:3
mitchell 1:19 4:4,7
  5:6,9,17 6:8,19 8:21
  9:9,22 12:3 88:24
  89:12,17,19,22,24
  90:1,3,6,8,10,12
mix 61:16 91:18
  100:19 101:16,16
  101:17
mixing 67:15
model 37:21,21 38:7
  38:10 53:14,14,18
  53:25 54:6,9,18,24
  55:19 77:18 83:11
models 60:20 68:21
monday 11:10 88:14
  88:17 89:3,4,11
money 22:20 86:14
montclair 55:13
month 89:9
montvale 56:9
montville 6:2
morning 71:19 72:1
  72:2,5 93:20 101:6
  102:24 103:3,5
mortar 94:22
motion 127:22
motorist 116:9,10
move 2:6 4:11 13:25
  35:20 66:18 69:4,5
  69:22 90:18
moved 14:2
movement 2:13 40:3
  40:4 42:11 44:8
  46:20 48:16 50:16
  52:3,5 57:11 59:5
  71:9 80:15,23 81:22
  82:1 115:3,3
movements 40:7
  70:13
municipal 1:8 8:11
municipalities 99:16
municipality 78:6,9
  99:12
mutcd 81:21 114:4,6
  116:14,18
n
n 1:20
name 13:3
nationally 64:17
necessarily 12:3
  57:19 67:19 68:13
  112:14
necessary 87:8,9,12
  87:12 108:23 109:8
  112:20 124:23
  125:17
need 3:4,4 40:10
  57:10 69:17 82:10
  99:13,16,25 106:23
  109:1 110:3,5,21
  111:9 119:5 124:14
needed 17:19 21:18
  101:13 114:13
needs 57:10 106:7
neighborhood 97:11
neither 129:9
net 23:20 26:16
  34:16
network 18:17
  31:13,18 32:14
  33:10 68:15
never 42:25
new 1:1,9 7:8 13:7
  17:11,12,13,18
  23:22 31:21 35:22
  65:6 68:13 72:21
  129:5
nick 1:18
night 8:20 9:16
  10:20 11:16 89:3
  90:14 121:12
  127:21
nights 29:8
nominal 74:8
non 64:11,20 91:19
  91:19 92:17,21
normal 58:10
normally 117:11
north 44:22 47:21
  48:3,20 49:22 50:10
  50:11 51:10 53:3,5
  55:17 70:19 78:25
  79:9 80:17 82:20
northbound 48:23
northeast 25:5
  36:18 51:13 80:7
northeastern 78:1
northern 97:9
norwood 50:10
notary 129:4
note 32:16
noted 70:23
november 4:2 7:23
  7:25 8:12,18,21
  9:12
number 13:21 22:2
  22:17 50:15 56:25
  59:17 70:4 80:6
  81:23 86:6,8 98:24
  99:1,9 106:8 107:1
  107:15,17
numbers 18:4 19:10
  19:21 20:9,21 21:4
  23:6 35:20 37:2,17
  47:16,18 55:6,10
  56:22 61:24 63:6
  65:19 70:8 72:10
  74:24 75:11 91:15
  100:5,18 103:24
<table>
<thead>
<tr>
<th>Word</th>
<th>Page 17</th>
</tr>
</thead>
<tbody>
<tr>
<td>primarily</td>
<td>24:20</td>
</tr>
<tr>
<td>primary</td>
<td>34:24 35:6</td>
</tr>
<tr>
<td>35:7,19 54:8</td>
<td></td>
</tr>
<tr>
<td>principal</td>
<td>6:4</td>
</tr>
<tr>
<td>print</td>
<td>125:21</td>
</tr>
<tr>
<td>probably</td>
<td>7:9 58:5</td>
</tr>
<tr>
<td>73:10 121:14</td>
<td></td>
</tr>
<tr>
<td>problem</td>
<td>121:17</td>
</tr>
<tr>
<td>125:1</td>
<td></td>
</tr>
<tr>
<td>procedure</td>
<td>19:14</td>
</tr>
<tr>
<td>procedures</td>
<td>16:14</td>
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<td>31:14 120:24</td>
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<td>proceed</td>
<td>7:3 12:20</td>
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<td>proceedings</td>
<td>1:4</td>
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<td>process</td>
<td>17:17</td>
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<td>50:3</td>
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<td>product</td>
<td>103:15</td>
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<td>professional</td>
<td>13:24</td>
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<td>54:17 107:21</td>
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<td>program</td>
<td>50:2</td>
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<td>programs</td>
<td>23:19</td>
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<td>project</td>
<td>32:20 44:2</td>
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<td>70:3</td>
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<td>promptly</td>
<td>6:4</td>
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<td>promulgate</td>
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<td>proper</td>
<td>121:1</td>
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<td>properly</td>
<td>125:18</td>
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<td>property</td>
<td>25:6 99:8</td>
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<td>99:10</td>
<td></td>
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<tr>
<td>proposal</td>
<td>23:14 33:9</td>
</tr>
<tr>
<td>propose</td>
<td>83:17,19</td>
</tr>
<tr>
<td>126:18</td>
<td></td>
</tr>
<tr>
<td>proposed</td>
<td>16:2,5</td>
</tr>
<tr>
<td>22:23 26:9 31:1,2</td>
<td></td>
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<td>32:13 33:14 90:20</td>
<td></td>
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<td>95:7 116:24</td>
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<td>proposing</td>
<td>83:20</td>
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<tr>
<td>107:22 108:10</td>
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</tr>
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<td>provide</td>
<td>42:12</td>
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<td>113:18</td>
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<td>provided</td>
<td>3:9 49:17</td>
</tr>
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<td>provides</td>
<td>24:20 27:6</td>
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<td>115:24</td>
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<td>providing</td>
<td>106:4</td>
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<tr>
<td>public</td>
<td>2:3,4,5 3:14</td>
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<td>3:15 10:19 24:7</td>
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<td>112:17 115:16</td>
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<tr>
<td>122:1 24 129:4</td>
<td></td>
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<tr>
<td>publish</td>
<td>21:13,15</td>
</tr>
<tr>
<td>31:22 63:17 64:9</td>
<td></td>
</tr>
<tr>
<td>published</td>
<td>31:21</td>
</tr>
<tr>
<td>81:20 91:23,25 94:2</td>
<td></td>
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<tr>
<td>94:10,13 114:7</td>
<td></td>
</tr>
<tr>
<td>117:6</td>
<td></td>
</tr>
<tr>
<td>pull</td>
<td>41:2,4</td>
</tr>
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<td>pulled</td>
<td>111:22</td>
</tr>
<tr>
<td>purchasing</td>
<td>94:23</td>
</tr>
<tr>
<td>pure</td>
<td>72:10</td>
</tr>
<tr>
<td>purpose</td>
<td>18:8</td>
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<tr>
<td>purposes</td>
<td>25:2 105:2</td>
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<td>119:10</td>
<td></td>
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<tr>
<td>put</td>
<td>3:6 5:3 24:11</td>
</tr>
<tr>
<td>47:5 54:14 60:20</td>
<td></td>
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<tr>
<td>72:23 75:12 79:21</td>
<td></td>
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<tr>
<td>94:25 99:8,13</td>
<td></td>
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<td>108:21 109:2 112:7</td>
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<td>112:21 123:12</td>
<td></td>
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<td>124:19 125:14</td>
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<tr>
<td>puts</td>
<td>29:20</td>
</tr>
<tr>
<td>putting</td>
<td>67:24</td>
</tr>
<tr>
<td>102:21 109:6</td>
<td></td>
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<tr>
<td>q</td>
<td></td>
</tr>
<tr>
<td>qualitative</td>
<td>72:11</td>
</tr>
<tr>
<td>quantitative</td>
<td>72:10</td>
</tr>
<tr>
<td>que</td>
<td>28:15 71:5</td>
</tr>
<tr>
<td>ques</td>
<td>39:12</td>
</tr>
<tr>
<td>question</td>
<td>20:8 21:8</td>
</tr>
<tr>
<td>39:25 42:4 43:21</td>
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<td>48:19 49:11 52:14</td>
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<td>62:15 68:23 75:23</td>
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<td>108:19 113:23</td>
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<td>116:2</td>
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<td>questioned</td>
<td>3:10</td>
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<tr>
<td>questioning</td>
<td>3:11</td>
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<tr>
<td>questions</td>
<td>3:15 4:23</td>
</tr>
<tr>
<td>5:4 12:14 123:24</td>
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<tr>
<td>124:2 125:9 126:5,9</td>
<td></td>
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<td>126:10</td>
<td></td>
</tr>
<tr>
<td>quick</td>
<td>68:11 124:2</td>
</tr>
<tr>
<td>quickcheck</td>
<td>67:22,24</td>
</tr>
<tr>
<td>68:10</td>
<td></td>
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<tr>
<td>quickly</td>
<td>125:5</td>
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<td>quite</td>
<td>98:21</td>
</tr>
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<td>quoted</td>
<td>53:3</td>
</tr>
<tr>
<td>r</td>
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<tr>
<td>r</td>
<td>1:11,20 13:6 129:1</td>
</tr>
<tr>
<td>radius</td>
<td>37:25 38:7</td>
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<td>54:7 55:16</td>
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<tr>
<td>raised</td>
<td>92:20 107:20</td>
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<td>108:19 112:13</td>
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</tr>
<tr>
<td>113:15,23 116:4</td>
<td></td>
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<td>raising</td>
<td>120:7</td>
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<td>ramp</td>
<td>115:10 120:11</td>
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<td>ramps</td>
<td>115:15 118:9</td>
</tr>
<tr>
<td>random</td>
<td>44:20,25</td>
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<td>45:12 48:10,13</td>
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<td></td>
</tr>
<tr>
<td>range</td>
<td>39:19 61:23</td>
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<td>rate</td>
<td>118:21</td>
</tr>
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<td>rates</td>
<td>31:22</td>
</tr>
<tr>
<td>ratio</td>
<td>90:23 95:13</td>
</tr>
<tr>
<td>96:5,6 106:6,12</td>
<td></td>
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<tr>
<td>ratios</td>
<td>92:6 96:9</td>
</tr>
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<td>100:19</td>
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<td>22:15</td>
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<td>16:1,4 35:22</td>
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<td>reached</td>
<td>109:4 110:4</td>
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<td>readily</td>
<td>69:23</td>
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<tr>
<td>ready</td>
<td>7:2 12:17 95:1</td>
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<td>real</td>
<td>124:2</td>
</tr>
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<td>21:12 23:21</td>
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<td>32:4 34:21 42:1</td>
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<td>smaller 84:6 92:5</td>
</tr>
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<td>98:8</td>
<td>smallest 65:11</td>
</tr>
<tr>
<td>smooth 115:6</td>
<td>snow 124:5,11,21,25</td>
</tr>
<tr>
<td>society 21:13</td>
<td>software 40:6 41:17</td>
</tr>
<tr>
<td>49:16 50:2</td>
<td>soil 2:12,13</td>
</tr>
<tr>
<td>solely 35:8</td>
<td>somebody 8:16 43:6</td>
</tr>
<tr>
<td>56:9 84:10 113:11</td>
<td>somebody’s 122:2</td>
</tr>
<tr>
<td>somewhat 57:8 71:5</td>
<td>115:15</td>
</tr>
<tr>
<td>sophie 1:13</td>
<td>sorry 9:7 15:1,14,14</td>
</tr>
<tr>
<td>21:8 23:3 42:19</td>
<td>63:4,8 64:16 68:24</td>
</tr>
<tr>
<td>89:6 112:8</td>
<td>south 44:24 53:4</td>
</tr>
<tr>
<td>55:17 70:19 80:12</td>
<td>southbound 46:23</td>
</tr>
<tr>
<td>53:6 80:18</td>
<td>southwest 26:6</td>
</tr>
<tr>
<td>27:18 28:20,24</td>
<td>34:13,13,15,15 56:3</td>
</tr>
<tr>
<td>91:21 100:25</td>
<td>101:12 102:20</td>
</tr>
<tr>
<td>105:15,23 107:21</td>
<td>108:5,5 120:11</td>
</tr>
<tr>
<td>124:10</td>
<td>spaces 24:21 26:6</td>
</tr>
<tr>
<td>66:18,24 85:5 90:23</td>
<td>90:24 95:9,10,12,14</td>
</tr>
<tr>
<td>95:22,23 96:1,4,15</td>
<td>99:2,3,7,10,17,25</td>
</tr>
<tr>
<td>100:4 102:10,12,18</td>
<td>106:5,9,14,19,24</td>
</tr>
<tr>
<td>110:3 113:19,20</td>
<td>120:4</td>
</tr>
<tr>
<td>special 1:2 2:7,23</td>
<td>7:23,24 8:22 9:23</td>
</tr>
<tr>
<td>55:12 97:20</td>
<td>specialty 13:8 91:10</td>
</tr>
<tr>
<td>specific 21:19 23:1</td>
<td>speed 21:14 113:16</td>
</tr>
<tr>
<td>113:18,24 114:2,3,6</td>
<td>114:7,8,9,14 115:4</td>
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<tr>
<td>119:16 120:9 121:2</td>
<td>122:11,12,22</td>
</tr>
<tr>
<td>123:13</td>
<td>speeding 114:12</td>
</tr>
<tr>
<td>spends 22:19</td>
<td>sport 43:6</td>
</tr>
<tr>
<td>sports 85:22 86:5</td>
<td>spot 110:24</td>
</tr>
<tr>
<td>spots 98:24 99:2</td>
<td>spreading 101:8</td>
</tr>
<tr>
<td>square 18:21,22</td>
<td>19:6 21:2 23:21</td>
</tr>
<tr>
<td>26:2,5,16,17 30:21</td>
<td>32:23 33:16,18,25</td>
</tr>
<tr>
<td>34:1,7,7,17,17</td>
<td>62:20 65:8,9,19</td>
</tr>
<tr>
<td>67:7,12 91:6,13,13</td>
<td>93:4 95:11 96:3,23</td>
</tr>
<tr>
<td>97:4,13,24 98:12,25</td>
<td>102:15 104:2</td>
</tr>
<tr>
<td>105:12,15,16,24</td>
<td>106:5</td>
</tr>
<tr>
<td>stable 32:5</td>
<td>stacking 28:12</td>
</tr>
<tr>
<td>stake 78:18</td>
<td>standard 16:14,14</td>
</tr>
<tr>
<td>107:23 108:11</td>
<td>117:4</td>
</tr>
<tr>
<td>standards 114:16</td>
<td>stands 22:9</td>
</tr>
<tr>
<td>start 6:2,13 126:20</td>
<td>started 43:9 94:10</td>
</tr>
<tr>
<td>starting 23:11</td>
<td>state 1:1 13:3,11,18</td>
</tr>
<tr>
<td>129:4</td>
<td>statement 66:24,25</td>
</tr>
<tr>
<td>125:8</td>
<td>static 100:18</td>
</tr>
<tr>
<td>statistical 93:10</td>
<td>stay 25:25 73:8</td>
</tr>
<tr>
<td>123:8</td>
<td>stays 93:11</td>
</tr>
<tr>
<td>steeper 115:16</td>
<td>stella 1:15 89:24,25</td>
</tr>
<tr>
<td>stenographer 88:2</td>
<td>step 27:12 31:14</td>
</tr>
<tr>
<td>stipulations 2:15</td>
<td>39:25 44:16 61:3</td>
</tr>
<tr>
<td>stood 22:7,8</td>
<td>stop 37:13 40:10</td>
</tr>
<tr>
<td>110:5,8,9,13,14,15</td>
<td>110:16,25 111:25</td>
</tr>
<tr>
<td>112:2,3,5,5,6,9,11</td>
<td>112:24 124:3,4,14</td>
</tr>
<tr>
<td>124:15,18 125:11</td>
<td>125:14,16,21</td>
</tr>
<tr>
<td>stopped 27:22 28:1</td>
<td>80:16</td>
</tr>
<tr>
<td>stopping 49:3</td>
<td>stops 112:9</td>
</tr>
<tr>
<td>31:1,6,6 37:13</td>
<td>55:17,23 64:9 66:5</td>
</tr>
<tr>
<td>66:17 91:9 94:20</td>
<td>95:3,11 103:14</td>
</tr>
<tr>
<td>108:13 112:4</td>
<td>114:22,24 115:1,6</td>
</tr>
<tr>
<td>120:4</td>
<td>storefronts 121:13</td>
</tr>
<tr>
<td>121:23</td>
<td>stores 20:22 50:18</td>
</tr>
<tr>
<td>83:15 91:8,9,10,19</td>
<td>92:14 115:8</td>
</tr>
<tr>
<td>straight 49:4,8</td>
<td>street 1:6 2:9 16:25</td>
</tr>
<tr>
<td>79:12,15 112:17</td>
<td>113:5 114:16</td>
</tr>
<tr>
<td>115:17 116:20</td>
<td>122:1</td>
</tr>
<tr>
<td>streets 22:10 25:15</td>
<td>39:14 114:10,11,18</td>
</tr>
<tr>
<td>116:16</td>
<td>stretch 45:13</td>
</tr>
<tr>
<td>strip 65:9</td>
<td>stripping 109:13</td>
</tr>
<tr>
<td>114:6 116:19 121:2</td>
<td>121:3 124:3,13,22</td>
</tr>
<tr>
<td>studied 17:2 65:7</td>
<td>103:17</td>
</tr>
<tr>
<td>studies 21:14,15</td>
<td>38:13 41:11 42:17</td>
</tr>
<tr>
<td>52:16,20,22 55:5,24</td>
<td>68:17 70:5 75:8,9</td>
</tr>
<tr>
<td>77:4</td>
<td>study 14:22 15:1</td>
</tr>
<tr>
<td>23:10,12,12 26:3</td>
<td>31:15 32:9,12 37:23</td>
</tr>
<tr>
<td>41:8,24 44:15,15</td>
<td>45:17,17 46:2 47:3</td>
</tr>
<tr>
<td>47:10,17,23 48:25</td>
<td>49:14,15 50:3 52:8</td>
</tr>
<tr>
<td>52:10 56:15 59:2</td>
<td>70:6 74:14,15,24</td>
</tr>
<tr>
<td>76:1 77:16,17 81:24</td>
<td>85:8 86:19 94:8,9</td>
</tr>
<tr>
<td>stuff 30:14 60:14</td>
<td>124:5</td>
</tr>
<tr>
<td>subdivided 26:9</td>
<td>32:25 33:17 91:16</td>
</tr>
<tr>
<td>95:10,17</td>
<td>sustained 29:15</td>
</tr>
<tr>
<td>95:11,17</td>
<td>swear 12:24</td>
</tr>
<tr>
<td>95:15</td>
<td>sworn 129:7</td>
</tr>
<tr>
<td>subdivision 2:12</td>
<td>synchronized 45:8</td>
</tr>
<tr>
<td>14:16</td>
<td>system 18:16 20:10</td>
</tr>
<tr>
<td>124:2</td>
<td>83:10</td>
</tr>
<tr>
<td>submit 42:23</td>
<td>subsequent 15:11</td>
</tr>
<tr>
<td>submitted 14:17</td>
<td>substantially 111:22</td>
</tr>
<tr>
<td>suburban 92:15</td>
<td>sufficient 106:6</td>
</tr>
<tr>
<td>suggested 44:14</td>
<td>suggesting 78:25</td>
</tr>
<tr>
<td>summarizing 38:16</td>
<td>82:14,16</td>
</tr>
<tr>
<td>summary 106:3</td>
<td>summer 58:17</td>
</tr>
<tr>
<td>summer 58:17</td>
<td>summertime 56:20</td>
</tr>
<tr>
<td>supertime 56:20</td>
<td>58:2</td>
</tr>
<tr>
<td>supermarket 23:22</td>
<td>supermarket 23:22</td>
</tr>
<tr>
<td>24:19 33:25 34:1,6</td>
<td>34:10,15,21 55:12</td>
</tr>
<tr>
<td>71:24 94:23 103:14</td>
<td>supermarkets 34:2</td>
</tr>
<tr>
<td>34:3 38:4 55:11</td>
<td>61:12 91:7</td>
</tr>
<tr>
<td>supplemented 15:3</td>
<td>supplied 95:8 99:7</td>
</tr>
<tr>
<td>supply 95:8 99:7</td>
<td>supportable 106:10</td>
</tr>
<tr>
<td>support 125:20</td>
<td>suppose 125:20</td>
</tr>
<tr>
<td>supposed 113:1</td>
<td>sure 4:24 6:3 11:20</td>
</tr>
<tr>
<td>sure 4:24 6:3 11:20</td>
<td>18:8 20:8 23:23</td>
</tr>
<tr>
<td>24:3 39:20 53:12</td>
<td>56:3 59:6 80:17</td>
</tr>
<tr>
<td>86:13 87:15,22</td>
<td>89:12 116:2 119:22</td>
</tr>
<tr>
<td>surplus 102:10,11</td>
<td>102:17,19</td>
</tr>
<tr>
<td>surprised 85:18</td>
<td>susceptible 120:14</td>
</tr>
</tbody>
</table>

| t | 129:1,1 |
| table | 19:2 20:25 |
| 34:4,16 37:17 38:17 | 38:18 39:5 43:19 |
| 120:9 123:14 | tables 38:17 113:24 |
| 114:3,7,9,14 115:13 | 119:16 121:2 |
| take | 11:7 17:13,22 |
| 18:1 20:20,21 24:15 | 31:10 34:11 35:25 |
| 39:25 44:15 50:15 | 58:20 61:2,5 69:12 |
| 73:3 75:3 77:3 | 82:23 88:5 95:22 |
| 105:14,20 | taken 2:18 17:3 |
| 58:22 61:7 88:8 | 129:12 |
| takes 101:22 | talk 29:16 36:15 |
| 75:25 90:19 91:15 | 95:25 |
| talked | 27:15 29:9 |
| talking | 27:24 66:12 |
| 77:23 82:10 95:18 | 96:9 103:13 109:19 |
| 118:11,11 122:23 | 123:7,9 124:6,7 |
| talks | 64:11 116:18 |
| taper | 117:25 |
| taste | 60:10,13,17 |
| tastes | 60:12 |
| technical 21:13 | technically 112:25 |
| tell | 12:24 42:25 |
| 61:17,18 65:7,21 | 67:2 94:24 100:8 |
| 125:23 | tells 42:21 87:23 |
| temporal | 101:20 |
| tenant | 26:23 27:18 |
| 28:21 54:25 60:12 | 60:13 |
| tenants | 56:4 60:11 |
| 94:19 | tend | 66:4 83:13 |
| term | 39:18 97:14 |
| 98:21 125:1 | terms | 29:2 64:8 |
| testified | 13:15,18 |
| 28:11 36:17 100:11 | 109:10,15,17,19 |
| testifies | 5:2 78:18 |
| testimony | 3:9 20:16 |
| 60:1 67:10 69:19 | 74:5 77:25 78:14,17 |
| 107:16 123:9 | tests | 69:10 |
| thank | 2:1,2,25 9:10 |
| 14:5 19:17 23:3 | 26:12 33:2 41:14 |
| 43:18 60:6 88:6,7 | 96:25 105:10 117:2 |
| 127:19,20 | theater | 101:17 |
| 105:12,13 | theaters | 64:22 |
| 100:23 101:3 | 103:19 104:5,5 |
| theoretical | 54:24 |
| thing | 3:13 50:5 57:8 |
| 60:17 66:3 78:25 | 100:18 20 101:10 |
| 77:6 83:18 87:11 | think | 4:22 5:10 7:7 |
| 57:21,22 72:9 73:1 | 73:3 82:3 106:12 |
| 109:6,10,13 111:3 | 115:22 121:25 |
| 124:14,22 127:2 | thinks | 74:10 |
| third | 24:19 |
| thirty | 32:3 |
| thomas | 24:2 28:11 |
| thought | 6:16 21:21 |
| 51:15 69:1,15 88:15 | 89:2 95:15 |
| thousand | 18:22 34:7 |
| 90:24 91:13 94:15 | 95:14,23 96:2,4 |
| 97:13 99:25 100:4 | 106:13,19 |
| three | 24:15 82:7,18 |
| 82:22 83:1,4 117:12 | 117:13,15 125:25 |
| throw | 21:8 |
| thursday | 6:9,10 |
| tices | 98:1 100:8 |
| tie | 18:2 |
| ties | 25:10 |
| time | 5:2 7:7 9:9 |
| 12:12 30:2 31:19,19 | 32:8 43:7 45:18 |
| 69:11 76:15 77:2,21 | 77:21 85:8 86:14 |
| times | 13:16 17:15 |
| 101:10 108:7 |
| winter 124:8 | year 31:17 32:1,3,15 |
| wisdom 53:9 | 58:4,22 75:14 85:8 |
| withdrawn 32:17 | years 32:3 42:18 |
| witness 6:4 126:20 | 43:12 54:20 65:17 |
| 129:7 | 70:2 |
| witnesses 3:7 6:25 | yellow 109:2 112:15 |
| 8:15,15 126:24 | 112:18,18,21 113:1 |
| wondering 6:6 | 113:4,11 |
| 52:25 54:23 97:6 | yield 40:8 |
| 107:7 | york 13:13 |
| word 75:18 87:6 | |
| words 27:21 30:19 | |
| 37:4 58:2 59:22 | |
| work 2:6,15 7:23 | |
| 8:22,23,24 9:11 | |
| 14:8,14,20 15:6,25 | |
| 35:2 85:10 86:10 | |
| worked 51:25 | |
| working 65:16 70:3 | |
| works 10:22 30:13 | |
| 51:20 54:18 84:23 | |
| 84:24 | |
| world 122:17 | |
| worse 86:24 | |
| worst 81:3 | |
| wrap 126:17 | |
| written 42:20 | |
| wrong 22:18 49:18 | |
| 59:23 115:10 | |
| x | |
| x 1:7 107:22 108:11 | |
| xi2043 129:17 | |
| y | |
| yeah 8:9 25:4 27:25 | |
| 45:9 49:2 50:22 | |
| 57:21 61:9,9 63:14 | |
| 63:14 66:2 74:19 | |
| 77:14 96:22 98:15 | |
| 100:15 105:10 | |
| 107:3,3 109:12,21 | |
| 110:23,25 111:14 | |
| 116:12,18 117:11 | |
| 118:18 120:2 | |