

ORIGINAL

Township of Sparta Planning Board

March 2, 2022

Diamond Chip Realty matter only

1 SECRETARY DIANA KATZENSTEIN: Yes,
2 Chairman Reina. Dr. Parker?

3 MEMBER PARKER: Yes, here.

4 MEMBER JOSH HERTZBERG: Councilman
5 Hertzberg?

6 MEMBER JOSH HERTZBERG: Here.

7 SECRETARY DIANA KATZENSTEIN: Mr.
8 Sylvester?

9 MEMBER MIKE SYLVESTER: Here.

10 SECRETARY DIANA KATZENSTEIN: Mr. Skei?

11 MEMBER PETER SKEI: Here.

12 SECRETARY DIANA KATZENSTEIN: Mr. Gall?

13 MEMBER THEODORE GALL: Here.

14 SECRETARY DIANA KATZENSTEIN: Mr.
15 Toscano?

16 MEMBER JOE TOSCANO: Here.

17 SECRETARY DIANA KATZENSTEIN: Mr.
18 Murphy?

19 SECRETARY DIANA KATZENSTEIN:
20 Councilwoman Quinn?

21 MEMBER CHRISTINE QUINN: Here.

22 SECRETARY DIANA KATZENSTEIN: And Chair
23 Reina?

24 CHAIR ANDREW REINA: Here.

25 BOARD ATTORNEY TOM COLLINS: So we can

1 turn now, if you want to, to Diamond Chip Realty
2 LLC, and we can recognize the Applicant's
3 Attorney, Mr. Steve Gouin. You've called the
4 calendar.

5 CHAIR ANDREW REINA: Yeah, no, that
6 sounds great, Tom. I appreciate it. So yeah,
7 let's move forward over to Diamond Chip Realty.
8 Would you like to swear them in and --?

9 BOARD ATTORNEY TOM COLLINS: Sure. We
10 also -- some -- I think Mr. Gouin, who's in the
11 meeting, and I want to see if Mr. Larry Cohen, an
12 attorney representing an interested party is on
13 the attendees, and whether he could be let in by
14 Mike Dempsey, so it's Larry Cohen, C-o-h-e-n. I
15 didn't see him a few -- 15 minutes ago, but maybe
16 he's there now. Larry, if you are on and can
17 raise your hand, maybe your name isn't shown.

18 CHAIR ANDREW REINA: I don't see him at
19 this time. Oh there's Nancy Cohen.

20 MAN: It's under Nancy Cohen.

21 MIKE DEMPSEY: Just a reminder, you can
22 only have one device connected to (indiscernible)
23 in a room at one time. If you have more than one
24 device, please disconnect or mute the microphone
25 and speaker.

1 BOARD ATTORNEY TOM COLLINS: Okay. So
2 Mr. Cohen, are you now able to speak?

3 MIKE DEMPSEY: He has been let in as a
4 panelist.

5 LARRY COHEN: Here I am. Can you hear
6 me?

7 BOARD ATTORNEY TOM COLLINS: Larry? Hi
8 Larry. You hear us, correct?

9 LARRY COHEN: Yes.

10 BOARD ATTORNEY TOM COLLINS: I think I
11 heard your voice. There you are, okay.

12 LARRY COHEN: Yes, thank you. Thank
13 you very much.

14 BOARD ATTORNEY TOM COLLINS: Thank you,
15 Larry. We're recognizing -- just recognizing the
16 Applicant and obviously we'll recognize you in
17 turn. The case has been called, and Mr. Gouin is
18 going to speak. But before we go any further, I
19 just want to ask if there's anyone in the
20 audience who is an attorney representing someone
21 himself or another person, please raise your
22 hand.

23 This is just for attorneys now. Raise
24 your hand and let our computer expert see your
25 raised hand and tell me your name. And we will

1 let in attorneys who are appearing for anyone,
2 including themselves.

3 MIKE DEMPSEY: Mr. Collins, I did allow
4 one individual in. His name disappeared before I
5 had a chance to write it down.

6 BOARD ATTORNEY TOM COLLINS: Okay, so
7 ma'am or sir, who has been admitted and raised
8 their hand, please state your name and if you're
9 an attorney?

10 ANAND DASH: Tom, good evening. Mr.
11 Chairman, good evening. This is Anand Dash, I'm
12 a partner at the law firm of Kennedys. I'm at
13 the moment an attorney in residence of the Water
14 Township and participating in that capacity as a
15 lawyer as well.

16 BOARD ATTORNEY TOM COLLINS: Okay,
17 thank you, Mr. Dash.

18 ANAND DASH: Thank you.

19 BOARD ATTORNEY TOM COLLINS: So please
20 go ahead, Mr. Gouin.

21 STEVE GOUIN: Thank you. Can you hear
22 me, Tom?

23 BOARD ATTORNEY TOM COLLINS: Yes.

24 STEVE GOUIN: Okay, great. Hi,
25 everyone. Steve Gouin from the law firm of

1 Giordano, Halleran & Ciesla. I'm a partner in
2 our real estate group, and I am here tonight
3 representing Diamond Chip Realty LLC, the
4 Applicant in this matter. The property that we
5 are talking about tonight is 33 Demarest Road.
6 That's located at the corner of Limecrest Road
7 and Demarest Road in Sparta.

8 It's also known as Lot 23 in Block
9 12008. Many of the Board Members may be familiar
10 with this property. It's improved with the
11 Diamond Sand and Gravel facility in the Sparta
12 Readi-Mix facility.

13 That's a combination of a concrete
14 manufacturing plant and a sand and gravel
15 production facility. So what we are here tonight
16 to present is an application for preliminary site
17 plan approval. And I want to stress both for the
18 Board and for the members of the public that are
19 here that we are seeking only preliminary site
20 plan approval tonight.

21 So we've prepared a plan that we feel
22 is fairly detailed. There were a number of
23 questions raised by the Board's professionals in
24 advance of this hearing. We're -- hopefully,
25 we're going to answer all of those questions

1 tonight.

2 But at the end of this process, we're
3 going to be asking for a vote from the Board only
4 for preliminary site plan approval. And what
5 that means is that we'll be required after this
6 to comply with any conditions that the Board
7 comes up with. We'll have to go and seek outside
8 agency approvals from NJ DEP and the County and
9 others.

10 And then, we'll come back to this Board
11 after satisfying all of those conditions for
12 final site plan approval. So this will not be
13 the Board's last shot at us. And then, as a
14 matter of fact, because of the nature of this
15 application, there will be a third Board review,
16 and that will be ultimately when we have a tenant
17 for the project that we are proposing.

18 So I just want to make sure that
19 everybody understands that this is just the first
20 step in the process, and that we are only asking
21 for preliminary site plan approval tonight.

22 The proposal that we have is to
23 redevelop the Diamond Sand and Gravel facility
24 with a warehouse facility. So the application
25 that we've prepared tonight is fully conforming.

1 There are no variances. The application meets
2 all the applicable zoning and development
3 requirements in the Township's ED Zoning
4 Ordinance.

5 As the Planning Board may know, the ED
6 Zone was amended about a year ago to permit this
7 type of project. And what we have endeavored to
8 do here with the plan that you're going to see
9 tonight is present the application that is fully
10 conforming.

11 There was -- I do note for everybody's
12 benefit, there was one variance that was
13 identified by the Board's professionals prior to
14 this meeting that had to do with a monument sign.
15 We had requested two monument signs where only
16 one is permitted.

17 And we are -- I'll represent that we
18 are withdrawing that request, so we're only going
19 to be asking for the one monument sign, and that
20 eliminates the one bulk variance that was
21 identified.

22 So with effect to this application,
23 there are no variances, bulk or otherwise. There
24 is one design waiver that has to do with a
25 retaining wall that our engineer is going to

1 discuss with you.

2 And at the outset, I would like to let
3 the Board know that we did have an opportunity to
4 obtain review letters from newer professionals.
5 We received a letter from Dave Simmons dated
6 February 9th, 2022, and we received a letter from
7 Katherine Samad dated February 24th, 2022.

8 And we will fully comply with those
9 review letters. So in the event the Board grants
10 preliminary site plan approval with this
11 application, what that means is that we would
12 have to make any plan revisions requested by the
13 Board's professionals in those review letters,
14 comply with any recommendations in those review
15 letters.

16 And that would be a condition of our
17 preliminary site plan approval. To take you
18 through the application tonight, I have a number
19 of witnesses. We're going to start with Tony
20 Diggan. He's our civil engineer. I have Richard
21 Saunderson, who was our project architect. Jim
22 Ford is a representative of the applicant and the
23 applicant's development consultant.

24 We have Adam Gibson, who is our traffic
25 engineer. And we have Mike Greene, who is our

1 environmental consultant. So I understand that
2 there's a lot of public interest here. And you
3 know, I would like to say at the outset that what
4 we are here to do tonight is to not only present
5 this application, but also answer the Board's
6 questions and any questions that the public may
7 have.

8 So what I'd like to do first at this
9 point is call up Mr. Diggan to start our
10 testimony. So Tony?

11 BOARD ATTORNEY TOM COLLINS: Thank you,
12 Mr. Gouin. Before we get started with the public
13 hearing, I just want to see if there are any
14 objections from the two attorneys to
15 jurisdictional issues. So Mr. Cohen or Mr. Dash?
16 Do you want to address the Board and me on any
17 jurisdictional issues?

18 ANAND DASH: Mr. Cohen, I've reviewed
19 the notices pursuant to NJSA 40:55d-12. I find
20 the legal notices have been complied with
21 pursuant to the 200 foot notice list. And so, I
22 have no per se objection on jurisdiction at this
23 time.

24 BOARD ATTORNEY TOM COLLINS: Thank you,
25 Mr. Dash. And Mr. Cohen?

1 LARRY COHEN: Yes, I mean, similarly, I
2 don't have a question with reference to
3 jurisdiction as to whether or not the Applicant
4 has met the notice requirements. There may be an
5 issue that arises subsequently as to whether or
6 not there has to be any application to the Board
7 of Adjustment with reference to this application.
8 But that remains to be seen after testimony.

9 Other than that, there is -- and that
10 technically is not a jurisdiction, but a -- more
11 of a venue issue as to what -- because I know
12 that Sparta has two separate Boards. Thank you.

13 BOARD ATTORNEY TOM COLLINS: Thank you,
14 gentlemen. And please, we'll go ahead now, Mr.
15 Gouin, and I'll swear in Mr. Diggan. Sir, the
16 witness, please raise your right hand. Do you
17 swear or affirm to tell the truth, the whole
18 truth and nothing but the truth, so help you god?

19 TONY DIGGAN: Yes.

20 BOARD ATTORNEY TOM COLLINS: Thank you,
21 Mr. Diggan. And please state your name, spell
22 your last name and give us at least a business
23 address?

24 TONY DIGGAN: Sure. Tony Diggan, D-i-
25 g-g-a-n. Business address is 92 Carnegie Center

1 Boulevard, that's in New Jersey, 08540. And I
2 work for Kimley-Horn and Associates.

3 BOARD ATTORNEY TOM COLLINS: Thank you,
4 Mr. Diggan. And the Board has not -- I don't
5 believe the Board has seen you before, so if you
6 and your attorney would go over your
7 qualifications, we would appreciate that.

8 TONY DIGGAN: Sure. I'm a licensed
9 professional engineer in the State of New Jersey.
10 My license is in good standing and it's active.
11 I have a Bachelor of Science in (indiscernible)
12 engineering. I've been involved in the practice
13 of civil engineering and land development for
14 over 23 years. And I oversee plan development
15 services in New Jersey for Kimley-Horn.

16 I've appeared before numerous boards,
17 redevelopment boards, county boards, before DEP,
18 before the Meadowlands. I've appeared formally
19 before Sparta, but and then I've appeared before
20 (indiscernible), Princeton, West Windsor, East
21 Windsor, Carneys Point.

22 STEVE GOUIN: And your license is in
23 good standing in the State of New Jersey
24 currently?

25 TONY DIGGAN: Yes sir.

1 STEVE GOUIN: So I would ask that the
2 Board accept Mr. Diggan's qualifications as a
3 professional engineer.

4 BOARD ATTORNEY TOM COLLINS: Thank you,
5 gentlemen. I don't have any questions for his
6 qualifications, but we'll open it to voir dire
7 only to Mr. Cohen and Mr. Dash, just to
8 qualifications.

9 LARRY COHEN: This is Lawrence Cohen.
10 I have no questions (indiscernible).

11 ANAND DASH: Yeah, I do not either as
12 to qualifications.

13 BOARD ATTORNEY TOM COLLINS: Thank you,
14 gentlemen. And please go ahead, Steve and Tony.

15 STEVE GOUIN: Sure. So first, I'm
16 going to -- Tom, we have an Exhibit that I'm
17 going to pull up. So I'm going to share my
18 screen. And we'll mark this, I guess as A1.

19 BOARD ATTORNEY TOM COLLINS: Very good.
20 And just identify -- have Mr. Diggan identify
21 what it is and --

22 STEVE GOUIN: Diana, could you just let
23 me -- could you enable screen sharing so I could
24 share?

25 MIKE DEMPSEY: You're able to share

1 your screen now, sir.

2 STEVE GOUIN: Sorry. Okay. So Tony
3 first off, can you just identify what we're
4 seeing with this exhibit?

5 TONY DIGGAN: Sure. This is marked as
6 Exhibit A1. It's an aerial exhibit of the
7 existing conditions prepared with my firm,
8 Kimley-Horn dated February 24th, 2022. It's a
9 (indiscernible) scale drawing and north is plan
10 up, if you will.

11 And so, first what I'll do is describe
12 the existing site conditions, and then after
13 that, we'll move onto proposed site conditions.
14 So again, this is an aerial of existing site
15 conditions.

16 And I'll zoom in here. All right.
17 Okay. All right. The project site, which is
18 bounded in the yellow double dashed line there is
19 located at 33 Demarest Road, Sparta Township,
20 Sussex County, New Jersey.

21 Its current use is industrial
22 manufacturing. It houses the Sparta Read-Mix,
23 which includes a cement manufacturing plant and a
24 sand wash operation where materials are imported
25 and processed on site.

1 The project parcel is known as Block
2 1208, Lot 23. It's approximately 68.04 acres.
3 The site is in the Economic Development Zone,
4 where warehouse storage and distribution is a
5 permitted use.

6 To the north, the project's bounded by
7 commercial and light industrial uses along Gale
8 Court. And to the west and southwest, commercial
9 and light industrial uses. And on the southeast,
10 bordered by the New York Susquehanna Western
11 Railway. And across the railway there's an NJDOT
12 property with non-residential uses also in the
13 (indiscernible) Zone.

14 To the east, the parcel is bounded by a
15 vacant and undeveloped parcel in the PCD Zone,
16 the Planned Commercial Development Zone.
17 Presently, access from the site is handled via
18 split driveway off of Demarest Road, about 150
19 feet north of the railway.

20 This point of access is used by
21 employees, cement trucks and trucks hauling
22 materials for the sand wash business. The site
23 along the southern boundary -- let's zoom in a
24 little bit -- has about -- has a 1,200 lineal
25 foot of existing rail siding, which provides an

1 existing -- it provides access to the New York
2 Susquehanna and Western Railroad.

3 The soils on the site are -- 50 percent
4 of the soils on the site are listed as sand and
5 gravel, which contain no HST soil classification.
6 And the remaining soils are Type A soils.

7 Presently, 30 acres of the site are existing
8 motor vehicle service based on their operations.

9 And motor vehicle service is defined as
10 any pervious or impervious surface which is
11 intended to be used by vehicles and is subject to
12 precipitation. Our office prepared an exhibit of
13 this area, which is included in this
14 (indiscernible) management report and provided
15 both to the Sparta Township and NJDEP as part of
16 our permitting.

17 The site (indiscernible) from the
18 northeast to the southwest to a culvert located
19 under the railway. And beyond that, to a wetland
20 mitigation project completed by NJDOT as part of
21 the Route 15 overpass, which was constructed to
22 replace Route 15 over the railway up by
23 (indiscernible) Road.

24 There are several manmade settling
25 ponds and ditches that were constructed to

1 support the site's sand wash operation. These
2 features are either classified as manmade ditches
3 or isolated wetlands. There are mapped wetlands
4 along the southern parcel line, parcel boundary,
5 and also wetlands along the eastern parcel
6 boundary. And a portion of that wetlands is
7 under a conservation easement.

8 There are no regulated drainage
9 features. Let me back up a second. These
10 features are documented in the NJDEP fresh water
11 wetlands letter of interpretation, which has been
12 extended and is vowed for May 10th, 2025.

13 There are no regulated drainage
14 features onsite. However, there is a regulated
15 feature with no better bank located across the
16 railway on the NJDOT parcel.

17 This feature ultimately discharges
18 under Demarest Road, but the feature does not
19 flow under normal conditions. Our firm has
20 submitted an FTA line verification application
21 with NJDEP to establish the (indiscernible)
22 buffers and the regulated flood hazard area. Any
23 questions on existing conditions?

24 BOARD ATTORNEY TOM COLLINS: Why don't
25 you try to go all the way through --

1 TONY DIGGAN: Sure.

2 BOARD ATTORNEY TOM COLLINS: -- without
3 interruption, and Tony or Mr. Diggan, and that
4 way we can keep it orderly, and that's what the
5 Board prefers for the presentation of the
6 witnesses -- your presentation and also their
7 witnesses for the Applicant first. So these can
8 keep going.

9 TONY DIGGAN: Great. Do you think I
10 can get a minute to share my screen because
11 you've got to Zoom in there pretty close?

12 STEVE GOUIN: Yeah, would it be
13 possible to make Tony a presenter also, and allow
14 him to share his screen?

15 TONY DIGGAN: If I mute?

16 BOARD ATTORNEY TOM COLLINS: Mike
17 Dempsey, (indiscernible)?

18 MIKE DEMPSEY: Who would you like to be
19 able to share their screen?

20 STEVE GOUIN: Tony Diggan.

21 MIKE DEMPSEY: Only one of you can
22 share at a time.

23 STEVE GOUIN: I'm going to stop my
24 share.

25 MIKE DEMPSEY: Okay, you can stop your

1 share or I could stop it for you.

2 STEVE GOUIN: Tony's going to pull up
3 another exhibit.

4 MIKE DEMPSEY: Okay, he should be able
5 to share his screen now. Just please make sure
6 the microphone and speaker are turned off on that
7 computer.

8 STEVE GOUIN: I'm just going to use
9 this. I think we're good now. Okay, Tony, so
10 this is going to be Exhibit Number 2, which we'll
11 mark as A2?

12 TONY DIGGAN: Yeah, this is Exhibit A2,
13 which is identical to the C400 included in our
14 preliminary site plan application. The date on
15 this one is 20 -- or February 17th, 2022. It is
16 an (indiscernible) scale plan. And the plan is -
17 - plan north -- actually, north is plan
18 northeast, if you will, on this direction.

19 BOARD ATTORNEY TOM COLLINS: Thank you,
20 gentlemen. That'll be A2, I think, is that
21 right, Steve?

22 STEVE GOUIN: Correct, yeah.

23 TONY DIGGAN: Correct.

24 BOARD ATTORNEY TOM COLLINS: Okay,
25 thanks.

1 STEVE GOUIN: Okay, Tony, so why don't
2 you just -- let's take them through. This is
3 proposed conditions, so why don't you talk to
4 them about what we're proposing here with this
5 application?

6 TONY DIGGAN: Yeah, so the applicant
7 proposes to cease the Sparta Read-Mix operations
8 to construct two modern rail (indiscernible)
9 warehouse buildings totaling 880,480 square feet.
10 Proposed Building A on the eastern side of the
11 property is 373,600 square feet with two 5,000
12 square foot office blocks. And this top
13 northwest corner. And another 5,000 square foot
14 block down here in this southwest corner.

15 Building B is located on the western
16 portion of the property. It is a 508,800 square
17 feet. And again, this also has two 5,000 square
18 foot office blocks, one in the northeast corner
19 of the building and one in the southwest corner.
20 Let's zoom in a little bit.

21 Building A will have a boxcar loading
22 dock on its eastern façade with a canopy. It'll
23 have a new rail siding that's going to extend 800
24 feet from the existing rail siding on the east
25 side. And then, it'll have 850 feet of boxcar

1 loading dock.

2 Building B, access to the rail is via
3 four ramps that connect Building A directly from
4 the boxcar loading, down the ramp, through a
5 striped out access way through the truck port and
6 into the ramp on the western side of Building B.

7 From a circulation standpoint, truck
8 traffic access to site via two driveways, one in
9 the northwest corner here and another driveway in
10 this southwest corner. The idea is, the design
11 intent is that trucks will be able to circulate
12 the loading dock areas in a counterclockwise
13 direction, so they have their eye on the same
14 side of the dock.

15 Passenger cars will access the site
16 through the same two driveways and will circulate
17 to one of four parking fields located along the
18 endcaps of the two buildings -- here, here and
19 there two areas.

20 Emergency access is provided around the
21 entirety of the industrial park, through the
22 normal circulation drives. And then there is an
23 emergency access that comes off this southeastern
24 parking field at the southern corner of Building
25 A, proceeds east, and then there's an

1 (indiscernible) rail crossing here with the rail
2 siding. And then, that proceeds back north along
3 that boxcar loading dock and it reconnects with a
4 -- the parking field in the north.

5 Now that road -- that emergency access
6 is intended to be pervious. It'll be grass
7 pavers or (indiscernible) technology that'll
8 support the fire truck. From a parking
9 standpoint, there are 191 total docks on the
10 site. 67 on the east side -- sorry, 67 on
11 Building A on that west side. And there are 124
12 total on Building B.

13 There are 50 trailer park spaces over
14 on the west side of Building B, which are sized
15 12x55. And from an employee parking standpoint,
16 we had received some feedback on that. At the
17 present, we're showing 306 spaces, and we're land
18 banking 119 in this area here.

19 I think it's important to point out
20 that the land bank spaces as well as the
21 emergency access are -- sorry, the canopy, the
22 boxcar loading canopy on the east side of the
23 building, as well as the railroad ballasts are
24 all included in the impervious cover calc.

25 The reason we're asking for 300 stalls

1 is because the parking ratios we're seeing now
2 (indiscernible) are bearing somewhere between one
3 to 2,500, which is about 350 stalls down to -- or
4 up to, rather, one per 2,000 square feet of
5 warehouse, which would be about 440 stalls.

6 And so, to maintain flexibility on
7 potential tenants, we've chosen to land bank 119
8 stalls on that western side. There's also a
9 newer DCA reg that requires a -- the signage of
10 the stalls be EV make ready.

11 In our case, they needed ones that were
12 built, so 306 stalls at four percent of the
13 requirement would yield approximately 12 stalls
14 would be EV ready. And I believe like, a small
15 portion of them would also have to be ADA.

16 From a (indiscernible) standpoint, as
17 Mr. Gouin pointed out, the application's fully
18 conforming with the EV ordinance. We meet all
19 the parking requirements, including the front,
20 rear and side yard building and parking setbacks.

21 From a maximum and pervious coverage
22 standpoint, 65 percent's permitted. We're at 54
23 percent. The maximum building height is 56 feet.
24 And Building A is approximately 15 and a half
25 feet. And Building B is 49 feet, so we're well

1 under that maximum height.

2 From a building coverage standpoint, 45
3 percent is permitted. We're at 29.7 percent.

4 And the maximum parking coverage is 45 percent as
5 well and we're at 24.3 percent. Again, that does
6 include the bank parking and the ballast on the
7 rail siding.

8 From a stormwater management
9 standpoint, the stormwater management will again
10 comply with requirements of the NJAC 7:8, and
11 both the Township of Sparta and NJDEP will be
12 performing a stormwater review.

13 We -- the stormwater basically
14 connected -- collected, rather, in a stormwater
15 conveyance system starting up here in the end cap
16 parking and it's routed to these larger
17 infiltration basins in the south.

18 And I just want to point out again that
19 based on the reduction of motor vehicle surface,
20 we are not required to do infiltration from a
21 water quality standpoint, but we will be doing a
22 recharge via cisterns in the truck port areas, in
23 these areas here. And overflow from those
24 (indiscernible) will be sent on downstream to the
25 infiltration basins to the south.

1 From a utility standpoint, gas service
2 will be provided via an extension south on
3 Demarest Road. And electric is -- will be
4 provided from the existing utility structure
5 along Demarest Road. And water services is from
6 a -- from the main in Demarest Road, from Sparta
7 Water. And our office has been in contact with
8 them and the water infrastructure design
9 requirements.

10 The project will be serviced via the on
11 lot waste water treatment system, which we have
12 an approval for. Lighting is -- primarily the
13 lighting is wall mounted, but the lighting will
14 conform with all ordinance requirements.

15 All fixtures will be LED. Dark sky
16 compliant. Full cutoff fixtures. And the one
17 thing to point out is that the box cutter loading
18 canopy will have undermount lighting to light
19 that area. Again, the lighting's compliant with
20 the ordinance, including the light spill at the
21 property line, which is less than a half foot
22 candle.

23 Landscape is in compliance with the
24 design standards. We're working with the
25 township engineer on the buffer requirements and

1 we're going to comply with that. We have
2 permitting with NJDEP, fresh water wetlands, the
3 manmade features, the (indiscernible) basins and
4 the pitches will require general permits to fill
5 those.

6 And the conservation easement area will
7 remain untouched. We also are getting a flood
8 hazard area individual permit. And at the bottom
9 of the site here adjacent to the basins, there's
10 a compensatory flood storage area. So all these
11 areas, which are presently used as a part of the
12 -- as a part of Readi-Mix operation, these areas
13 here will be turned back to grass and retention
14 basins. And that's all I have for the proposed
15 condition. Are there any questions?

16 STEVE GOUIN: Yes, Tom, I think that's
17 probably all we have from Mr. Diggan in terms of
18 the proposal, so we can open it up to the Board,
19 the Board's professionals, however you want to do
20 this.

21 BOARD ATTORNEY TOM COLLINS: Okay. Mr.
22 Chairman, would you like the Applicant to present
23 all of their witnesses and then open it up to
24 questions or what's your preference?

25 CHAIR ANDREW REINA: Let's take them

1 one at a time, Tom. And let's address the civil
2 engineering piece of this for now, and then we'll
3 move on I think to the next.

4 BOARD ATTORNEY TOM COLLINS: Okay. So
5 Diana, maybe call the roll? Well, let's see if
6 Dave Simmons or Diana -- I'm sorry, or Katherine
7 Samad have any comments based on the testimony so
8 far that -- beyond -- they already did their --
9 they have their written reports, which are part
10 of the record. They don't have to summarize that
11 right now, but any sort of comments or questions
12 that they have that they would like highlighted
13 now.

14 DAVE SIMMONS: This is Dave Simmons.
15 Again, referring to the February 9th, 2022
16 report, probably one of the biggest areas of
17 information that we've gone over with the
18 Applicant's Engineer are -- dealt with stormwater
19 management.

20 There is some additional work that I
21 know they're doing in order to address some
22 piping inverts and what have you that the
23 Township Engineer's office identified. We had
24 called out some piping that had to be checked
25 because we found it couldn't handle the specific

1 storm, so we didn't go any further and analyze
2 any of the rest of the pipes.

3 But having said that, I know based on
4 our conversations with the Applicant's Engineer,
5 they're going to provide some additional grading
6 contours and some additional informations that
7 we've discussed to further clarify the stormwater
8 management to show that they in fact comply.

9 Again, they identified that they were
10 going to eliminate that one monument sign, which
11 eliminated a variance. And all of the other
12 details. My understanding is that they're
13 willing and able to comply with, so we'll review
14 it at a later time based on that.

15 AF: Great. Thank you, David.

16 Katherine, anything from your side?

17 KATHERINE SAMANAND DASH: I just had
18 one minor question or clarification from my
19 February 24th memo. I'm not sure it was
20 (indiscernible), but I just made a comment that
21 the number of doctors in total between the two
22 buildings I think was miscalculated on the plans.
23 I'm not -- the site plan that was brought up as
24 an exhibit or the colorized plan still showed the
25 124 doctors.

1 What I think I calculated 118, I
2 believe. And the miscalculation came off the
3 Building A, I believe, the left building in the
4 plan. So I don't know if that was caught or if I
5 miscalculated it.

6 STEVE GOUIN: I'll let Tony answer
7 that.

8 TONY DIGGAN: Yeah, we'll check into
9 that and revise it and have it resubmitted.

10 KATHERINE SAMANAND DASH: Thank you.
11 That's all I have.

12 BOARD ATTORNEY TOM COLLINS: Mr.
13 Chairman, I did want to just check with Mr.
14 Diggan and Mr. Gouin. There was a notation on I
15 believe the architect's drawing or something that
16 said manufacturing, which I don't believe you're
17 proposing manufacturing. But if you could
18 clarify that, that you're not or confirm what you
19 are? The way you described it is warehouse, so
20 just confirm that note will be corrected, I
21 guess.

22 STEVE GOUIN: Sure, we can confirm
23 that. Yeah, the proposal is for a warehouse use.
24 I think the architectural plans that we submitted
25 inadvertently had noted that it would be a

1 manufacturing use, but that was just a typo. So
2 it will be a warehouse use.

3 And I believe our architectural plans
4 have already been revised to fix that note. And
5 we will provide Tom some operational testimony so
6 everybody'll get a clear picture of exactly how
7 this is going to operate.

8 BOARD ATTORNEY TOM COLLINS: Thank you.
9 Okay, so --

10 CHAIR ANDREW REINA: All right, thank
11 you --

12 BOARD ATTORNEY TOM COLLINS: Do you
13 want to do Board Member questions of this witness
14 now?

15 CHAIR ANDREW REINA: Yeah, I would like
16 to do that. Before we move directly into that,
17 just to -- I'm kind of monitoring the Q and A,
18 and I just wanted to alert the audience, because
19 I know we've got a large number of folks in
20 attendance for this.

21 So we are, in the process for this
22 hearing, very similar to any other hearing that
23 we would do is, we will go through all of the
24 testimony from the witnesses. We will have an
25 opportunity for each of our town SMEs to respond.

1 The Board Members will ask questions.
2 The audience will have an opportunity to ask all
3 questions, any and all questions that they've
4 got. We're going to do that on the tail end,
5 once all of the testimony has been given. So I
6 just wanted to share that because I see a couple
7 of questions out there, and I know some of those
8 sections do incorporate witness and testimony
9 that will be coming up, like traffic studies and
10 things like that.

11 So with that, I guess Diana, if we can
12 do a quick roll call? Let's just run down the
13 list, maybe starting with Joe, with regards to
14 any questions, and we'll get questions addressed
15 from any of the Board Members directly?

16 SECRETARY DIANA KATZENSTEIN: Yes,
17 Chairman Reina. I'm sorry. Did you say first
18 Mr. Toscano?

19 CHAIR ANDREW REINA: Yeah, that's fine.
20 Sorry, Joe, not to put you on the spot.

21 MEMBER JOE TOSCANO: No, that's okay.
22 It wouldn't be the first time. So good evening,
23 guys. A couple of comments, and I'm sure as the
24 evening progresses, you know, based on the size
25 and scope of this project, especially for this

1 community, there's going to be quite a few
2 questions, right?

3 And I appreciate the fact that we could
4 address these, you know, one step at a time.
5 Even though I'm a Planning Board Member, I've had
6 the opportunity to look at some of the
7 documentation. But what's good about this
8 evening is having some of the color based on the
9 testimony being presented, right?

10 It puts some things into perspective as
11 to what's looking to be accomplished. And even
12 though I know this is conforming and there's no
13 variances being sought today, you're looking just
14 for a preliminary site plan approval.

15 You know, it also will take some time.
16 And I'll speak for myself here, to fully
17 understand everything that's going to be
18 presented tonight. A suggestion or a question I
19 would have to the Planning Board and its attorney
20 is, I don't know if it may be premature making a
21 decision this evening on approving this without
22 first being able to hear the information, digest
23 the information.

24 The size and the scope of this project
25 is significant. And I'm sure based on the public

1 interest this evening there's going to be a lot
2 of people, too, that are seeing it for the first
3 time that are going to have some additional
4 questions as well, so --

5 CHAIR ANDREW REINA: It will be, yeah,
6 Joe. Let me address that for you head-on. Yeah,
7 I mean, the expectation is, I mean, in order for
8 us to adequately get through all of the
9 witnesses, ensure that you know, all of the
10 public has an opportunity to ask questions and
11 kind of address this again given the scale and
12 scope of the project.

13 There's no way I personally anticipate
14 we're going to complete this in one night. I
15 suspect this will go on again kind of based on
16 how the evening goes. But yeah, I fully expect
17 for this to go into our next meeting.

18 MEMBER JOE TOSCANO: Well, thank you,
19 Mr. Chairman. I appreciate that. You know,
20 again, just based on the size and scope of the
21 project, I just want to make sure that it's fair
22 to everyone that's involved in the process. And
23 I very much appreciate those comments.

24 One quick question I have before we
25 move onto the next individual. I know that you

1 guys were looking to come back for a third
2 meeting in regards to possible tenants. Do you
3 have any ideas who those individuals may be at
4 this time? Or is that completely an unknown
5 factor at this point?

6 STEVE GOUIN: Well, I can address that
7 briefly. We do have Jim Ford coming up, who's
8 going to talk a little bit about the type of
9 tenant that we're going to be looking for with
10 this project. So he'll provide that testimony
11 basically directly. But you know, realistically,
12 that's a decision that more than likely would be
13 made prior to or right around the time of final
14 site plan approval rather than at the time of
15 preliminary.

16 That's the time when you start to
17 design a building and fit it out for a particular
18 tenant use. But I'll let Mr. Ford get into that
19 when he comes in. And actually, as a matter of
20 fact on that note, if somebody could promote Jim
21 Ford, he's in the audience somewhere.

22 MIKE DEMPSEY: He's been promoted.
23 It'll take a couple of minute -- a couple of
24 seconds for him to join.

25 STEVE GOUIN: Thanks a lot.

1 MEMBER JOE TOSCANO: Thank you. I
2 appreciate that answer, and it shed some light in
3 regards to the process, so much appreciated.

4 STEVE GOUIN: Yeah.

5 MEMBER JOE TOSCANO: Mr. Chairman,
6 that's all I have at the moment.

7 CHAIR ANDREW REINA: Okay, thank you,
8 Joe. Diana, you want to move us to the next
9 panelist on the list?

10 SECRETARY DIANA KATZENSTEIN: Yes.
11 Councilman Quinn? Councilwoman Quinn?

12 MEMBER CHRISTINE QUINN: Hi. A couple
13 of questions. I want to just go back to the
14 question with regard to tenant. So it's my
15 understanding that even at the time, any tenants
16 also would have to come back through this process
17 to be approved.

18 So the tenants that are coming in
19 through in the future would also have to come
20 back through the Planning Board just like any
21 other applicant, correct?

22 STEVE GOUIN: And Mr. Collins, I can --
23 I'll take that as well. Yes, so when the
24 Township Committee amended the ED Zoning
25 Ordinance, part of that amended ED Zoning

1 Ordinance is a requirement that even after we as
2 the property owner or the developer obtains
3 preliminary and final site plan approval, even
4 after that process, once there is an identified
5 tenant, the ED Ordinance requires that prior to
6 the issuance of a CO to that tenant, that tenant
7 has to come back to the Planning Board for a
8 review.

9 And essentially, the Planning Board
10 gets to confirm that that tenant will meet all of
11 the requirements of the ED Zoning Ordinance and
12 the rest of the Township Zoning Ordinance. So
13 it's essentially, you know, a -- it's even an
14 enhanced certificate of occupancy type of review,
15 just to make sure that the tenant is actually
16 going to comply with whatever zoning ordinance
17 requirements there are.

18 MEMBER CHRISTINE QUINN: I just wanted
19 to make sure that we were clear on that. And
20 also, I want to make sure that I have a clear
21 understanding of the footprint that we just went
22 over. And I understand that we still need the
23 piece of exactly how this operation runs, what
24 this actually is.

25 But in just looking at the footprint of

1 the site right now to make sure that I am clear.
2 The footprint of this site, based on the map that
3 you shared with us tonight, this is an existing,
4 you know -- in an existing industrial zone.

5 It is currently being mined and
6 operated for two businesses -- sand and gravel
7 and also for cement, for Sparta Read-Mix rather,
8 correct? So it currently has two things going on
9 on it right now. And in looking at the blueprint
10 of what you showed us, this -- these warehouses
11 do not encroach or go outside of the existing
12 blueprint of what's there right -- I mean, as far
13 as property lines of what is there right now,
14 correct?

15 STEVE GOUIN: That is correct. Well,
16 just one clarification to what you said. So the
17 property's not being mined. It's not like
18 there's a -- there's no resource extraction
19 operation going on there. But there is a sand
20 and gravel production facility, a concrete
21 production facility.

22 But the rest of what you said is
23 correct. What we're proposing is not going
24 essentially outside of the limits of disturbance
25 of what's there currently.

1 MEMBER CHRISTINE QUINN: Okay, so I
2 just want to make sure for my own clarification,
3 okay. And just to clarify also what you had
4 said, the design is not to keep those operations
5 and add to it, it is to close those operations,
6 seal that property and then -- so this is not in
7 addition to what's there right now, this is not
8 in addition to what's there, right?

9 STEVE GOUIN: Correct.

10 MEMBER CHRISTINE QUINN: This is --
11 everything that's there now is going to be
12 closed, and then this new stuff is -- the new
13 addition and the new warehouses and whatnot that
14 you're proposing would be on the same blueprint
15 or the same footprint?

16 STEVE GOUIN: Correct.

17 MEMBER CHRISTINE QUINN: Okay. And
18 with regard to what's coming off the rail, you
19 outlined that there's going to be a spur of
20 roughly I believe 850 feet that brings product
21 off the rails to the first building and then it
22 comes through a bridge into the second building.
23 Did I understand that correctly?

24 STEVE GOUIN: I'm going to let Mr.
25 Diggan take that one.

1 TONY DIGGAN: Yes, so --

2 MEMBER CHRISTINE QUINN: I'm just
3 trying to clarify that I understood it properly.

4 STEVE GOUIN: No problem.

5 TONY DIGGAN: So there's going to be an
6 800 foot extension off of the existing rail
7 siding that'll extend north about 800 feet I was
8 talking about. And then there'll be any --
9 approximately an 850 foot of a boxcar loading
10 dock on the backside of Building A.

11 The interconnectivity between Building
12 A and B is achieved via four load out doors with
13 ramps. And those ramps connect to an access way,
14 an at grade access way, basically a striped out
15 section through the truck court that goes to the
16 opposite loading ramp on Building B.

17 So they would take -- the rail car
18 would pull up to the boxcar loading dock. They
19 would unload via a forklift, spin around on a
20 dock and then go directly out Building A, down
21 the dock, across truck court into Building B.

22 STEVE GOUIN: So Ms. Quinn, I think
23 your question basically was -- is the railway
24 going to connect between the buildings? The
25 railway's going to go behind one of the

1 buildings, correct, Tony?

2 TONY DIGGAN: Correct, behind the
3 building, yeah.

4 STEVE GOUIN: And the buildings are
5 going to be connected by another means.

6 MEMBER CHRISTINE QUINN: Right, right.
7 So I didn't think the rail connected through, but
8 I just wanted to make sure I understand the
9 process.

10 STEVE GOUIN: Got it.

11 MEMBER CHRISTINE QUINN: And again, I
12 think a lot of this will become more clear as we
13 have a better understanding of what -- you know,
14 how this is going to operate. So those are the
15 questions that I have right now. And just to
16 clarify again, that this is going to remain on
17 the existing blueprint or footprint of the
18 property.

19 It does not encroach over into the
20 neighboring property, which is the property
21 across the street right now from North Village.
22 So this is clearly going to stay in the confines
23 -- what you're proposing of where it is right
24 now.

25 STEVE GOUIN: Correct.

1 MEMBER CHRISTINE QUINN: Okay, thank
2 you. That's all I have.

3 SECRETARY DIANA KATZENSTEIN: Thank
4 you. Dr. Parker? Dr. Parker? Councilman
5 Hertzberg?

6 MEMBER JOSH HERTZBERG: Yes, you know,
7 I think the blueprints speak for themselves and I
8 know they clarified some of the procedural stuff.
9 So I'm good right now. I'll have some more
10 questions when we get into some of the other
11 stuff later.

12 SECRETARY DIANA KATZENSTEIN: Thank
13 you. Mr. Sylvester?

14 MEMBER MIKE SYLVESTER: Yes, I have a
15 few questions. I'll try to be brief. Will there
16 be environmental testimony tonight from any of
17 the professionals?

18 STEVE GOUIN: Yeah, we do have an
19 environmental consultant here. He's going to
20 testify last after we go through architecture,
21 operations, traffic.

22 MEMBER MIKE SYLVESTER: Okay, so I'll
23 hold off on that one. And just a few quick
24 questions. When transferring ownership, the --
25 did any of the uses, current uses or prior uses

1 trigger the Industrial Site Recovery Act or go
2 through any DEP clearance in regards to that?

3 STEVE GOUIN: Yeah, the answer is yes
4 to that. So we're going to have -- that's
5 something we're going to have to address when we
6 read about the site.

7 MEMBER MIKE SYLVESTER: Okay. And as
8 of now, I think yeah, you touched upon it. There
9 -- the current ownership or -- has not accepted
10 any letters of intent from any current tenants,
11 just to get that on the record to clarify. I
12 wasn't clear on the timing of that. So I was
13 just wanting to know if you actually have letters
14 of intent from future tenant uses?

15 STEVE GOUIN: Not at this time, no.

16 MEMBER MIKE SYLVESTER: All right. No
17 further questions. Thank you.

18 SECRETARY DIANA KATZENSTEIN: Thank
19 you. Mr. Skei?

20 MEMBER JOSH HERTZBERG: He had gotten
21 kicked out. He sent me a message asking to be
22 let back in. He got back in, but he needed to
23 get unmuted.

24 MIKE DEMPSEY: He's been promoted to
25 panelist, so he should be able to respond.

1 MEMBER PETER SKEI: Yeah, I got it.
2 I'm sorry I got disconnected there. No, Joe and
3 Christine, most of my questions were pretty much
4 answered, so I'm okay as of now. Thank you.

5 SECRETARY DIANA KATZENSTEIN: Thank
6 you. Dr. Parker?

7 MEMBER PARKER: Yes, I have a question.
8 I'm not sure if it's for the engineer or the
9 environmental people, but does anybody know how
10 high or where the depth is to the aquafer? How
11 much soil do you have between this project and
12 the aquafer in depth? And if you don't know the
13 answer, you can get -- do what you have to do and
14 come back on the next visit with the answer.

15 STEVE GOUIN: Yeah, I think Mr. Parker
16 -- or Dr. Parker, sorry, not for this witness,
17 but we'll get you that answer and we'll provide
18 it, you know, by the end of the night tonight, or
19 we might have to provide it when we come back.

20 MEMBER PARKER: All right, thank you.
21 I will continue with the other people, then.
22 Thank you.

23 STEVE GOUIN: Sure.

24 MEMBER PARKER: No further questions at
25 this time.

1 SECRETARY DIANA KATZENSTEIN: Thank
2 you, Dr. Parker. Mr. Kollar?

3 MEMBER JOHN KOLLAR: Hello. Just one
4 thing for the public that's online. You could
5 download all the documents in the traffic
6 studies. I saw at least six requests for the
7 traffic study. Go to the town website. It's
8 there under our calendar.

9 That being said, I just want to make
10 sure I understand the testimony we've heard so
11 far is the civil engineer, correct?

12 STEVE GOUIN: That is correct.

13 MEMBER JOHN KOLLAR: Okay. The
14 crossing from Building 1 to Building 2, is that
15 going to be used for mostly forklifts moving
16 stuff between the buildings or --?

17 TONY DIGGAN: I would say primarily
18 forklifts, yeah.

19 MEMBER JOHN KOLLAR: Okay. And they're
20 going to have a ramp down and a ramp up so it's
21 not going to be a raised section?

22 TONY DIGGAN: No, it'll -- yeah, you'll
23 come down a -- likely a five to eight percent
24 ramp down to the truck court grade four feet
25 down, proceed across a truck court in that

1 striped out area and then go back up the other
2 ramp and then go down the --

3 MEMBER JOHN KOLLAR: Okay. No further
4 questions at this time. Thank you.

5 SECRETARY DIANA KATZENSTEIN: Thank
6 you, Mr. Gall?

7 MEMBER THEODORE GALL: Yeah. I don't
8 have (indiscernible) available, but one of the
9 things I was looking at was towards the
10 northwest, you know -- southwest corner of the
11 property is a large rock outcropping. How are
12 you going to prepare the property with that large
13 rock outcropping?

14 TONY DIGGAN: On Demarest Road and the
15 railway or --?

16 MEMBER THEODORE GALL: There's -- I
17 drove through the property when I -- I appeared
18 to see a very large rock outcropping that will
19 probably be in the way, and will have to be
20 removed before you can.

21 TONY DIGGAN: It could very well be an
22 inventory pile.

23 CHAIR ANDREW REINA: So what -- Tony,
24 and I guess there's no rock formation back there
25 or anything that impedes on the property that

1 would cause -- I think what Mr. Gall may be
2 getting at is, is there any material rock that
3 will require dynamite explosions, anything else
4 like that as it relates to removal or things of
5 that nature?

6 TONY DIGGAN: No. So we're not aware
7 of any rock outcropping like that. I mean, the
8 site was mined in the past. There is an ongoing
9 sand washing operation. Suffice it to say, any
10 sort of material that's encountered will be
11 likely reused in the construction of the site.
12 But as of now, I'm not aware of any rock
13 outcropping.

14 MEMBER THEODORE GALL: Okay. To me, it
15 looked like there was one, though, in the south -
16 - near the southwest corner of the property. And
17 also, the west entrance to the property, I would
18 like to see the building shortened by about the
19 width of the office space to accommodate snow
20 removal in the west area.

21 I'd like to see the entrance
22 (indiscernible) come straight in rather than
23 bearing to the left, to give you more space up
24 there because I believe it's quite steep.

25 TONY DIGGAN: So we'll take that under

1 advisement. Thank you for that. I believe that
2 roadway in there is about five percent. That's
3 something --

4 MEMBER THEODORE GALL: Thank you.

5 TONY DIGGAN: You're welcome. Thank
6 you.

7 MEMBER THEODORE GALL: That's all I
8 have at this time.

9 SECRETARY DIANA KATZENSTEIN: Thank
10 you. Mr. Murphy?

11 MEMBER JERRY MURPHY: No questions at
12 this time.

13 SECRETARY DIANA KATZENSTEIN: Thank
14 you. Chair Reina?

15 CHAIR ANDREW REINA: Thanks, Diana.
16 Just a couple of clarifying points. So in terms
17 of the height of the building that you're
18 proposing, I know the ordinance calls for, you
19 said 56 feet, correct?

20 TONY DIGGAN: Correct.

21 CHAIR ANDREW REINA: So it's roughly
22 two and a half stories. I just want to confirm
23 that, you know, you're looking at roughly two and
24 a half stories.

25 TONY DIGGAN: Yeah, it's two and a half

1 stories or 56 feet.

2 CHAIR ANDREW REINA: Okay, great. And
3 can you describe a little bit further for me, you
4 -- when we -- when you were sort of presenting,
5 you talked about the outside component that would
6 go around the far side of the building, connect
7 to the other parking lot? I think yeah, when we
8 were talking about the impervious coverage and
9 everything, you had shared that that would be
10 more of a -- it sounded like gravel or anything.

11 Or is that going to be a paved
12 component of when you come to the, I guess either
13 right side of the facility past the, you know,
14 the rail and the canopy and everything, in order
15 to access that back parking lot?

16 STEVE GOUIN: Could we let Tony share
17 his screen again?

18 CHAIR ANDREW REINA: Yeah.

19 MIKE DEMPSEY: He has the ability to
20 share now.

21 CHAIR ANDREW REINA: Okay. So yeah,
22 right about where you are now, Tony, that spur
23 that runs along the backside past the canopy, the
24 850 feet. Is that concrete? And what's the
25 width of that again, just from an emergency

1 perspective?

2 TONY DIGGAN: So the width of that's,
3 yeah, it's intended to be emergency access, low
4 volume. The width is 20 feet. The only real use
5 would be emergency access vehicles, if that were
6 necessary. It would likely be either an
7 interlocking plastic paver that they fill with
8 gravel or we could go the grass route, just in my
9 experience, the interlocking grass pavers, the
10 grass usually dies anyway.

11 So it'll likely be gravel, so it would
12 be pervious, you know, like an NDS manufacturer
13 type of thing.

14 CHAIR ANDREW REINA: Okay. And you're
15 estimating that just based on the size and scope
16 of the parking lot, I know you're doing the --
17 you're effectively using the calculations that
18 are recommended. What is the anticipated number
19 of employees for an operation like this, again,
20 understanding it's going to vary depending on the
21 tenants that you have there and what the actual
22 products are?

23 TONY DIGGAN: So the -- you know, with
24 modern warehousing, it's highly specific on what
25 the -- what's being stored, what the operation's

1 like, you know, that could vary from 100
2 employees all the way up to say, 450 employees.
3 I know that doesn't answer the question
4 specifically. It's highly tenant driven, even to
5 the number of spaces they require then for
6 trailers as well. So that may be something that
7 Mr. Ford can answer later on in his direct.

8 STEVE GOUIN: Yeah, and Mr. Chairman,
9 I'll have -- we'll ask Mr. Ford to elaborate on
10 that a little bit for you.

11 CHAIR ANDREW REINA: Okay, thank you.
12 I think the only other question I had, I think
13 most of them have been addressed on the civil
14 engineering component. Can you just describe for
15 us in the audience a little bit this spur down
16 here on the bottom right hand corner? Obviously
17 that's crossing over. Did you indicate that
18 there would be a signal, where the rail crossing
19 comes in?

20 STEVE GOUIN: Yeah, so given the low
21 volume nature of the emergency access, it likely
22 would not be signalized. There could be stop
23 bars for the emergency access vehicle.

24 The rail itself -- basically the boxcar
25 loading dock could hold approximately 16 cars.

1 So you're talking very low volume and very slow
2 moving. So it's not like you're on the main rail
3 at 35, 40, 45 mile an hour operating speed.

4 This would be anticipated to operate,
5 you know, 15, 20 mile an hour would probably be
6 higher than what's actually going to occur out
7 there.

8 CHAIR ANDREW REINA: Okay. All right.
9 And so, is --

10 TONY DIGGAN: It's also at grade. You
11 will have decent site lines along there. So I
12 don't anticipate the stopping site distance is
13 going to be an issue.

14 CHAIR ANDREW REINA: Perfect. That was
15 going to be one of my other questions. All
16 right, I think from a civil engineering
17 perspective, anyway, I'm -- no more questions
18 from my end. So Tom, do we want to move to the
19 next witness?

20 STEVE GOUIN: If you don't mind, Mr.
21 Chairman, before we do, I just wanted to ask if
22 Mr. Parker could just clarify his comment so we
23 make sure we get the right answer to his
24 question? He was talking about the depth of the
25 aquafer. Can -- Mr. Parker, can you just

1 clarify, or maybe I'll ask Tony to ask you to
2 clarify so he knows what you're talking about?

3 TONY DIGGAN: Sure. Are you talking
4 about the aquafer, for example, like a well water
5 aquafer? Or what -- you're not referring to the
6 groundwater, you're talking about the deep
7 aquafer that's used for drinking supply?

8 MEMBER MIKE SYLVESTER: Yeah, is I may,
9 I think I can jump in. I think the Board would
10 like to know the depth of groundwater and the
11 depth to drinking water supply, deep aquafer and
12 the interconnection to surface and shallow
13 groundwater to deep, if you guys did a
14 hydrogeologic study. And that's why I was
15 waiting to hold off on the environmental.

16 TONY DIGGAN: Roger that. We'll get
17 the answer.

18 STEVE GOUIN: Okay. Yeah, so we're
19 going to have that answer for you. Not at this
20 moment, but we'll get that answer for you.

21 ANAND DASH: Mr. Chairman, before we
22 move onto the next witness, I have a few
23 questions for Mr. Diggan.

24 LARRY COHEN: And by the way, I also
25 have questions. I presume you're opening it up

1 to the public for questions at this point? I'm
2 just asking the Chairman if that's going to be
3 the procedure at this point for this witness?

4 BOARD ATTORNEY TOM COLLINS: So Drew,
5 what would you prefer? Do you want to get
6 through the direct and the Board questions of
7 these witnesses and then open to the questions
8 from the attorneys and public and testimony from
9 the public? Or do you want to do one witness at
10 a time?

11 CHAIR ANDREW REINA: I am happy to open
12 it up to the -- well, I guess given the volume of
13 folks that we have online here, I guess my
14 concern, I would like to keep the questions
15 directed to the applicable witness and the
16 testimony that we've got here. So my concern
17 would be, is if we open it up broadly, we're
18 going to have 190 questions that may not be
19 directly applicable to the individual witness and
20 testimony.

21 So my preference would be to actually
22 go through the testimony, make sure if there are
23 -- if there are any questions that are -- have
24 not been addressed, then we open it up to the
25 public for any additional questions or anything

1 that they would need clarification on.

2 BOARD ATTORNEY TOM COLLINS: So do you
3 want the attorneys to ask questions now of this
4 witness or do you want to --?

5 CHAIR ANDREW REINA: I would say if
6 you'd like to have the attorneys ask questions,
7 I'm fine to do that. I would ask that, you know,
8 we hold the remaining questions until the end of
9 the testimonies.

10 BOARD ATTORNEY TOM COLLINS: Okay. So
11 Mr. Cohen and Mr. Dash, if you want to do your
12 attorney questions for this witness only, then
13 we'll do the next witness, the same type of
14 procedure, and then try to do the next witness.
15 We'll get as far as we can, but we'll not end as
16 per everybody's understanding, until all
17 witnesses, including witnesses of the objector's
18 attorneys and witnesses of the public have
19 testified. So that may take more than tonight.
20 So Larry and Mr. Dash, please go ahead.

21 LARRY COHEN: I don't know who you want
22 first. But --

23 BOARD ATTORNEY TOM COLLINS: Either
24 one.

25 LARRY COHEN: Okay. Mr. Diggan, well,

1 first, I have actually an overall question. Mr.
2 Gouin, are we going to hear any testimony
3 concerning, I know an environmental impact
4 statement was filed. Are we going to hear any
5 testimony concerning the environmental impact
6 statement, and if so, from what witness?

7 STEVE GOUIN: We will. Yeah, we have
8 Mike Greene here from Envirotactics, who prepared
9 the environmental impact statement. So he's
10 going to testify to that.

11 LARRY COHEN: And he will testify as to
12 issues concerning air pollution, noise, as well
13 as the other normal environmental issues?

14 STEVE GOUIN: I don't -- he's not
15 really going to touch on noise or air pollution.
16 He's going to touch on the issues that were
17 covered by the environmental impact statement.
18 So I mean, if you have questions relative to
19 noise, for example, perhaps Tony would be the
20 right witness?

21 LARRY COHEN: Okay, well, before we get
22 into that, Mr. Diggan, I just want to review with
23 you some statistics that you testified to. The
24 overall size of this property in acreage please,
25 again?

1 TONY DIGGAN: Roughly 68.04 acres.

2 LARRY COHEN: And the proposed square
3 footage was 800 and some thousand, with reference
4 to the two buildings?

5 TONY DIGGAN: 880,480 square feet.

6 LARRY COHEN: And the amount of
7 pervious surface I think you said was 27 percent,
8 am I correct?

9 TONY DIGGAN: No, sir. I don't think I
10 described the amount of pervious surface.

11 LARRY COHEN: Okay, I'm sorry. Can you
12 describe how much impervious surface will be the
13 -- your site plan is showing?

14 TONY DIGGAN: Yes sir. The impervious
15 surface was -- whereas 65 percent was
16 (indiscernible), we are at 54 percent.

17 LARRY COHEN: Which 54 percent of 68
18 acres, you could do that quicker than I can as
19 roughly 40 acres, approximately?

20 TONY DIGGAN: I'm sorry. The 54
21 percent of the 68?

22 LARRY COHEN: Yes.

23 TONY DIGGAN: Approximately 37 acres?

24 LARRY COHEN: 37 acres, okay. So
25 you're having 37 acres of impervious surface, and

1 you submitted the stormwater management plan or
2 plans to treat that runoff from that acreage, is
3 that correct?

4 TONY DIGGAN: That's correct.

5 LARRY COHEN: Now I have not had an
6 opportunity to review everything that was on file
7 with the Township. I presume that there is a
8 landscaping plan?

9 TONY DIGGAN: Correct.

10 LARRY COHEN: We heard no testimony
11 about generally just landscape. We heard no
12 testimony, as I recall, about landscaping, is
13 that correct?

14 TONY DIGGAN: We -- I basically
15 discussed that we were in full compliance with
16 the landscape requirements.

17 LARRY COHEN: Well, whether you think
18 you were in full compliance or not, I think it's
19 incumbent upon you to present what you're
20 proposing the landscaping, so certainly the Board
21 and its professionals can determine that, and the
22 members of the public can question the
23 landscaping plan.

24 And whether or not you're in
25 compliance, the question is, what is the proposed

1 landscaping? There's been no testimony with
2 reference to that. And also, Mr. Diggan, you had
3 indicated that you're supplying lights that are
4 in conformance with the ordinance.

5 I presume that there is a lighting plan
6 showing the location of all exterior lighting,
7 and also the light flow from those fixtures as to
8 foot candles, as to coverage area and etc.

9 TONY DIGGAN: Right.

10 LARRY COHEN: We've had no testimony
11 other than a conclusion from you, that the
12 lighting meets all of the ordinance requirements.
13 We don't know if that's true or not, without
14 looking at it, is that correct?

15 TONY DIGGAN: I didn't present in depth
16 testimony on that lighting plan, no,
17 (indiscernible).

18 LARRY COHEN: I didn't hear -- I'm not
19 saying in depth testimony. I heard no testimony
20 at all, except that our lighting meets all of the
21 ordinance requirements. Is that correct? Is
22 that what you said?

23 STEVE GOUIN: Mr. Cohen, is the
24 question whether -- is it whether we presented
25 testimony on that point, or are you asking us to

1 present testimony on that point?

2 LARRY COHEN: Well, it's your -- I'm
3 not asking you to do anything, Mr. Gouin. It's
4 your case. I know you're experienced and you're
5 going to present with testimony you deem
6 necessary. All I want to find out is that other
7 than the statement of Mr. Diggan that the
8 lighting meets all the ordinance requirements,
9 I've heard no testimony concerning the lighting
10 plan, where the light's proposed.

11 This is a 68 acre site, which is going
12 to have significant lighting now that I presume,
13 because it's a warehouse. And we haven't seen
14 any -- there's no testimony as to the lighting
15 plan.

16 TONY DIGGAN: The colorized rendered
17 site plan does have the lighting on it. And I
18 did refer to the fact that they're primarily
19 going to be wall packs and that we had -- the
20 ordinance requirement is less than a half foot of
21 spill at the property line, and we're sitting
22 around 0.1.

23 As part of the preliminary site plan
24 was submitted, there is a photometric plan in
25 there, along with lighting fixtures and standard

1 details for lighting.

2 LARRY COHEN: (indiscernible) again so
3 I know that you're a very experienced engineer
4 and have presented these applications before.
5 And there's a reason for a public hearing. We
6 just don't present documents and ask the Board
7 for approval. There has to be testimony and a
8 right could be heard on all of those. Is that
9 your understanding?

10 TONY DIGGAN: Yes.

11 LARRY COHEN: Okay. So we've had no
12 testimony concerning lighting. No testimony
13 concerning the landscaping. And so far, no
14 testimony concerning issues which were covered in
15 the IS or something like air pollution or noise
16 so far.

17 The -- would -- you covered the two
18 access ways that you talked about before, Mr.
19 Diggan, specifically location and how the traffic
20 would flow.

21 TONY DIGGAN: Could you be -- please be
22 more specific? You're talking about the access
23 ways between the buildings or the points of
24 access --?

25 LARRY COHEN: No, no, I'm talking about

1 to ingress and egress from the site.

2 TONY DIGGAN: Okay.

3 STEVE GOUIN: And could we have Tony be
4 able to share his screen?

5 MIKE DEMPSEY: He can share his screen.

6 TONY DIGGAN: So there's a point of
7 access directly across from the -- there's the
8 driveway across the street. This point of access
9 has moved slightly northward on Demarest Avenue,
10 Demarest Road.

11 LARRY COHEN: All right, well, let me
12 just stick with that. There are two main access
13 points as I recall, is that correct?

14 TONY DIGGAN: Correct.

15 LARRY COHEN: Okay. One is onto
16 Demarest Road, is that correct?

17 TONY DIGGAN: They are both on Demarest
18 Road, sir.

19 LARRY COHEN: Okay. They're both on
20 Demarest Road. Demarest Road, as I understand
21 it, is a two-lane road, is that correct?

22 TONY DIGGAN: Correct.

23 LARRY COHEN: And what is the width of
24 Demarest Road, do you know the actual pavement
25 and the right of way?

1 TONY DIGGAN: I do know that it's a
2 variable width and variable work both in cart way
3 and in right of way.

4 LARRY COHEN: What are the variable
5 widths, if you know?

6 TONY DIGGAN: I don't know off the top
7 of my head.

8 LARRY COHEN: Okay. Is it shown on
9 your plan?

10 TONY DIGGAN: It's shown as a variable
11 width in my plan, sir. The cart way is shown.

12 LARRY COHEN: And even in -- if you had
13 -- can scale it, can you tell us approximately
14 how wide the cart way is on Demarest?

15 TONY DIGGAN: Sure. It's approximately
16 22 to 24 foot wide. The cart way's --

17 LARRY COHEN: 24 foot wide. Is the
18 applicant, to your knowledge, proposing any
19 improvements to Demarest?

20 TONY DIGGAN: No.

21 LARRY COHEN: Now your testimony is
22 that there is, as I recall it, and correct me if
23 I'm wrong, there are not -- basically 190 loading
24 docks for trucks, and is that correct, between
25 the two buildings?

1 TONY DIGGAN: Approximately, yes.

2 LARRY COHEN: So that's possible of 190
3 trucks, plus I believe 50 or 51 spots for
4 trailers that are not loading or unloading, is
5 that correct?

6 TONY DIGGAN: I didn't understand the
7 last part of your phrase. There's 50 trailer
8 parks on the west side of Building B?

9 LARRY COHEN: Okay, so there's 190
10 loading docks and 50 trailer spots for where the
11 trailers aren't being used to unload or unload,
12 am I correct?

13 TONY DIGGAN: Correct.

14 LARRY COHEN: And then, you'd testified
15 that we have employees -- when you said employees
16 that would range between 100 to 400 employees,
17 are we talking about assuming a 24-hour operation
18 of these warehouses, eight-hour operation or
19 anything? Or did you -- when -- and my question
20 is, the estimate of employees, is that overall
21 shifts or is that per shift?

22 TONY DIGGAN: No sir. The estimate of
23 employees I provided was based upon a standard
24 number of employees on a square footage basis for
25 warehouses of this size. It wasn't based on

1 shifts.

2 LARRY COHEN: So when you said between
3 100 and 400, let's presume this is a 24-hour
4 warehouse, okay? And there are three shifts
5 normally in 24 hours. Would that be per shift or
6 would that be 400 employees divided over three
7 shifts?

8 TONY DIGGAN: That depends on the
9 tenant.

10 LARRY COHEN: Okay.

11 STEVE GOUIN: Yeah, I think we had
12 talked about -- when we answered the question
13 about employees, that that's not really Tony's
14 area of expertise, and that we would have Mr.
15 Ford to answer those questions. So I think Mr.
16 Cohen, maybe Mr. Ford would be more appropriate
17 to answer these, you know, sort of employees and
18 operational type of questions.

19 LARRY COHEN: Understood. Well, let me
20 ask you this, Mr. Diggan. When you designed this
21 site, you had designed it for operation of
22 approximately 240 vehicles, trucks, trailers, is
23 that correct?

24 TONY DIGGAN: I don't believe I
25 understand the question. Are you talking --?

1 LARRY COHEN: Well, you had the
2 possibility at any one time of, as I understand
3 it, 190 plus 50, 240 trucks -- trailers being
4 present on this site at any one time, is that
5 correct?

6 TONY DIGGAN: They could physically be
7 parked in those spaces, yes sir. I don't -- if
8 you're looking at them circulating this site all
9 at once, I don't think that'd be feasible, no.
10 But there are 240 spaces, as you had described
11 earlier.

12 LARRY COHEN: Okay, okay. And between
13 100 and 400 employees, and we don't know if
14 that's all shifts or per shift, but that's a fair
15 amount of traffic, would you agree?

16 TONY DIGGAN: We'll have the traffic
17 engineer come on afterwards. You can ask him
18 that question.

19 LARRY COHEN: We understand that. You
20 designed this site, am I right?

21 TONY DIGGAN: Yes.

22 LARRY COHEN: And you designed it based
23 upon certain criteria, am I right?

24 TONY DIGGAN: Correct. I guess the
25 ambiguity lies in what's a fair amount of

1 traffic. That's a part I guess I don't
2 understand.

3 LARRY COHEN: Fair enough comment. Let
4 me withdraw that question. You designed this on
5 the basis that you're going to have almost
6 900,000 square feet of warehouse, correct?

7 TONY DIGGAN: About 880, yes sir.

8 LARRY COHEN: Okay. Possibly 240
9 vehicles on the site at any one time, correct?

10 TONY DIGGAN: Potentially.

11 LARRY COHEN: All right. And I presume
12 in designing -- you designed the traffic flow on
13 the site, did you not?

14 TONY DIGGAN: I designed the site
15 circulation.

16 LARRY COHEN: Yes, that's what I meant.

17 TONY DIGGAN: Yes sir.

18 LARRY COHEN: The circulation for
19 traffic on the site, you would have to know how
20 many trucks and cars that would be using it in
21 order for you to properly design the circulation
22 plan, is that a fair comment?

23 TONY DIGGAN: Yes sir, although I would
24 point out that again, as I said previously, it's
25 not feasible to think that 240 of these vehicles

1 would be circulating this site at the same time.

2 LARRY COHEN: I never said that. But I
3 -- well, let me ask you this. Based upon the
4 maximum of vehicles at 240, when you designed the
5 circulation, how many vehicles did you think
6 would be circulating or operating on the site at
7 any one time, including passenger vehicles and
8 truck vehicles?

9 TONY DIGGAN: Typically if the trucks
10 are operating, your employee cars are parked,
11 there are arrival rates. I think you can see
12 that in the traffic report. Again, the traffic
13 engineer can speak to that as well, but there are
14 ingress and egress peak hour traffic counts that
15 basically speak to that, that you may find more
16 helpful asking the traffic engineer.

17 LARRY COHEN: All right. When you
18 design a circulation plan on a site such you did
19 as this, you design it for peak hour operation,
20 is that a fair statement?

21 TONY DIGGAN: Sure, yes.

22 LARRY COHEN: Okay. So how --
23 obviously you'd have to know the amount of
24 vehicles. How many vehicles did you calculate
25 would be circulating on this site during the peak

1 hour?

2 TONY DIGGAN: In actuality, it's not
3 designed that way. Your truck courts, your
4 parking areas all have very basic industry
5 standard circulation widths. For example, your
6 parking areas, the 24-foot wide drive aisles.
7 Your circulation drives are 30-foot wide.

8 Your truck courts have a 70-foot wide
9 drive aisle with a 60-foot dock area. Your
10 parking -- your trailer parks are 55-foot deep.
11 Again, the arrival rates, the ingress/egress are
12 in the traffic report.

13 LARRY COHEN: Okay. Now there are a
14 number of parking spaces along the side which
15 fronts on Demarest, and frankly, I forgot our
16 direction. Is that the west side, or what?

17 TONY DIGGAN: That is -- yeah, it's
18 western, Demarest is to the west of Building B.

19 LARRY COHEN: Are those the trailer
20 parking lots or are those for employees?

21 TONY DIGGAN: So this area here?

22 LARRY COHEN: Yes.

23 TONY DIGGAN: Those are trailer parks,
24 50 trailer parks.

25 LARRY COHEN: Okay. And the -- they

1 would have the ability to park there with a cab
2 or just the trailers without cabs.

3 TONY DIGGAN: They typically -- they
4 would be trailers without cabs.

5 LARRY COHEN: Okay, but obviously cabs
6 have to move them in and out, right?

7 TONY DIGGAN: Yes.

8 LARRY COHEN: And was any consideration
9 given to any conflict there, since that is a
10 major portion of the circulation plan that you
11 developed as to those trailers moving in and out
12 and those potential 240 vehicles trying to -- and
13 by the way, the circulation, this would be the
14 egress circulation coming out of that area, am I
15 right?

16 In other words, the traffic -- the
17 circulation that would come in and go around the
18 two buildings and come out in that area, is it --
19 did I recall that correctly?

20 TONY DIGGAN: So the trucks can
21 circulate along the southern drive aisle and the
22 northern drive aisle in between the buildings.
23 I'm not sure I understand the last question, but
24 there are stop bars and (indiscernible) you see
25 striping throughout the site for safe traffic

1 operation. I don't (indiscernible) understood
2 the last question.

3 LARRY COHEN: All right. Well, let me
4 ask you this. That access way that's in front of
5 those parking spaces for the trailers, is that to
6 be used to the trucks exiting the site?

7 TONY DIGGAN: Sorry. Is this driveway
8 to be used for trucks exiting the site?

9 LARRY COHEN: Yeah.

10 TONY DIGGAN: Yes.

11 LARRY COHEN: Okay. And the question
12 is, have you considered the 50 trailers moving in
13 and out with reference to the truck traffic using
14 that driveway?

15 TONY DIGGAN: I'm not sure if all the
16 questions are -- the 50 trailers used --?

17 LARRY COHEN: Well, if a trailer comes
18 in or out, it's got to pull out into this
19 driveway, am I right?

20 TONY DIGGAN: Are you talking about one
21 of the park trailers, sir?

22 LARRY COHEN: Yes.

23 TONY DIGGAN: They would have a yard
24 truck come and grab that trailer, or another rig
25 take it off site, yeah. So when it comes down to

1 this (indiscernible) stop bar, are you asking if
2 there's going to be an adequate gap for it to
3 pull into the drive aisle and exit the site?

4 LARRY COHEN: No, no. What I'm saying
5 is, over here, further up, in other words, go up,
6 keep going, go up. Right there. As those
7 trailers come out of there and trucks are going
8 down that driveway, is -- did you consider the
9 interplay of those trailers coming in front of
10 those trucks that they're exiting the site?

11 TONY DIGGAN: Yes sir.

12 LARRY COHEN: And how does that work?

13 TONY DIGGAN: Those are standard
14 industry sized drive aisles. So basically, if
15 the yard truck's picking up the trailer slip over
16 there and there's a car pulling out, or rather, a
17 truck pulling out of the dock area, they can't
18 necessarily both go at the same time if they're
19 opposing.

20 In general, your low operating yard
21 speed is five miles per hour, so it's not really
22 an issue. I don't know if I'm answering your
23 question, though.

24 LARRY COHEN: All right, well, let me
25 ask you this. Are there speed limits posted

1 there? Do you show any speed limit postings on
2 your site plan, that trucks are not to exceed
3 five miles per hour in that area?

4 TONY DIGGAN: Typically not. It
5 depends on the tenant.

6 LARRY COHEN: It depends on the tenant,
7 all right. Now that brings me to another issue
8 as has been indicated and as asked by a number of
9 the members. We have no idea what tenant or
10 tenants are going to occupy the building at this
11 time. And you don't have to answer that. That's
12 already been admitted to.

13 The way these buildings are designed,
14 this may be a more proper question for the
15 architect, and I understand he's going to
16 testify. I'm going to ask you at this moment to
17 the extent you may know this.

18 I presume that this can be used, either
19 one of these buildings could be used for multiple
20 tenants. Do you know that?

21 TONY DIGGAN: Correct. You could have
22 a tenant in each building.

23 LARRY COHEN: Well, you can have a
24 tenant in each building and you could have 10
25 tenants in each building, right?

1 TONY DIGGAN: I suppose that's
2 possible.

3 LARRY COHEN: Okay.

4 TONY DIGGAN: I don't know that the
5 (indiscernible) practical given where the office
6 blocks are, though.

7 LARRY COHEN: Well, let me say this,
8 let me ask you this. And you're not the
9 architect. You just indicated you didn't design
10 the interior of the buildings, obviously, the
11 buildings themselves.

12 TONY DIGGAN: Right.

13 LARRY COHEN: But those office blocks
14 are put in there for potential uses, and I
15 presume that at some point, office blocks may be
16 added or changed in location depending upon the
17 tenants, which would be done at the site plan
18 application of the particular tenants. Is that
19 your understanding?

20 TONY DIGGAN: Yes.

21 LARRY COHEN: Okay. Let's talk about -
22 - is there -- are there any things shown in the
23 plan, I presume there are, the site distances on
24 Demarest exiting this site, is that correct?

25 TONY DIGGAN: Yes.

1 LARRY COHEN: What are the traffic
2 control signals, just stop signs and stop bars or
3 are there lights or what?

4 TONY DIGGAN: No, there'd be stop bars
5 and stop signs, non-signalized intersections.

6 LARRY COHEN: Okay, no other traffic
7 controls over than the stop sign or a stop bar,
8 right?

9 TONY DIGGAN: Correct.

10 LARRY COHEN: And what are the site
11 distances at each one of those access points on
12 Demarest?

13 TONY DIGGAN: They're in excess of the
14 ordinance. I think the ordinance requires 100.
15 On this site plan, we have the actual site
16 distance shown for the operating speed of
17 actually a design speed of 40. Sorry?

18 LARRY COHEN: The actual -- the
19 determination speed is 40 miles per hour, is that
20 correct?

21 TONY DIGGAN: I believe that's the
22 design speed, yes.

23 LARRY COHEN: Design speed, yes. And
24 what are the site distances shown for the design
25 speed of 40 miles an hour on Demarest?

1 TONY DIGGAN: (indiscernible) 445 feet.

2 LARRY COHEN: At which direction,
3 looking left or looking right or both?

4 TONY DIGGAN: They're shown looking for
5 both, 445 feet for both.

6 LARRY COHEN: 145 feet. Do you believe
7 that --

8 TONY DIGGAN: 400 --

9 STEVE GOUIN: Just to clarify, 445
10 feet.

11 LARRY COHEN: Oh I'm sorry. 445 feet.
12 In both directions, is that correct?

13 TONY DIGGAN: Correct.

14 LARRY COHEN: And you're showing a site
15 triangle to be dedicated to the township or what?

16 TONY DIGGAN: It's our belief that the
17 site triangles exist within the right of way.

18 LARRY COHEN: Okay.

19 TONY DIGGAN: So therefore, no site
20 triangles will be dedicated. That being said, if
21 there is a landscape -- one of the site triangles
22 were to be in an area of landscape, the landscape
23 would be set back.

24 LARRY COHEN: Now I know there was one
25 mention of a monument sign that was mentioned

1 that there was two proposed and now one is
2 proposed. I don't recall you indicating the
3 location of that sign. Can you show us the
4 location of that sign?

5 TONY DIGGAN: I don't think I'm sharing
6 the screen. So the sign is --?

7 STEVE GOUIN: Hold on one second. We
8 need -- I think --

9 TONY DIGGAN: The sign is 10 feet north
10 of that.

11 STEVE GOUIN: We need Tony to be able
12 to -- can you share your screen? Yeah, there you
13 go. There you go.

14 TONY DIGGAN: The sign is located in
15 that area right there, just north of the
16 driveway.

17 LARRY COHEN: I'm sorry, what driveway
18 are we talking about on Demarest? Is it the one
19 on --?

20 TONY DIGGAN: It's a southern drive,
21 sir.

22 LARRY COHEN: Southern, the southern
23 drive, okay. And that's the only proposed
24 signage on the building, is that correct?

25 TONY DIGGAN: Correct.

1 LARRY COHEN: For the building, I
2 should say. And I presume there are traffic
3 direction signs throughout the site, is that also
4 true?

5 TONY DIGGAN: Yeah, (indiscernible) the
6 site traffic controls -- the stop signs,
7 directional arrows on the pavement.

8 LARRY COHEN: Okay. Now the drainage
9 plan that you had indicated, I presume there's a
10 separate plan showing the drainage system that
11 you're proposing with the infiltration basins?

12 TONY DIGGAN: Correct.

13 LARRY COHEN: And do you meet the DEP -
14 - obviously this is a major development for
15 stormwater, did you meet the -- all of the DEP
16 requirements for the stormwater -- requirements
17 and regulations for the discharge of stormwater
18 on the site and the retention of stormwater?

19 TONY DIGGAN: Yeah, the stormwater
20 design is in full compliance with New Jersey
21 Administrative Code 7:8. And it still be
22 reviewed by Sparta Township and NJDEP.

23 LARRY COHEN: You had indicated that
24 the wastewater's going to be treated by an onsite
25 system?

1 TONY DIGGAN: Correct.

2 LARRY COHEN: And they already have
3 approval for that?

4 TONY DIGGAN: Correct.

5 LARRY COHEN: And by the way, I didn't
6 see it and it may have been, has that approval
7 been posted with the Town?

8 TONY DIGGAN: The Town approved it.

9 LARRY COHEN: I mean is it matter -- is
10 it a part of the application, so that the public
11 can see the approval that was granted by the DEP?

12 TONY DIGGAN: It was a public notice.

13 STEVE GOUIN: Yeah, I don't know that
14 it was a part of the application, Mr. Cohen, so
15 in any event, we can submit a copy of it.

16 LARRY COHEN: Submit a copy on the
17 Township and they can post it on the website. I
18 didn't see it, and that doesn't mean it wasn't --

19 STEVE GOUIN: No, I think what happened
20 was -- it was -- that approval for the onsite
21 wastewater treatment was obtained post-
22 application being submitted, but we can certainly
23 provide a copy.

24 LARRY COHEN: It was before?

25 STEVE GOUIN: That was before. But in

1 any event, it wasn't a part of the application,
2 so we'll provide a copy to the Town.

3 LARRY COHEN: All right. Mr. Diggan,
4 did your office design the wastewater treatment
5 system?

6 TONY DIGGAN: No sir.

7 LARRY COHEN: And who designed that, if
8 you know?

9 TONY DIGGAN: Owen Dykstra.

10 LARRY COHEN: All right.

11 TONY DIGGAN: (indiscernible) and
12 Associates.

13 LARRY COHEN: (indiscernible) site plan
14 where that onsite treatment system is located?

15 TONY DIGGAN: Again, this is a rendered
16 -- colorized rendered site plan, so it's not
17 necessarily a utility plan, but this area up here
18 is the area set aside for the onsite wastewater
19 treatment recharge area.

20 LARRY COHEN: Okay. And how many
21 gallons per day is that design to treat?

22 TONY DIGGAN: That approval is for
23 2,000 gallons per day.

24 LARRY COHEN: And that's based on the
25 880,000 square foot and the proposed use as to

1 what, if you know?

2 TONY DIGGAN: I'm sorry, are you asking
3 if it's -- repeat the question, please?

4 LARRY COHEN: Yeah. The amount of
5 gallons as determined by the DEP is based upon
6 the amount of the type of use, the square
7 footage, etc. Am I right on commercial design
8 onsite treatment facilities?

9 TONY DIGGAN: It's actually -- this
10 (indiscernible) approval is based on employees.

11 LARRY COHEN: Okay. And how -- do you
12 know how many employees this system was designed
13 for at 2,000 gallons per day?

14 TONY DIGGAN: Yeah, it was designed for
15 100 employees.

16 LARRY COHEN: 100 employees.

17 TONY DIGGAN: Correct.

18 LARRY COHEN: And what happens if we
19 meet your maximum -- I think you said that this
20 could accommodate up to 450 employees and presume
21 that the employee count goes up to 400 or 450
22 instead of the 100 that this system was designed
23 for.

24 TONY DIGGAN: Sure. That would have a
25 higher demand rate. And we are in the process of

1 getting a W2M PMM for that higher gallonage.

2 LARRY COHEN: So will the ultimate
3 system be designed for a maximum of 450
4 employees?

5 TONY DIGGAN: The ultimate system would
6 be designed for 10,000 gallons. In that
7 gallonage, we have 300 warehouse employees, and
8 then there's 20 -- or yeah, 20,000 square foot of
9 office, so potentially, yes.

10 LARRY COHEN: Okay. So let me
11 understand this. Right now you have an approval
12 for a 2,000 gallon per day system, but we're
13 going to need a 10,000 gallon per day system in
14 order to meet all the needs of this proposed
15 development, is that a fair statement?

16 TONY DIGGAN: No sir. Right now, we
17 have a 2,000 gallon approval that will allow a
18 tenant with up to 100 employees and 80 delivery
19 drivers to occupy and use this site.

20 LARRY COHEN: Okay. And what happens
21 when that increases?

22 TONY DIGGAN: When what increases?

23 LARRY COHEN: The number of employees
24 or the --

25 TONY DIGGAN: When the number of

1 employees increases, again, they would have to
2 come in initially to get tenancy before the
3 Planning Board. And so, the number of employees,
4 presumably one of the things that they discussed
5 --

6 STEVE GOUIN: The idea is that they
7 would need additional approval, Mr. Cohen. There
8 would be additional approvals required if they
9 wanted to increase beyond the 100 employees that
10 we're maxed out at currently.

11 LARRY COHEN: So right now, just the
12 way I understand it, Mr. Diggan, if the Planning
13 Board approved this plan as presented, all right,
14 that there could never be, unless you got an
15 amendment to the onsite treatment facility, there
16 can never be a use of this building that would
17 exceed 100 employees, am I correct?

18 TONY DIGGAN: The -- yeah, the use
19 would be initially capped at 100 employees.

20 LARRY COHEN: And would that -- that
21 only deals with the employees working in the
22 facility and not the truck drivers that come and
23 go, am I -- is that a fair statement?

24 TONY DIGGAN: Yeah, there's a separate
25 gallonage for the delivery drivers.

1 LARRY COHEN: Okay.

2 TONY DIGGAN: So basically, this
3 gallonage considers 80 delivery drivers.

4 LARRY COHEN: Okay. So right now, the
5 way the onsite treatment facility is scheduled,
6 the limitations on this site right now are no
7 more than 100 onsite employees and no more than
8 80 trucks at one time, is that correct?

9 TONY DIGGAN: That's correct, but you
10 could move that around. It could be more
11 delivery drivers or less delivery drives, as long
12 as it's all under that 2,000 gallon per day
13 gallonage. And I guess one thing I should make
14 clear, though, that this is no different than any
15 other sewer permit in that you need the sewer
16 permit in order to get your resolution
17 compliance.

18 So in this case, we're kind of in a
19 unique situation where we do have a 2,000 gallon
20 per day, so there is the opportunity to put a
21 unique tenant in there that only needs 100
22 employees or ready delivery drivers.

23 The WQMP amendment is ongoing. And
24 that is likely going to be done not too long
25 after this is going to be looking for a CO, at

1 least Mr. Ford can talk to that. That's the
2 idea.

3 LARRY COHEN: And when you say that,
4 what I understand is that you are going to
5 proceed for a larger training facility, is that
6 what I understand you're saying?

7 TONY DIGGAN: Yeah, the WQMP amendment
8 is being done such that we can exceed the 2,000
9 gallons per day (indiscernible) demand.

10 LARRY COHEN: Now from this wastewater
11 treatment facility, where is the water discharged
12 to? Is that infiltrated into the ground?

13 TONY DIGGAN: Yeah, it'd be basically
14 pre-treated and pumped to the area up here.

15 LARRY COHEN: Where would that be?

16 TONY DIGGAN: It'd be west of Building
17 B.

18 LARRY COHEN: The area where the
19 treatment facility is going to be constructed,
20 right?

21 TONY DIGGAN: Could you repeat that
22 last part?

23 LARRY COHEN: Yeah, it's right in the
24 area where the treatment facility's going to be
25 constructed, correct?

1 TONY DIGGAN: No, the treatment
2 facility would be likely -- not likely -- the
3 treatment facility would be down on this southern
4 -- southeastern corner of Building A.

5 LARRY COHEN: I thought you told us the
6 treatment facility was going to be up in that
7 area --

8 TONY DIGGAN: No sir.

9 LARRY COHEN: Okay, I'm sorry. So we -
10 - it is --

11 TONY DIGGAN: Yeah, so this area --

12 LARRY COHEN: Directional wise, what
13 corner is that, Building B?

14 TONY DIGGAN: Building A --

15 LARRY COHEN: Building A, I'm sorry.

16 TONY DIGGAN: -- is -- would be the
17 southeast corner. This area here --

18 LARRY COHEN: Yeah.

19 TONY DIGGAN: -- adjacent to Demarest,
20 would be the area where the wastewater, the
21 treated wastewater is pumped to recharge.

22 LARRY COHEN: Okay.

23 TONY DIGGAN: And again --

24 LARRY COHEN: Will that --

25 TONY DIGGAN: -- one thing I'd just

1 like to point out, I didn't design this system.
2 I'm not -- my firm is not designing or seeking
3 the WQMP amendment.

4 LARRY COHEN: Okay.

5 TONY DIGGAN: So if we need additional
6 testimony on that, we'll have to (indiscernible).

7 LARRY COHEN: That system, where that
8 water is pumped to, is that a detention basin,
9 with infiltration into the groundwater, or does
10 it run off anyplace?

11 TONY DIGGAN: That is basically -- it's
12 pumped into the -- it's basically a drip
13 dispersion field. Again, I didn't design it, but
14 it's a drip dispersion field, and it percolates
15 back into the ground.

16 LARRY COHEN: Mr. Gouin, are we going
17 to have any -- are you presenting witnesses with
18 reference to the zoning and the operation of that
19 treatment facility or are we going to hear any
20 witnesses to that effect?

21 STEVE GOUIN: We weren't intending to
22 do that tonight, Mr. Cohen, but I think --

23 LARRY COHEN: I didn't say tonight, but
24 whenever.

25 STEVE GOUIN: At some point, we can

1 bring a witness to testify to that, sure.

2 LARRY COHEN: Well, again, that's up to
3 the Board and up to you. You're the applicant,
4 obviously. I'm just asking whether or not one is
5 going to be presented. Mr. Diggan, and I don't
6 want to take up any more time. I think I'm
7 pretty much at the moment right now, but again,
8 the potable water -- how is the property going to
9 be provided with potable water?

10 TONY DIGGAN: There's a Sparta Water
11 main in Demarest.

12 LARRY COHEN: Okay. And have you
13 received authorization or for the number of
14 gallons that's going to be needed from the Sparta
15 Water system?

16 TONY DIGGAN: So that'd be done as part
17 of the site plan approval process. We're in
18 contact with Sparta Water. And so, we'll be
19 coordinating with them, making a water
20 application with Sparta Water.

21 LARRY COHEN: Do you know if there's a
22 capacity in the Sparta Water system to supply
23 this facility based upon the number of employees
24 we discussed?

25 TONY DIGGAN: Yeah, I believe there's a

1 capacity for both scenarios. And they indicated
2 that they need to amend their -- (indiscernible)
3 the American Master Water permit, so it does
4 appear to be (indiscernible).

5 LARRY COHEN: All right. I think
6 that's all the questions I have at the moment. I
7 -- just a brief comment. Having done this for a
8 number of years, I'm quite surprised by the
9 testimony of -- and I don't mean the quality of
10 the testimony as far as the engineer is
11 concerned, I'm sure he's very competent.

12 But I'm quite surprised that the
13 (indiscernible) of testimony concerning the size
14 of this application. I got to believe in square
15 footage, that this may be the biggest application
16 ever filed in Sparta.

17 I don't know that for a fact, but if it
18 isn't, it's certainly way up there I'm sure. And
19 I'm amazed that, you know, we had maybe a half
20 hour or whatever it was of a presentation of a
21 site plan of this complexity, and considering
22 this impact upon the community. I have nothing
23 further at this point. Thank you.

24 ANAND DASH: Mr. Gouin, I have a few
25 questions for you, please. The square footage of

1 Building A, can you just please recap that
2 quickly for me, please?

3 TONY DIGGAN: Sure. It's 337,600
4 square feet.

5 ANAND DASH: And Building B?

6 TONY DIGGAN: That is 508,000.

7 ANAND DASH: And so, the total square
8 footage, you would agree, is 880,480 square feet,
9 correct?

10 TONY DIGGAN: Yeah. Yeah, that's
11 correct.

12 ANAND DASH: So because I too have not
13 had a full opportunity to try to digest all the
14 numbers, there's -- you would agree that there's
15 a lot of numbers in the plans. And Mr. Gouin,
16 maybe this is a question for you, just doing some
17 research prior to this.

18 Is there a reason, Mr. Gouin, that you
19 have represented on your firm's website that this
20 is an application that it includes a 1 million
21 square foot warehouse facility?

22 STEVE GOUIN: I'm not sure what you're
23 referring to, but I think you know --

24 ANAND DASH: Excuse me. Let me
25 clarify. On your website, sir, your firm's

1 website, it indicates that you are representing a
2 developer presenting an application for a
3 warehouse of one million square feet. My
4 question to Mr. Gouin is, at any point in time --

5 TONY DIGGAN: I think, yeah, I think
6 Mr. Dash that --

7 ANAND DASH: Let me finish the
8 question. At any point in time, were -- was this
9 application including the two warehouses one
10 million square feet?

11 TONY DIGGAN: I think that update from
12 our website might be a couple of years old.
13 Maybe initially it was discussed that it would be
14 approximately a million square feet, but you
15 know, again --

16 ANAND DASH: The question is actually
17 for Mr. Gouin, so I'm just looking for an answer.
18 Was this application ever proposed to be a
19 million square feet?

20 STEVE GOUIN: No, no, no, no. This
21 application was not.

22 ANAND DASH: So you would agree that
23 it's an inaccurate representation on your
24 website?

25 STEVE GOUIN: Sure, and I'll be happy

1 to correct it.

2 ANAND DASH: Are there any other
3 numbers that you wanted to correct at this point
4 in time with respect to the application that
5 would enhance the credibility of this
6 application?

7 TONY DIGGAN: Is that for me, the
8 engineer, or Mr. Gouin?

9 ANAND DASH: Yes, well, you, sir.

10 TONY DIGGAN: No, not at this time. I
11 think that there were a parking sell-off here or
12 there. We've been talking very closely with the
13 Township Engineer. And as Mr. Gouin pointed out,
14 there'll be numerous resubmissions as we move
15 forward to the final site plan. So I'm confident
16 with where this stands now.

17 ANAND DASH: I appreciate, if you would
18 please look and double check your numbers because
19 it's stealing the confidence in the members of
20 the public, especially when the Board are the
21 gatekeepers to that information, it's very
22 important, okay? And I think you would recognize
23 that.

24 TONY DIGGAN: I understand.

25 ANAND DASH: Sir, would you agree with

1 me that there are tractor trailers being parked
2 on these premises?

3 TONY DIGGAN: Yes.

4 ANAND DASH: And those are considered
5 freight vehicles?

6 TONY DIGGAN: Yes.

7 ANAND DASH: And you would agree, sir,
8 that these tractor trailers are taking trips
9 between your proposed facility and some other
10 proposed destination?

11 TONY DIGGAN: Yes.

12 ANAND DASH: And you would also agree,
13 sir, that these trips are -- include as part of
14 their destination or journey, the rail facility
15 that this project is adjacent to, sir?

16 TONY DIGGAN: I didn't follow that
17 question. I'm sorry. The --

18 ANAND DASH: Okay, let me repeat it,
19 then. Would you agree that the trips that are
20 being made by these freight vehicles are --
21 include a stop with the rail facility? Or that
22 they interact with the rail facility?

23 TONY DIGGAN: There's freight coming in
24 to the facility that then would be parceled out
25 to other facilities. Is that your question?

1 ANAND DASH: Yeah, is there an
2 interaction with the railway system, with the
3 trains?

4 TONY DIGGAN: Yes.

5 ANAND DASH: There is, right?

6 TONY DIGGAN: Correct.

7 ANAND DASH: And you would also agree,
8 sir, that the storage of freight or cargo is
9 being temporary on this site?

10 TONY DIGGAN: Yes.

11 ANAND DASH: Okay. I'm going to direct
12 you, sir, to the definition of a trucking
13 terminal as it's set forth in the ordinance. It
14 states that a trucking terminal is a
15 (indiscernible) which is used for the temporary
16 parking of motor freight vehicles between trips
17 and for the transfer of freight. Between trucks
18 or between trucks, and rail facilities for
19 shipment elsewhere, and where the storage of
20 freight or cargo is only temporary.

21 You sir have testified to that
22 definition, and you have characterized this
23 application as a warehouse, where in accordance
24 with the ordinance definition of a trucking
25 terminal, your testimony corroborates that this

1 is an application for a trucking terminal.

2 Now I would ask you, sir, why you
3 believe this is a warehouse, where you have also
4 testified that you do not know what wares are
5 being stored, nor do we know what tenants are
6 being inhabited at these premises. So although
7 the application comes in as a warehouse, sir,
8 reasonable minds could conceive this application
9 as a trucking terminal, especially because it
10 meets the prima facie definition of a trucking
11 terminal as set forth in the ordinance.

12 And you would agree with me, sir, that
13 the ordinance -- the ED development Section 18-
14 4.29 does not permit trucking terminals.
15 Instead, it provides them as a conditional use,
16 correct?

17 STEVE GOUIN: All right, Mr. Cohens --
18 can we short circuit this line of questioning? I
19 mean -- no, Mr. Dash, hold on a second, hold on a
20 second. Do you have the definition of warehouse
21 in front of you? Because I could read it. And
22 warehouse is a permitted use in the ED zone. So
23 can we stop this?

24 ANAND DASH: Actually, we can't,
25 because this is a very important consideration

1 that goes to the heart.

2 BOARD ATTORNEY TOM COLLINS: Mr. Dash,
3 he's not your witness, so if you want to give
4 speeches, that's for later. What -- and for
5 presentation of your own witness. If you want to
6 give -- ask another question, let's try to focus
7 on questions, okay, not speeches.

8 ANAND DASH: Well, the question was
9 asked to the witness, sir, do you have any reason
10 to divert your testimony from what you just
11 indicated in terms of the definition of a
12 trucking terminal?

13 TONY DIGGAN: So you asked me questions
14 you felt compelled you to say what the use is of
15 a trucking terminal. In fact, as (indiscernible)
16 between warehousing, storage and distribution.
17 So if you're making those associations, I -- I'm
18 not affirming those for you.

19 In my view, it's a permitted use in the
20 economic development zone, whereas warehousing,
21 storage and distribution is permitted.

22 ANAND DASH: Okay, understood. I think
23 the record has been made clear that there has
24 been a raise of doubt that this application is
25 not considered a warehouse. I have the

1 definition of a warehouse. But I would ask that
2 this application prior to it proceeding, because
3 there's been no testimony that this is an actual
4 warehouse.

5 In fact, there's been testimony that we
6 don't know what's being stored here. And this is
7 a suitable -- and I'm making this point for the
8 record, that an interpretation, a zoning
9 interpretation be made, whether this application
10 is a trucking terminal or a warehouse.

11 Because that will in turn determine
12 whether variances are required, which they will
13 be in connection with the trucking terminal. I
14 think it's a critical point in this application.
15 It is not a warehouse, according to the
16 definition of the ordinance.

17 STEVE GOUIN: Can I make a point, Mr.
18 Dash?

19 ANAND DASH: Let me finish, because I
20 know we have a lot of members of the public here,
21 you know, looking eager to ask questions. So I
22 just -- have you had a chance to review the goals
23 of the ordinance, sir?

24 TONY DIGGAN: If I may address your
25 last statement? The operation and storage of the

1 goods in the warehouse buildings, as we stated
2 earlier, was going to be (indiscernible) Mr.
3 Ford. For the assertions you made were done
4 prior to that witness being on, so I just wanted
5 to point that out.

6 ANAND DASH: Okay.

7 TONY DIGGAN: What was your next
8 question?

9 ANAND DASH: Have you had a chance to
10 review the purposes of the zone ordinance?

11 TONY DIGGAN: Yes.

12 ANAND DASH: Okay. So can you state in
13 your -- under oath, as you are, that this
14 application substantially meets the goals of the
15 Township Ordinance?

16 TONY DIGGAN: The Diamond Chip
17 Industrial Park, as proposed -- is proposing two
18 rail attendant warehouse buildings. And that was
19 a -- in fact, the reason for amending the
20 ordinance for properties located in the EV zone
21 along the railway.

22 ANAND DASH: So sir, let me just ask
23 you a few pointed questions, then. Would you
24 agree one of the ordinances -- would you agree in
25 your opinion that this application promotes the

1 conservation of open space?

2 TONY DIGGAN: Yes.

3 ANAND DASH: And does it promote the
4 conservation of energy? Was that a yes? I'm
5 sorry?

6 MEMBER JOHN KOLLAR: Chairman Reina?

7 CHAIR ANDREW REINA: Yes?

8 MEMBER JOHN KOLLAR: Given the time,
9 can we move onto the other testimony for the
10 experts? We have a traffic plan and an
11 environmental plan we need to go through.

12 ANAND DASH: There should be no haste
13 in this application. We have a very important
14 application --

15 MEMBER JOHN KOLLAR: Mr. Dash, I'm not
16 saying haste, but we have stuff we need to hear,
17 so we can continue to ask more questions. And
18 the Board is allowing you to question at the
19 moment, but we have other experts to listen to as
20 well.

21 ANAND DASH: Okay. So tell me what
22 provision of the rule of law says that there is a
23 time limit on when we can proceed with this? If
24 you allow me to finish, I'll move rather
25 expeditiously. I have a few more questions.

1 Does this promote the free-flow of traffic while
2 discouraging urban sprawl?

3 STEVE GOUIN: Mr. Dash, what purpose --
4 are you referring to the purposes of zoning or to
5 the MLUL or are you looking at purposes --?

6 ANAND DASH: Yes. Sparta Township
7 Section 18-1.1, Purposes of the Sparta Township
8 Zoning Ordinance.

9 BOARD ATTORNEY TOM COLLINS: All right,
10 what was that citation, again, please?

11 ANAND DASH: Section 18-1.1, Purposes
12 of the Sparta Township Comprehensive Land
13 Management Code. Are we preventing urban sprawl
14 as part of this application? Yes or no?

15 TONY DIGGAN: Redevelopment of a site.

16 STEVE GOUIN: I mean --

17 ANAND DASH: It's (indiscernible) --

18 STEVE GOUIN: No, no, Mr. Collins,
19 we're not going to go through the purposes of
20 zoning here. We've got a fully conforming
21 application, no variances. I don't think we need
22 to hit every purpose of zoning in the State of
23 New Jersey.

24 That was the reason for adopting the
25 ordinance amendment to the ED Zone to permit this

1 project. And we are fully consistent with this
2 ordinance. So --

3 ANAND DASH: I'll move on. I think we
4 can move onto the next witness. I think enough
5 testimony has been elicited to make the record
6 clear that this is not a fully conforming
7 application because it is not deemed a warehouse,
8 number one.

9 And number two, we've already heard
10 testimony that the Applicant -- excuse me -- the
11 witness is not comfortable in responding to that
12 it does not meet the purposes of the Sparta
13 Township Zoning Ordinance.

14 So respectfully, Mr. Gouin, you could
15 state whatever conclusions you want, but the
16 testimony from the witness sitting next to you
17 has indicated this is not a fully conforming
18 application because it doesn't meet the plain
19 language of the definition of a -- in fact, it
20 meets the plain language of a trucking terminal.
21 So you can disagree, sir, but we can move onto
22 your next witness.

23 TONY DIGGAN: Okay, thank you, Mr.
24 Dash.

25 KATHERINE SAMANAND DASH: Mr. Collins,

1 I just -- as the Board's Planner, I just wanted
2 to make a quick comment on the use of the
3 definitions and my own assessment. And I think
4 Mr. Simmons' assessment of the use related to our
5 review of the application.

6 While Mr. Dash does point out the
7 definition for a trucking terminal, he did read
8 it, the definition for warehouse is also
9 included, as is warehouse permitted in this zone.

10 Oftentimes, and I have dealt with this
11 in plenty of other municipalities, my firm also
12 represents the City of Elizabeth, which has a
13 number of trucking and warehouse facilities, and
14 we go into depth with the definition, especially
15 as warehousing has evolved over the past few
16 years.

17 The types of warehousing and the
18 nuances of it has evolved as well. The ITE
19 recognizes a number of different warehousing
20 facilities. A trucking terminal, the definition,
21 I have to say, is lacking a little bit in the
22 Sparta Code, just from my review of it right now
23 and my review of this application.

24 But what it should note, and it does
25 kind of allude to it, as do the conditions for

1 the use, is more of what's known as a cross-dock
2 warehouse.

3 One of the conditions required is that
4 achievement of the site does not exceed 10 times
5 the ground floor of the building. And that's
6 generally because trucking terminals or cross-
7 dock warehousing or integrated surface -- service
8 facilities all have a characteristic of a small
9 building square footage, a very slim building
10 with trucking terminals on both sides of the
11 building so that things can go in and out of
12 those trucks very quickly.

13 They're also known as -- well, they can
14 be fulfillment centers, but those are also
15 larger. But it's known as cross-stock
16 warehousing, essentially. The definition does
17 not include that, but as I said, the conditions
18 required for that -- kind of (indiscernible)
19 trucking terminal does significantly differ from
20 that of a warehouse.

21 And I -- my own review of this
22 application review of the proposed use and review
23 of the layout of the building would definitely
24 not conclude that this is a trucking terminal or
25 a cross-dock warehouse. This is more of a

1 traditional warehouse facility.

2 Now we can get into the nuances of
3 logistics, center versus distribution center
4 versus long-term storage warehousing. But for
5 the purposes of here, this is a warehouse and
6 distribution use.

7 BOARD ATTORNEY TOM COLLINS: Thank you,
8 Katherine Samad, our Township Planner. So let's
9 go forward to the next witness and try to get as
10 far as we can on the next witness?

11 LARRY COHEN: I just wanted to -- it
12 really isn't a question, just to indicate
13 something that is a result of that last
14 discussion, which I don't really want to enter
15 into. But it's accepted that if there is an
16 issue --

17 BOARD ATTORNEY TOM COLLINS:
18 (indiscernible), Larry. We're not going to do
19 argument now.

20 LARRY COHEN: I understand that.

21 BOARD ATTORNEY TOM COLLINS: We're
22 going to go to the next witness.

23 LARRY COHEN: I'm not arguing and I'm
24 not arguing that point, I'm just saying --

25 BOARD ATTORNEY TOM COLLINS: Well,

1 you're trying to give a speech, and we're not
2 here for speeches right now, so let's move on --

3 LARRY COHEN: Okay, thank you.

4 BOARD ATTORNEY TOM COLLINS: The Board
5 has suggested let's go to the next witness.

6 That's what the Board wants, so --

7 STEVE GOUIN: Okay. The next witness
8 is Richard Saunderson. He is our project
9 architect.

10 BOARD ATTORNEY TOM COLLINS: Good
11 evening. Mr. Saunderson, please raise your right
12 hand. Do you swear or affirm to tell the truth,
13 the whole truth and nothing but the truth so help
14 you god?

15 RICHARD SAUNDERSON: Yes, I do.

16 BOARD ATTORNEY TOM COLLINS: And please
17 state your name, spell your last name and then
18 give us at least a business address.

19 RICHARD SAUNDERSON: It is Richard
20 Saunderson. That's S as in Sam-a-u-n-d-e-r-s-o-
21 n. I work with Margulies Hoelzi Architecture.
22 Our business address is 545 8th Avenue, New York
23 City.

24 BOARD ATTORNEY TOM COLLINS: Thank you

25 --

1 STEVE GOUIN: And -- sorry, Tom.

2 BOARD ATTORNEY TOM COLLINS: And please
3 do his qualifications. Thank you.

4 STEVE GOUIN: Sure. Mr. Saunderson,
5 could you give the Board your professional
6 qualifications, please?

7 RICHARD SAUNDERSON: Yes sir. I am a
8 registered architect in the State of New Jersey
9 as well as other states. And I am registered in
10 good standing. I have other 30 years of
11 experience as an architect on many building
12 types.

13 STEVE GOUIN: And unless there are any
14 questions, I would ask that the Board accept Mr.
15 Saunderson's qualifications as an architect.

16 BOARD ATTORNEY TOM COLLINS: I have no
17 questions for voir dire of qualifications, but we
18 should open to Mr. Cohen and Mr. Dash for any
19 voir dire on qualifications.

20 ANAND DASH: I have none.

21 LARRY COHEN: I would just ask the
22 witness what is his experience? Does he
23 specialize in this type of development,
24 warehouse, whatever it is development? And what
25 portion of his practice incorporates that type of

1 design?

2 RICHARD SAUNDERSON: Yes, at Margulies
3 Hoelzi it is a majority of our work. I've been
4 with Margulies Hoelzi for approximately four and
5 a half years now, and we do specialize in
6 warehouses and other large commercial buildings.

7 LARRY COHEN: Very good, thank you. I
8 certainly have no objection to his
9 qualifications.

10 BOARD ATTORNEY TOM COLLINS: Yes, the
11 Board will recognize and accepts the
12 qualifications of Mr. Saunderson as a registered
13 architect. And please go ahead, gentlemen.

14 STEVE GOUIN: Sure. So Richard, I'm
15 going to share my screen.

16 RICHARD SAUNDERSON: Okay. For this
17 exhibit is actually 10 slides, which give you an
18 overview architecturally of the preliminary
19 design of the buildings at this point.

20 STEVE GOUIN: Yeah, so Mr. Collins, I
21 think we would mark -- this is all one exhibit,
22 so we're going to slide through as Mr. Saunderson
23 testifies. So we can mark this as Exhibit A3,
24 and that would be you know, architectural
25 testimony exhibit or however we want to call it.

1 BOARD ATTORNEY TOM COLLINS: That's
2 fine. And if it's an electronic version you can
3 provide after tonight's meeting, please do that.
4 And that'll be A3, and please go ahead and
5 describe it.

6 STEVE GOUIN: Sure. So Mr. Saunderson,
7 why don't we start with the picture that we're
8 looking at here?

9 RICHARD SAUNDERSON: Okay. This is a
10 rendering, a photo realistic rendering aerial
11 view of the development looking from the
12 southeast, looking towards the northwest, so at
13 the lower lefthand corner of the image is the
14 Demarest Road site, Demarest Road roadway. Go
15 ahead, next.

16 This is a ground level view of one of
17 the buildings that shows the fenestration on the
18 building. The exterior walls are made up of pre-
19 cast concrete panels that would be a painted
20 finish on these panels.

21 The specific corners of the buildings
22 would have internally accessory office areas.
23 And those portions of the building would have
24 aluminum glass storefront areas as is shown here.
25 The yellow band indicates a small canopy at the

1 entrance, which is part of the visual
2 identification to indicate to pedestrians and
3 motorists where the office entrances are to the
4 buildings. Next slide.

5 This is a site plan, architectural site
6 plan showing the amassing of the two buildings on
7 the property. This shows how the two buildings
8 are designed, both in plan and in elevation to be
9 sister buildings, which work with that center
10 truck court.

11 Along the righthand side, of course, as
12 described earlier is the rail siding. Next
13 slide. This is the interior plan of the Building
14 A, which is the building which abuts the rail
15 siding. At the top of the drawing is the siding
16 and the platform access to the siding.

17 To the lower portion of the drawing are
18 the truck docks and the two connecting pathways
19 to the adjacent building. Next slide? This is
20 the adjacent Building B. Again, at the top of
21 the drawing are the two connecting paths to the
22 Building A. These buildings, and we can jump to
23 the next slide --

24 STEVE GOUIN: I went too far.

25 RICHARD SAUNDERSON: That's okay. So

1 these are elevations of the buildings. Again, it
2 shows the concrete panels painted in a multi-
3 color scheme. Again, these buildings have been
4 designed to be sister buildings, to be compatible
5 with each other and seen as one development.

6 Next slide, next slide.

7 These are schematic building sections.
8 And what these show is a design clear height of
9 40 feet high. 40 feet is kind of an industry
10 standard these days for warehousing. This
11 building is designed as a warehouse.

12 The two outside bays in each building
13 are called speed bays, colloquially. And that's
14 where the goods are loaded and unloaded. The
15 center bays of the building are at least a 40
16 foot clear height with anticipated racking for
17 storage of goods in these two buildings.

18 You see one building has a center
19 ridge, the other building is a single slope.
20 Next slide. Next slide.

21 STEVE GOUIN: That's it.

22 RICHARD SAUNDERSON: Oh okay. So
23 that's the overview of the property. I can tell
24 you -- let's see if we have everything. This is
25 -- again, this is a pre-cast concrete exterior

1 wall. The interior structure of the building
2 would be steel. Steel columns, steel girders,
3 steel -- open (indiscernible) steel
4 (indiscernible) between those girders.

5 It's anticipated to be filed as an S1
6 type of storage building, which is basically for
7 Class I to IV commodities. Basically, consumer
8 products. No hazardous materials are anticipated
9 here. Let's jump down to the plan again to walk
10 me through the plan. One more, one more. Okay,
11 there you go.

12 So diagrammatically in the corners of
13 the buildings, in this building, the lower left
14 and the lower right hand corner we've mapped out
15 office areas. And those are anticipated to be
16 accessory offices to support the warehouse
17 function.

18 Those offices may include managerial
19 offices, administrative offices, employee
20 lounges, etc., to support the staff. And again,
21 these plans are diagrammatic. They don't show --
22 obviously, they do not show all the restrooms
23 facilities, etc. That would be very tenant
24 specific, as would the actual office layout.
25 That would be tenant specific.

1 So I believe that gives you an overview
2 of the architecture. Again, this is a
3 preliminary site plan application. The
4 architecture is schematic at this point.

5 STEVE GOUIN: Okay, Mr. Collins, we'll
6 go to the Board questions for Mr. Saunderson.

7 BOARD ATTORNEY TOM COLLINS: Before you
8 do, just Mr. Saunderson, I just wanted to confirm
9 that there might have been a note on architecture
10 plan. There is no proposal here to have a
11 manufacturing facility in these buildings, is
12 there?

13 RICHARD SAUNDERSON: That is correct.
14 The -- it is anticipated to be a warehouse
15 storage building S1 occupancy storage.

16 BOARD ATTORNEY TOM COLLINS: Thank you.

17 CHAIR ANDREW REINA: Okay. Tom, do we
18 want to go to any of our Town Planning SMEs or
19 Stan or anybody or Mr. Simmons?

20 BOARD ATTORNEY TOM COLLINS: Yeah,
21 that'd be good first, and then the Board Members
22 and then Mr. Cohen and Mr. Dash.

23 CHAIR ANDREW REINA: Okay. Mr.
24 Simmons, any comments or questions as it relates
25 to the architecture?

1 DAVE SIMMONS: Just a couple, Mr.
2 Chairman. It's Dave Simmons again. Just
3 referring again to my report of February 9th,
4 2022, for the architect. As far as these
5 buildings go, as far as any climate control, just
6 looking at the exhibit you've got of the aerial
7 view of the buildings right now, as far as HVAC
8 equipment and what have you, what do you
9 anticipate -- I know it's not fully designed yet,
10 but what do you anticipate, rough mounted areas
11 or ground mounted units or how would you handle
12 that?

13 RICHARD SAUNDERSON: Well, typically on
14 these buildings, they are heated and ventilated
15 only, not air conditioned, except for the office
16 areas. So on a typical application we would see
17 small rooftop units, which would be setback from
18 the façade, typically at least (indiscernible)
19 into the building.

20 These rooftop units are probably three
21 or four feet high, perhaps five, if they're
22 larger. They're not large units. They're
23 relatively low. There would be multiple units
24 rather than one large unit. And they would be
25 located, again, interior from the façade setback

1 from the façade.

2 DAVE SIMMONS: Okay, would you normally
3 see on a building like this any type of screening
4 of those units or just up on the roof?

5 RICHARD SAUNDERSON: Typically they're
6 not screened because typically they're far enough
7 back from the façade that anyone near the
8 building would not be able to see them. In other
9 words, if they're on top of the building that's
10 40 feet high, and they're setback in the façade,
11 they would not be visible to anyone near the
12 building.

13 DAVE SIMMONS: But as far as being
14 visible from any elevated distance, for example,
15 of the intersection of Demarest Road and
16 (indiscernible) Corner Road might be able to see
17 them?

18 RICHARD SAUNDERSON: We'd have to study
19 that, I think, to answer that question.

20 DAVE SIMMONS: Understood. And the
21 other question I have, just on the architectural,
22 do you foresee in these buildings any necessity
23 for emergency generation? And if so, where would
24 that be incorporated on the site?

25 RICHARD SAUNDERSON: The occupancy by

1 itself would not require emergency generation.
2 Specific tenants may request it. But by itself,
3 the S1 occupancy does not require emergency
4 generation, no.

5 DAVE SIMMONS: Okay. That's all I have
6 at this point on the architecture, Mr. Chairman.

7 CHAIR ANDREW REINA: Thank you, Mr.
8 Simmons. Katherine, any questions or comments
9 from your side?

10 KATHERINE SAMANAND DASH: On -- the
11 question that had come up before about the
12 potential tenancy and maybe multiple tenancy of
13 the buildings, and this is more hypothetical, but
14 in the case that there were multiple tenants on
15 the site or multiple tenants within a building,
16 is there anything internally or externally that
17 would change about the buildings, if the -- to
18 accommodate multiple tenants?

19 RICHARD SAUNDERSON: I would say no. I
20 mean, you have the possibility, as it's drawn
21 right now, for multiple corner entrances, as it's
22 designed, with the various accessory offices
23 shown in the plans. One in four tenants, they
24 would probably be some minor architectural
25 demonstration changes.

1 KATHERINE SAMANAND DASH: Okay, thank
2 you.

3 CHAIR ANDREW REINA: Thank you,
4 Katherine. Diana, can you do a roll or just run
5 down for the Board Members to see if there are
6 any specific questions related to the
7 architecture component?

8 SECRETARY DIANA KATZENSTEIN: Yes,
9 Chairman Reina. Councilwoman Quinn?

10 MEMBER CHRISTINE QUINN: Hi, I have a
11 couple of questions, and then just a quick
12 clarifier. So on the roof, what is that
13 material, and is that solar? It's hard to tell
14 from it. It looks almost like -- I mean, is
15 there a plan to put solar up there?

16 RICHARD SAUNDERSON: Solar could be
17 accommodated on these buildings. It doesn't
18 always prove to be economical, but I think that's
19 a business decision that would have to be
20 addressed by the operational team.

21 MEMBER CHRISTINE QUINN: Okay. So what
22 is the -- what's the material on the roof? That
23 looks like a pretty flat roof.

24 RICHARD SAUNDERSON: That's true. It's
25 a low-sloped roof. It probably would be a

1 quarter of an inch or a foot or so slope.
2 Typically, what we do is a single ply membrane on
3 these roofs, over insulation, of course, over
4 roof insulation.

5 MEMBER CHRISTINE QUINN: Okay. I mean,
6 I'm just saying the -- you know, obviously you're
7 -- you are an architect, not myself. But we get
8 a lot of snow up here, so I just wanted to ask
9 what was going to be on that roof and what the
10 pitch is, because it looks pretty flat. Also,
11 the warehouses. I think at least from -- for me
12 right now, I would like to make a recommendation
13 to the Chair that we maybe go back a few steps
14 here because for me, I think what's missing is
15 we're all looking at the site and the buildings
16 and everything like that, but we don't really
17 have a good idea as far as what this is being
18 used for, what the intention is.

19 Are things being stored here like a
20 warehouse or are they being rented out for
21 individual businesses? We have warehouses all
22 over Sparta. They all have, you know, some
23 different uses to them. So I would like to, at
24 the conclusion of this part of the testimony,
25 maybe just take a step back and just get an

1 understanding, a clear understanding as to
2 exactly what the potential purpose and use for
3 this facility is, just so we're all clear rather
4 than looking at the buildings and trying to
5 retrofit them into what we think they're going to
6 be used for.

7 Because I'm hearing things like, you
8 know, trucking and truck stops and this, that and
9 the other thing. And I think we just need to
10 hear from the Applicant exactly what this thing
11 is, and exactly the intended use for it.

12 Also, I might have misheard, but when
13 you were talking about the front, did you say
14 there were stores in front or was it some kind of
15 doors in front? Did I just mishear it?

16 RICHARD SAUNDERSON: Well, actually
17 what I said was storefront, which is --

18 MEMBER CHRISTINE QUINN: Storefront,
19 okay.

20 RICHARD SAUNDERSON: Right, it's an
21 industry term for basically glass and aluminum
22 framing.

23 MEMBER CHRISTINE QUINN: Okay.

24 RICHARD SAUNDERSON: So it will be
25 glass doors, probably fixed glass above that, to

1 provide the visual indication of an entrance.

2 MEMBER CHRISTINE QUINN: Okay.

3 RICHARD SAUNDERSON: I say storefront,
4 it doesn't mean retail store, it really means
5 aluminum and glass system.

6 MEMBER CHRISTINE QUINN: So it's the
7 façade, it's not actually a store in front of a
8 warehouse space?

9 RICHARD SAUNDERSON: That's correct.

10 MEMBER CHRISTINE QUINN: It's just the
11 look of the --

12 RICHARD SAUNDERSON: The façade --

13 MEMBER CHRISTINE QUINN: I just want to
14 make sure I'm clear.

15 RICHARD SAUNDERSON: No, you're
16 absolutely correct. It is a façade treatment at
17 the anticipated accessory office areas.

18 MEMBER CHRISTINE QUINN: Okay. And in
19 looking at this drawing, the -- in the beginning
20 of it, so what we're looking at closest to the
21 bottoms of our screen where the trees are, that
22 all right now, if I'm understanding the diagram,
23 and this is why I want to clarify, this is now
24 where we would see, when we pull in, the Read-
25 Mix apparatus, correct, in this corner here?

1 RICHARD SAUNDERSON: Yes, I'd say
2 that's accurate.

3 MEMBER CHRISTINE QUINN: Okay.

4 RICHARD SAUNDERSON: That was a --

5 MEMBER CHRISTINE QUINN: So it looks to
6 me like there's a significant improvement there
7 in that it's clean and it's raised, which I want
8 to just confirm, I know Dr. Parker had asked
9 before about the aquafer. It's something that we
10 are all very concerned with.

11 And so, it looks to me like there's a
12 significant raise here to fill in that, to cap it
13 off, to clean it up, and then raise it up to be
14 the same -- approximately the same level, if I'm
15 looking at it correctly, right, as the
16 warehouses?

17 RICHARD SAUNDERSON: Yes, I think
18 there's a slight upgrade from the Demarest Road
19 and the site itself, once you're at the warehouse
20 level, it is essentially flat.

21 MEMBER CHRISTINE QUINN: Okay, because
22 that's going to play in when we talk about
23 preserving and preservation of the aquafer
24 itself. Okay. So again, I think I don't want to
25 ask a question out of turn here, but I think the

1 rest of my questions really center around usage
2 and process and that kind of thing. So if we can
3 at some point just go back to that as the
4 preliminary and get an idea, because again, we
5 have a lot of warehouses in Sparta right now.

6 They are utilized for very different
7 things. And I just want everyone to at least
8 leave this meeting tonight with a common
9 understanding of the intended purpose of this,
10 and also again, to clarify the -- any tenants
11 that come in here are going to have to come
12 before the Planning Board and going to have to
13 get acceptable approval.

14 And we've already clarified that, but I
15 will -- the rest of my question about the uses, I
16 think we can maybe just have that covered when
17 you testify as to the overall, you know, what is
18 the intended use of this.

19 STEVE GOUIN: Yeah, and Ms. Quinn, just
20 to answer that briefly, our next witness, Mr.
21 Ford, is going to answer all of those questions.
22 That's the purpose of having his testimony.

23 MEMBER CHRISTINE QUINN: Okay, great.

24 STEVE GOUIN: We will answer all of
25 those hopefully for you with our next witness.

1 MEMBER CHRISTINE QUINN: Great. I
2 mean, I know we've all -- you know, I'm trying to
3 just due diligence as well. I know residents
4 have contacted me with some concerns. I'm just
5 trying to bring them up in the right space in the
6 session, still. Thank you very much.

7 SECRETARY DIANA KATZENSTEIN: Thank
8 you. Dr. Parker?

9 MEMBER PARKER: Yes, can you hear me?

10 SECRETARY DIANA KATZENSTEIN: Yes.

11 MAN: Yes.

12 MEMBER PARKER: We're just going to try
13 to limit my questions to the architectural point
14 here, and I'm just curious. When the trucks back
15 up, it looks like it's a flat operation. Is
16 there any protection to keep them from banging
17 into the buildings? Any ballards or anything
18 along there?

19 RICHARD SAUNDERSON: Yes, there's two
20 types of protection. There's typically a dock
21 seal at each -- at the active dock doors, which
22 is basically a rubber three-sided enclosure.
23 Actually, it's a four-sided enclosure. Top,
24 sides and bottom. And at various points, for
25 example, at the metal stairs at the man doors,

1 the personnel doors, there are typically ballards
2 to prevent the trucks from accidentally hitting
3 the metal stairs.

4 MEMBER PARKER: Okay. The surface
5 area, I'm sure that you designed the buildings so
6 it wouldn't collapse under certain weight, but
7 how do you remove the snow or if the amount of
8 weight -- the roof hold the amount of snow to
9 where it's acceptable in this area, because it
10 can be pretty heavy and pretty thick at times.

11 RICHARD SAUNDERSON: Yes, understood.
12 And we --

13 MEMBER PARKER: And it weighs.

14 RICHARD SAUNDERSON: We would work with
15 structural engineers to design the structure to
16 meet the snow load for sure. And to answer the
17 question about removal, it would drain by
18 gravity. It drains to the perimeter gutters,
19 (indiscernible) on the face of the buildings, and
20 then it would go into the underground storm
21 system.

22 MEMBER PARKER: I don't have any
23 further questions at this time on the
24 architecture. Thank you.

25 SECRETARY DIANA KATZENSTEIN: Thank

1 you. Councilman Hertzberg?

2 MEMBER JOSH HERTZBERG: Yeah, I don't
3 have any questions about the architecture. Thank
4 you.

5 SECRETARY DIANA KATZENSTEIN: Thank
6 you. Mr. Sylvester? Mr. Sylvester?

7 MEMBER MIKE SYLVESTER: Yes, can you
8 hear me?

9 SECRETARY DIANA KATZENSTEIN: Yes.

10 MEMBER MIKE SYLVESTER: Yes, just a few
11 quick questions. In your conceptual design, did
12 you -- or are you considering applying for trying
13 to make it a lead certified or meet
14 sustainability goals of the state and/or at least
15 get a lead certification, if possible? Or was
16 that still in a conceptual phase?

17 RICHARD SAUNDERSON: I think at this
18 point it's a conceptual design. And that's
19 something that would be addressed during the
20 detailed building design.

21 MEMBER MIKE SYLVESTER: All right. And
22 then, in regards to -- my questions are sporadic.
23 They're not in any (indiscernible) because I've
24 been taking notes listening to the testimony. In
25 regards to -- and circling back to the renewable

1 component, if you had units on the roof, you
2 still said that can support site percentage of,
3 if it's economically feasible, some type of solar
4 array system, roof matted system. What elevation
5 would that add to the current roofline?

6 RICHARD SAUNDERSON: It would be -- I
7 think we would be guessing at this point. It has
8 to do with the angle of the PV panels, but we're
9 talking a few inches to a foot.

10 MEMBER MIKE SYLVESTER: Okay. And
11 then, in regards to the usage, I think my
12 question really will be held for Mr. Ford. But
13 in regards to tenant use, if you had a tenant
14 coming in with a refrigeration or some type of
15 heavy refrigeration or air conditioning need,
16 where would you be putting the refrigeration
17 unit? I'm assuming it would be on the roof as
18 well?

19 RICHARD SAUNDERSON: Not necessarily.
20 I think that would have to be planned out on a
21 tenant specific basis. It's very possible it
22 could be on the ground, it could be in the truck
23 court. There's other places to put the
24 refrigeration (indiscernible).

25 MEMBER MIKE SYLVESTER: Okay. And then

1 my last question is, the duration of
2 construction, and if more of your conception will
3 pro forma, what was the build-out for a facility
4 of this size or magnitude and timeline?

5 RICHARD SAUNDERSON: Yeah, I would say
6 it could be on the order of a year. I think I
7 guess that's a business decision on how
8 aggressively they wanted to build it, but most
9 likely it would take close to a year.

10 MEMBER MIKE SYLVESTER: Okay. So would
11 this be a phased approach, or would you be
12 building these units simultaneously?

13 RICHARD SAUNDERSON: I believe that's
14 an -- I think that's probably an ownership
15 decision, actually. I'll defer to Mr. Ford on
16 that one.

17 STEVE GOUIN: Yeah, Mr. Sylvester,
18 we'll have Jim Ford speak to that.

19 MEMBER MIKE SYLVESTER: Okay, thank
20 you. No further questions.

21 SECRETARY DIANA KATZENSTEIN: Thank
22 you. Mr. Skei? Mr. Skei? Mr. Kollar?

23 MEMBER JOHN KOLLAR: Hello, yes. A
24 couple of different questions. A member of the
25 public was curious if the roofing materials plan

1 to be TPO or EPDM?

2 RICHARD SAUNDERSON: It could be either
3 one of those. On other buildings we've used
4 either of those materials. We're not at that
5 level of detail right now, but both of those
6 would qualify as single ply membrane roofing
7 systems.

8 MEMBER JOHN KOLLAR: Okay. But that
9 would be known when you came in for final site
10 plan approval, so we would know that before you
11 would get final approval, correct?

12 RICHARD SAUNDERSON: I think that's
13 fair to say, yes.

14 MEMBER JOHN KOLLAR: Thank you. And I
15 apologize. This might go back to the civil
16 engineer, but I was looking at Page 5 of the PDF.
17 It has the proposed buildings and it has
18 elevation lines, but none of the elevation lines
19 are labeled. So I'm having trouble deciding how
20 steep the slopes are around the building, and if
21 they slope up or down. Considering that we might
22 not get through it tonight, would that be
23 something that you could supply to us?

24 STEVE GOUIN: Yeah, we can -- to the
25 extent that we don't get you that answer tonight

1 by the end of the night, we could certainly
2 supply you with the grading plan. I believe it's
3 part of the site plan already, so it is part of
4 the site plan package, but we will -- we'll make
5 sure we highlight that for you.

6 MEMBER JOHN KOLLAR: Okay, yeah,
7 because I did -- I found the one that has the
8 current grading on it. I just couldn't find the
9 new grading page, so if I missed it, I apologize.
10 Then also, for -- with the architect we talked --
11 when would we cover the lighting and the
12 landscape plan.

13 So only (indiscernible) we have that as
14 a specific discussion, would that be now or would
15 that be later? Do we have a different expert who
16 would cover that?

17 RICHARD SAUNDERSON: Well, I think what
18 we tried to do was, Mr. Diggan had showed the
19 conceptual plan that had the landscaping and the
20 lighting shown on it. But what we're going to do
21 at this point is probably bring Mr. Diggan back
22 just in response to some of Mr. Cohen's questions
23 and address that the next time we're before you.

24 MEMBER JOHN KOLLAR: Okay, yeah.
25 Because normally we've listened, heard all the

1 experts together so we've been able to form a
2 cohesive picture. And now, with the extended
3 break, it's kind of made it more difficult to
4 follow the plot line, if you will.

5 RICHARD SAUNDERSON: Yeah.

6 MEMBER JOHN KOLLAR: So if I limit
7 myself to purely the architectural at the moment,
8 especially considering that this is in an early
9 stage of design, I think that I don't have any
10 further questions for the moment on this. And
11 just to respond to somebody in the public, no,
12 there are no restaurants here and you did not
13 hear them saying there was a storefront. This is
14 just purely a warehouse. Thank you.

15 SECRETARY DIANA KATZENSTEIN: Thank
16 you. Mr. Gall?

17 MEMBER THEODORE GALL: Yeah, my only
18 comment is, it appears to me that you're showing
19 a lot more loading docks than you're going to
20 need. I don't know what you're going to use the
21 building for, but you've got a lot of loading
22 docks there and they all cost money. That's it.

23 STEVE GOUIN: Noted, and potentially
24 Mr. Ford can address that, too, and he's up next.

25 SECRETARY DIANA KATZENSTEIN: Thank

1 you. Mr. Toscano?

2 MEMBER JOE TOSCANO: Yeah, just a
3 couple of questions. In regards to -- you have
4 the size and scope and understanding again it's a
5 preliminary conceptual design that we're looking
6 at here, but the height of these buildings, the
7 amount of square footage, the amount of material
8 that's going to be stored inside, can you speak a
9 little bit about fire suppression, safety, you
10 know, what's going to be built into this from an
11 architectural perspective and what those systems
12 might be and how that would be addressed?

13 My concern around that question is
14 really town services. And based on a fire or
15 something of that nature breaking out in a
16 facility like this that has a lot of material, do
17 the services, are they adequate enough to address
18 it? Can they reach all the (indiscernible) based
19 on what's currently available in the township?
20 And what kind of help are they going to have
21 onsite that's going to be designed into these
22 buildings, especially since we have no idea who
23 the tenants are.

24 RICHARD SAUNDERSON: Well, regardless
25 of who the tenant is, the building is designed as

1 a 2B construction class, which basically means
2 that it is a non-combustible building. So the
3 exterior walls are concrete. Additionally, the
4 building would be provided with a -- it would be
5 fully sprinklered to protect the structure and
6 the contents.

7 And as you -- if you take a look at the
8 facades, you'll see that in-between the dock
9 doors, there are basically personnel doors
10 approximately every 100 feet or so. Those are
11 not just for egress, but they also are provided
12 per the international fire code for a high pile
13 storage building for ingress for the fire
14 department, so that they can locally attack any
15 fire without having to go hundreds of feet in the
16 building.

17 MEMBER JOE TOSCANO: Are there going to
18 be any internal separations from one area to
19 another, just less firewall so to speak, do you
20 break up areas? Again, you could have one tenant
21 that might want the whole space or multiple. But
22 is there any planning around that, just something
23 that can contain spaces versus having the whole
24 facility being available?

25 I understand the fire protection based

1 on the construction material of the outside, but
2 you know, as you said, there's going to be a lot
3 of stacks with a lot of things piled inside,
4 which can create a pretty hazardous condition.

5 RICHARD SAUNDERSON: Again, those
6 stacks of materials actually have to be separated
7 from each other physically by certain distances,
8 by certain aisle widths.

9 MEMBER JOE TOSCANO: Okay.

10 RICHARD SAUNDERSON: And they're
11 limited in area and volume. That would have to
12 be taken a look at when you have actual tenants
13 with specific storage needs. But as -- if it was
14 one tenant, there is no requirement for a fire
15 separation in this type of building.

16 MEMBER JOE TOSCANO: Okay. And then I
17 guess a question just for our own professionals,
18 has anybody looked at, you know, the Town's
19 capabilities in addressing emergencies in a
20 facility of this size?

21 DAVE SIMMONS: This is Dave Simmons
22 again. One of the things that we asked the
23 Applicant to do was touch base with the Fire
24 Prevention Bureau and get their input. I don't
25 know if our Board Secretary has received a report

1 from them yet or not, but firematically how they
2 would address it with their proposed sprinkler
3 system and the flows and pressures available from
4 the Sparta Water Utility. We've requested that
5 information.

6 MEMBER JOE TOSCANO: Thank you, Mr.
7 Simmons. Really appreciate it. That's all the
8 questions I had. Thank you, gentlemen.

9 SECRETARY DIANA KATZENSTEIN: Thank
10 you. Mr. Murphy?

11 MEMBER JERRY MURPHY: Yes, a couple of
12 questions on the personnel doors, to be ADA
13 compliant, they should be tubular handles. I
14 don't know if that's noted in your specifications
15 or not. Also, is this a cut and fill site? Are
16 you exporting or importing soil or using what's
17 available at that site?

18 RICHARD SAUNDERSON: I think that's
19 really a civil engineering question, so I'm going
20 to pass on that.

21 STEVE GOUIN: We -- Mr. Collins, we can
22 bring Mr. Diggan back to answer that question.
23 It's a pretty straightforward answer.

24 BOARD ATTORNEY TOM COLLINS: That'd be
25 a good idea, (indiscernible) he's available.

1 STEVE GOUIN: Why don't (indiscernible)
2 just so we can --

3 BOARD ATTORNEY TOM COLLINS: Right.

4 STEVE GOUIN: He's coming back. But
5 let's handle -- well, yeah, Tony, right there.
6 You heard the question.

7 TONY DIGGAN: Yes. It'd be a little
8 bit of both. There may be some (indiscernible).
9 There are always cuts in certain areas.
10 Certainly there'd be cuts from the south where
11 we're doing the (indiscernible) basin. So it'd
12 be a little bit of both.

13 MEMBER JERRY MURPHY: But is -- what's
14 your net? Is there a net import or a net export?

15 TONY DIGGAN: I believe we're a net
16 import. Again, we're still in the preliminary
17 stages, but it's looking like a net import at
18 this point.

19 MEMBER JERRY MURPHY: Okay. I'd like a
20 confirmation on total number of dock doors. I
21 come up with 191, but you don't have to do your
22 math right now, just in the next meeting, just
23 confirm that. And as far as lighting goes, I'm
24 concerned about the spillage of light, both onto
25 Route 15 and South.

1 I've seen some huge warehouses in
2 Pennsylvania where the -- they have gooseneck
3 lights that just light up an entire city just
4 about. And I'd like to see some blinders put on
5 the lights, so that the spillage of the light is
6 deflected down and not into neighboring
7 environments.

8 TONY DIGGAN: Well, (indiscernible) if
9 I could just elaborate real quick. You'll note
10 that the graphic that's being shared, yeah, that
11 shared truck court in the interior, they are
12 building that lights or wall packs from this
13 part. And so, that acts as kind of a
14 containment, if you will, from 15.

15 Then on the eastside of Building A, you
16 have that canopy over the boxcar loading dock.
17 And those'll be shining directly down from a
18 height of, I believe that height is probably four
19 -- three to four foot lower than the building
20 height itself.

21 So you definitely have some sort of
22 (indiscernible) screen building to that as well.
23 But they'd be shining directly down.

24 MEMBER JERRY MURPHY: Will they be
25 recessed into the (indiscernible) or the canopy?

1 TONY DIGGAN: Yes sir.

2 MEMBER JERRY MURPHY: Okay. So they
3 won't be visible from Route 15?

4 TONY DIGGAN: Yes. That's correct.

5 MEMBER JERRY MURPHY: Okay. And the
6 canopy you did confirm there will be a canopy
7 over the rail siding?

8 TONY DIGGAN: Correct.

9 MEMBER JERRY MURPHY: And a maximum
10 height of any one of those two buildings is what?

11 TONY DIGGAN: 56 feet.

12 MEMBER JERRY MURPHY: That's what is
13 allowed. What do you design for?

14 RICHARD SAUNDERSON: We're actually
15 showing 48 feet as the maximum height at this
16 point.

17 MEMBER JERRY MURPHY: Okay. And did
18 you have anything to do with the oversized truck
19 parking?

20 RICHARD SAUNDERSON: That's likely the
21 civil engineer. Can you clarify?

22 MEMBER JERRY MURPHY: Yes, if you
23 would, there's 50 oversight truck parking spaces,
24 maximum length is 55 feet. Some trailers are 53
25 feet, so does that include the tractor?

1 TONY DIGGAN: So the trailer parks on
2 the west are 350 feet deep, so there is a tenant
3 primarily for just the trailers. Is that what
4 you're asking about?

5 MEMBER JERRY MURPHY: Yeah, you're just
6 parking trailers, right? You're not attaching
7 the tractor to it.

8 TONY DIGGAN: Correct.

9 MEMBER JERRY MURPHY: Okay. So you can
10 get away with 55 feet because like I said, the
11 maximum trailer I think at (indiscernible)
12 interstate is 53 feet, just for the trailer. And
13 where would those 50 spaces be located?

14 TONY DIGGAN: Right here, yeah. If you
15 could see the screen, I'm trying to highlight.

16 MEMBER JERRY MURPHY: Yeah, I got it.

17 TONY DIGGAN: Right here.

18 MEMBER JERRY MURPHY: Okay. Your
19 footings. Was that the whole case in being an
20 old sand and gravel pit, is glacial detritus, are
21 your footings below 48 inches? Or 48 inches
22 deep?

23 TONY DIGGAN: At this point the --
24 yeah, the footings are not designed in detail.
25 The structural engineering of this building is

1 not complete, and structurally, they designed
2 from the top down, and then basically
3 (indiscernible) is the last thing being designed.

4 MEMBER JERRY MURPHY: Really? And
5 that's the first place you'd start.

6 TONY DIGGAN: That's true, but they
7 have to bring all the loads down. That's the way
8 they work.

9 MEMBER JERRY MURPHY: All right,
10 interesting. That's all the questions I have.

11 SECRETARY DIANA KATZENSTEIN: Thank
12 you. Chairman Reina?

13 CHAIR ANDREW REINA: Just real quick, I
14 wanted to double check, Chris Quinn, did you have
15 a question? I thought I saw your hand up.

16 MEMBER CHRISTINE QUINN: I did, but
17 Jerry covered it, and the issue with the
18 firewalls and safety suppression, I think we --
19 you know, we have an idea that this is just the
20 preliminary plan, so all of that is going to be
21 covered later.

22 I have a question with regard to
23 security at the site, but should I wait until we
24 do the operations for that, Chairman, or do you
25 want me to ask it now?

1 CHAIR ANDREW REINA: I would recommend
2 we do that with Mr. Ford.

3 MEMBER CHRISTINE QUINN: Okay, perfect.
4 Then that's it. Thank you.

5 CHAIR ANDREW REINA: Wonderful. No, I
6 think all of my direct questions have actually
7 been addressed by previous Board Members. So I
8 want to thank you for the architectural component
9 of this. If we could move to Mr. Ford, that
10 would be wonderful.

11 STEVE GOUIN: Here, let me just, I'll
12 clarify one thing. So there was a comment about
13 the fire and police basically review of the
14 application. So our intention would be that the
15 fire and police would have an opportunity to
16 review these plans, comment on them and that that
17 would be, you know, our receipt of their approval
18 would be a condition of any preliminary approval.
19 So we would have done that before we come back
20 for final approval. So I just wanted to make
21 sure that was known to the Board.

22 CHAIR ANDREW REINA: Thank you.

23 STEVE GOUIN: Tom, are we going to go
24 to cross-examination before we go to Mr. Ford or
25 --?

1 BOARD ATTORNEY TOM COLLINS: That's up
2 to the Chairman. Mr. Chairman, do you want to
3 just get Mr. Ford in so that the cross can -- the
4 two attorneys can be of both those witnesses or
5 do you want to go to the attorneys' questions
6 first?

7 CHAIR ANDREW REINA: I think a lot of
8 the questions I'm hearing are centered around,
9 again, kind of to use the operational component.
10 So if it's okay, Tom, I think I'd like to move
11 onto Mr. Ford, because I think that might clear
12 up some of the additional -- some of the
13 outstanding questions that we have, or at least
14 some of the most immediate.

15 BOARD ATTORNEY TOM COLLINS: I agree.
16 So --

17 STEVE GOUIN: And Mr. Collins, frankly,
18 you know, I think given the time realistically,
19 if we can get through Mr. Ford, we would come
20 back with cross-examination of both Mr.

21 Saunderson and Mr. Ford, I anticipate. That's --
22 I think that's where we're going to get to, so --

23 BOARD ATTORNEY TOM COLLINS: That
24 sounds very likely, Mr. Gouin, so appreciate your
25 foresight. So why don't -- I think it's always

1 good to take a five minute break around now.

2 It's nine o'clock. Mr. Chairman, are you good

3 with that, and do you --?

4 CHAIR ANDREW REINA: I am, yeah. I
5 think that would be great, let everybody stretch
6 their legs for a few minutes.

7 LARRY COHEN: May I ask what time the
8 Board plans to go to this evening?

9 CHAIR ANDREW REINA: Our last witness -
10 - sorry, go ahead, Tom.

11 BOARD ATTORNEY TOM COLLINS: You go
12 ahead, Drew. You said it.

13 CHAIR ANDREW REINA: I was just going
14 to say at 9:45 tonight, Mr. Cohen.

15 LARRY COHEN: Thank you.

16 BOARD ATTORNEY TOM COLLINS: So we'll
17 return to the Board -- we'll just adjourn. We'll
18 still be on Zoom so to speak, but we'll be not
19 coming back into the Board Meeting until nine
20 o'clock. It's now 8:45 -- 8:54, 8:54 Verizon
21 time, so let's aim for 9 p.m., everybody, and see
22 you then.

23 MAN: We're off the record at 8:55 p.m.
24 Eastern Standard Time.

25 (Break)

1 MAN: We are back on the record at 9
2 o'clock p.m. Eastern Standard Time.

3 CHAIR ANDREW REINA: Okay. Well,
4 hopefully everybody got an opportunity to stretch
5 a little bit. Maybe walk around, get a cup of
6 coffee. So --

7 MEMBER JOHN KOLLAR: Drew?

8 CHAIR ANDREW REINA: Yes.

9 MEMBER JOHN KOLLAR: This is John. I
10 just -- I've been monitoring the questions of the
11 public. I think we need to make it clear to the
12 public that they will all have their chance to
13 talk. It might not be tonight.

14 CHAIR ANDREW REINA: Yeah.

15 MEMBER JOHN KOLLAR: But because they
16 think they're not going to get a chance and that
17 they're going to vote on it?

18 CHAIR ANDREW REINA: Yeah, no. As we
19 kind of covered this earlier in the meeting for
20 any of those that came on late, all questions
21 will be addressed, this -- you know, we will not
22 be getting through this entire, you know,
23 preliminary discussion through this evening. So
24 this meeting will carry forward to other
25 meetings.

1 The intention is for us to have all of
2 the witnesses present the facts of what they've -
3 - you know, what we've got developed here so far,
4 give an opportunity for those identified
5 attorneys to address or cross-examine any of
6 those four things on those sections.

7 And then, what we will do is, we will
8 come back, we will address all questions as we
9 continue to get through and get through the
10 actual testimony. And then, we will, of course,
11 open it up to the public and look forward to
12 everybody's comments and feedback. So everybody
13 will have an opportunity to speak in and weigh in
14 on this. So thank you, John.

15 So with that, Tom, you want to call or
16 --

17 BOARD ATTORNEY TOM COLLINS: Yes, I
18 think Mr. Gouin wants to call Mr. Ford, so we
19 should have him be sworn. So Mr. Ford? Are you
20 on your computer?

21 JIM FORD: Yes, Mr. Collins right here.
22 Can you hear me?

23 BOARD ATTORNEY TOM COLLINS: Yes, can I
24 see Mr. Ford? Let's see. You're on a separate
25 screen, I guess?

1 STEVE GOUIN: Yeah, he's not here with
2 us. So he's via Zoom, but he's on.

3 BOARD ATTORNEY TOM COLLINS: Okay. So
4 Mr. Ford, do you -- please raise your right hand.
5 Thank you. Do you swear or affirm to tell the
6 truth, the whole truth and nothing but the truth
7 so help you god?

8 JIM FORD: I do.

9 BOARD ATTORNEY TOM COLLINS: Thank you,
10 Mr. Ford. And please state your name, spell your
11 last name and give us at least a business
12 address.

13 JIM FORD: Thank you, Mr. Collins.
14 It's James Ford. I go by Jim. My business
15 address is 8841 17th Avenue, that's Circle
16 Northwest -- sorry for the long address. And
17 it's in Bradenton -- B-r-a-d-e-n-t-o-n -- Florida
18 34209.

19 BOARD ATTORNEY TOM COLLINS: Thank you.
20 And please go ahead, gentlemen.

21 STEVE GOUIN: Sure. So Jim, we're not
22 going to have Mr. Ford testifying as an expert
23 tonight. He is testifying as a member of the
24 Applicant's development team. So Mr. Ford, why
25 don't you explain to everybody what it is you do

1 and your role here with the project?

2 JIM FORD: Thank you, Steve. Citizens
3 of Sparta, the Planning Board, Township Staff and
4 guests, I thank you for giving me the time this
5 evening. And I know a lot of the questions that
6 I've heard so far as surrounded around the
7 concern about operations, the type of tenant or
8 type of use of the building that is designed for
9 and what our intentions are.

10 And I am here to give you absolute
11 clarity in being in charge of this development
12 from start to finish, from our early on design
13 that you're seeing now and that it is a
14 preliminary nature, through the entire final
15 application and final approval phases.

16 And that also includes building permit
17 applications. So as you know, a lot of even
18 these questions that have been asked so far about
19 design and stuff, it has to go through a rigorous
20 building permit application and be finally
21 approved by City Staff. It's very typical of any
22 of our projects.

23 So this is preliminary, and what I
24 would call the true words of site plan
25 preliminary application. That's what it is.

1 This is to say that this site plan is what our
2 intent is for this site, and that's what we are
3 expecting to build, with not only our capital
4 partners, but also the intended use for the
5 building.

6 I think it very important to take a
7 moment, Mr. Chairman, (indiscernible) and explain
8 who I am and my past history. For 32 -- 30 years
9 now, 30 on the nose, I had been developing
10 industrial real estate all over the country. I
11 grew up in a transportation family.

12 I grew up in a trucking and railroad
13 family with fathers. My father is still with me,
14 thank god, in his 80s. My grandfather. My
15 uncles were all in the railroads. And when I got
16 out of college in 1992, so 30 years ago, I kind
17 of wanted to take a little bit different approach
18 to what my family did and ending up at
19 construction development was that.

20 So for the past 30 years, I had worked
21 for some of the largest, a well-known one in
22 northern New Jersey, Center Point Properties. We
23 were a publicly traded company way back when.
24 Then sold in 2006 and I decided to move on in
25 2008, decided to move onto a different career

1 more on my own.

2 Because in not only growing up in this
3 industry with my family but seeing the evolution
4 and change in many different aspects of what your
5 concerns are as citizens, it was important to me
6 to try to effect a change.

7 There has been an evolution, regulatory
8 in driver concerns, so that's the health and
9 safety for people and employees, that many people
10 have addressed, and I will be addressing more of
11 it, and the environment as well.

12 I can honestly testify and say that 90
13 percent of the projects that I have done over the
14 past 30 years have been brown field redevelopment
15 or redevelopment of existing sites, knock down
16 buildings, whatever it may be, landfills, things
17 that are bad for the environment that it was my
18 goal period as doing the right thing by any
19 standards to clean it up and make it a higher and
20 better use.

21 Now as you know, this would be
22 considered a redevelopment site. It's not a
23 brown field. It's not contaminated. The water's
24 clean. My partners have to regularly test with
25 their existing operations of concrete and sand

1 processing operation. So that's not what I'm
2 saying, and please don't hear what I'm not
3 saying.

4 But the evolution is part that I felt
5 like there -- we do as a nation and definitely in
6 northern New Jersey, have an issue with trucking
7 and the congestion and all those things that we
8 deal with.

9 So when I began this 30 years ago, this
10 path, this journey of trying to effect change, it
11 was surrounded around what is -- what are ways
12 and methodologies to get trucks and get -- you
13 know, you get trucks off the road, number one,
14 and deal with environmental concerns and
15 pollution.

16 And my answer back then and it
17 continues to be that partnering with the
18 railroads is a very viable, logical option for
19 distribution, because what really, and I'll get
20 to it in a minute here, and clearly defined for
21 you what the type of uses are for these
22 buildings.

23 You know, my focus is on us as
24 consumers, and the fact that we need certain
25 things to live. We need clothes. We need food.

1 We need shelter. We need all of these things,
2 all right?

3 And it's very important to understand
4 what the premise of these warehouse buildings
5 aren't. Part of what I also want to state,
6 because I've heard it earlier in the conversation
7 is that what this is not.

8 This development is not unequivocally
9 100 percent as Katherine said, it is not a
10 freight terminal. It is not a high speed
11 transfer of major freights that is a truck
12 terminal in nature. This is truly the
13 definition, in my mind, and it's okay if people
14 disagree with me. I have no problem with that at
15 all.

16 But this is truly a warehouse
17 distribution facility. And what it is intended
18 for, and I am in charge of the leasing and what
19 tenant will go in this building, number one, as
20 part of my role, or I should say number one, but
21 a major part of my role.

22 It is intended for consumer good
23 ultimate distribution. And those categories are
24 things like food. They're raw food products,
25 they're finished food products, they're beverage,

1 and beverage in all sorts.

2 They're paper. They're packaging for a
3 consumable industry. They're health and beauty,
4 which we all use most days. They're pharma. You
5 know, many things in those lines is what I view
6 this project as, you know, from the start of
7 being what it wants to be.

8 And the way that this came about is
9 that I was not around, and I developed in New
10 Jersey, I develop all over the country partly
11 because it's why I said I have a Florida address,
12 and I own 900 acres down here that is rail served
13 heavily and it's very much so promoted by the
14 community down here, but because it gets trucks
15 off the road.

16 And it allows for inbound freight to
17 come in for its ultimate distribution in the
18 consumer goods world. So that's why I'm here and
19 not sitting with you presently. I am there quite
20 a bit. My partner Frank is there all the time,
21 so we are not developers that you know, build
22 something like this and disappear at the end of
23 the day.

24 So to get to, as I said, what it is and
25 what it is not, and that's not a freight

1 terminal, number one. And number two, they don't
2 like their name used, but we all know are the
3 biggest eCommerce company that many of us use in
4 the world, all right, it is a major part of what
5 people consider a supply chain or distribution,
6 whatever it might be.

7 We are unequivocally not marketing
8 towards that eCommerce company for use of this
9 property. Absolutely not. They are not rail
10 dependent in the form of our design. And their
11 need for parking and their need for massive
12 amounts of auto traffic and truck traffic is not
13 something that I care to bring to this community.

14 It was never designed for that. That
15 is not the intention. Make that very clear.
16 This is what's known, what I would call is a
17 dwell warehouse. And in the form of dwelling,
18 where we live in a home, it's our dwelling, okay?

19 A dwell warehouse in its simple
20 definition, all right, is for the ultimate
21 distribution to local and regional consumption.
22 Consumption -- food, consumer goods, the things
23 we need to survive every day. That's the
24 intention here, exactly.

25 And also understand is that the sizes

1 warehouses I know are a lot. But let's think
2 about at the beginning, and there's nothing of
3 what we've dealt with as a nation about COVID in
4 general, or what we're experiencing now on the
5 world of fair type issues.

6 But there is a huge demand to be more
7 centralized towards us and you as the consumers
8 in Sussex County in Sparta to be able to get the
9 necessities that you need, not only in time of
10 emergency, but day to day in general.

11 And what I mean by that is, if you all
12 think back, I remember you know, when we first
13 started to experience COVID, just over two years
14 ago. And a lot of us started to panic and say,
15 oh my gosh, you know, I'm going to go to Costco,
16 I'm going to go to Target, I'm going to go
17 wherever and get five cases of water.

18 Well, what happened? The shelves were
19 barren because the supply chain was broken. It
20 was broken. And ultimately, this type of
21 distribution and warehousing that we're looking
22 to build supports us in those times of need.

23 So that's not the only functionality of
24 it, but in reality, it is a forward thinking
25 process that we're looking towards to ensure that

1 we -- when we need things, and god willing that
2 something else, a major catastrophe doesn't
3 happen again, but that's a capability that our
4 real estate development has here, okay?

5 As I said, I touched on some of the
6 major categories of type of products, and it is,
7 it's driven towards consumer foods. You know, to
8 supply what, you might ask? I mean, it is for
9 Shoprite, it is for Tractor Supply, it is for
10 Wal-Mart, it is for Acme, it is for Stop-n-Shop,
11 it is for Target because they're all places that
12 we locally may buy from and need, of everything
13 that we need, especially in food and beverage and
14 stuff for our daily lives.

15 I want to drive that home and make sure
16 people understand that. This is not, you know,
17 for things that are bad for the environment.
18 This is not, you know, for some -- for activity
19 or otherwise of heavy freight movement that's
20 transferring because you know, because it's going
21 to be dispersed to five states, whatever it might
22 be. That is not the intention for this
23 development whatsoever.

24 We talked about, you know, trailer
25 parking is an example from an operations

1 perspective. I would promise you and tell you
2 that most capital people that I deal with who
3 would look to, you know, co-invest in something
4 like this is just as much as the brokerage
5 community and the logistics community would tell
6 me that 50 additional trailer spots, right, and
7 those (indiscernible) as some people had asked
8 before, those are for drop trailer areas, not for
9 the tractors. The tractor would disconnect and
10 go on its merry way to go pick up another load,
11 whatever it might be.

12 That is just overflow space in general
13 of need because there aren't enough drivers
14 available, as I said anymore, you know, not out
15 in the streets to drive all the trucks that they
16 want to.

17 This is more of a, you know, a
18 regional, you know, and local type of play for an
19 operation perspective. You know, so when we
20 think about the operations of this project, and
21 the property in general, safety is absolute
22 paramount.

23 You have to understand that many of
24 these warehouses are run for large corporations,
25 you know, the Proctor & Gambles of the world, the

1 Wal-Marts. I mean, the major retailers, the
2 food, you know, companies, the Coca-Colas, the
3 Krafts, Nabiscos, they are run by outside
4 entities, which we refer to as 3 PLs. It's third
5 party logistics provider.

6 Those companies that fail really fast
7 in this business are the ones who have bad safety
8 records. So when you talk about the operations
9 of these buildings, pardon me, and you talk
10 about, you know, the flow of traffic and stuff,
11 yes, it truly is, because we need that
12 flexibility to lure the right opportunity here,
13 which by the way, the City and the Board has full
14 approval over them in their tenancy of the
15 building.

16 You know, not complete. You need to
17 understand something else that hasn't come up.
18 We talked about having to go back to the Planning
19 Board in the future. Don't forget. Any business
20 that operates in the Township of Sparta needs a
21 business license, okay?

22 So we can't just randomly have someone
23 move in and say, no business license. You know,
24 you need to come in, fill out a questionnaire.
25 This is for everybody in the town to understand.

1 You need to come in and fill in the
2 questionnaire.

3 Do you use any flammables? Do you use
4 any aerosols? You know, all these type of
5 questions are very important to operations. And
6 those are all things that are vetted here in the
7 future.

8 This is just to say that this is what
9 the footprint of the site plan looks like, and
10 that's the point we're at today. As you also
11 heard from our consultant so far to date, the
12 architect and the civil, is that there are a lot
13 of unknowns in design.

14 Those are all things that need to be
15 vetted ultimately through the building permit
16 process, and you know, worked through in general.
17 So getting back to where my vision always was for
18 these type of operations is the fact that I think
19 it's not even known, and we're going to have a
20 traffic engineer testify here in a little bit to
21 be clear on this, right?

22 But even our traffic study as it sits
23 right now does not take into consideration what
24 my thought is about the reason why we need direct
25 rail service to this building to bring cases of

1 water and to bring, you know, cases of food in,
2 these type of things.

3 For every one rail car that Tony Diggan
4 referred to as the civil engineer, for every one
5 rail car, it takes four trucks off the street.
6 And you can clearly read in our traffic study,
7 which is coming up here in a bit, that that is
8 not taken into consideration in our traffic
9 accounts whatsoever.

10 So in reality, if I'm doing my job for
11 all of us and as a team and everybody involved in
12 the community, that we want to us that rail.
13 It's part of the ordinance. It has to be used.
14 That's why this design is accordingly.

15 I would've loved to have done one big
16 million square foot building, as somebody alluded
17 to earlier. But in reality, we can't do it.
18 It's too deep. It doesn't flow well. It is not
19 a distribution building. Those wide of buildings
20 those size are typically reserved for
21 manufacturing. This is not a manufacturing
22 facility. It's not and it's not going to be.

23 So that's why we had to come up with a
24 unique design, to support this, and shrink the
25 buildings ultimately. And honestly, many

1 brokers, many people would say that our trailer
2 park near our drop trailer parking is way low.
3 You can go to other surrounding communities
4 around here that have 300, 400, 500 empty spots
5 as part of their master plan.

6 I never wanted that here. It's not the
7 intention whatsoever. And one of the Board
8 Members made a great point earlier that I want --
9 I made a note about and I want to elaborate on.
10 In our spec design and building of this building
11 is that we are not immediately putting in 191
12 doors. It's not happening.

13 There's a cost factor to it, number
14 one. Number two, in my 30-year experience, it
15 won't be used, so I don't want them or pay for
16 them and the tenant doesn't need them. And you
17 know, beyond that is that it just doesn't make
18 sense.

19 We'd make those provisions if it came
20 along, but just as much we talk about what we
21 have already approved as an example for
22 wastewater discharge right now. It's maxed at
23 100 people. That's fact. We need to take other
24 steps and work with the Township and work with
25 the authorities along the way before we can even

1 hit other hurdles.

2 So I also see there's been, you know,
3 just some non-understanding of information, like
4 of the traffic and stuff. I'll let the experts
5 talk on that. But it's a lot less than any of us
6 may think. I'll give you a prime example.

7 Just two years ago I built a 633,000
8 square foot one-building, rail served. The rail
9 comes into the side of the site. It's not
10 actually on the building. But this was an old
11 rail yard, old front redevelopment site in
12 actually in the City of Chicago, which has a lot
13 of similar attributes to what's happening here.

14 The tenant in the building is the
15 second or first largest manufacturer of aluminum
16 cans in the world. They make cans for Coca-Cola,
17 for Pepsi, for Mountain Dew. They make cans for
18 White Claw. A lot of people are drinking this
19 White Claw seltzer stuff nowadays, all of the
20 energy drinks, you know, Red Bull. I don't drink
21 any of that, so I wouldn't know them all, but
22 Monster. Many of that stuff, right?

23 This warehouse is filled with nothing
24 but racks and you know, ground stacks and its 36-
25 foot clear of aluminum cans. Those cans sit

1 there honestly some of them, for over a year.
2 And that sized warehouse, to give an example, we
3 talk about being honest and forthright, yes,
4 these are designed for certain things.

5 It's designed for 191 doors of maximum
6 capacity. It's designed in the long-term, we
7 would design the buildings for maybe up to 400
8 employees. But honestly, as an operator of these
9 buildings and what I do development and have done
10 this for 30 years, that 633,000 square foot
11 building, they have five employees inside, five.

12 And even during the holidays, when the
13 beverage industry has a maximum need of aluminum
14 cans as an example, okay, Coca-Cola plant. The
15 bottling plant calls down the street and needs
16 cans. It's probably before the 4th of July as an
17 example, because the consumption time will pop
18 when we're having fun with our families, or
19 Memorial Day or whatever it might be, so the
20 month out before. They're calling for cans.

21 At the maximum, the maximum they're
22 seeing 40 trucks a day in and out of the
23 facility. That's 20 in and 20 out. So I want to
24 be crystal clear, all right, yes. There are
25 design standards that we need to design for in a

1 speculative basis like we have to do in this, and
2 I'll get to that in a second. But it doesn't
3 mean we're doing all of that. It really doesn't.

4 And as I say, I was getting back to
5 earlier is that I was saying about like a 3PL
6 operating ability like this. Safety is
7 paramount. So as trailers are sitting empty on,
8 you know, the outside perimeter of the property
9 there, the trailers that are up back to the doors
10 just like this rendering depicts, you're never
11 going to see 190 trucks at, you know, full truck
12 loads or empty truck loads are being loaded in
13 each door.

14 There's many reasons why. Number one,
15 just like a port facility or just like an
16 intermodal terminal, a rail facility, every truck
17 that comes in and out of here needs an
18 appointment. They don't just show up randomly
19 and say, I'm here, unload my load. It doesn't
20 work that way because the 3PL in the building
21 who's unloading the goods for Kimberly Clarke,
22 for Kraft, whatever it might be, they want to
23 minimize, you know, their costs of doing that.

24 It takes on average three to four hours
25 to unload a trailer, and it takes the same amount

1 of time to reload a trailer. Do you want a truck
2 driver sitting there for eight hours while he's
3 waiting for a load? That is complete
4 inefficiency.

5 You want them back out, out of the
6 building, moved on to their next destination. So
7 a lot of these things that scare us, and I get
8 it, and I'm in support of everybody in
9 understanding of it, a lot of these things that
10 scare us are really misnomers in my mind, and all
11 I want to do is clarify to tell you I'm here to
12 answer these questions.

13 And ultimately tell you, everybody on
14 this call is that this is just early on. This is
15 just the beginning. This is just a pretty
16 picture to say this is where we're at. We still
17 have a lot of hurdles to climb here from a
18 development standpoint and an approval standpoint
19 and we're not asking for something that's just
20 approving this and moving on from here.

21 And as I said, many of the design
22 factors, like trailer parking is a lot less than
23 the market demands, but we're okay with that
24 because this makes sense. We have something
25 valuable here that's taking four trucks off the

1 road into one rail car that you can't find in
2 Northern New Jersey.

3 There's a couple other areas in
4 Northern New Jersey really that you may consider
5 rail areas. Edison's a good example. Edison
6 down south of the port, you know, at the
7 beginning of the turnpike off there. There's a
8 rail park there.

9 That rail park is leased all the time,
10 and it's leased to these type of customers that I
11 refer to. It's leased to Home Depot for lumber
12 of drywall distribution. It's leased to Target
13 for, you know, for whatever, for clothes, that
14 kind of stuff.

15 Those are the type of users that we're
16 going after. I am not in the business of dirty
17 operations. That is not what institutional
18 capital wants to see. And that's not what our
19 intent is here.

20 I have always been a big fan, and I
21 would consider myself an environmentalist. I've
22 always been a big fan of what -- you know, an
23 environmental responsibility by efficiency is
24 critical and key, because every time you touch
25 something, it costs money.

1 So if I am a forklift operator that's
2 pulling something out and he goes and puts it in
3 a spot on a rack or on the floor or whatever it
4 might be and that's how these buildings operate,
5 that for him to have to go back and move it,
6 whatever it might be, it costs money.

7 So there is a very tight operation and
8 schedules on when trucks come and go, and they
9 don't all come at once. They don't remotely come
10 at once. So even at 190 something doors, there's
11 no way to physically unload or load, you know,
12 more than a dozen or a handful at a time of
13 trailers, because there's not that many people in
14 these buildings.

15 There's not available equipment.
16 There's not that -- the amount of available
17 drivers on the street to make this happen. So
18 there is a lot of, you know, thought behind this
19 from an operations standpoint, and that's what
20 I've been working on for, you know, for 30 years.

21 But we do need the flexibility. And
22 here's why. Because ultimately a lot of these
23 companies that I've named, and I probably
24 shouldn't. They'll probably strike me down.
25 There's other food companies that I cannot

1 because I'm under an NDA. We've already had
2 discussions with them about potential operations
3 here.

4 But it has all been food and consumer
5 good related type of uses. The lead time, as we
6 mentioned earlier, Rich, our architect said, 12
7 months. You know, we're probably right now
8 closer to 15 or 16 months, probably more along
9 that lines, mainly because unfortunately the
10 supply chain's messed up. We can't get steel.

11 We can't get roofing materials. We
12 can't get the corrugated metal deck and the roof
13 (indiscernible) to support the building. Now
14 concrete is about to go up in expense. Frank my
15 partner's probably happy to hear that. I'm
16 kidding. But in reality, is that you know, the -
17 - just the demand for our industry from -- it
18 comes all these goods that could very well be in
19 these warehouses, it's difficult.

20 You probably also know, a lot of you
21 do, and for those who don't know, our costs of
22 materials for these type of buildings and across
23 the industry have gone well up 30, 40 percent
24 across the Board for many things in the past 18
25 to 24 months.

1 That makes it difficult, you know, to
2 make the numbers work and, you know, really show
3 that for real. So why do we have to go with
4 these -- with the minimal spec and then get to
5 what the tenant and the amount of money and
6 opportunity they make from the building? Why do
7 we have to do it?

8 Because nobody will commit to --
9 corporate America, the distribution, the things
10 that we need to live every day, those companies
11 are not committing to it unless they actually see
12 that the building is going up. You know, and
13 happening in general.

14 Then they will come and say, hey, I
15 want to come meet the mayor. I want to come meet
16 the folks at Sparta. I want to, you know, see
17 what's going on. I want to talk about
18 operations. We want to talk about specifics of
19 what we do.

20 You know, something that was mentioned
21 earlier, and I appreciate one of the Council
22 people that mentioned it earlier, we are a big
23 believer, and I know Anthony, my architect,
24 because he did the wise thing, he wanted me to
25 answer, and I appreciate that, we are big

1 believers in the environment.

2 There is a whole thing that some of you
3 may be aware and some might not be that we call
4 LEAD certified. LEAD stands for Leadership and
5 Energy and Environmental Design. It has been a
6 standard that is worldwide now. It is shared by
7 the US Buildings Council. And I have been a big
8 believer in it from the minute it started.

9 We are building everything in this
10 building, including, ask the questions about the
11 outside lighting and stuff. It's all LED. It is
12 state of the art. Those wall packs actually --
13 we will do a photometric study to bring in the
14 City Staff beforehand.

15 I require it of my people as the
16 developer. We will bring in a photometric study
17 that will actually pictorially show you the
18 brightness of the building at night, even for
19 safety reasons, when it is or is not operating.

20 You know, there's a lot of things that
21 a devil in detail there that haven't been, you
22 know, addressed and expressed. And I appreciate
23 that, you know, in being able to answer these
24 questions.

25 So if I really could honestly from a

1 business standpoint, my standpoint of a developer
2 in making a \$150 million potential investment
3 here, I would love to say that I have a tenant
4 committed to you right now. But it -- and we
5 call that a build a super lease. It's not in the
6 world that we unfortunately we live in right now.

7 I need to show that we've got a warming
8 community that's controlling this process, that's
9 welcoming, you know, this opportunity. And that
10 is here to help, you know, us live good lives and
11 not when the next you know, situation happens.

12 I mean, where I live, I live in Florida
13 because I have a big development down here, but
14 I'm up there quite a bit. I stay there, you
15 know, quite a bit. I'm in other parts of the
16 country in traveling. I mean, I see it all the
17 time. Down here, our big chain store is called
18 Publix.

19 Every other day something's out on the
20 shelves -- Gatorade, you know, I use it when I
21 work out in the morning, water, you know, certain
22 perishable foods, whatever it might be. It
23 always seemed like there was always a shortage.
24 And that's because this is balancing the supply
25 chain.

1 So to know that we have this type of
2 development that services the local community in
3 the consumer goods world, to know that it's a
4 benefit to us in making our lives better, that
5 was always my intention.

6 It was never to say to anybody that,
7 you know, and we'll get clarity when we get to
8 the traffic, because I want the experts to
9 testify and be clear on things, the traffic and
10 the environmental are coming up. And I want them
11 to speak and tell you about the reports and be
12 honest because that's important to me.

13 But that was never the intention. It
14 really wasn't, to say that, you know, this is
15 bad. I -- hopefully my perspective is a little
16 bit different than most, is to say that this is
17 positive for the community. So that's, you know,
18 kind of my thoughts this evening, Chairman and
19 Steve. And yes, I'm absolutely open to questions
20 at this time, if appropriate.

21 CHAIR ANDREW REINA: Great, thank you.

22 STEVE GOUIN: And Chairman, I think we
23 covered a lot of topics there. I think you know,
24 there are a number of questions that I wrote down
25 that we had deferred to Mr. Ford, but given that

1 you know, I think we've only got a limited time
2 left maybe, we'll just open it to the Board's
3 professionals and the Board? And then, if I
4 think we missed anything, I'll just hit those at
5 the end?

6 CHAIR ANDREW REINA: Yeah, that would
7 be -- that's acceptable. So Mr. Simons --

8 MEMBER MIKE SYLVESTER: Mr. Chairman,
9 before you start, can you please move the
10 picture? Thank you.

11 CHAIR ANDREW REINA: Thanks, Mike. So
12 Mr. Ford, thank you for your commentary on this.
13 What I'd like to do is turn it over to I guess
14 first Mr. Simmons and to Katherine to see if
15 there are any specific questions related to, you
16 know, as we talk about the business operations.
17 And Mr. Ford I appreciate your vision and sort of
18 what's kind of brought you to this level.

19 And but, I guess let's start with Mr.
20 Simmons and Mrs. Samad with regards to any
21 specific questions they've got or just from an
22 operational question. Because I think this is
23 really the meat of I think the discussion that
24 we're looking forward to having.

25 Honestly, I don't think we're going to

1 get through this in the next 30 minutes, so I
2 suspect we may need to carry this forward. Well,
3 we'll certainly be carrying the meeting forward,
4 but even this portion of it, as we look at the
5 operations and everything, because I do think
6 that'll be the meat of this conversation.

7 But let me start first with Mr. Simmons
8 and Ms. Samad to see if they have any specific
9 questions they'd like to address first?

10 DAVE SIMMONS: Mr. Chairman, this is
11 Dave Simmons again. Mr. Ford, the one question
12 that -- sorry, I didn't hear you speak to, but
13 maybe you could address. I know it was brought
14 up before. In your overall vision for this
15 particular project, would you envision this site
16 being developed in one phase or would you phase
17 it in?

18 JIM FORD: Mr. Simmons, I mean, the
19 thought would be to do it in one phase, okay?
20 Because I firmly believe there would be one
21 tenant. And that's something else I want to
22 address. You know, our civil engineer was asked
23 a question about, you know, how many tenants
24 could this be, theoretically?

25 I mean, no. We, as the owner, the

1 landlord, okay, we want one tenant. We'd like
2 one tenant. So that means, Mr. Simmons, that the
3 entire development, all right? But if it
4 happened to be a phased development, I believe
5 that Building A would come before Building B.

6 The -- there is not an issue on any
7 comfortable level of developing the whole thing
8 in one phase. But if it happened that way, it
9 would be starting, you know, from Building A to
10 Building B. And secondly, is that yes, the
11 building is -- the two buildings are designed
12 each for two tenants potentially. That's why we
13 have two office pods theoretically in each
14 building.

15 But that would be the maximum. We do
16 not want as the owner, nor as the institutional,
17 you know, partners, want more than that. They're
18 not designed for that. This would not be, you
19 know, beyond that. It's a single tenant. Either
20 both, you know, both buildings, one big tenant or
21 intentionally would be the -- you know, a lesser
22 case scenario would be a tenant in each building
23 that would also have to interact because the --
24 because of the rail, because of many attributes
25 of the site that have to interact from a

1 logistics standpoint.

2 DAVE SIMMONS: Okay. And the follow-up
3 to that is, where would you say your limits are
4 for a project like this, from a regional
5 standpoint? How big a region would you expect
6 this to serve?

7 JIM FORD: On an outbound basis?

8 DAVE SIMMONS: Yes.

9 JIM FORD: David, it's -- it is an
10 unknown question. It is an unknown answer, but
11 what could I see? I mean, there's many, many
12 tenants, many producers, many shippers, whatever,
13 that may be closer to Newark. A prime example is
14 the Marc Anthony brands who makes that White
15 Claw, the seltzer that a lot of the kids and
16 stuff are drinking nowadays and people enjoy it.

17 But they're in a processing plant.
18 They make their product in Hillside right by the
19 airport, okay? They had no choice for
20 distribution. They had to take a 500,000 square
21 foot warehouse in Phillipsburg, okay?

22 And then, there's a big development on
23 Phillipsburg that was a former -- what was it?
24 It was a former plant that Ingersoll ran or
25 something like that. It was a former plant.

1 They tore it down, redeveloped it because it was
2 an old, shuttered manufacturing plant. They went
3 out there.

4 So to answer your question, Dave, I
5 mean, sure. Could there be some distribution
6 over to Pennsylvania? Yes. Could there be some
7 distribution over to New York? Yes. But also,
8 you know, understand, we're at a location here in
9 Sussex County, in Sparta that definitely touches
10 on distribution to the city across the bridges.

11 It's close enough then. You know,
12 could go down the turnpike potentially. And
13 literally, if you -- if you know, different
14 routing and stuff, it could, and as you know,
15 could hit the Pennsylvania parts of it.

16 But there's plenty of new distribution
17 stuff being built over there, a lot of it. So I
18 would really see this, you know, as kind of
19 confined by some of the retailers and companies
20 that I mentioned earlier, who need
21 (indiscernible) distribution just to serve local
22 consumers in the marketplace there in the County.

23 DAVE SIMMONS: That's all the questions
24 I have right now, Mr. Chairman?

25 CHAIR ANDREW REINA: Thank you, Dave.

1 Katherine, anything from your side?

2 KATHERINE SAMANAND DASH: Just --
3 excuse me -- just a few questions. The -- now
4 that you've touched upon it, about the tenancy,
5 and I understand, you know, this is still
6 speculative as far as who the tenants will be,
7 but I think we haven't gotten to the testimony
8 about traffic yet specifically, but it obviously
9 has been on the forefront of everyone's minds,
10 just (indiscernible) comments and hearing from
11 the Board.

12 The more tenants in the building I
13 think the more potential there is for traffic and
14 truck issues. Do you think that there would any
15 -- be any -- and you as owner or developer, would
16 there be any opposition toward -- to a -- if this
17 Board did look favorably upon the application on
18 conditioning, that you would limit the tenants to
19 a maximum of two tenants, or is that not viable
20 from a real estate perspective?

21 JIM FORD: Katherine, it being, yeah,
22 realistic, it's not viable, just to say I, you
23 know, it's not viable. But I can promise you, if
24 you look at design, you're a design planner,
25 right, if you look at the design, you've got two

1 buildings. There's four office pods conceptually
2 shown, right? That really would be the max,
3 okay, that we would consider. So the absolute
4 max for both buildings would be four tenancy,
5 okay?

6 KATHERINE SAMANAND DASH: Okay? So
7 that -- okay, that's -- I mean, that's good to
8 know because as I mentioned before, if you're
9 representing --

10 JIM FORD: I learned --

11 KATHERINE SAMANAND DASH: Yeah.

12 JIM FORD: Some of us have done this a
13 long time and you're one of them, and to me,
14 considered an expert is that, I've learned when
15 you cut it up and slice it up too much, it makes
16 it difficult then to release the last parts of
17 the building.

18 KATHERINE SAMANAND DASH: Yeah, yeah.

19 JIM FORD: And honestly, the demand in
20 Northern Jersey for these type of developments,
21 to serve us as consumers for our daily needs is
22 overwhelming.

23 KATHERINE SAMANAND DASH: Yes, I
24 understand that as well.

25 JIM FORD: Overwhelming.

1 KATHERINE SAMANAND DASH: And space,
2 you know, it's a luxury, the ability to expand is
3 a luxury. Those are my only question -- my
4 question was more pertaining towards carving up
5 the building because, you know, as I mentioned,
6 representing the City of Elizabeth, space and
7 warehouses can get carved up, especially when
8 it's -- when it isn't limited.

9 And that's where things can get a
10 little tricky as far as, you know, the logistics
11 and the site working and operating efficiently.

12 JIM FORD: (indiscernible) that --
13 yeah.

14 KATHERINE SAMANAND DASH: And you -- as
15 you mentioned, there's a demand. There's a
16 demand for space. And so, I think it's good that
17 you noted the office space will generally
18 naturally limit the tenants.

19 My other question was related to --
20 you'd mentioned something about the -- one of the
21 -- the buildings, you know, both being rail
22 dependent. So Building A is close to the rail
23 spur, Building B is further from it. Is there a
24 chance that Building B, you know, would be
25 entirely dependent on just truck traffic and

1 wouldn't utilize the rail spur because it isn't
2 adjacent to it and it doesn't necessarily, you
3 know, it doesn't necessarily need that, you know?
4 A building could be completely truck dependent.

5 JIM FORD: I would say the safer
6 thought process there of having this as an
7 unknown of who the tenants or tenants could be is
8 that we could very well see that as an example,
9 one third party logistics firm, who would manage
10 the entire campus for different products.

11 So if you understand that space and
12 that business, there's a lot of 3PLs that are out
13 there -- very big companies, very good names,
14 very, you know, I mean, you know, the Schneider's
15 and JB Hunts of the world might be the trucking
16 business as well.

17 XPO is another, a big one in the
18 northeast that runs these type of operations,
19 right? They may have multiple companies they
20 service. So I don't mind doing it because I want
21 everybody on the phone to be able to visualize
22 this and understand it.

23 So say that, you know, you had XPO as a
24 tenant in this building, okay, and their customer
25 are Coca-Cola, Kimberly Clarke, who makes paper

1 goods and many other things, you know, in
2 general, Johnson & Johnson, who makes certain
3 things, whatever it might be, that we -- you
4 know, the shelves every day.

5 They may have multiple accounts in this
6 whole campus, but there's an interaction there.
7 So I could very well see that you know, it's one
8 operator, the whole thing, and it's dependent as
9 to work in one unit. And then, operationally as
10 well, from a safety factor, some of the things
11 that I heard even some of the attorneys expressed
12 early on about safety, absolute paramount.

13 So this to me has always been
14 envisioned as one big campus. But it might
15 service multiple customers under one operator.
16 And that rail to me is dependent. I mean, if I
17 could disclose to you, which I can't under legal
18 and the attorneys on the phone could tell you I'm
19 on multiple NDAs and we normally get asked to
20 sign them when someone comes along and says, boy,
21 we're interested in your project and we'd like
22 to, you know, maybe be a tenant.

23 Well, we're not to that stage yet. But
24 you know, the food and opportunity and companies
25 out there in general are such that this rail is a

1 major reason why I found Frank and his partners
2 to be able to talk about developing this
3 property.

4 The two main Class I railroads are the
5 CSX and Norfolk Southern, as many are aware.
6 They are both investors in the NYSNW, the
7 shoreline that we have here. And that's actually
8 through my other developments with both those
9 railroads, over 30 -- you know, over a long
10 period of time.

11 How I found out about this and the
12 demand to say that yes, there is a huge, you
13 know, need and opportunity for rail served
14 dependent buildings like this to get to the
15 market. I'll give everybody a prime example.

16 I live here in Bradenton, Florida.
17 Tropicana, orange juice. We all, you know,
18 hopefully a lot of people drink it. Some don't.
19 The biggest Tropicana plant is right down the
20 street, or I should say miles from where I live.
21 Almost every other day we call it the Tropicana
22 train.

23 It's loaded up with frozen concentrated
24 finished product in containers and in boxcars
25 that are temperature controlled and it is railed

1 all the way to Edison, to New Jersey. And it's
2 unloaded there in the warehouse just like we're
3 showing in our site plan and in development. And
4 it is distributed from there for -- to service
5 this market. That's the type of tenant I want in
6 this building potentially.

7 KATHERINE SAMANAND DASH: Understood.
8 I want to stay away from the hypotheticals, just
9 so we don't --

10 JIM FORD: Okay, that's fine. No
11 problem.

12 KATHERINE SAMANAND DASH: -- belabor
13 anything. No, no, no, just my own question -- my
14 line of questioning. I wanted to avoid that. So
15 I -- very briefly, if you could describe -- I was
16 just looking at the layout. Can you just
17 describe how freight is offloaded from the rail
18 line and how the freight actually makes its way
19 into the building from the train?

20 JIM FORD: Sure. The boxcars obviously
21 are pulled up and staged against the outdoor dock
22 area that Tony Diggan was referring to. Under
23 the canopy, of course, we're New Jersey, so we've
24 got weather conditions to take into
25 consideration. So it is canopy closed for safety

1 issues, for weather issues, for many things.

2 A fork -- the doors would open. And
3 typically a forklift -- well, it's a metal dock
4 plate we call it. It's a plate that goes out to
5 cover the gap between the concrete platform and
6 the railcar for safety issues. There's P -- you
7 know, a strip that goes on top of that that a
8 forklift would go into the car, take out the
9 first palette or load, whatever it might be,
10 paper, whatever the product may be.

11 And then, it's shifted around. It's
12 going into the building and it's being either
13 staged right within the building in what we call
14 a speed bay area, which is more of a wider bay
15 area. And then it ultimately is put into a spot
16 to sit there and dwell for three months, six
17 months, whatever it might be until it's ready to
18 go out to its ultimate destination for -- because
19 -- for consumption.

20 KATHERINE SAMANAND DASH: And so, it's
21 direct -- the building side -- I'm trying to look
22 at the direction. So the building side that the
23 rail -- the canopy is on, there is openings on
24 that side, that the freights can be forklifted
25 directly into the building on that side?

1 JIM FORD: It's an outdoor concrete pad
2 area. It's dock high. So then the forklift --

3 KATHERINE SAMANAND DASH: I'm saying,
4 there's building openings.

5 JIM FORD: Yes, yes.

6 KATHERINE SAMANAND DASH: There's
7 openings to the building --

8 JIM FORD: Yeah, it's like driving
9 indoors.

10 KATHERINE SAMANAND DASH: Okay.

11 JIM FORD: It's like driving indoors.

12 KATHERINE SAMANAND DASH: Okay. It's -
13 - I didn't see an elevation for that side of the
14 building, so if your architect or your
15 professionals could provide --

16 JIM FORD: Sure.

17 KATHERINE SAMANAND DASH: -- an
18 elevation for that side, it would -- I think it
19 would clarify that for me. I wasn't sure --

20 JIM FORD: Yeah.

21 KATHERINE SAMANAND DASH: -- how it
22 made its way into the building. And I had just
23 one final question, and it's mostly a point of
24 clarification. You had mentioned about the
25 traffic study. And again, I don't want to get

1 too far into traffic because you will have an
2 expert testifying on that.

3 But you'd mentioned that that was --
4 the number of trips was a conservative estimate
5 because -- kind of your mission statement was
6 really to utilize the rail line to remove truck
7 traffic in all of the, you know, potential
8 consequences like pollution and congestion that
9 come with that.

10 And I don't want to mischaracterize
11 your statement, but I believe you mentioned that
12 was conservative because, you know, you do have
13 the rail line.

14 JIM FORD: Correct.

15 KATHERINE SAMANAND DASH: Is there any
16 reason why or is there any way to incorporate you
17 know, the -- kind of shift potential trips to the
18 rail? Because I think, you know, you could get a
19 mix of both, right? You could get the
20 conservative estimate.

21 JIM FORD: It's going to be a mix of
22 both. I think being realistic and straight-
23 forward, honest, it's going to be a mix of both.
24 You know, you can't --

25 KATHERINE SAMANAND DASH: Okay, so

1 yeah, I'll just wait to hear from the traffic
2 engineer. I just wanted to --

3 JIM FORD: Yeah.

4 KATHERINE SAMANAND DASH: -- we had
5 that clear, okay.

6 JIM FORD: Sure, yeah.

7 KATHERINE SAMANAND DASH: Yeah, thank
8 you very much.

9 JIM FORD: Sure.

10 CHAIR ANDREW REINA: Thank you,
11 Katherine. So at this time, again, I know we're
12 running short on time. This is clearly going to
13 move into our next session. So this will be
14 carried forward. I believe, and Diana, keep me
15 honest on this one, I believe it's April 6th?

16 SECRETARY DIANA KATZENSTEIN: Yes,
17 that's right.

18 CHAIR ANDREW REINA: Okay. So Mr.
19 Ford, I think you know, we'll continue some of
20 the questions. I'd like to turn it over to the
21 Board Members to start asking some of their
22 specific questions. But just, you know, with the
23 understanding there's -- again, we're not going
24 to get through this in the next 13 minutes.

25 So you know, we'll ultimately end up

1 carrying this forward. But Diana, if you
2 wouldn't mind, I guess just based on the roll, if
3 you could start coming down and just turning to
4 the Board members for some questions?

5 SECRETARY DIANA KATZENSTEIN: Yes,
6 (indiscernible), yes. Councilwoman Quinn?

7 MEMBER CHRISTINE QUINN: Okay. So just
8 a couple clarifying questions here. So first and
9 foremost, how many trucks come in and out of the
10 existing site today? So the existing
11 manufacturing that's going on there right now,
12 the businesses that are there now, how many
13 trucks come in and out of there each day?

14 JIM FORD: Right.

15 MEMBER CHRISTINE QUINN:
16 (indiscernible) a comparison figure.

17 STEVE GOUIN: Jim, if you have that
18 answer, you can answer it. Otherwise, I think we
19 may want to come back to that answer the next
20 time because I think we're --

21 MEMBER CHRISTINE QUINN: That's fine.

22 STEVE GOUIN: I think we're working on
23 getting a real answer to that question.

24 MEMBER CHRISTINE QUINN: Okay. I just
25 would like to get a comparison of what we have

1 today and what we're looking at, because you
2 know, I would like that clarification, if you
3 could. Also, I don't -- there are obviously no
4 plans on this site, but I want to clarify and
5 make clear, you are not putting in any kind of
6 application whatsoever that includes any fuel
7 stations or any fuel to be stored on site for any
8 of these trucks, correct?

9 JIM FORD: Correct.

10 MEMBER CHRISTINE QUINN: Okay. I just
11 wanted to verify. Also, with regard to security,
12 there's two questions in here, intertwined. So
13 first and foremost, is this site going to be
14 operational 24/7 with things coming in and out
15 all day and night long? Or are there straight
16 hours of operation? I'm just trying to get a
17 handle on that.

18 JIM FORD: That is unknown.

19 MEMBER CHRISTINE QUINN: Okay.

20 JIM FORD: And anywhere, here or in the
21 country, it could be one shift. And I -- someone
22 said earlier, eight hour shifts. That's pretty
23 accurate. It could be one shift or two shifts.
24 It's typically one or one to two shifts, not 24-
25 hour operation.

1 MEMBER CHRISTINE QUINN: Okay. Thank
2 you for clarifying. Also, it sounds like
3 everything that's coming up here, it would be
4 counterintuitive or counterproductive for a train
5 to come from Edison up to here to bring shipment
6 and ship things back to Edison.

7 So I just want to clarify also that the
8 goods and services, as you testified before, are
9 really coming for here and probably most likely
10 north of here. They're not going back down to
11 the places obviously where they're coming from
12 because there's already storage facilities and
13 that's in Elizabeth, in Edison, down there.

14 So these things, they're coming up on
15 rails. And then, the intent is to keep them
16 going north from here, is that correct? Did I
17 understand that?

18 JIM FORD: That's somewhat correct. I
19 mean, and the reason why I say that, it's
20 qualified is that very specifically is that we
21 very much so may have a user, consumer goods user
22 for the building that presently is not heavily or
23 using rail in Northern New Jersey.

24 So Edison was just an example. That's
25 all it was, was using an example of a rail, you

1 know, opportunity, okay? There is no direct
2 connect or interface with Edison and that
3 marketplace up here, yeah.

4 MEMBER CHRISTINE QUINN: I know. And
5 let me clarify, so I apologize.

6 JIM FORD: Sure. That's all right.

7 MEMBER CHRISTINE QUINN: I didn't mean
8 it to come that way. What I was simply saying
9 was, there are these warehouses and access to
10 rail are much more prevalent as you go east from
11 here. The point of it coming up here and being
12 housed here is obviously not to ship it back
13 there.

14 JIM FORD: Correct.

15 MEMBER CHRISTINE QUINN: So I also want
16 to clarify, it's coming up here and then it's
17 going north from here. Like it's going to
18 Pennsylvania, like you said, possibly New York
19 State, here, to our colleagues that are further
20 out in Sussex County. So that's the intention.

21 Obviously, logistically it makes no
22 sense to ship it here from the east and then
23 truck it back there. So that's what you're
24 seeing as the majority of the logistics or the
25 flow, correct?

1 JIM FORD: Correct. Correct.

2 MEMBER CHRISTINE QUINN: Okay. And
3 with regard to truck drivers, I appreciate the
4 clarification. And this is why I want to kind of
5 get a handle of how many trucks are in and out of
6 there today right now, because that's going to
7 directly affect or our perception of what's going
8 on with traffic moving forward, right?

9 So we need to know what we have today,
10 because a lot of people don't even realize that
11 this exists today. So we want to understand
12 where we are today, where we're going. So my
13 question is, these people will not be sleeping at
14 this site in trucks, correct?

15 JIM FORD: No.

16 MEMBER CHRISTINE QUINN: They're not
17 going to be having sleepovers or anything of that
18 nature with drivers?

19 JIM FORD: No.

20 MEMBER CHRISTINE QUINN: Okay.

21 JIM FORD: Absolutely, yes.

22 MEMBER CHRISTINE QUINN: I want to
23 clarify, because this is a real issue.

24 JIM FORD: Yes, I understand.

25 MEMBER CHRISTINE QUINN: And then the

1 other thing is, what's your security plan for
2 this site? Now I know it's conceptual, but is
3 your intention or your experience with other
4 sites that these things are fully -- you know, do
5 you have security in your other places that
6 you've done? Is that the intention for here or
7 to have security on site 24/7 to make sure that
8 this --

9 JIM FORD: Yes.

10 MEMBER CHRISTINE QUINN: Okay.

11 JIM FORD: Yes.

12 MEMBER CHRISTINE QUINN: Okay.

13 JIM FORD: That's the intention. Every
14 operator's different, but yes. Depending on the
15 type of goods, I mentioned things like pharma. I
16 didn't even talk about things like electronics or
17 something like that. There are absolutely
18 standards for security. So some tenants, you
19 know --

20 MEMBER CHRISTINE QUINN: It needs to be
21 -- yeah, it needs to be said and clarified so
22 that we can be assured. So that's why I feel
23 good, but I want to hear it from you.

24 JIM FORD: Yes.

25 MEMBER CHRISTINE QUINN: And my last

1 thing is, can you just briefly explain, based on
2 your experience in the past in doing this in
3 different communities, the benefit to the
4 community? So we have a lot of people that are -
5 - and myself included, we need to understand sort
6 of, because this is new to us, you know, the
7 benefits.

8 You touched on some of them, but
9 obviously, there are big benefits. And I'd just
10 like you to sort of go through for us, if you
11 will, so that we can understand also the
12 positives for our own community of being able to
13 have this here.

14 JIM FORD: Like I said, us as local,
15 you know, in this community or any community as
16 local consumers, you know, it benefits you
17 because this type of operation is going to allow,
18 you know, to not have to go to the store and see
19 things run out whatever it might be as an
20 example, right?

21 But then, the benefits that I didn't
22 talk about, you know, are the potential for job
23 creation. You know, I can't promise -- you know,
24 I can't promise there's going to be, you know,
25 over 100 jobs, you know? I can't. And in my 30

1 year, you know, experience with this, I don't
2 think the numbers are going to be that high. I
3 really don't.

4 But there is the opportunity for job
5 creation. Texas, you know, what is this land in
6 the form of, you know, what is a project in the
7 form of land as an operating company around
8 paying taxes? You know, I believe that these
9 operations, you know, create a much, much higher
10 tax base for the community and the benefit of
11 that in general.

12 You know, those are a couple of the key
13 ones just from a benefits standpoint that we
14 haven't even talked about.

15 MEMBER CHRISTINE QUINN: And also, just
16 finally my last one is with regard to
17 partnerships. So I understand that, of course,
18 you cannot say that, oh, we're going to have this
19 many jobs and it's going to be only local people,
20 and you know, we're only going to use local
21 things. And I understand that.

22 I would never ask that. And in your
23 experience, are you open, for example, to working
24 with local schools, whether they be technical
25 schools or our county college, for example,

1 because they've got a lot of these platforms --
2 refrigeration, for example, rails, whatever it
3 may be.

4 So I mean, I see that as a benefit, but
5 I want to get your opinion on that. Are you
6 open? Do you do that in other places as well?

7 JIM FORD: Everywhere. Always do.

8 MEMBER CHRISTINE QUINN: Okay.

9 JIM FORD: In fact, if you really go
10 through the lists of (indiscernible) and talk to
11 date and those who haven't yet, they're as local
12 as we -- you know, as we can get. But yes, and
13 especially technical schools, those type of
14 things for job creation, job training, that is
15 one of my best sales tools ever, when I'm
16 looking, you know, to put it at a good Fortune,
17 you know, 50, 50, 100, whatever it might be
18 company in a building like this, is to say we
19 have the resources locally.

20 And yes, that's -- I use it down here,
21 you know, with -- it's a school called
22 (indiscernible) State. So yes, I'm a big, big
23 fan of that. And it uses many local trades, even
24 the construction process when we can,
25 subcontractors, those who work on the sites, all

1 of that, absolutely yes.

2 MEMBER CHRISTINE QUINN: Okay. Those
3 are my questions. Thank you so much, Mr. Ford.

4 JIM FORD: Certainly.

5 CHAIR ANDREW REINA: Thank you, Chris.
6 Diana, next round, we've got about six minutes.
7 And again, I just want to reiterate to the public
8 and everybody that's in attendance. So we will
9 be continuing to address questions as they come
10 in. There's a combination of questions and
11 statements that are out there right now.

12 So we will certainly control those that
13 are within our jurisdiction that we can address.
14 Again, the intention is, we want everybody's
15 input and feedback on this. This is not
16 something that's going to be done in isolation.

17 As you've heard repeatedly, this is a
18 very long process. This is the very start and
19 the very tip of it. So you know, I just want to
20 make that clear as we go through this. We've got
21 about four minutes left of our meeting.

22 I don't know if perhaps, you know, we'd
23 like to stop here or I guess my recommendation,
24 Mike, I see your hand up. Is there -- again,
25 understanding we've got about four minutes. We

1 are going to carry this meeting forward over to
2 our next April meeting. So looking forward to
3 continuing the discussion. But go ahead, Mike.

4 MEMBER MIKE SYLVESTER: Yeah, Mr.
5 Chairman. Before we go in, I have two comments
6 and one or two quick questions. But I don't know
7 if it's up to everybody here tonight. The
8 public's been waiting for a long period of time
9 and heard testimony that may be applicable to
10 some of their questions.

11 So I don't know if we want to expand
12 that or if we're going to move forward into the
13 next one. But if that's open to the
14 consideration for everybody on the call as well
15 as yourself to hear the public, they've been
16 patiently waiting.

17 Saying that, and you guys could
18 consider and decide on that, saying that, there's
19 two quick statements. Mr. Ford, first of all,
20 very impressive and a great presentation. And
21 you're obviously very experienced in your
22 profession as well. So I thank you for you
23 laying out a lot of clarity to your vision and
24 your experience of what you could bring to the
25 community.

1 I mean, but putting it all out there,
2 it's all about rateables, jobs. You're going to
3 deal with sustainability. This development is
4 based on economic conditions as they are today
5 versus what they can be tomorrow. And it has to
6 be a sustainable development of that size.

7 And then, as well as the traffic.
8 Let's put that right out there as well. So I
9 just wanted to really focus that issue, because a
10 lot of the citizens as well as others are
11 concerned, let alone the components of the
12 development, short-term versus long-term.

13 Secondly, there's one question for you.
14 In regards to your previous experience, have you
15 considered doing community outreach in
16 stakeholder process prior to just submitting
17 applications? And in your past experiences,
18 approaching a community with a vision or a
19 development and getting community buy-in and/or
20 community support and municipal county, local
21 support to a project versus an application? I
22 mean, how have you managed or mitigated that
23 issue in your past experience?

24 JIM FORD: My typical experience has
25 been that -- I'd like to create a brand new PUD,

1 a brand new ordinance, whatever it might be,
2 absolutely, yes. Because it's not permitted.
3 You know, in this case, you know, our team was
4 believing that, you know, and I'm happy.

5 Believe me, I'm happy to be here
6 tonight and inform the public. I really am. But
7 knowing that it's conforming. Knowing it was
8 within the -- you know, the Zoning Ordinance and
9 all the parameters of it, normally we wouldn't go
10 out and do this community type of outreach.

11 But if it was something new, a
12 completely new, a brand new, you know, plan unit
13 development or plan development, some call it,
14 yeah, you would typically, you know, consider
15 doing an outreach and talking it through.
16 Absolutely.

17 MEMBER MIKE SYLVESTER: Okay, thank
18 you. That answers the question. And then
19 finally, when you evaluated and decided upon a
20 project, you obviously factored in your highest
21 and best use. You mentioned dwell warehousing as
22 the niche product that is the highest and best
23 use as you see it today.

24 Obviously with inflation, economic
25 conditions, uncertainty, all those factors, jobs,

1 etc., it really goes down to, you know, bringing
2 this into a community today, is it sustainable
3 tomorrow?

4 And have you factored that into your
5 pro forma and/or your considerations? Or is it a
6 long-term -- is it a short-term or a long-term
7 investment from your perspective?

8 JIM FORD: Long-term.

9 MEMBER MIKE SYLVESTER: Okay, thank
10 you.

11 JIM FORD: Absolutely long-term.

12 MEMBER MIKE SYLVESTER: And then
13 finally, I'll table this, but I do want to set
14 the stage for this. I heard a lot about traffic,
15 traffic, traffic. Traffic studies usually look
16 at the final end use and the impact to the roads,
17 etc.

18 But in a project and an order of
19 magnitude of this type of project, I think we've
20 got to consider site development, the pre-
21 development, site development, the construction
22 phases and those impacts during all those phases,
23 whether you're running supplies, trucks, fill,
24 exporting, fill, etc., the public needs to be
25 aware of understanding during all those phases of

1 that entire life cycle of the project, that
2 traffic should maybe speak to that as we hear
3 testimony moving forward. And that's all I have
4 to say. Thank you, everybody.

5 CHAIR ANDREW REINA: Thank you, Mike.

6 MEMBER JERRY MURPHY: Sitting next to
7 Mike, if I might just jump ahead here, I think
8 the crux of this whole matter is, this is not a
9 brown field, but the cost to this community to
10 develop a ratable versus the actual tax benefits
11 from this ratable really need to be assessed.

12 And I think Mike mentioned that, and
13 I'll put my wagon to his, and it all is going to
14 boil down to traffic. I don't have anything
15 further to say.

16 CHAIR ANDREW REINA: Thank you, Jerry.
17 Well, I want to thank everybody from you know,
18 our -- the witnesses, the attorneys, the public
19 for your patience and for your participation in
20 this. It is a critical component of this. And
21 you know, I just want to stress and re-emphasize
22 that you know, again, I know this is going to be
23 a long, you know, a longer process for us to get
24 through all this stuff.

25 And you know, our goal is, I've seen

1 some of the questions with regards to future
2 meetings. You know, again, the voice of the
3 community, which is a really important piece of
4 this. And you know, our -- we will continue this
5 process into -- as long as we need to with
6 regards to getting through the testimony and
7 making sure that we address all of the public
8 questions and concerns around this. Christine, I
9 see your hand up real quick. Is there something
10 you wanted to address?

11 MEMBER CHRISTINE QUINN: Just real
12 quick, yes. Super quickly, I was just wondering,
13 we have some questions that came in, and I was
14 wondering if the Applicant would mind if the
15 questions were passed to them so that we could
16 maybe put together like a bulleted list of maybe
17 answers for people so that they could get this
18 information before the next meeting or at the
19 next meeting?

20 But at least we would have -- they
21 would have the ability to answer these questions
22 for the people that were on the phone tonight
23 that asked them.

24 STEVE GOUIN: Yeah, so the answer to
25 that is not at all. That was -- and Chairman,

1 I'll let you finish up first, but that was one of
2 the things we were going to ask for, and then I
3 just had a couple of housekeeping items.

4 CHAIR ANDREW REINA: Yeah, and that's -
5 -

6 STEVE GOUIN: So you can go ahead.

7 MEMBER CHRISTINE QUINN: Thank you.

8 STEVE GOUIN: No, that sounds great.
9 And Christine, you read my mind, because I know
10 there are a number of questions out there.
11 Again, we'll distinguish between questions versus
12 statement or opinion stuff. But we will make
13 sure all of the questions get out there, so that
14 way the Applicant and their team can take a look
15 at those.

16 With regards to some of the
17 housekeeping items I've got on the agenda, one is
18 I would recommend we look at the -- a landscape
19 plan as well as a lighting plan. I know those
20 were two topics of discussion that we didn't
21 really get an opportunity to dig too far into.
22 Or I have not seen specific plans aside from the
23 high level stuff.

24 So Mr. Gouin, I would advise maybe
25 we're -- I don't know if there's an expert or if

1 there's maybe a deeper plan that the developer,
2 or Mr. Ford has developed? But I would recommend
3 if you do have that, if you could put that
4 forward, I would appreciate it.

5 Our next meeting, again, our carryover
6 meeting for this conversation will be on April
7 6th. So that is the current date that we're
8 looking at right now. I've seen a lot of
9 questions with regards to in-person.

10 And just for the record, so there's
11 clarity amongst the community on this. So we
12 have been virtual since the pandemic. And I know
13 there are some different, I would say
14 departments, or some different groups that are --
15 have been getting together on an in-person basis.

16 Obviously, our first concern was the
17 health and well-being of the members of this
18 Board. We are evaluating that as a Board. That
19 is a process that we have to go through as a
20 Board to determine it. There are some
21 notifications and things that need to go out that
22 help drive that with us going back to an in-
23 person session.

24 So that is something that the Board and
25 I will be taking up and we will be discussing, to

1 put those plans in place. But I did want to
2 address that housekeeping item while I saw some
3 of those questions.

4 And Mr. Gouin, is -- were there other --
5 - I know you had a couple of areas that you
6 wanted to address as well, just in closing here.

7 STEVE GOUIN: Yeah, just -- well,
8 really quickly, Mr. Chairman, so I was going to
9 suggest, and I know April 6th is the next
10 meeting. If the Board wants to do it, we'd be
11 happy to do a special meeting and just answer the
12 public's questions on the witnesses that we
13 presented tonight.

14 But I know that's extra work for the
15 Board. So it's up to you all, if you want to do
16 it. We can do it between now and then.

17 CHAIR ANDREW REINA: Thank you.

18 MEMBER JERRY MURPHY: Mr. Chairman, if
19 I may? One housekeeping issue. On the ownership
20 disclosure form, the three owners listed, if they
21 could give the percentage of ownership, that
22 would (indiscernible) the form.

23 CHAIR ANDREW REINA: Yeah. I caught
24 that as well, Jerry. Thank you for raising that.

25 STEVE GOUIN: We can do that.

1 MEMBER JOHN KOLLAR: And this is John.
2 Just one request with the -- with having a
3 special meeting to address the public. I think
4 it would help if we went over the traffic,
5 studying the traffic expert first, and then let
6 the public have a -- because a lot of questions
7 are coming in about that. I spent three hours
8 studying that traffic study.

9 CHAIR ANDREW REINA: Yeah.

10 MEMBER JOHN KOLLAR: And that's one of
11 the reasons I was a little annoyed earlier, that
12 when I realized I wasn't going to get to that. I
13 have a stack of questions on it. But you know, I
14 have work in the morning, so --

15 CHAIR ANDREW REINA: Yeah, no, and I
16 think as Mr. Sylvester said, you know, Mike had
17 indicated this and alluded to it earlier. And
18 certainly the traffic component behind this, the
19 environmental component behind this, I know there
20 are a lot of important issues in front of us to
21 be able to address this.

22 And they're -- again, we have a lot of
23 testimony to get through. So I recognize that.
24 I appreciate everybody's patience because this is
25 not a quick process and there's a lot of material

1 to get through. I appreciate the volunteers that
2 are on this, you know, that are on the Board,
3 putting in four hours, and you know, those in the
4 community and as well as the Applicant.

5 So I'm incredibly grateful for
6 everybody's time and commitment to this. You
7 know, just an extremely important and certainly a
8 very key area for us to look at and make sure
9 that we've got a full understanding of what this
10 project.

11 There's full transparency across the
12 Board, and that, you know, that we're aligned on
13 it. So I am absolutely grateful for everyone's
14 time. Mike, did you have any other comments you
15 wanted to share?

16 STEVE GOUIN: Mr. Chairman, just really
17 quickly, I was wondering if we could prior --
18 well, sometime in the next couple of days, if we
19 could get a list of the questions, like you were
20 alluding to? I'm not sure how that works with
21 Zoom.

22 CHAIR ANDREW REINA: Yeah, that's a
23 good question. And let me ask Mike Sylvester. I
24 mean, there's -- I can see the questions here. I
25 can take -- we can take some screenshots of them.

1 But Mike, I don't know - is there an opportunity
2 to download those -- to download these?

3 MIKE DEMPSEY: I've saved the questions
4 that were submitted.

5 CHAIR ANDREW REINA: Okay, perfect.

6 MIKE DEMPSEY: So we do have a copy of
7 them. Before we disconnect, I will do a second
8 save to make sure we didn't miss any.

9 CHAIR ANDREW REINA: Wonderful. Thank
10 you, sir.

11 STEVE GOUIN: And then just lastly, Mr.
12 Chairman. I'm wondering if -- because we heard
13 from Mr. Cohen and Mr. Dash tonight, if they
14 could just confirm for us who they are
15 representing in this, because I don't think we
16 got to that at the beginning.

17 ANAND DASH: Mr. Gouin, I had mentioned
18 earlier that I am representing myself as a
19 resident of Sparta.

20 STEVE GOUIN: Oh I'm sorry. I missed
21 that.

22 ANAND DASH: That's okay.

23 BOARD ATTORNEY TOM COLLINS: And Mr.
24 Chairman, I will respond to that. I represent
25 Georgianna and Michael Burns, who reside -- who

1 own and reside at 95th -- 95 Demarest Road. And
2 I do have just a question about procedure.

3 The questions that are presented, would
4 they be posted on the website so that the public
5 could see the questions being asked, and if there
6 are any written responses by the Applicant, they
7 would also be posted.

8 CHAIR ANDREW REINA: Tom, is there a
9 precedent for that or a recommendation from a
10 legal perspective?

11 BOARD ATTORNEY TOM COLLINS: Not
12 really. So that would be fine, if the Applicant
13 would like to answer them, they could send an
14 answer and that could be posted with the
15 questions.

16 It all really has to be dealt within
17 the public hearing, though, so anybody that has a
18 question really, you have to be sworn and testify
19 and ask questions (indiscernible) to have a
20 continued dialogue or question. So Mr. Chairman,
21 without further notice, we should carry this
22 without additional notices to April 6th at 6
23 p.m., again, by Zoom, until we have decided
24 whether we're going off remote.

25 CHAIR ANDREW REINA: Okay. Mr. Cohen,

1 did that address your question, sir?

2 LARRY COHEN: That did, thank you.

3 CHAIR ANDREW REINA: Great. Mike, any
4 last -- I see your hand up as well. Again, I
5 want to make sure I can address them to the
6 extent that I can.

7 MEMBER MIKE SYLVESTER: I think -- I
8 appreciate everybody's patience tonight. And Mr.
9 Chairman, I'd like to make a motion to adjourn
10 the meeting.

11 BOARD ATTORNEY TOM COLLINS: But before
12 we do -- it's carried, it will be carried without
13 additional notices to April 6th, 6 p.m., a remote
14 meeting like tonight. Thank you, everybody.

15 MEMBER JERRY MURPHY: I'll second that
16 motion.

17 MEMBER JOHN KOLLAR: All right, thank
18 you everyone --

19 MEMBER JERRY MURPHY: All in favor?

20 BOARD: Aye.

21 MEMBER: Have a great night.

22 CHAIR ANDREW REINA: Thank you
23 everybody and goodnight. Have a wonderful rest
24 of your week.

25 MEMBER: (indiscernible).

1 BOARD ATTORNEY TOM COLLINS: Thank you,
2 everybody.

3 MIKE DEMPSEY: This concludes the
4 Sparta New Jersey Planning Board Meeting. The
5 time is 10:11 p.m. Eastern Standard.

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C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certify that the
foregoing transcript is a true and accurate
record of the proceedings.

Sonya Ledanski Hyde

DepoLink Court Reporting & Litigation
Support Services
100 Eagle Rock Avenue
Suite 140
East Hanover, New Jersey 07936

Date: May 19, 2022

A		
A1	accomplished	207:22 208:13
13:18 14:6	32:11	Additionally
A2	accounts	130:3
19:11,12,20	156:9 178:5	address
A3	accurate	10:16 11:23,25 27:1,21 32:4
106:23 107:4	119:2 186:23 210:4	33:6,11 34:6 42:5 96:24
ability	achieved	104:18,22 127:23 128:24
48:19 69:1 160:6 176:2	39:12	129:17 132:2 142:5,8 143:12
200:21	achievement	143:15,16 149:11 170:9,13
able	102:4	170:22 194:9,13 200:7,10
4:2 13:25 18:19 19:4 21:11	Acme	203:2,6 204:3,21 208:1,5
28:13 32:22 42:25 61:4	152:10	addressed
76:11 113:8,16 128:1 151:8	acre	31:14 50:13 53:24 115:20
166:23 177:21 179:2 191:12	59:11	123:19 129:12 138:7 141:21
204:21	acreage	146:10 166:22
absolute	55:24 57:2	addressing
144:10 153:21 175:3 178:12	acres	131:19 146:10
absolutely	15:2 16:7 56:1,18,19,23,24,25	adequate
118:16 150:9 168:19 189:21	149:12	71:2 129:17
190:17 194:1 197:2,16	Act	adequately
198:11 205:13	42:1	33:8
abuts	active	adjacent
108:14	12:10 121:21	26:9 85:19 92:15 108:19,20
accept	activity	177:2
13:2 105:14	152:18	adjourn
acceptable	acts	140:17 208:9
120:13 122:9 169:7	134:13	Adjustment
accepted	actual	11:7
42:9 103:15	49:21 61:24 74:15,18 96:3	administrative
accepts	110:24 131:12 142:10	77:21 110:19
106:11	199:10	admitted
access	actuality	5:7 72:12
15:17,20 16:1 21:2,5,8,15,20	68:2	adopting
21:23 22:5,21 39:13,14	ADA	99:24
48:15 49:3,5 50:21,23 60:18	23:15 132:12	advance
60:22,24 61:7,8,12 70:4	Adam	6:24
74:11 108:16 188:9	9:24	advise
accessory	add	201:24
107:22 110:16 114:22 118:17	38:5 124:5	advisement
accidentally	added	47:1
122:2	73:16	aerial
accommodate	addition	14:6,14 107:10 112:6
46:19 80:20 114:18	38:7,8,13	aerosols
accommodated	additional	155:4
115:17	27:20 28:5,6 33:3 53:25 82:7	AF
	82:8 86:5 139:12 153:6	28:15

<p>affect 189:7</p> <p>affirm 11:17 104:12 143:5</p> <p>affirming 95:18</p> <p>agency 7:8</p> <p>agenda 201:17</p> <p>aggressively 125:8</p> <p>ago 3:15 8:6 145:16 147:9 151:14 158:7</p> <p>agree 65:15 89:8,14 90:22 91:25 92:7,12,19 93:7 94:12 97:24 97:24 139:15</p> <p>ahead 5:20 11:14 13:14 54:20 106:13 107:4,15 140:10,12 143:20 195:3 199:7 201:6</p> <p>aim 140:21</p> <p>air 55:12,15 60:15 112:15 124:15</p> <p>airport 172:19</p> <p>aisle 68:9 69:21,22 71:3 131:8</p> <p>aisles 68:6 71:14</p> <p>alert 30:18</p> <p>aligned 205:12</p> <p>allow 5:3 18:13 81:17 98:24 191:17</p> <p>allowed 135:13</p> <p>allowing 98:18</p> <p>allows 149:16</p> <p>allude</p>	<p>101:25</p> <p>alluded 156:16 204:17</p> <p>alluding 205:20</p> <p>aluminum 107:24 117:21 118:5 158:15 158:25 159:13</p> <p>amassing 108:6</p> <p>amazed 88:19</p> <p>ambiguity 65:25</p> <p>amend 88:2</p> <p>amended 8:6 35:24,25</p> <p>amending 97:19</p> <p>amendment 82:15 83:23 84:7 86:3 99:25</p> <p>America 165:9</p> <p>American 88:3</p> <p>amount 56:6,10 65:15,25 67:23 80:4,6 122:7,8 129:7,7 160:25 163:16 165:5</p> <p>amounts 150:12</p> <p>analyze 28:1</p> <p>Anand 5:10,11,18 10:18 13:11 52:21 88:24 89:5,7,12,24 90:7,16 90:22 91:2,9,17,25 92:4,7,12 92:18 93:1,5,7,11 94:24 95:8 95:22 96:19 97:6,9,12,22 98:3,12,21 99:6,11,17 100:3 105:20 206:17,22</p> <p>and/or 123:14 196:19 198:5</p> <p>ANDREW 2:24 3:5,18 26:25 30:10,15</p>	<p>31:19 33:5 35:7 45:23 47:15 47:21 48:2,18,21 49:14 50:11 51:8,14 53:11 54:5 98:7 111:17,23 114:7 115:3 137:13 138:1,5,22 139:7 140:4,9,13 141:3,8,14,18 168:21 169:6,11 173:25 184:10,18 194:5 199:5,16 201:4 203:17,23 204:9,15 205:22 206:5,9 207:8,25 208:3,22</p> <p>angle 124:8</p> <p>annoyed 204:11</p> <p>answer 6:25 10:5 29:6 35:2 42:3 43:13,14,17 50:3,7 51:23 52:17,19,20 64:15,17 72:11 90:17 113:19 120:20,21,24 122:16 126:25 132:22,23 147:16 161:12 165:25 166:23 172:10 173:4 185:18 185:18,19,23 200:21,24 203:11 207:13,14</p> <p>answered 43:4 64:12</p> <p>answering 71:22</p> <p>answers 197:18 200:17</p> <p>Anthony 165:23 172:14</p> <p>anticipate 33:13 51:12 112:9,10 139:21</p> <p>anticipated 49:18 51:4 109:16 110:5,8,15 111:14 118:17</p> <p>anybody 43:9 111:19 131:18 168:6 207:17</p> <p>anymore 153:14</p> <p>anyplace 86:10</p> <p>anyway</p>
---	--	--

<p>49:10 51:17 apologize 126:15 127:9 188:5 apparatus 118:25 appear 88:4 appeared 12:16,18,19 45:17 appearing 5:1 appears 128:18 applicable 8:2 53:15,19 195:9 applicant 4:16 6:4 9:22 11:3 18:7 20:6 26:22 35:21 62:18 87:3 100:10 117:10 131:23 200:14 201:14 205:4 207:6 207:12 applicant's 3:2 9:23 27:18 28:4 143:24 application 6:16 7:15,24 8:1,9,22 9:11,18 10:5 11:6,7 17:20 19:14 20:5 73:18 78:10,14,22 79:1 87:20 88:14,15 89:20 90:2,9 90:18,21 91:4,6 93:23 94:1,7 94:8 95:24 96:2,9,14 97:14 97:25 98:13,14 99:14,21 100:7,18 101:5,23 102:22 111:3 112:16 138:14 144:15 144:20,25 174:17 186:6 196:21 application's 23:17 applications 60:4 144:17 196:17 applying 123:12 appointment 160:18 appreciate 3:6 12:7 32:3 33:19,23 35:2 91:17 132:7 139:24 165:21</p>	<p>165:25 166:22 169:17 189:3 202:4 204:24 205:1 208:8 appreciated 35:3 approach 125:11 145:17 approaching 196:18 appropriate 64:16 168:20 approval 6:17,20 7:4,12,21 9:10,17 25:12 32:14 34:14 36:3 60:7 78:3,6,11,20 79:22 80:10 81:11,17 82:7 87:17 120:13 126:10,11 138:17,18,20 144:15 154:14 161:18 approvals 7:8 82:8 approved 35:17 78:8 82:13 144:21 157:21 approving 32:21 161:20 approximately 15:2 23:13,24 39:9 50:25 56:19,23 62:13,15 63:1 64:22 90:14 106:4 119:14 130:10 April 184:15 195:2 202:6 203:9 207:22 208:13 aquafer 43:10,12 51:25 52:4,5,7,11 119:9,23 architect 9:21 72:15 73:9 104:9 105:8 105:11,15 106:13 112:4 116:7 127:10 155:12 164:6 165:23 182:14 architect's 29:15 architectural 29:24 30:3 106:24 108:5 113:21 114:24 121:13 128:7 129:11 138:8</p>	<p>architecturally 106:18 architecture 41:20 104:21 111:2,4,9,25 114:6 115:7 122:24 123:3 area 16:13 17:22 22:18 25:19 26:6 26:8,10 45:1 46:20 58:8 64:14 68:9,21 69:14,18 71:17 72:3 75:22 76:15 79:17,18,19 84:14,18,24 85:7,11,17,20 122:5,9 130:18 131:11 180:22 181:14,15 182:2 205:8 areas 21:12,19 24:22,23 26:11,12 27:16 68:4,6 107:22,24 110:15 112:10,16 118:17 130:20 133:9 153:8 162:3,5 203:5 arguing 103:23,24 argument 103:19 arises 11:5 array 124:4 arrival 67:11 68:11 arrows 77:7 art 166:12 aside 79:18 201:22 asked 72:8 95:9,13 119:8 131:22 144:18 153:7 170:22 178:19 200:23 207:5 asking 7:3,20 8:19 22:25 42:21 53:2 58:25 59:3 67:16 71:1 80:2 87:4 136:4 161:19 184:21 aspects 146:4</p>
---	--	---

<p>assertions 97:3</p> <p>assessed 199:11</p> <p>assessment 101:3,4</p> <p>Associates 12:2 79:12</p> <p>associations 95:17</p> <p>assuming 63:17 124:17</p> <p>assured 190:22</p> <p>attaching 136:6</p> <p>attack 130:14</p> <p>attendance 30:20 194:8</p> <p>attendant 97:18</p> <p>attendees 3:13</p> <p>attorney 2:25 3:3,9,12 4:1,7,10,14,20 5:6,9,13,16,19,23 10:11,24 11:13,20 12:3,6 13:4,13,19 17:24 18:2,16 19:19,24 26:21 27:4 29:12 30:8,12 32:19 53:4 54:2,10,12,23 95:2 99:9 103:7,17,21,25 104:4,10,16,24 105:2,16 106:10 107:1 111:7,16,20 132:24 133:3 139:1,15,23 140:11,16 142:17,23 143:3,9 143:19 206:23 207:11 208:11 209:1</p> <p>attorneys 4:23 5:1 10:14 53:8 54:3,6,18 139:4 142:5 178:11,18 199:18</p> <p>attorneys' 139:5</p> <p>attributes 158:13 171:24</p>	<p>audience 4:20 30:18 31:2 34:21 50:15</p> <p>authorities 157:25</p> <p>authorization 87:13</p> <p>auto 150:12</p> <p>available 45:8 129:19 130:24 132:3,17 132:25 153:14 163:15,16</p> <p>Avenue 61:9 104:22 143:15 210:13</p> <p>average 160:24</p> <p>avoid 180:14</p> <p>aware 46:6,12 166:3 179:5 198:25</p> <p>Aye 208:20</p> <hr/> <p style="text-align: center;">B</p> <hr/> <p>B 20:15 21:2,6 22:12,14 23:25 39:12,16,21 63:8 68:18 84:17 85:13 89:5 108:20 171:5,10 176:23,24</p> <p>B-r-a-d-e-n-t-o-n 143:17</p> <p>Bachelor 12:11</p> <p>back 7:10 17:9 22:2 26:13 34:1 35:13,16,20 36:7 42:22,22 43:14,19 45:1,24 48:15 75:23 86:15 113:7 116:13,25 120:3 121:14 123:25 126:15 127:21 132:22 133:4 138:19 139:20 140:19 141:1 142:8 145:23 147:16 151:12 154:18 155:17 160:4,9 161:5 163:5 185:19 187:6,10 188:12,23 202:22</p> <p>backside 39:10 48:23</p>	<p>bad 146:17 152:17 154:7 168:15</p> <p>balancing 167:24</p> <p>ballads 121:17 122:1</p> <p>ballast 24:6</p> <p>ballasts 22:23</p> <p>band 107:25</p> <p>banging 121:16</p> <p>bank 17:15 22:20 23:7 24:6</p> <p>banking 22:18</p> <p>bar 71:1 74:7</p> <p>barren 151:19</p> <p>bars 50:23 69:24 74:2,4</p> <p>base 131:23 192:10</p> <p>based 16:8 24:19 27:7 28:3,14 31:24 32:8,25 33:15,20 37:2 49:15 63:23,25 65:22 67:3 79:24 80:5,10 87:23 129:14,18 130:25 185:2 191:1 196:4</p> <p>basic 68:4</p> <p>basically 24:13 34:11 39:14,23 50:24 57:14 62:23 67:15 71:14 83:2 84:13 86:11,12 110:6,7 117:21 121:22 130:1,9 137:2 138:13</p> <p>basin 86:8 133:11</p> <p>basins 24:17,25 26:3,9,14 77:11</p> <p>basis 63:24 66:5 124:21 160:1</p>
---	---	---

172:7 202:15	156:15 162:20,22 165:22,25	6:23 7:13 8:13 9:13 10:5
bay	166:7 167:13,17 171:20	26:19 101:1 169:2
181:14,14	172:5,22 177:13,17 178:14	boards
bays	191:9 193:22,22	11:12 12:16,17,17
109:12,13,15	biggest	boil
bearing	27:16 88:15 150:3 179:19	199:14
23:2 46:23	bit	bordered
beauty	15:24 20:20 34:8 48:3 50:10	15:10
149:3	50:15 101:21 129:9 133:8,12	bottling
began	141:5 145:17 149:20 155:20	159:15
147:9	156:7 167:14,15 168:16	bottom
beginning	blinders	26:8 50:16 121:24
118:19 151:2 161:15 162:7	134:4	bottoms
206:16	block	118:21
belabor	6:8 15:1 20:14	Boulevard
180:12	blocks	12:1
belief	20:12,18 73:6,13,15	boundary
75:16	blueprint	15:23 17:4,6
believe	37:9,12 38:14 40:17	bounded
12:5 23:14 29:2,3,15,16 30:3	blueprints	14:18 15:6,14
38:20 46:24 47:1 63:3 64:24	41:7	box
74:21 75:6 87:25 88:14 94:3	Board	25:17
111:1 125:13 127:2 133:15	1:12 2:25 3:9 4:1,7,10,14 5:6	boxcar
134:18 170:20 171:4 183:11	5:16,19,23 6:9,18 7:3,6,10	20:21,25 21:4 22:3,22 39:9,18
184:14,15 192:8 197:5	7:15 8:5 9:3,9 10:11,16,24	50:24 134:16
believer	11:6,13,20 12:3,4,5 13:2,4	boxcars
165:23 166:8	13:13,19 17:24 18:2,5,16	179:24 180:20
believers	19:19,24 26:18,21 27:4	boy
166:1	29:12 30:8,12,13 31:1,15	178:20
believing	32:5,19 35:20 36:7,9 52:9	Bradenton
197:4	53:4,6 54:2,10,23 57:20 60:6	143:17 179:16
benefit	82:3,13 87:3 91:20 95:2	brand
8:12 168:4 191:3 192:10	98:18 99:9 103:7,17,21,25	196:25 197:1,12
193:4	104:4,4,6,10,16,24 105:2,5	brands
benefits	105:14,16 106:10,11 107:1	172:14
191:7,9,16,21 192:13 199:10	111:6,7,16,20,21 115:5	break
best	120:12 131:25 132:24 133:3	128:3 130:20 140:1,25
193:15 197:21,22	138:7,21 139:1,15,23 140:8	breaking
better	140:11,16,17,19 142:17,23	129:15
17:15 40:13 146:20 168:4	143:3,9,19 144:3 154:13,19	bridge
beverage	157:7 164:24 169:3 174:11	38:22
148:25 149:1 152:13 159:13	174:17 184:21 185:4 202:18	bridges
beyond	202:18,20,24 203:10,15	173:10
16:19 27:8 82:9 157:17	205:2,12 206:23 207:11	brief
171:19	208:11,20 209:1,4	41:15 88:7
big	Board's	briefly

<p>34:7 120:20 180:15 191:1 brightness 166:18 bring 87:1 121:5 127:21 132:22 137:7 150:13 155:25 156:1 166:13,16 187:5 195:24 bringing 198:1 brings 38:20 72:7 broadly 53:17 broken 151:19,20 brokerage 153:4 brokers 157:1 brought 28:23 169:18 170:13 brown 146:14,23 199:9 buffer 25:25 buffers 17:22 build 125:8 145:3 149:21 151:22 167:5 build-out 125:3 building 20:10,15,19,21 21:2,3,6,24 22:11,12,14,23 23:20,23,24 23:25 24:2 29:3,3 34:17 38:21,22 39:10,11,16,20,21 40:3 44:14,14 46:18 47:17 48:6 63:8 68:18 72:10,22,24 72:25 76:24 77:1 82:16 84:16 85:4,13,14,15 89:1,5 102:5,9,9,11,23 105:11 107:18,23 108:13,14,19,20 108:22 109:7,11,12,15,18,19 110:1,6,13 111:15 112:19 113:3,8,9,12 114:15 123:20</p>	<p>125:12 126:20 128:21 129:25 130:2,4,13,16 131:15 134:12,15,19,22 136:25 144:8,16,20 145:5 148:19 154:15 155:15,25 156:16,19 157:10,10 158:10,14 159:11 160:20 161:6 164:13 165:6 165:12 166:9,10,18 171:5,5 171:9,10,11,14,22 174:12 175:17 176:5,22,23,24 177:4 177:24 180:6,19 181:12,13 181:21,22,25 182:4,7,14,22 187:22 193:18 buildings 20:9 21:18 28:22 39:24 40:1,4 44:16 56:4 60:23 62:25 69:18,22 72:13,19 73:10,11 97:1,18 106:6,19 107:17,21 108:4,6,7,9,22 109:1,3,4,17 110:13 111:11 112:5,7,14 113:22 114:13,17 115:17 116:15 117:4 121:17 122:5 122:19 126:3,17 129:6,22 135:10 146:16 147:22 148:4 154:9 156:19,25 159:7,9 163:4,14 164:22 166:7 171:11,20 175:1,4 176:21 179:14 built 23:12 129:10 158:7 173:17 bulk 8:20,23 Bull 158:20 bulleted 200:16 Bureau 131:24 Burns 206:25 business 11:22,25 15:22 104:18,22 115:19 125:7 143:11,14 154:7,19,21,23 162:16 167:1 169:16 177:12,16 businesses</p>	<p>37:6 116:21 185:12 buy 152:12 buy-in 196:19 <hr/> <p style="text-align: center;">C</p> <hr/> <p>C 210:1,1 C-o-h-e-n 3:14 C400 19:13 cab 69:1 cabs 69:2,4,5 calc 22:24 calculate 67:24 calculated 29:1 calculations 49:17 calendar 3:4 44:8 call 10:9 27:5 31:12 106:25 142:15,18 144:24 150:16 161:14 166:3 167:5 179:21 181:4,13 195:14 197:13 called 3:3 4:17 27:24 109:13 167:17 193:21 calling 159:20 calls 47:18 159:15 campus 177:10 178:6,14 candle 25:22 candles 58:8 canopy</p> </p>
---	---	--

<p>20:22 22:21,22 25:18 48:14 48:23 107:25 134:16,25 135:6,6 180:23,25 181:23</p> <p>cans 158:16,16,17,25,25 159:14,16 159:20</p> <p>cap 24:15 119:12</p> <p>capabilities 131:19</p> <p>capability 152:3</p> <p>capacity 5:14 87:22 88:1 159:6</p> <p>capital 145:3 153:2 162:18</p> <p>capped 82:19</p> <p>car 39:17 71:16 156:3,5 162:1 181:8</p> <p>care 150:13</p> <p>career 145:25</p> <p>cargo 93:8,20</p> <p>Carnegie 11:25</p> <p>Carneys 12:21</p> <p>carried 184:14 208:12,12</p> <p>carry 141:24 170:2 195:1 207:21</p> <p>carrying 170:3 185:1</p> <p>carryover 202:5</p> <p>cars 21:15 50:25 66:20 67:10</p> <p>cart 62:2,11,14,16</p> <p>carved 176:7</p> <p>carving</p>	<p>176:4</p> <p>case 4:17 23:11 59:4 83:18 114:14 136:19 171:22 197:3</p> <p>cases 151:17 155:25 156:1</p> <p>cast 107:19</p> <p>catastrophe 152:2</p> <p>categories 148:23 152:6</p> <p>caught 29:4 203:23</p> <p>cause 46:1</p> <p>cease 20:7</p> <p>cement 14:23 15:21 37:7</p> <p>center 11:25 103:3,3 108:9 109:15 109:18 120:1 145:22</p> <p>centered 139:8</p> <p>centers 102:14</p> <p>centralized 151:7</p> <p>certain 65:23 122:6 131:7,8 133:9 147:24 159:4 167:21 178:2</p> <p>certainly 57:20 78:22 88:18 106:8 127:1 133:10 170:3 194:4,12 204:18 205:7</p> <p>certificate 36:14</p> <p>certification 123:15</p> <p>certified 123:13 166:4</p> <p>certify 210:3</p> <p>chain 150:5 151:19 167:17,25</p>	<p>chain's 164:10</p> <p>Chair 2:22,24 3:5,18 26:25 30:10,15 31:19 33:5 35:7 45:23 47:14 47:15,21 48:2,18,21 49:14 50:11 51:8,14 53:11 54:5 98:7 111:17,23 114:7 115:3 116:13 137:13 138:1,5,22 139:7 140:4,9,13 141:3,8,14 141:18 168:21 169:6,11 173:25 184:10,18 194:5 199:5,16 201:4 203:17,23 204:9,15 205:22 206:5,9 207:8,25 208:3,22</p> <p>Chairman 2:2 5:11 26:22 29:13 31:17 33:19 35:5 50:8 51:21 52:21 53:2 98:6 112:2 114:6 115:9 137:12,24 139:2,2 140:2 145:7 168:18,22 169:8 170:10 173:24 195:5 200:25 203:8,18 205:16 206:12,24 207:20 208:9</p> <p>chance 5:5 96:22 97:9 141:12,16 176:24</p> <p>change 114:17 146:4,6 147:10</p> <p>changed 73:16</p> <p>changes 114:25</p> <p>characteristic 102:8</p> <p>characterized 93:22</p> <p>charge 144:11 148:18</p> <p>check 29:8,13 91:18 137:14</p> <p>checked 27:24</p> <p>Chicago 158:12</p> <p>Chip</p>
---	---	--

<p>1:14 3:1,7 6:3 97:16</p> <p>choice 172:19</p> <p>chosen 23:7</p> <p>Chris 137:14 194:5</p> <p>Christine 2:21 35:12 36:18 38:1,10,17 39:2 40:6,11 41:1 43:3 115:10,21 116:5 117:18,23 118:2,6,10,13,18 119:3,5,21 120:23 121:1 137:16 138:3 185:7,15,21,24 186:10,19 187:1 188:4,7,15 189:2,16 189:20,22,25 190:10,12,20 190:25 192:15 193:8 194:2 200:8,11 201:7,9</p> <p>Ciesla 6:1</p> <p>Circle 143:15</p> <p>circling 123:25</p> <p>circuit 94:18</p> <p>circulate 21:11,16 69:21</p> <p>circulating 65:8 67:1,6,25</p> <p>circulation 21:7,22 66:15,18,21 67:5,18 68:5,7 69:10,13,14,17</p> <p>cisterns 24:22</p> <p>citation 99:10</p> <p>citizens 144:2 146:5 196:10</p> <p>city 101:12 104:23 134:3 144:21 154:13 158:12 166:14 173:10 176:6</p> <p>civil 9:20 12:13 27:1 44:11 50:13 51:16 126:15 132:19 135:21</p>	<p>155:12 156:4 170:22</p> <p>clarification 28:18 37:16 38:2 54:1 182:24 186:2 189:4</p> <p>clarified 41:8 120:14 190:21</p> <p>clarifier 115:12</p> <p>clarify 28:7 29:18 38:3 39:3 40:16 42:11 51:22 52:1,2 75:9 89:25 118:23 120:10 135:21 138:12 161:11 182:19 186:4 187:7 188:5,16 189:23</p> <p>clarifying 47:16 185:8 187:2</p> <p>clarity 144:11 168:7 195:23 202:11</p> <p>Clarke 160:21 177:25</p> <p>class 110:7 130:1 179:4</p> <p>classification 16:5</p> <p>classified 17:2</p> <p>Claw 158:18,19 172:15</p> <p>clean 119:7,13 146:19,24</p> <p>clear 30:6 36:19,20 37:1 40:12 42:12 83:14 95:23 100:6 109:8,16 117:1,3 118:14 139:11 141:11 150:15 155:21 158:25 159:24 168:9 184:5 186:5 194:20</p> <p>clearance 42:2</p> <p>clearly 40:22 147:20 156:6 184:12</p> <p>climate 112:5</p> <p>climb 161:17</p> <p>close</p>	<p>18:11 38:5 125:9 173:11 176:22</p> <p>closed 38:12 180:25</p> <p>closely 91:12</p> <p>closer 164:8 172:13</p> <p>closest 118:20</p> <p>closing 203:6</p> <p>clothes 147:25 162:13</p> <p>co-invest 153:3</p> <p>Coca-Cola 158:16 159:14 177:25</p> <p>Coca-Colas 154:2</p> <p>code 77:21 99:13 101:22 130:12</p> <p>coffee 141:6</p> <p>Cohen 3:11,14,19,20 4:2,5,9,12 10:15,18,25 11:1 13:7,9,9 52:24 54:11,21,25 55:11,21 56:2,6,11,17,22,24 57:5,10 57:17 58:10,18,23 59:2 60:2 60:11,25 61:11,15,19,23 62:4,8,12,17,21 63:2,9,14 64:2,10,16,19 65:1,12,19,22 66:3,8,11,16,18 67:2,17,22 68:13,19,22,25 69:5,8 70:3,9 70:11,17,22 71:4,12,24 72:6 72:23 73:3,7,13,21 74:1,6,10 74:18,23 75:2,6,11,14,18,24 76:17,22 77:1,8,13,23 78:2,5 78:9,14,16,24 79:3,7,10,13 79:20,24 80:4,11,16,18 81:2 81:10,20,23 82:7,11,20 83:1 83:4 84:3,10,15,18,23 85:5,9 85:12,15,18,22,24 86:4,7,16 86:22,23 87:2,12,21 88:5 103:11,20,23 104:3 105:18</p>
---	--	--

105:21 106:7 111:22 140:7 140:14,15 206:13 207:25 208:2 Cohen's 127:22 Cohens 94:17 cohesive 128:2 collapse 122:6 colleagues 188:19 collected 24:14 college 145:16 192:25 Collins 2:25 3:9 4:1,7,10,14 5:3,6,16 5:19,23 10:11,24 11:13,20 12:3 13:4,13,19 17:24 18:2 18:16 19:19,24 26:21 27:4 29:12 30:8,12 35:22 53:4 54:2,10,23 95:2 99:9,18 100:25 103:7,17,21,25 104:4 104:10,16,24 105:2,16 106:10,20 107:1 111:5,7,16 111:20 132:21,24 133:3 139:1,15,17,23 140:11,16 142:17,21,23 143:3,9,13,19 206:23 207:11 208:11 209:1 colloquially 109:13 color 32:8 109:3 colorized 28:24 59:16 79:16 columns 110:2 combination 6:13 194:10 come 7:10 34:1 35:16,19 36:7 43:14 43:19 44:23 46:22 48:12 65:17 69:17,18 70:24 71:7 82:2,22 114:11 120:11,11	133:21 138:19 139:19 142:8 149:17 154:17,24 155:1 156:23 163:8,9,9 165:14,15 165:15 171:5 183:9 185:9,13 185:19 187:5 188:8 194:9 comes 7:7 21:23 34:19 38:22 50:19 70:17,25 94:7 158:9 160:17 164:18 178:20 comfortable 100:11 171:7 coming 31:9 34:7 35:18 38:18 69:14 71:9 92:23 124:14 133:4 140:19 156:7 168:10 185:3 186:14 187:3,9,11,14 188:11 188:16 204:7 comment 28:20 51:22 66:3,22 88:7 101:2 128:18 138:12,16 commentary 169:12 comments 27:7,11 31:23 33:23 111:24 114:8 142:12 174:10 195:5 205:14 commercial 15:7,8,16 80:7 106:6 commit 165:8 commitment 205:6 committed 167:4 Committee 35:24 committing 165:11 commodities 110:7 common 120:8 communities 157:3 191:3 community 32:1 88:22 149:14 150:13	153:5,5 156:12 167:8 168:2 168:17 191:4,12,15,15 192:10 195:25 196:15,18,19 196:20 197:10 198:2 199:9 200:3 202:11 205:4 companies 154:2,6 163:23,25 165:10 173:19 177:13,19 178:24 company 145:23 150:3,8 192:7 193:18 comparison 185:16,25 compatible 109:4 compelled 95:14 compensatory 26:10 competent 88:11 complete 33:14 137:1 154:16 161:3 completed 16:20 completely 34:4 177:4 197:12 complexity 88:21 compliance 25:23 57:15,18,25 77:20 83:17 compliant 25:16,19 132:13 complied 10:20 comply 7:6 9:8,14 24:10 26:1 28:8,13 36:16 component 48:5,12 50:14 115:7 124:1 138:8 139:9 199:20 204:18 204:19 components 196:11 Comprehensive 99:12
--	---	---

<p>computer 4:24 19:7 142:20</p> <p>conceive 94:8</p> <p>concentrated 179:23</p> <p>conception 125:2</p> <p>conceptual 123:11,16,18 127:19 129:5 190:2</p> <p>conceptually 175:1</p> <p>concern 53:14,16 129:13 144:7 202:16</p> <p>concerned 88:11 119:10 133:24 196:11</p> <p>concerning 55:3,5,12 59:9 60:12,13,14 88:13</p> <p>concerns 121:4 146:5,8 147:14 200:8</p> <p>conclude 102:24</p> <p>concludes 209:3</p> <p>conclusion 58:11 116:24</p> <p>conclusions 100:15</p> <p>concrete 6:13 37:20 48:24 107:19 109:2,25 130:3 146:25 164:14 181:5 182:1</p> <p>condition 9:16 26:15 131:4 138:18</p> <p>conditional 94:15</p> <p>conditioned 112:15</p> <p>conditioning 124:15 174:18</p> <p>conditions 7:6,11 14:7,12,13,15 17:19,23 20:3 101:25 102:3,17 180:24 196:4 197:25</p>	<p>confidence 91:19</p> <p>confident 91:15</p> <p>confined 173:19</p> <p>confines 40:22</p> <p>confirm 29:18,20,22 36:10 47:22 111:8 119:8 133:23 135:6 206:14</p> <p>confirmation 133:20</p> <p>conflict 69:9</p> <p>conform 25:14</p> <p>conformance 58:4</p> <p>conforming 7:25 8:10 23:18 32:12 99:20 100:6,17 197:7</p> <p>congestion 147:7 183:8</p> <p>connect 21:3 39:13,24 48:6 188:2</p> <p>connected 3:22 24:14 40:5,7</p> <p>connecting 108:18,21</p> <p>connection 96:13</p> <p>consequences 183:8</p> <p>conservation 17:7 26:6 98:1,4</p> <p>conservative 183:4,12,20</p> <p>consider 71:8 150:5 162:4,21 175:3 195:18 197:14 198:20</p> <p>consideration 69:8 94:25 155:23 156:8 180:25 195:14</p> <p>considerations</p>	<p>198:5</p> <p>considered 70:12 92:4 95:25 146:22 175:14 196:15</p> <p>considering 88:21 123:12 126:21 128:8</p> <p>considers 83:3</p> <p>consistent 100:1</p> <p>construct 20:8</p> <p>constructed 16:21,25 84:19,25</p> <p>construction 46:11 125:2 130:1 131:1 145:19 193:24 198:21</p> <p>consultant 9:23 10:1 41:19 155:11</p> <p>consumable 149:3</p> <p>consumer 110:7 148:22 149:18 150:22 152:7 164:4 168:3 187:21</p> <p>consumers 147:24 151:7 173:22 175:21 191:16</p> <p>consumption 150:21,22 159:17 181:19</p> <p>contact 25:7 87:18</p> <p>contacted 121:4</p> <p>contain 16:5 130:23</p> <p>containers 179:24</p> <p>containment 134:14</p> <p>contaminated 146:23</p> <p>contents 130:6</p> <p>continue 43:21 98:17 142:9 184:19 200:4</p>
---	---	---

<p>continued 207:20</p> <p>continues 147:17</p> <p>continuing 194:9 195:3</p> <p>contours 28:6</p> <p>control 74:2 112:5 194:12</p> <p>controlled 179:25</p> <p>controlling 167:8</p> <p>controls 74:7 77:6</p> <p>conversation 148:6 170:6 202:6</p> <p>conversations 28:4</p> <p>conveyance 24:15</p> <p>coordinating 87:19</p> <p>copy 78:15,16,23 79:2 206:6</p> <p>corner 6:6 20:13,14,18,19 21:9,10,24 45:10 46:16 50:16 85:4,13 85:17 107:13 110:14 113:16 114:21 118:25</p> <p>corners 107:21 110:12</p> <p>corporate 165:9</p> <p>corporations 153:24</p> <p>correct 4:8 19:22,23 35:21 37:8,14,15 37:23 38:9,16 40:1,2,25 44:11,12 47:19,20 56:8 57:3 57:4,9,13 58:14,21 61:13,14 61:16,21,22 62:22,24 63:5 63:12,13 64:23 65:5,24 66:6 66:9 72:21 73:24 74:9,20 75:12,13 76:24,25 77:12</p>	<p>78:1,4 80:17 82:17 83:8,9 84:25 89:9,11 91:1,3 93:6 94:16 111:13 118:9,16,25 126:11 135:4,8 136:8 183:14 186:8,9 187:16,18 188:14,25 189:1,1,14</p> <p>corrected 29:20</p> <p>correctly 38:23 69:19 119:15</p> <p>corroborates 93:25</p> <p>corrugated 164:12</p> <p>cost 128:22 157:13 199:9</p> <p>Costco 151:15</p> <p>costs 160:23 162:25 163:6 164:21</p> <p>Council 165:21 166:7</p> <p>Councilman 2:4 35:11 41:4 123:1</p> <p>Councilwoman 2:20 35:11 115:9 185:6</p> <p>count 80:21</p> <p>counterclockwise 21:12</p> <p>counterintuitive 187:4</p> <p>counterproductive 187:4</p> <p>country 145:10 149:10 167:16 186:21</p> <p>counts 67:14</p> <p>county 7:8 12:17 14:20 151:8 173:9 173:22 188:20 192:25 196:20</p> <p>couple 31:6,23 34:23,23 35:12 47:16 90:12 112:1 115:11 125:24 129:3 132:11 162:3 185:8</p>	<p>192:12 201:3 203:5 205:18</p> <p>course 108:11 116:3 142:10 180:23 192:17</p> <p>court 15:8 39:15,21 44:24,25 108:10 124:23 134:11 210:11</p> <p>courts 68:3,8</p> <p>cover 22:24 127:11,16 181:5</p> <p>coverage 23:21 24:2,4 48:8 58:8</p> <p>covered 55:17 60:14,17 120:16 137:17 137:21 141:19 168:23</p> <p>COVID 151:3,13</p> <p>create 131:4 192:9 196:25</p> <p>creation 191:23 192:5 193:14</p> <p>credibility 91:5</p> <p>criteria 65:23</p> <p>critical 96:14 162:24 199:20</p> <p>cross 139:3</p> <p>cross- 102:6</p> <p>cross-dock 102:1,25</p> <p>cross-examination 138:24 139:20</p> <p>cross-examine 142:5</p> <p>cross-stock 102:15</p> <p>crossing 22:1 44:14 50:17,18</p> <p>crux 199:8</p> <p>crystal</p>
--	--	---

159:24	114:10 115:1 174:2 175:6,11	164:12
CSX	175:18,23 176:1,14 180:7,12	dedicated
179:5	181:20 182:3,6,10,12,17,21	75:15,20
culvert	183:15,25 184:4,7 206:13,17	deem
16:18	206:22	59:5
cup	dashed	deemed
141:5	14:18	100:7
curious	date	deep
121:14 125:25	19:14 155:11 193:11 202:7	52:6,11,13 68:10 136:2,22
current	210:17	156:18
14:21 41:25 42:9,10 124:5	dated	deeper
127:8 202:7	9:5,7 14:8	202:1
currently	Dave	defer
12:24 37:5,8,25 82:10 129:19	9:5 27:6,14,14 112:1,2 113:2	125:15
customer	113:13,20 114:5 131:21,21	deferred
177:24	170:10,11 172:2,8 173:4,23	168:25
customers	173:25	defined
162:10 178:15	David	16:9 147:20
cut	28:15 172:9	definitely
132:15 175:15	day	102:23 134:21 147:5 173:9
cutoff	79:21,23 80:13 81:12,13	definition
25:16	83:12,20 84:9 149:23 150:23	93:12,22,24 94:10,20 95:11
cuts	151:10,10 159:19,22 165:10	96:1,16 100:19 101:7,8,14
133:9,10	167:19 178:4 179:21 185:13	101:20 102:16 148:13
cutter	186:15	150:20
25:17	days	definitions
cycle	109:10 149:4 205:18	101:3
199:1	DCA	deflected
	23:9	134:6
D	deal	delivery
D-i-	147:8,14 153:2 196:3	81:18 82:25 83:3,11,11,22
11:24	deals	demand
daily	82:21	80:25 84:9 151:6 164:17
152:14 175:21	dealt	175:19 176:15,16 179:12
Dark	27:18 101:10 151:3 207:16	demands
25:15	decent	161:23
Dash	51:11	Demarest
5:10,11,17,18 10:15,18,25	decide	6:5,7 14:19 15:18 17:18 25:3
13:7,11 28:17 29:10 52:21	195:18	25:5,6 45:14 61:9,10,16,17
54:11,20 88:24 89:5,7,12,24	decided	61:20,20,24 62:14,19 68:15
90:6,7,16,22 91:2,9,17,25	145:24,25 197:19 207:23	68:18 73:24 74:12,25 76:18
92:4,7,12,18 93:1,5,7,11	deciding	85:19 87:11 107:14,14
94:19,24 95:2,8,22 96:18,19	126:19	113:15 119:18 207:1
97:6,9,12,22 98:3,12,15,21	decision	demonstration
99:3,6,11,17 100:3,24,25	32:21 34:12 115:19 125:7,15	114:25
101:6 105:18,20 111:22	deck	Dempsey

<p>3:14,21 4:3 5:3 13:25 18:17 18:18,21,25 19:4 34:22 42:24 48:19 61:5 206:3,6 209:3</p> <p>DEP 7:8 12:17 42:2 77:13,15 78:11 80:5</p> <p>department 130:14</p> <p>departments 202:14</p> <p>dependent 150:10 176:22,25 177:4 178:8 178:16 179:14</p> <p>depending 49:20 73:16 190:14</p> <p>depends 64:8 72:5,6</p> <p>depicts 160:10</p> <p>DepoLink 210:11</p> <p>Depot 162:11</p> <p>depth 43:10,12 51:24 52:10,11 58:15,19 101:14</p> <p>describe 14:11 48:3 50:14 56:12 107:5 180:15,17</p> <p>described 29:19 56:10 65:10 108:12</p> <p>design 8:24 21:10 25:8,24 34:17 38:4 66:21 67:18,19 73:9 74:17 74:22,23,24 77:20 79:4,21 80:7 86:1,13 106:1,19 109:8 122:15 123:11,18,20 128:9 129:5 135:13 144:12,19 150:10 155:13 156:14,24 157:10 159:7,25,25 161:21 166:5 174:24,24,25</p> <p>designed 64:20,21 65:20,22 66:4,12,14 67:4 68:3 72:13 79:7 80:12 80:14,22 81:3,6 108:8 109:4</p>	<p>109:11 112:9 114:22 122:5 129:21,25 136:24 137:1,3 144:8 150:14 159:4,5,6 171:11,18</p> <p>designing 66:12 86:2</p> <p>destination 92:10,14 161:6 181:18</p> <p>detail 126:5 136:24 166:21</p> <p>detailed 6:22 123:20</p> <p>details 28:12 60:1</p> <p>detention 86:8</p> <p>determination 74:19</p> <p>determine 57:21 96:11 202:20</p> <p>determined 80:5</p> <p>detritus 136:20</p> <p>develop 149:10 199:10</p> <p>developed 69:11 142:3 149:9 170:16 202:2</p> <p>developer 36:2 90:2 166:16 167:1 174:15 202:1</p> <p>developers 149:21</p> <p>developing 145:9 171:7 179:2</p> <p>development 8:2 9:23 12:13,14 15:3,16 77:14 81:15 94:13 95:20 105:23,24 107:11 109:5 143:24 144:11 145:19 148:8 152:4,23 159:9 161:18 167:13 168:2 171:3,4 172:22 180:3 196:3,6,12,19 197:13 197:13 198:20,21,21</p> <p>developments</p>	<p>175:20 179:8</p> <p>device 3:22,24</p> <p>devil 166:21</p> <p>Dew 158:17</p> <p>diagram 118:22</p> <p>diagrammatic 110:21</p> <p>diagrammatically 110:12</p> <p>dialogue 207:20</p> <p>Diamond 1:14 3:1,7 6:3,11 7:23 97:16</p> <p>Diana 2:1,7,10,12,14,17,19,22 13:22 27:5,6 31:11,16 35:8,10 41:3 41:12 42:18 43:5 44:1 45:5 47:9,13,15 115:4,8 121:7,10 122:25 123:5,9 125:21 128:15,25 132:9 137:11 184:14,16 185:1,5 194:6</p> <p>dies 49:10</p> <p>differ 102:19</p> <p>different 83:14 101:19 116:23 120:6 125:24 127:15 145:17,25 146:4 168:16 173:13 177:10 190:14 191:3 202:13,14</p> <p>difficult 128:3 164:19 165:1 175:16</p> <p>dig 201:21</p> <p>digest 32:22 89:13</p> <p>Diggan 9:20 10:9 11:15,19,21,24,24 12:4,8,25 13:20 14:5 18:1,3 18:9,15,20 19:12,23 20:6 26:17 29:8,14 38:25 39:1,5 40:2 44:17,22 45:14,21 46:6</p>
--	--	--

<p>46:25 47:5,20,25 49:2,23 51:10 52:3,16,23 54:25 55:22 56:1,5,9,14,20,23 57:4 57:9,14 58:2,9,15 59:7,16 60:10,19,21 61:2,6,14,17,22 62:1,6,10,15,20 63:1,6,13,22 64:8,20,24 65:6,16,21,24 66:7,10,14,17,23 67:9,21 68:2,17,21,23 69:3,7,20 70:7 70:10,15,20,23 71:11,13 72:4,21 73:1,4,12,20,25 74:4 74:9,13,21 75:1,4,8,13,16,19 76:5,9,14,20,25 77:5,12,19 78:1,4,8,12 79:3,6,9,11,15 79:22 80:2,9,14,17,24 81:5 81:16,22,25 82:12,18,24 83:2,9 84:7,13,16,21 85:1,8 85:11,14,16,19,23,25 86:5 86:11 87:5,10,16,25 89:3,6 89:10 90:5,11 91:7,10,24 92:3,6,11,16,23 93:4,6,10 95:13 96:24 97:7,11,16 98:2 99:15 100:23 127:18,21 132:22 133:7,15 134:8 135:1 135:4,8,11 136:1,8,14,17,23 137:6 156:3 180:22</p> <p>Diggan's 13:2</p> <p>diligence 121:3</p> <p>dire 13:6 105:17,19</p> <p>direct 50:7 53:6 93:11 138:6 155:24 181:21 188:1</p> <p>directed 53:15</p> <p>direction 19:18 21:13 68:16 75:2 77:3 181:22</p> <p>directional 77:7 85:12</p> <p>directions 75:12</p> <p>directly 21:3 30:16 31:15 34:11 39:20</p>	<p>53:19 61:7 134:17,23 181:25 189:7</p> <p>dirty 162:16</p> <p>disagree 100:21 148:14</p> <p>disappear 149:22</p> <p>disappeared 5:4</p> <p>discharge 77:17 157:22</p> <p>discharged 84:11</p> <p>discharges 17:17</p> <p>disclose 178:17</p> <p>disclosure 203:20</p> <p>disconnect 3:24 153:9 206:7</p> <p>disconnected 43:2</p> <p>discouraging 99:2</p> <p>discuss 9:1</p> <p>discussed 28:7 57:15 82:4 87:24 90:13</p> <p>discussing 202:25</p> <p>discussion 103:14 127:14 141:23 169:23 195:3 201:20</p> <p>discussions 164:2</p> <p>dispersed 152:21</p> <p>dispersion 86:13,14</p> <p>distance 51:12 74:16 113:14</p> <p>distances 73:23 74:11,24 131:7</p> <p>distinguish</p>	<p>201:11</p> <p>distributed 180:4</p> <p>distribution 15:4 95:16,21 103:3,6 147:19 148:17,23 149:17 150:5,21 151:21 156:19 162:12 165:9 172:20 173:5,7,10,16,21</p> <p>disturbance 37:24</p> <p>ditches 16:25 17:2</p> <p>divert 95:10</p> <p>divided 64:6</p> <p>dock 20:22 21:1,12,14 22:3 39:10 39:18,20,21 50:25 68:9 71:17 102:7 121:20,21 130:8 133:20 134:16 180:21 181:3 182:2</p> <p>docks 22:9 62:24 63:10 108:18 128:19,22</p> <p>doctors 28:21,25</p> <p>documentation 32:7</p> <p>documented 17:10</p> <p>documents 44:5 60:6</p> <p>doesn't 156:18</p> <p>doing 24:21 27:21 49:16 89:16 133:11 146:18 156:10 160:3 160:23 177:20 191:2 196:15 197:15</p> <p>don't 169:25</p> <p>door 160:13</p> <p>doors 39:12 117:15,25 121:21,25</p>
---	---	--

122:1 130:9,9 132:12 133:20 157:12 159:5 160:9 163:10 181:2 double 14:18 91:18 137:14 doubt 95:24 download 44:5 206:2,2 downstream 24:24 dozen 163:12 Dr 2:2 41:4,4 43:6,16 44:2 119:8 121:8 drain 122:17 drainage 17:8,13 77:8,10 drains 122:18 drawing 14:9 29:15 108:15,17,21 118:19 drawn 114:20 Drew 53:4 140:12 141:7 drink 158:20 179:18 drinking 52:7,11 158:18 172:16 drinks 158:20 drip 86:12,14 drive 68:6,9 69:21,22 71:3,14 76:20 76:23 152:15 153:15 202:22 driven 50:4 152:7 driver 146:8 161:2 drivers 81:19 82:22,25 83:3,11,22	153:13 163:17 189:3,18 drives 21:22 68:7 83:11 driveway 15:18 21:9 61:8 70:7,14,19 71:8 76:16,17 driveways 21:8,16 driving 182:8,11 drop 153:8 157:2 drove 45:17 drywall 162:12 due 121:3 duration 125:1 dwell 150:17,19 181:16 197:21 dwelling 150:17,18 Dykstra 79:9 dynamite 46:3	12:20 15:14 20:24 21:25 22:10,22 188:10,22 210:15 eastern 17:5 20:10,22 140:24 141:2 209:5 eastside 134:15 eCommerce 150:3,8 economic 15:3 95:20 196:4 197:24 economical 115:18 economically 124:3 ED 8:3,5 35:24,25 36:5,11 94:13 94:22 99:25 Edison 162:5 180:1 187:5,6,13,24 188:2 Edison's 162:5 effect 8:22 86:20 146:6 147:10 effectively 49:17 efficiency 162:23 efficiently 176:11 egress 61:1 67:14 69:14 130:11 eight 44:23 161:2 186:22 eight-hour 63:18 either 13:11 17:2 48:12 49:6 54:23 72:18 126:2,4 171:19 181:12 elaborate 50:9 134:9 157:9 electric 25:3 electronic 107:2
<hr/> E <hr/>		
	E 210:1 eager 96:21 Eagle 210:13 earlier 65:11 97:2 108:12 141:19 148:6 156:17 157:8 160:5 164:6 165:21,22 173:20 186:22 204:11,17 206:18 early 128:8 144:12 161:14 178:12 easement 17:7 26:6 east	

<p>electronics 190:16</p> <p>elevated 113:14</p> <p>elevation 108:8 124:4 126:18,18 182:13 182:18</p> <p>elevations 109:1</p> <p>elicited 100:5</p> <p>eliminate 28:10</p> <p>eliminated 28:11</p> <p>eliminates 8:20</p> <p>Elizabeth 101:12 176:6 187:13</p> <p>emergencies 131:19</p> <p>emergency 21:20,23 22:5,21 48:25 49:3,5 50:21,23 113:23 114:1,3 151:10</p> <p>employee 22:15 67:10 80:21 110:19</p> <p>employees 15:21 49:19 50:2,2 63:15,15 63:16,20,23,24 64:6,13,17 65:13 68:20 80:10,12,15,16 80:20 81:4,7,18,23 82:1,3,9 82:17,19,21 83:7,22 87:23 146:9 159:8,11</p> <p>empty 157:4 160:7,12</p> <p>enable 13:23</p> <p>enclosure 121:22,23</p> <p>encountered 46:10</p> <p>encroach 37:11 40:19</p> <p>endcaps 21:18</p>	<p>endeavored 8:7</p> <p>energy 98:4 158:20 166:5</p> <p>engineer 8:25 9:20,25 12:9 13:3 25:25 27:18 28:4 43:8 44:11 60:3 65:17 67:13,16 88:10 91:8 91:13 126:16 135:21 155:20 156:4 170:22 184:2</p> <p>Engineer's 27:23</p> <p>engineering 12:12,13 27:2 50:14 51:16 132:19 136:25</p> <p>engineers 122:15</p> <p>enhance 91:5</p> <p>enhanced 36:14</p> <p>enjoy 172:16</p> <p>ensure 33:9 151:25</p> <p>enter 103:14</p> <p>entire 134:3 141:22 144:14 171:3 177:10 199:1</p> <p>entirely 176:25</p> <p>entirety 21:21</p> <p>entities 154:4</p> <p>entrance 46:17,21 108:1 118:1</p> <p>entrances 108:3 114:21</p> <p>environment 146:11,17 152:17 166:1</p> <p>environmental 10:1 41:16,19 43:9 52:15 55:3 55:5,9,13,17 98:11 147:14 162:23 166:5 168:10 204:19</p>	<p>environmentalist 162:21</p> <p>environments 134:7</p> <p>Envirotactics 55:8</p> <p>envision 170:15</p> <p>envisioned 178:14</p> <p>EPDM 126:1</p> <p>equipment 112:8 163:15</p> <p>especially 31:25 91:20 94:9 101:14 128:8 129:22 152:13 176:7 193:13</p> <p>essentially 36:9,13 37:24 102:16 119:20</p> <p>establish 17:21</p> <p>estate 6:2 145:10 152:4 174:20</p> <p>estimate 63:20,22 183:4,20</p> <p>estimating 49:15</p> <p>EV 23:10,14,18 97:20</p> <p>evaluated 197:19</p> <p>evaluating 202:18</p> <p>evening 5:10,11 31:22,24 32:8,21 33:1 33:16 104:11 140:8 141:23 144:5 168:18</p> <p>event 9:9 78:15 79:1</p> <p>everybody 7:19 140:5,21 141:4 142:12 143:25 154:25 156:11 161:8 161:13 177:21 179:15 194:8 195:7,14 199:4,17 208:14,23 209:2</p>
--	--	---

<p>everybody'll 30:6</p> <p>everybody's 8:11 54:16 142:12 194:14 204:24 205:6 208:8</p> <p>everyone's 174:9 205:13</p> <p>evolution 146:3,7 147:4</p> <p>evolved 101:15,18</p> <p>exactly 30:6 36:23 117:2,10,11 150:24</p> <p>example 52:4 55:19 68:5 113:14 121:25 152:25 157:21 158:6 159:2,14,17 162:5 172:13 177:8 179:15 187:24,25 191:20 192:23,25 193:2</p> <p>exceed 72:2 82:17 84:8 102:4</p> <p>excess 74:13</p> <p>excuse 89:24 100:10 174:3</p> <p>exhibit 13:16 14:4,6,6 16:12 19:3,10 19:12 28:24 106:17,21,23,25 112:6</p> <p>exist 75:17</p> <p>existing 14:7,12,14 15:25 16:1,7 17:23 20:24 25:4 37:3,4,11 39:6 40:17 146:15,25 185:10,10</p> <p>exists 189:11</p> <p>exit 71:3</p> <p>exiting 70:6,8 71:10 73:24</p> <p>expand 176:2 195:11</p> <p>expect 33:16 172:5</p>	<p>expectation 33:7</p> <p>expecting 145:3</p> <p>expeditiously 98:25</p> <p>expense 164:14</p> <p>experience 49:9 105:11,22 151:13 157:14 190:3 191:2 192:1,23 195:24 196:14,23,24</p> <p>experienced 59:4 60:3 195:21</p> <p>experiences 196:17</p> <p>experiencing 151:4</p> <p>expert 4:24 127:15 143:22 175:14 183:2 201:25 204:5</p> <p>expertise 64:14</p> <p>experts 98:10,19 128:1 158:4 168:8</p> <p>explain 143:25 145:7 191:1</p> <p>explosions 46:3</p> <p>export 133:14</p> <p>exporting 132:16 198:24</p> <p>expressed 166:22 178:11</p> <p>extend 20:23 39:7</p> <p>extended 17:12 128:2</p> <p>extension 25:2 39:6</p> <p>extent 72:17 126:25 208:6</p> <p>exterior 58:6 107:18 109:25 130:3</p> <p>externally</p>	<p>114:16</p> <p>extra 203:14</p> <p>extraction 37:18</p> <p>extremely 205:7</p> <p>eye 21:13</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>F 210:1</p> <p>façade 20:22 112:18,25 113:1,7,10 118:7,12,16</p> <p>facades 130:8</p> <p>face 122:19</p> <p>facie 94:10</p> <p>facilities 80:8 92:25 93:18 101:13,20 102:8 110:23 187:12</p> <p>facility 6:11,12,15 7:23,24 37:20,21 48:13 82:15,22 83:5 84:5,11 84:19 85:2,3,6 86:19 87:23 89:21 92:9,14,21,22,24 103:1 111:11 117:3 125:3 129:16 130:24 131:20 148:17 156:22 159:23 160:15,16</p> <p>facility's 84:24</p> <p>fact 7:14 28:8 32:3 34:20 59:18 88:17 95:15 96:5 97:19 100:19 147:24 155:18 157:23 193:9</p> <p>factor 34:5 157:13 178:10</p> <p>factored 197:20 198:4</p> <p>factors</p>
--	---	---

161:22 197:25	feel	148:25 179:24
facts	6:21 190:22	fire
142:2	feet	22:8 129:9,14 130:12,13,15
fail	15:19 20:9,11,17,24,25 23:4	130:25 131:14,23 138:13,15
154:6	23:23,25,25 38:20 39:7	firematically
fair	44:24 47:19 48:1,24 49:4	132:1
33:21 65:14,25 66:3,22 67:20	56:5 66:6 75:1,5,6,10,11	firewall
81:15 82:23 126:13 151:5	76:9 89:4,8 90:3,10,14,19	130:19
fairly	109:9,9 112:21 113:10	firewalls
6:22	130:10,15 135:11,15,24,25	137:18
familiar	136:2,10,12	firm
6:9	felt	5:12,25 14:7 17:19 86:2
families	95:14 147:4	101:11 177:9
159:18	fenestration	firm's
family	107:17	89:19,25
145:11,13,18 146:3	field	firmly
fan	21:24 22:4 86:13,14 146:14	170:20
162:20,22 193:23	146:23 199:9	first
far	fields	7:19 10:8 13:15 14:3,11 18:7
27:8 37:12 44:11 48:6 54:15	21:17	31:17,22 32:22 33:2 38:21
60:13,16 88:10 103:10	figure	54:22 55:1 111:21 137:5
108:24 112:4,5,7 113:6,13	185:16	139:6 151:12 158:15 169:14
116:17 133:23 142:3 144:6	file	170:7,9 181:9 185:8 186:13
144:18 155:11 174:6 176:10	57:6	195:19 201:1 202:16 204:5
183:1 201:21	filed	fit
fast	55:4 88:16 110:5	34:17
154:6	fill	five
father	26:4 49:7 119:12 132:15	44:23 47:2 71:21 72:3 112:21
145:13	154:24 155:1 198:23,24	140:1 151:17 152:21 159:11
fathers	filled	159:11
145:13	158:23	fix
favor	final	30:4
208:19	7:12 34:13 36:3 91:15 126:9	fixed
favorably	126:11 138:20 144:14,15	117:25
174:17	182:23 198:16	fixtures
feasible	finally	25:15,16 58:7 59:25
65:9 66:25 124:3	144:20 192:16 197:19 198:13	flammables
feature	find	155:3
17:15,17,18	10:19 59:6 67:15 127:8 162:1	flat
features	fine	115:23 116:10 119:20 121:15
17:2,9,10,14 26:3	31:19 54:7 107:2 180:10	flexibility
February	185:21 207:12	23:6 154:12 163:21
9:6,7 14:8 19:15 27:15 28:19	finish	flood
112:3	90:7 96:19 98:24 107:20	17:22 26:7,10
feedback	144:12 201:1	floor
22:16 142:12 194:15	finished	102:5 163:3

<p>Florida 143:17 149:11 167:12 179:16</p> <p>flow 17:19 58:7 60:20 66:12 154:10 156:18 188:25</p> <p>flows 132:3</p> <p>focus 95:6 147:23 196:9</p> <p>folks 30:19 53:13 165:16</p> <p>follow 92:16 128:4</p> <p>follow-up 172:2</p> <p>food 147:25 148:24,24,25 150:22 152:13 154:2 156:1 163:25 164:4 178:24</p> <p>foods 152:7 167:22</p> <p>foot 10:21 15:25 20:12,13,18 25:21 39:6,9 58:8 59:20 62:16,17 79:25 81:8 89:21 109:16 116:1 124:9 134:19 156:16 158:8,25 159:10 172:21</p> <p>footage 56:3 63:24 80:7 88:15,25 89:8 102:9 129:7</p> <p>footings 136:19,21,24</p> <p>footprint 36:21,25 37:2 38:15 40:17 155:9</p> <p>Ford 9:22 34:7,18,21 50:7,9 64:15 64:16 84:1 97:3 120:21 124:12 125:15,18 128:24 138:2,9,24 139:3,11,19,21 142:18,19,21,24 143:4,8,10 143:13,14,22,24 144:2 168:25 169:12,17 170:11,18 172:7,9 174:21 175:10,12,19 175:25 176:12 177:5 180:10</p>	<p>180:20 182:1,5,8,11,16,20 183:14,21 184:3,6,9,19 185:14 186:9,18,20 187:18 188:6,14 189:1,15,19,21,24 190:9,11,13,24 191:14 193:7 193:9 194:3,4 195:19 196:24 198:8,11 202:2</p> <p>forefront 174:9</p> <p>foregoing 210:4</p> <p>foremost 185:9 186:13</p> <p>foresee 113:22</p> <p>foresight 139:25</p> <p>forget 154:19</p> <p>forgot 68:15</p> <p>fork 181:2</p> <p>forklift 39:19 163:1 181:3,8 182:2</p> <p>forklifted 181:24</p> <p>forklifts 44:15,18</p> <p>form 128:1 150:10,17 192:6,7 203:20,22</p> <p>forma 125:3 198:5</p> <p>formally 12:18</p> <p>formation 45:24</p> <p>former 172:23,24,25</p> <p>forth 93:13 94:11</p> <p>forthright 159:3</p> <p>Fortune 193:16</p>	<p>forward 3:7 91:15 103:9 141:24 142:11 151:24 169:24 170:2 170:3 183:23 184:14 185:1 189:8 195:1,2,12 199:3 202:4</p> <p>found 27:25 127:7 179:1,11</p> <p>four 21:3,17 23:12 39:12 44:24 106:4 112:21 114:23 134:18 134:19 142:6 156:5 160:24 161:25 175:1,4 194:21,25 205:3</p> <p>four-sided 121:23</p> <p>framing 117:22</p> <p>Frank 149:20 164:14 179:1</p> <p>frankly 68:15 139:17</p> <p>free-flow 99:1</p> <p>freight 92:5,20,23 93:8,16,17,20 148:10 149:16,25 152:19 180:17,18</p> <p>freights 148:11 181:24</p> <p>fresh 17:10 26:2</p> <p>front 23:19 70:4 71:9 94:21 117:13 117:14,15 118:7 158:11 204:20</p> <p>fronts 68:15</p> <p>frozen 179:23</p> <p>FTA 17:20</p> <p>fuel 186:6,7</p> <p>fulfillment 102:14</p>
---	---	--

full
 25:16 57:15,18 77:20 89:13
 154:13 160:11 205:9,11
fully
 7:25 8:9 9:8 23:17 32:16
 33:16 99:20 100:1,6,17
 112:9 130:5 190:4
fun
 159:18
function
 110:17
functionality
 151:23
further
 4:18 28:1,7 42:17 43:24 45:3
 48:3 71:5 88:23 122:23
 125:20 128:10 176:23
 188:19 199:15 207:21
future
 35:19 42:14 154:19 155:7
 200:1

G

g-g-a-n
 11:25
Gale
 15:7
Gall
 2:12,13 45:6,7,16 46:1,14
 47:4,7 128:16,17
gallon
 81:12,13,17 83:12,19
gallonage
 81:1,7 82:25 83:3,13
gallons
 79:21,23 80:5,13 81:6 84:9
 87:14
Gambles
 153:25
gap
 71:2 181:5
gas
 25:1
gatekeepers
 91:21
Gatorade

167:20
general
 26:4 71:20 151:4,10 153:12
 153:21 155:16 165:13 178:2
 178:25 192:11
generally
 57:11 102:6 176:17
generation
 113:23 114:1,4
gentlemen
 11:14 13:5,14 19:20 106:13
 132:8 143:20
Georgianna
 206:25
getting
 26:7 46:2 81:1 141:22 155:17
 160:4 185:23 196:19 200:6
 202:15
Gibson
 9:24
Giordano
 6:1
girders
 110:2,4
give
 11:22 46:23 95:3,6 104:1,18
 105:5 106:17 142:4 143:11
 144:10 158:6 159:2 179:15
 203:21
given
 31:5 33:11 50:20 53:12 69:9
 73:5 98:8 139:18 168:25
gives
 111:1
giving
 144:4
glacial
 136:20
glass
 107:24 117:21,25,25 118:5
go
 4:18 5:20 7:7 11:14 12:6
 13:14 17:25 28:1 30:23
 33:15,17 35:13 37:11 39:20
 39:25 41:20 42:1 44:7 45:1,2
 48:6 49:8 53:22 54:20 69:17

71:5,6,18 76:13,13 82:23
 98:11 99:19 101:14 102:11
 103:9,22 104:5 106:13 107:4
 107:14 110:11 111:6,18
 112:5 116:13 120:3 122:20
 126:15 130:15 138:23,24
 139:5 140:8,10,11 143:14,20
 144:19 148:19 151:15,16,16
 153:10,10 154:18 157:3
 163:5,8 164:14 165:3 173:12
 181:8,18 188:10 191:10,18
 193:9 194:20 195:3,5 197:9
 201:6 202:19,21
goal
 146:18 199:25
goals
 96:22 97:14 123:14
god
 11:18 104:14 143:7 145:14
 152:1
goes
 33:16 39:15 80:21 95:1
 133:23 163:2 181:4,7 198:1
going
 4:18 6:25 7:3 8:8,18,25 9:19
 13:16,17,17 18:8,23 19:2,8
 19:10 20:23 26:1 28:5,10
 30:7 31:4 32:1,17 33:1,3,14
 34:8,9 36:16 37:8,19,23
 38:11,19,24 39:5,24,25 40:5
 40:14,16,22 41:19 42:4,5
 44:15,20,21 45:12 48:11
 49:20 51:6,13,15 52:19 53:2
 53:18 55:2,4,10,15,16 59:5
 59:11,19 66:5 71:2,6,7 72:10
 72:15,16 77:24 81:13 83:24
 83:25 84:4,19,24 85:6 86:16
 86:19 87:5,8,14 93:11 97:2
 99:19 103:18,22 106:15,22
 116:9 117:5 119:22 120:11
 120:12,21 121:12 127:20
 128:19,20 129:8,10,20,21
 130:17 131:2 132:19 137:20
 138:23 139:22 140:13
 141:16,17 143:22 151:15,16
 151:16 152:20 155:19

<p>156:22 160:11 162:16 165:12,17 169:25 181:12 183:21,23 184:12,23 185:11 186:13 187:10,16 188:17,17 189:6,7,12,17 191:17,24 192:2,18,19,20 194:16 195:1 195:12 196:2 199:13,22 201:2 202:22 203:8 204:12 207:24</p> <p>good 5:10,11 12:10,23 13:19 19:9 31:22 32:7 41:9 104:10 105:10 106:7 111:21 116:17 132:25 140:1,2 148:22 162:5 164:5 167:10 175:7 176:16 177:13 190:23 193:16 205:23</p> <p>goodnight 208:23</p> <p>goods 97:1 109:14,17 149:18 150:22 160:21 164:18 168:3 178:1 187:8,21 190:15</p> <p>gooseneck 134:2</p> <p>gosh 151:15</p> <p>gotten 42:20 174:7</p> <p>Gouin 3:3,10 4:17 5:20,21,24,25 10:12 11:15 12:22 13:1,15 13:22 14:2 18:12,20,23 19:2 19:8,22 20:1 23:17 26:16 29:6,14,22 34:6,25 35:4,22 37:15 38:9,16,24 39:4,22 40:4,10,25 41:18 42:3,15 43:15,23 44:12 48:16 50:8 50:20 51:20 52:18 55:2,7,14 58:23 59:3 61:3 64:11 75:9 76:7,11 78:13,19,25 82:6 86:16,21,25 88:24 89:15,18 89:22 90:4,17,20,25 91:8,13 94:17 96:17 99:3,16,18 100:14 104:7 105:1,4,13 106:14,20 107:6 108:24</p>	<p>109:21 111:5 120:19,24 125:17 126:24 128:23 132:21 133:1,4 138:11,23 139:17,24 142:18 143:1,21 168:22 185:17,22 200:24 201:6,8,24 203:4,7,25 205:16 206:11,17,20</p> <p>grab 70:24</p> <p>grade 39:14 44:24 51:10</p> <p>grading 28:5 127:2,8,9</p> <p>grandfather 145:14</p> <p>granted 78:11</p> <p>grants 9:9</p> <p>graphic 134:10</p> <p>grass 22:6 26:13 49:8,9,10</p> <p>grateful 205:5,13</p> <p>gravel 6:11,14 7:23 16:5 37:6,20 48:10 49:8,11 136:20</p> <p>gravity 122:18</p> <p>great 3:6 5:24 18:9 28:15 48:2 120:23 121:1 140:5 157:8 168:21 195:20 201:8 208:3 208:21</p> <p>Greene 9:25 55:8</p> <p>grew 145:11,12</p> <p>ground 84:12 86:15 102:5 107:16 112:11 124:22 158:24</p> <p>groundwater 52:6,10,13 86:9</p> <p>group 6:2</p>	<p>groups 202:14</p> <p>growing 146:2</p> <p>guess 13:18 29:21 31:11 45:24 48:12 53:12,13 65:24 66:1 83:13 125:7 131:17 142:25 169:13,19 185:2 194:23</p> <p>guessing 124:7</p> <p>guests 144:4</p> <p>gutters 122:18</p> <p>guys 31:23 34:1 52:13 195:17</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half 23:24 25:21 47:22,24,25 59:20 88:19 106:5</p> <p>Halleran 6:1</p> <p>hand 3:17 4:22,24,25 5:8 11:16 50:16 104:12 110:14 137:15 143:4 194:24 200:9 208:4</p> <p>handful 163:12</p> <p>handle 27:25 112:11 133:5 186:17 189:5</p> <p>handled 15:17</p> <p>handles 132:13</p> <p>Hanover 210:15</p> <p>happen 152:3 163:17</p> <p>happened 78:19 151:18 171:4,8</p> <p>happening 157:12 158:13 165:13</p> <p>happens</p>
--	--	---

80:18 81:20 167:11	23:23 24:1 47:17 109:8,16	159:12
happy	129:6 134:18,18,20 135:10	home
53:11 90:25 164:15 197:4,5	135:15	150:18 152:15 162:11
203:11	held	honest
hard	124:12	159:3 168:12 183:23 184:15
115:13	Hello	honestly
haste	44:3 125:23	146:12 156:25 159:1,8 166:25
98:12,16	help	169:25 175:19
hauling	11:18 104:13 129:20 143:7	hopefully
15:21	167:10 202:22 204:4	6:24 120:25 141:4 168:15
hazard	helpful	179:18
17:22 26:8	67:16	hour
hazardous	Hertzberg	51:3,5 67:14,19 68:1 71:21
110:8 131:4	2:4,5,6 41:5,6 42:20 123:1,2	72:3 74:19,25 88:20 186:22
he'll	hey	186:25
34:10	165:14	hours
head	Hi	64:5 160:24 161:2 186:16
62:7	4:7 5:24 35:12 115:10	204:7 205:3
head-on	high	housed
33:6	43:10 109:9 112:21 113:10	188:12
health	130:12 148:10 182:2 192:2	housekeeping
146:8 149:3 202:17	201:23	201:3,17 203:2,19
hear	higher	houses
4:5,8 5:21 32:22 55:2,4 58:18	51:6 80:25 81:1 146:19 192:9	14:22
86:19 98:16 117:10 121:9	highest	HST
123:8 128:13 142:22 147:2	197:20,22	16:5
164:15 170:12 184:1 190:23	highlight	huge
195:15 199:2	127:5 136:15	134:1 151:6 179:12
heard	highlighted	hundreds
4:11 44:10 57:10,11 58:19	27:12	130:15
59:9 60:8 100:9 127:25	highly	Hunts
133:6 144:6 148:6 155:11	49:24 50:4	177:15
178:11 194:17 195:9 198:14	Hillside	hurdles
206:12	172:18	158:1 161:17
hearing	history	HVAC
6:24 10:13 30:22,22 60:5	145:8	112:7
117:7 139:8 174:10 207:17	hit	Hyde
heart	99:22 158:1 169:4 173:15	210:3
95:1	hitting	hydrogeologic
heated	122:2	52:14
112:14	Hoelzi	hypothetical
heavily	104:21 106:3,4	114:13
149:13 187:22	hold	hypotheticals
heavy	41:23 50:25 52:15 54:8 76:7	180:8
122:10 124:15 152:19	94:19,19 122:8	
height	holidays	

<p>I'm 70:15 93:11 103:23</p> <p>idea 21:10 72:9 82:6 84:2 116:17 120:4 129:22 132:25 137:19</p> <p>ideas 34:3</p> <p>identical 19:13</p> <p>identification 108:2</p> <p>identified 8:13,21 27:23 28:9 36:4 142:4</p> <p>identify 13:20,20 14:3</p> <p>image 107:13</p> <p>immediate 139:14</p> <p>immediately 157:11</p> <p>impact 55:3,5,9,17 88:22 198:16</p> <p>impacts 198:22</p> <p>impedes 45:25</p> <p>impervious 16:10 22:24 48:8 56:12,14,25</p> <p>import 133:14,16,17</p> <p>important 22:19 91:22 94:25 98:13 145:6 146:5 148:3 155:5 168:12 200:3 204:20 205:7</p> <p>imported 14:24</p> <p>importing 132:16</p> <p>impressive 195:20</p> <p>improved 6:10</p> <p>improvement 119:6</p> <p>improvements</p>	<p>62:19</p> <p>in- 202:22</p> <p>in-between 130:8</p> <p>in-person 202:9,15</p> <p>inaccurate 90:23</p> <p>inadvertently 29:25</p> <p>inbound 149:16</p> <p>inch 116:1</p> <p>inches 124:9 136:21,21</p> <p>include 24:6 92:13,21 102:17 110:18 135:25</p> <p>included 16:13 19:13 22:24 101:9 191:5</p> <p>includes 14:23 89:20 144:16 186:6</p> <p>including 5:2 23:19 25:20 54:17 67:7 90:9 166:10</p> <p>incorporate 31:8 183:16</p> <p>incorporated 113:24</p> <p>incorporates 105:25</p> <p>increase 82:9</p> <p>increases 81:21,22 82:1</p> <p>incredibly 205:5</p> <p>incumbent 57:19</p> <p>indicate 50:17 103:12 108:2</p> <p>indicated 58:3 72:8 73:9 77:9,23 88:1</p>	<p>95:11 100:17 204:17</p> <p>indicates 90:1 107:25</p> <p>indicating 76:2</p> <p>indication 118:1</p> <p>indiscernible 3:22 12:11,20 13:10 14:9 15:13 16:14,17,23 17:21 18:17 19:16 20:8 22:1,7 23:2 23:16 24:24 26:3 28:20 45:8 46:22 56:16 58:17 60:2 69:24 70:1 71:1 73:5 75:1 77:5 79:11,13 80:10 84:9 86:6 88:2,4,13 93:15 95:15 97:2 99:17 102:18 103:18 110:3,4 112:18 113:16 122:19 123:23 124:24 127:13 129:18 132:25 133:1 133:8,11 134:8,22,25 136:11 137:3 145:7 153:7 164:13 173:21 174:10 176:12 185:6 185:16 193:10,22 203:22 207:19 208:25</p> <p>individual 5:4 26:8 33:25 53:19 116:21</p> <p>individuals 34:3</p> <p>indoors 182:9,11</p> <p>industrial 14:21 15:7,9 21:21 37:4 42:1 97:17 145:10</p> <p>industry 68:4 71:14 109:9 117:21 146:3 149:3 159:13 164:17 164:23</p> <p>inefficiency 161:4</p> <p>infiltrated 84:12</p> <p>infiltration 24:17,20,25 77:11 86:9</p> <p>inflation 197:24</p>
---	---	---

<p>inform 197:6</p> <p>information 27:17 32:22,23 91:21 132:5 158:3 200:18</p> <p>informations 28:6</p> <p>infrastructure 25:8</p> <p>Ingersoll 172:24</p> <p>ingress 61:1 67:14 130:13</p> <p>ingress/egress 68:11</p> <p>inhabited 94:6</p> <p>initially 82:2,19 90:13</p> <p>input 131:24 194:15</p> <p>inside 129:8 131:3 159:11</p> <p>institutional 162:17 171:16</p> <p>insulation 116:3,4</p> <p>integrated 102:7</p> <p>intended 16:11 22:6 49:3 117:11 120:9 120:18 145:4 148:17,22</p> <p>intending 86:21</p> <p>intent 21:11 42:10,14 145:2 162:19 187:15</p> <p>intention 116:18 138:14 142:1 150:15 150:24 152:22 157:7 168:5 168:13 188:20 190:3,6,13 194:14</p> <p>intentionally 171:21</p> <p>intentions 144:9</p>	<p>interact 92:22 171:23,25</p> <p>interaction 93:2 178:6</p> <p>interconnection 52:12</p> <p>interconnectivity 39:11</p> <p>interest 10:2 33:1</p> <p>interested 3:12 178:21</p> <p>interesting 137:10</p> <p>interface 188:2</p> <p>interior 73:10 108:13 110:1 112:25 134:11</p> <p>interlocking 49:7,9</p> <p>intermodal 160:16</p> <p>internal 130:18</p> <p>internally 107:22 114:16</p> <p>international 130:12</p> <p>interplay 71:9</p> <p>interpretation 17:11 96:8,9</p> <p>interruption 18:3</p> <p>intersection 113:15</p> <p>intersections 74:5</p> <p>interstate 136:12</p> <p>intertwined 186:12</p> <p>inventory 45:22</p> <p>inverts</p>	<p>27:22</p> <p>investment 167:2 198:7</p> <p>investors 179:6</p> <p>involved 12:12 33:22 156:11</p> <p>isolated 17:3</p> <p>isolation 194:16</p> <p>issuance 36:6</p> <p>issue 11:5,11 51:13 71:22 72:7 103:16 137:17 147:6 171:6 189:23 196:9,23 203:19</p> <p>issues 10:15,17 55:12,13,16 60:14 151:5 174:14 181:1,1,6 204:20</p> <p>it'd 84:13,16 133:7,11</p> <p>it'll 20:22,25 22:6 34:23 44:22 49:11</p> <p>ITE 101:18</p> <p>item 203:2</p> <p>items 201:3,17</p> <p>IV 110:7</p> <hr/> <p style="text-align: center;">J</p> <hr/> <p>James 143:14</p> <p>JB 177:15</p> <p>Jerry 47:11 132:11 133:13,19 134:24 135:2,5,9,12,17,22 136:5,9,16,18 137:4,9,17 199:6,16 203:18,24 208:15 208:19</p>
---	---	---

Jersey
 12:1,9,15,23 14:20 77:20
 99:23 105:8 145:22 147:6
 149:10 162:2,4 175:20 180:1
 180:23 187:23 209:4 210:15

Jim
 9:21 34:7,20 125:18 142:21
 143:8,13,14,21 144:2 170:18
 172:7,9 174:21 175:10,12,19
 175:25 176:12 177:5 180:10
 180:20 182:1,5,8,11,16,20
 183:14,21 184:3,6,9 185:14
 185:17 186:9,18,20 187:18
 188:6,14 189:1,15,19,21,24
 190:9,11,13,24 191:14 193:7
 193:9 194:4 196:24 198:8,11

job
 156:10 191:22 192:4 193:14
 193:14

jobs
 191:25 192:19 196:2 197:25

Joe
 2:16 31:13,20,21 33:6,18 35:1
 35:5,8 43:2 129:2 130:17
 131:9,16 132:6

John
 44:3,13,19 45:3 98:6,8,15
 125:23 126:8,14 127:6,24
 128:6 141:7,9,9,15 142:14
 204:1,1,10 208:17

Johnson
 178:2,2

join
 34:24

JOSH
 2:4,6 41:6 42:20 123:2

journey
 92:14 147:10

juice
 179:17

July
 159:16

jump
 52:9 108:22 110:9 199:7

jurisdiction
 10:22 11:3,10 194:13

jurisdictional
 10:15,17

K

Katherine
 9:7 27:6 28:16,17 29:10
 100:25 103:8 114:8,10 115:1
 115:4 148:9 169:14 174:1,2
 174:21 175:6,11,18,23 176:1
 176:14 180:7,12 181:20
 182:3,6,10,12,17,21 183:15
 183:25 184:4,7,11

KATZENSTEIN
 2:1,7,10,12,14,17,19,22 31:16
 35:10 41:3,12 42:18 43:5
 44:1 45:5 47:9,13 115:8
 121:7,10 122:25 123:5,9
 125:21 128:15,25 132:9
 137:11 184:16 185:5

keep
 18:4,8 38:4 53:14 71:6 121:16
 184:14 187:15

Kennedys
 5:12

key
 162:24 192:12 205:8

kicked
 42:21

kidding
 164:16

kids
 172:15

Kimberly
 160:21 177:25

Kimley-Horn
 12:2,15 14:8

kind
 30:17 33:11,15 83:18 101:25
 102:18 109:9 117:14 120:2
 128:3 129:20 134:13 139:9
 141:19 145:16 162:14
 168:18 169:18 173:18 183:5
 183:17 186:5 189:4

knock
 146:15

know

8:5 9:3 10:3 11:11 27:21 28:3
 29:4 30:19 31:7,24 32:4,12
 32:15,20 33:9,19,25 34:11
 36:13 37:4 40:13 41:6,8
 42:13 43:9,12,18 45:10
 47:18,23 48:13 49:12,16,23
 50:1,3 51:5 52:10 54:7,21
 55:3 58:13 59:4 60:3 61:24
 62:1,5,6 64:17 65:13 66:19
 67:23 71:22 72:17,20 73:4
 75:24 78:13 79:8 80:1,12
 87:21 88:17,19 89:23 90:15
 94:4,5 96:6,20,21 106:24
 112:9 116:6,22 117:8 119:8
 120:17 121:2,2,3 126:10
 128:20 129:10 131:2,18,25
 132:14 137:19 138:17
 139:18 141:21,22 142:3
 144:5,17 146:21 147:13,23
 149:5,6,21 150:2 151:1,12
 151:15 152:7,16,18,20,24
 153:3,14,17,18,19,25 154:2
 154:10,16,23 155:4,16 156:1
 157:17 158:2,20,21,24 160:8
 160:11,23 162:6,13,22
 163:11,18,20 164:7,16,20,21
 165:1,2,12,16,20,23 166:20
 166:22,23 167:9,10,11,15,20
 167:21 168:1,3,7,14,17,23
 169:1,16 170:13,22,23 171:9
 171:17,19,20,21 173:8,11,13
 173:14,18 174:5,23 175:8
 176:2,5,10,21,24 177:3,3,14
 177:14,23 178:1,4,7,22,24
 179:9,13,17 181:7 183:7,12
 183:17,18,24 184:11,19,22
 184:25 186:2 188:1,4 189:9
 190:2,4,19 191:6,15,16,18
 191:22,23,23,24,25 192:1,5
 192:6,8,9,12,20 193:12,16
 193:17,21 194:19,22,22
 195:6,11 197:3,3,4,8,12,14
 198:1 199:17,21,22,22,23,25
 200:2,4 201:9,19,25 202:12
 203:5,9,14 204:13,16,19
 205:2,3,7,12 206:1

<p>knowing 197:7,7</p> <p>knowledge 62:18</p> <p>known 6:8 15:1 102:1,13,15 126:9 138:21 150:16 155:19</p> <p>knows 52:2</p> <p>Kollar 44:2,3,13,19 45:3 98:6,8,15 125:22,23 126:8,14 127:6,24 128:6 141:7,9,15 204:1,10 208:17</p> <p>Kraft 160:22</p> <p>Krafts 154:3</p>	<p>Larry 3:11,14,16 4:5,7,8,9,12,15 11:1 13:9 52:24 54:20,21,25 55:11,21 56:2,6,11,17,22,24 57:5,10,17 58:10,18 59:2 60:2,11,25 61:11,15,19,23 62:4,8,12,17,21 63:2,9,14 64:2,10,19 65:1,12,19,22 66:3,8,11,16,18 67:2,17,22 68:13,19,22,25 69:5,8 70:3,9 70:11,17,22 71:4,12,24 72:6 72:23 73:3,7,13,21 74:1,6,10 74:18,23 75:2,6,11,14,18,24 76:17,22 77:1,8,13,23 78:2,5 78:9,16,24 79:3,7,10,13,20 79:24 80:4,11,16,18 81:2,10 81:20,23 82:11,20 83:1,4 84:3,10,15,18,23 85:5,9,12 85:15,18,22,24 86:4,7,16,23 87:2,12,21 88:5 103:11,18 103:20,23 104:3 105:21 106:7 140:7,15 208:2</p>	<p>leasing 148:18</p> <p>leave 120:8</p> <p>LED 25:15 166:11</p> <p>Ledanski 210:3</p> <p>left 29:3 46:23 75:3 110:13 169:2 194:21</p> <p>lefthand 107:13</p> <p>legal 10:20 178:17 207:10</p> <p>legs 140:6</p> <p>length 135:24</p> <p>lesser 171:21</p> <p>let's 3:7 15:23 20:2,20 26:25 27:1 27:5 31:12 64:3 73:21 95:6 103:8 104:2,5 109:24 110:9 133:5 140:21 142:24 151:1 169:19 196:8</p>
<hr/> L <hr/>		
<p>labeled 126:19</p> <p>lacking 101:21</p> <p>land 12:13 22:17,20 23:7 99:12 192:5,7</p> <p>landfills 146:16</p> <p>landlord 171:1</p> <p>landscape 25:23 57:11,16 75:21,22,22 127:12 201:18</p> <p>landscaping 57:8,12,20,23 58:1 60:13 127:19</p> <p>language 100:19,20</p> <p>large 30:19 45:11,12,18 106:6 112:22,24 153:24</p> <p>larger 24:16 84:5 102:15 112:22</p> <p>largest 145:21 158:15</p>	<p>lastly 206:11</p> <p>late 141:20</p> <p>law 5:12,25 98:22</p> <p>Lawrence 13:9</p> <p>lawyer 5:15</p> <p>laying 195:23</p> <p>layout 102:23 110:24 180:16</p> <p>lead 123:13,15 164:5 166:4,4</p> <p>Leadership 166:4</p> <p>learned 175:10,14</p> <p>lease 167:5</p> <p>leased 162:9,10,11,12</p>	<p>letter 9:5,6 17:11</p> <p>letters 9:4,9,13,15 42:10,13</p> <p>level 107:16 119:14,20 126:5 169:18 171:7 201:23</p> <p>license 12:10,22 154:21,23</p> <p>licensed 12:8</p> <p>lies 65:25</p> <p>life 199:1</p> <p>light 15:7,9 25:18,20 35:2 58:7 133:24 134:3,5</p> <p>light's</p>

<p>59:10 lighting 25:12,13,13,18 58:5,6,12,16 58:20 59:8,9,12,14,17,25 60:1,12 127:11,20 133:23 166:11 201:19 lighting's 25:19 lights 58:3 74:3 134:3,5,12 Limecrest 6:6 limit 72:1 98:23 121:13 128:6 174:18 176:18 limitations 83:6 limited 131:11 169:1 176:8 limits 37:24 71:25 172:3 line 14:18 17:4,20 25:21 59:21 94:18 128:4 180:14,18 183:6 183:13 lineal 15:24 lines 37:13 51:11 126:18,18 149:5 164:9 list 10:21 31:13 35:9 200:16 205:19 listed 16:4 203:20 listen 98:19 listened 127:25 listening 123:24 lists 193:10 literally 173:13 Litigation</p>	<p>210:11 little 15:24 20:20 34:8 48:3 50:10 50:15 101:21 129:9 133:7,12 141:5 145:17 155:20 168:15 176:10 204:11 live 147:25 150:18 165:10 167:6 167:10,12,12 179:16,20 lives 152:14 167:10 168:4 LLC 3:2 6:3 load 39:12 122:16 153:10 160:19 161:3 163:11 181:9 loaded 109:14 160:12 179:23 loading 20:21 21:1,4,12 22:3,22 25:17 39:9,16,18 50:25 62:23 63:4 63:10 128:19,21 134:16 loads 137:7 160:12,12 local 150:21 153:18 168:2 173:21 191:14,16 192:19,20,24 193:11,23 196:20 locally 130:14 152:12 193:19 located 6:6 14:19 16:18 17:15 20:15 21:17 76:14 79:14 97:20 112:25 136:13 location 58:6 60:19 73:16 76:3,4 173:8 logical 147:18 logistically 188:21 logistics 103:3 153:5 154:5 172:1 176:10 177:9 188:24 long 83:11,24 143:16 175:13 179:9 186:15 194:18 195:8 199:23</p>	<p>200:5 long-term 103:4 159:6 196:12 198:6,6,8 198:11 longer 199:23 look 32:6 91:18 118:11 130:7 131:12 142:11 153:3 170:4 174:17,24,25 181:21 198:15 201:14,18 205:8 looked 46:15 131:18 looking 32:11,13 34:1,9 36:25 37:9 45:9 47:23 58:14 65:8 75:3,3 75:4 83:25 90:17 96:21 99:5 107:8,11,12 112:6 116:15 117:4 118:19,20 119:15 126:16 129:5 133:17 151:21 151:25 169:24 180:16 186:1 193:16 195:2 202:8 looks 115:14,23 116:10 119:5,11 121:15 155:9 lot 6:8 10:2 15:2 25:11 33:1 34:25 40:12 48:7,15 49:16 89:15 96:20 116:8 120:5 128:19,21 129:16 131:2,3 139:7 144:5,17 151:1,14 155:12 158:5,12,18 161:7,9 161:17,22 163:18,22 164:20 166:20 168:23 172:15 173:17 177:12 179:18 189:10 191:4 193:1 195:23 196:10 198:14 202:8 204:6 204:20,22,25 lots 68:20 lounges 110:20 love 167:3 loved 156:15</p>
--	--	---

<p>low 49:3 50:20 51:1 71:20 112:23 157:2</p> <p>low-sloped 115:25</p> <p>lower 107:13 108:17 110:13,14 134:19</p> <p>lumber 162:11</p> <p>lure 154:12</p> <p>luxury 176:2,3</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>ma'am 5:7</p> <p>magnitude 125:4 198:19</p> <p>main 25:6 51:2 61:12 87:11 179:4</p> <p>maintain 23:6</p> <p>major 69:10 77:14 148:11,21 150:4 152:2,6 154:1 179:1</p> <p>majority 106:3 188:24</p> <p>making 32:20 87:19 95:17 96:7 167:2 168:4 200:7</p> <p>man 3:20 121:11,25 140:23 141:1</p> <p>manage 177:9</p> <p>managed 196:22</p> <p>management 16:14 24:8,9 27:19 28:8 57:1 99:13</p> <p>managerial 110:18</p> <p>manmade 16:24 17:2 26:3</p> <p>manufacturer</p>	<p>49:12 158:15</p> <p>manufacturing 6:14 14:22,23 29:16,17 30:1 111:11 156:21,21 173:2 185:11</p> <p>map 37:2</p> <p>mapped 17:3 110:14</p> <p>Marc 172:14</p> <p>March 1:13</p> <p>Margulies 104:21 106:2,4</p> <p>mark 13:18 19:11 106:21,23</p> <p>marked 14:5</p> <p>market 161:23 179:15 180:5</p> <p>marketing 150:7</p> <p>marketplace 173:22 188:3</p> <p>massive 150:11</p> <p>master 88:3 157:5</p> <p>material 46:2,10 115:13,22 129:7,16 131:1 204:25</p> <p>materials 14:24 15:22 110:8 125:25 126:4 131:6 164:11,22</p> <p>math 133:22</p> <p>matted 124:4</p> <p>matter 1:14 6:4 7:14 34:19 78:9 199:8</p> <p>max 175:2,4</p> <p>maxed 82:10 157:22</p>	<p>maximum 23:21,23 24:1,4 67:4 80:19 81:3 135:9,15,24 136:11 159:5,13,21,21 171:15 174:19</p> <p>mayor 165:15</p> <p>Meadowlands 12:18</p> <p>mean 11:1 33:7,7 37:12 46:7 55:18 78:9,18 88:9 94:19 99:16 114:20 115:14 116:5 118:4 121:2 151:11 152:8 154:1 160:3 167:12,16 170:18,25 172:11 173:5 175:7 177:14 178:16 187:19 188:7 193:4 196:1,22 205:24</p> <p>means 7:5 9:11 40:5 118:4 130:1 171:2</p> <p>meant 66:16</p> <p>meat 169:23 170:6</p> <p>meet 23:18 36:10 77:13,15 80:19 81:14 100:12,18 122:16 123:13 165:15,15</p> <p>meeting 3:11 8:14 33:17 34:2 107:3 120:8 133:22 140:19 141:19 141:24 170:3 194:21 195:1,2 200:18,19 202:5,6 203:10,11 204:3 208:10,14 209:4</p> <p>meetings 141:25 200:2</p> <p>meets 8:1 58:12,20 59:8 94:10 97:14 100:20</p> <p>member 2:3,4,6,9,11,13,16,21 30:13 31:21 32:5 33:18 35:1,5,12 36:18 38:1,10,17 39:2 40:6 40:11 41:1,6,14,22 42:7,16 42:20 43:1,7,20,24 44:3,13</p>
---	---	--

<p>44:19 45:3,7,16 46:14 47:4,7 47:11 52:8 98:6,8,15 115:10 115:21 116:5 117:18,23 118:2,6,10,13,18 119:3,5,21 120:23 121:1,9,12 122:4,13 122:22 123:2,7,10,21 124:10 124:25 125:10,19,23,24 126:8,14 127:6,24 128:6,17 129:2 130:17 131:9,16 132:6 132:11 133:13,19 134:24 135:2,5,9,12,17,22 136:5,9 136:16,18 137:4,9,16 138:3 141:7,9,15 143:23 169:8 185:7,15,21,24 186:10,19 187:1 188:4,7,15 189:2,16 189:20,22,25 190:10,12,20 190:25 192:15 193:8 194:2 195:4 197:17 198:9,12 199:6 200:11 201:7 203:18 204:1 204:10 208:7,15,17,19,21,25</p> <p>members 6:9,18 31:1,15 57:22 72:9 91:19 96:20 111:21 115:5 138:7 157:8 184:21 185:4 202:17</p> <p>membrane 116:2 126:6</p> <p>memo 28:19</p> <p>Memorial 159:19</p> <p>mention 75:25</p> <p>mentioned 75:25 164:6 165:20,22 173:20 175:8 176:5,15,20 182:24 183:3,11 190:15 197:21 199:12 206:17</p> <p>merry 153:10</p> <p>message 42:21</p> <p>messed 164:10</p> <p>met 11:4</p>	<p>metal 121:25 122:3 164:12 181:3</p> <p>methodologies 147:12</p> <p>Michael 206:25</p> <p>microphone 3:24 19:6</p> <p>Mike 2:9 3:14,21 4:3 5:3 9:25 13:25 18:16,18,21,25 19:4 34:22 41:14,22 42:7,16,24 48:19 52:8 55:8 61:5 123:7,10,21 124:10,25 125:10,19 169:8 169:11 194:24 195:3,4 197:17 198:9,12 199:5,7,12 204:16 205:14,23 206:1,3,6 208:3,7 209:3</p> <p>mile 51:3,5</p> <p>miles 71:21 72:3 74:19,25 179:20</p> <p>million 89:20 90:3,10,14,19 156:16 167:2</p> <p>mind 51:20 148:13 161:10 177:20 185:2 200:14 201:9</p> <p>minds 94:8 174:9</p> <p>mined 37:5,17 46:8</p> <p>minimal 165:4</p> <p>minimize 160:23</p> <p>minor 28:18 114:24</p> <p>minute 18:10 34:23 140:1 147:20 166:8</p> <p>minutes 3:15 140:6 170:1 184:24 194:6,21,25</p> <p>miscalculated 28:22 29:5</p>	<p>miscalculation 29:2</p> <p>mischaracterize 183:10</p> <p>mishear 117:15</p> <p>misheard 117:12</p> <p>misnomers 161:10</p> <p>missed 127:9 169:4 206:20</p> <p>missing 116:14</p> <p>mission 183:5</p> <p>mitigated 196:22</p> <p>mitigation 16:20</p> <p>mix 118:25 183:19,21,23</p> <p>MLUL 99:5</p> <p>modern 20:8 49:24</p> <p>moment 5:13 35:6 52:20 72:16 87:7 88:6 98:19 128:7,10 145:7</p> <p>money 128:22 162:25 163:6 165:5</p> <p>monitoring 30:17 141:10</p> <p>Monster 158:22</p> <p>month 159:20</p> <p>months 164:7,8,25 181:16,17</p> <p>monument 8:14,15,19 28:10 75:25</p> <p>morning 167:21 204:14</p> <p>motion 208:9,16</p> <p>motor</p>
--	--	---

16:8,9 24:19 93:16	3:17 4:25 5:4,8 11:21,22	81:14 83:21 131:13 154:20
motorists	104:17,17 143:10,11 150:2	159:15 160:17 175:21
108:3	named	190:20,21 198:24
Mountain	163:23	neighboring
158:17	names	40:20 134:6
mounted	177:13	net
25:13 112:10,11	Nancy	133:14,14,14,15,17
move	3:19,20	never
3:7 14:13 27:3 30:16 33:25	nation	67:2 82:14,16 150:14 157:6
35:8 51:18 52:22 69:6 83:10	147:5 151:3	160:10 168:6,13 192:22
91:14 98:9,24 100:3,4,21	naturally	new
104:2 138:9 139:10 145:24	176:18	12:1,9,15,23 14:20 15:10 16:1
145:25 154:23 163:5 169:9	nature	20:23 38:12,12,13 77:20
184:13 195:12	7:14 46:5 50:21 129:15	99:23 104:22 105:8 127:9
moved	144:14 148:12 189:18	145:22 147:6 149:9 162:2,4
61:9 161:6	NDA	173:7,16 180:1,23 187:23
movement	164:1	188:18 191:6 196:25 197:1
152:19	NDAs	197:11,12,12 209:4 210:15
moving	178:19	Newark
44:15 51:2 69:11 70:12	NDS	172:13
161:20 189:8 199:3	49:12	newer
multi-	near	9:4 23:9
109:2	46:16 113:7,11 157:2	niche
multiple	necessarily	197:22
72:19 112:23 114:12,14,15,18	71:18 79:17 124:19 177:2,3	night
114:21 130:21 177:19 178:5	necessary	33:14 43:18 127:1 166:18
178:15,19	49:6 59:6	186:15 208:21
municipal	necessities	nine
196:20	151:9	140:2,19
municipalities	necessity	NJ
101:11	113:22	7:8
Murphy	need	NJAC
2:18 47:10,11 132:10,11	36:22 54:1 76:8,11 81:13 82:7	24:10
133:13,19 134:24 135:2,5,9	83:15 86:5 88:2 98:11,16	NJDEP
135:12,17,22 136:5,9,16,18	99:21 117:9 124:15 128:20	16:15 17:10,21 24:11 26:2
137:4,9 199:6 203:18 208:15	141:11 147:24,25,25 148:1,1	77:22
208:19	150:11,11,23 151:9,22 152:1	NJDOT
mute	152:12,13 153:13 154:11,16	15:11 16:20 17:16
3:24 18:15	154:24 155:1,14,24 157:16	NJSA
	157:23 159:13,25 163:21	10:19
	165:10 167:7 170:2 173:20	noise
<hr/> N <hr/>	177:3 179:13 189:9 191:5	55:12,15,19 60:15
n	199:11 200:5 202:21	non-combustible
104:21 210:1	needed	130:2
Nabiscos	23:11 42:22 87:14	non-residential
154:3	needs	15:12
name		

<p>non-signalized 74:5</p> <p>non-understanding 158:3</p> <p>Norfolk 179:5</p> <p>normal 17:19 21:22 55:13</p> <p>normally 64:5 113:2 127:25 178:19 197:9</p> <p>north 14:9 15:6,19 19:17,17 22:2,4 39:7 40:21 76:9,15 187:10 187:16 188:17</p> <p>northeast 16:18 19:18 20:18 177:18</p> <p>northern 69:22 145:22 147:6 162:2,4 175:20 187:23</p> <p>northward 61:9</p> <p>northwest 20:13 21:9 45:10 107:12 143:16</p> <p>nose 145:9</p> <p>notation 29:14</p> <p>note 8:11 29:20 30:4 34:20 101:24 111:9 134:9 157:9</p> <p>noted 29:25 128:23 132:14 176:17</p> <p>notes 123:24</p> <p>notice 10:21 11:4 78:12 207:21</p> <p>notices 10:19,20 207:22 208:13</p> <p>notifications 202:21</p> <p>nowadays 158:19 172:16</p> <p>nuances 101:18 103:2</p>	<p>number 6:22 9:18 19:10 28:21 30:19 49:18 50:5 63:24 68:14 72:8 81:23,25 82:3 87:13,23 88:8 100:8,9 101:13,19 133:20 147:13 148:19,20 150:1,1 157:13,14 160:14 168:24 183:4 201:10</p> <p>numbers 89:14,15 91:3,18 165:2 192:2</p> <p>numerous 12:16 91:14</p> <p>NYSNW 179:6</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 210:1</p> <p>o'clock 140:2,20 141:2</p> <p>oath 97:13</p> <p>objection 10:22 106:8</p> <p>objections 10:14</p> <p>objector's 54:17</p> <p>obtain 9:4</p> <p>obtained 78:21</p> <p>obtains 36:2</p> <p>obviously 4:16 50:16 67:23 69:5 73:10 77:14 87:4 110:22 116:6 174:8 180:20 186:3 187:11 188:12,21 191:9 195:21 197:20,24 202:16</p> <p>occupancy 36:14 111:15 113:25 114:3</p> <p>occupy 72:10 81:19</p> <p>occur 51:6</p>	<p>office 16:12 20:12,18 25:7 27:23 46:19 73:5,13,15 79:4 81:9 107:22 108:3 110:15,24 112:15 118:17 171:13 175:1 176:17</p> <p>offices 110:16,18,19,19 114:22</p> <p>offloaded 180:17</p> <p>Oftentimes 101:10</p> <p>oh 3:19 75:11 109:22 151:15 192:18 206:20</p> <p>okay 4:1,11 5:6,16,24 14:2,17 18:25 19:4,9,24 20:1 26:21 27:4 30:9 31:21 35:7 38:1,3 38:17 41:1,22 42:7 43:4 44:13,19 45:3 46:14 48:2,21 49:14 50:11 51:8 52:18 54:10,25 55:21 56:11,24 60:11 61:2,15,19 62:8 63:9 64:4,10 65:12,12 66:8 67:22 68:13,25 69:5 70:11 73:3,21 74:6 75:18 76:23 77:8 79:20 80:11 81:10,20 83:1,4 85:9 85:22 86:4 87:12 91:22 92:18 93:11 95:7,22 97:6,12 98:21 100:23 104:3,7 106:16 107:9 108:25 109:22 110:10 111:5,17,23 113:2 114:5 115:1,21 116:5 117:19,23 118:2,18 119:3,21,24 120:23 122:4 124:10,25 125:10,19 126:8 127:6,24 131:9,16 133:19 135:2,5,17 136:9,18 138:3 139:10 141:3 143:3 148:13 150:18 152:4 154:21 159:14 161:23 170:19 171:1 172:2,19,21 175:3,5,6,7 177:24 180:10 182:10,12 183:25 184:5,18 185:7,24 186:10,19 187:1 188:1 189:2 189:20 190:10,12 193:8</p>
---	--	---

<p>194:2 197:17 198:9 206:5,22 207:25</p> <p>old</p> <p>90:12 136:20 158:10,11 173:2</p> <p>once</p> <p>31:5 36:4 65:9 119:19 163:9 163:10</p> <p>one-building</p> <p>158:8</p> <p>ones</p> <p>23:11 154:7 192:13</p> <p>ongoing</p> <p>46:8 83:23</p> <p>online</p> <p>44:4 53:13</p> <p>onsite</p> <p>17:14 77:24 78:20 79:14,18 80:8 82:15 83:5,7 129:21</p> <p>open</p> <p>13:6 26:18,23 53:7,11,17,24 98:1 105:18 110:3 142:11 168:19 169:2 181:2 192:23 193:6 195:13</p> <p>opening</p> <p>52:25</p> <p>openings</p> <p>181:23 182:4,7</p> <p>operate</p> <p>30:7 40:14 51:4 163:4</p> <p>operated</p> <p>37:6</p> <p>operates</p> <p>154:20</p> <p>operating</p> <p>51:3 67:6,10 71:20 74:16 160:6 166:19 176:11 192:7</p> <p>operation</p> <p>14:24 17:1 26:12 36:23 37:19 46:9 49:19 63:17,18 64:21 67:19 70:1 86:18 96:25 121:15 147:1 153:19 163:7 186:16,25 191:17</p> <p>operation's</p> <p>49:25</p> <p>operational</p> <p>30:5 64:18 115:20 139:9</p>	<p>169:22 186:14</p> <p>operationally</p> <p>178:9</p> <p>operations</p> <p>16:8 20:7 38:4,5 41:21 137:24 144:7 146:25 152:25 153:20 154:8 155:5,18 162:17 163:19 164:2 165:18 169:16 170:5 177:18 192:9</p> <p>operator</p> <p>159:8 163:1 178:8,15</p> <p>operator's</p> <p>190:14</p> <p>opinion</p> <p>97:25 193:5 201:12</p> <p>opportunity</p> <p>9:3 30:25 31:2 32:6 33:10 57:6 83:20 89:13 138:15 141:4 142:4,13 154:12 165:6 167:9 178:24 179:13 188:1 192:4 201:21 206:1</p> <p>opposing</p> <p>71:19</p> <p>opposite</p> <p>39:16</p> <p>opposition</p> <p>174:16</p> <p>option</p> <p>147:18</p> <p>orange</p> <p>179:17</p> <p>order</p> <p>27:21 33:7 48:14 66:21 81:14 83:16 125:6 198:18</p> <p>orderly</p> <p>18:4</p> <p>ordinance</p> <p>8:4 23:18 25:14,20 35:25 36:1 36:5,11,12,16 47:18 58:4,12 58:21 59:8,20 74:14,14 93:13,24 94:11,13 96:16,23 97:10,15,20 99:8,25 100:2 100:13 156:13 197:1,8</p> <p>ordinances</p> <p>97:24</p> <p>outbound</p>	<p>172:7</p> <p>outcropping</p> <p>45:11,13,18 46:7,13</p> <p>outdoor</p> <p>180:21 182:1</p> <p>outlined</p> <p>38:19</p> <p>outreach</p> <p>196:15 197:10,15</p> <p>outset</p> <p>9:2 10:3</p> <p>outside</p> <p>7:7 37:11,24 48:5 109:12 131:1 154:3 160:8 166:11</p> <p>outstanding</p> <p>139:13</p> <p>overall</p> <p>55:1,24 63:20 120:17 170:14</p> <p>overflow</p> <p>24:23 153:12</p> <p>overpass</p> <p>16:21</p> <p>oversee</p> <p>12:14</p> <p>oversight</p> <p>135:23</p> <p>oversized</p> <p>135:18</p> <p>overview</p> <p>106:18 109:23 111:1</p> <p>overwhelming</p> <p>175:22,25</p> <p>Owen</p> <p>79:9</p> <p>owner</p> <p>36:2 170:25 171:16 174:15</p> <p>owners</p> <p>203:20</p> <p>ownership</p> <p>41:24 42:9 125:14 203:19,21</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P</p> <p>181:6</p> <p>p.m</p> <p>140:21,23 141:2 207:23</p>
---	--	--

208:13 209:5	24:4,6,16 48:7,15 49:16 68:4	108:18
package	68:6,10,14,20 70:5 91:11	patience
127:4	93:16 135:19,23 136:6	199:19 204:24 208:8
packaging	150:11 152:25 157:2 161:22	patiently
149:2	parks	195:16
packs	63:8 68:10,23,24 136:1	paved
59:19 134:12 166:12	part	48:11
pad	16:15,20 26:11,12 27:9 35:25	pavement
182:1	59:23 63:7 66:1 78:10,14	61:24 77:7
page	79:1 84:22 87:16 92:13	paver
126:16 127:9	99:14 108:1 116:24 127:3,3	49:7
painted	134:13 147:4 148:5,20,21	pavers
107:19 109:2	150:4 156:13 157:5	22:7 49:9
palette	participating	pay
181:9	5:14	157:15
pandemic	participation	paying
202:12	199:19	192:8
panelist	particular	PCD
4:4 35:9 42:25	34:17 73:18 170:15	15:15
panels	partly	PDF
107:19,20 109:2 124:8	149:10	126:16
panic	partner	peak
151:14	5:12 6:1 149:20	67:14,19,25
paper	partner's	pedestrians
149:2 177:25 181:10	164:15	108:2
parameters	partnering	Pennsylvania
197:9	147:17	134:2 173:6,15 188:18
paramount	partners	people
153:22 160:7 178:12	145:4 146:24 171:17 179:1	33:2 43:9,21 146:9,9 148:13
parcel	partnerships	150:5 152:16 153:2,7 157:1
15:1,14,15 17:4,4,5,16	192:17	157:23 158:18 163:13
parceled	parts	165:22 166:15 172:16
92:24	167:15 173:15 175:16	179:18 189:10,13 191:4
pardon	party	192:19 200:17,22
154:9	3:12 154:5 177:9	Pepsi
park	pass	158:17
21:21 22:13 69:1 70:21 97:17	132:20	percent
157:2 162:8,9	passed	16:3 23:12,23 24:3,3,4,5
parked	200:15	44:23 47:2 56:7,15,16,17,21
65:7 67:10 92:1	passenger	146:13 148:9 164:23
Parker	21:15 67:7	percent's
2:2,3 41:4,4 43:6,7,15,16,20	path	23:22
43:24 44:2 51:22,25 119:8	147:10	percentage
121:8,9,12 122:4,13,22	paths	124:2 203:21
parking	108:21	perception
21:17,24 22:4,8,15 23:1,19,20	pathways	189:7

<p>percolates 86:14</p> <p>perfect 51:14 138:3 206:5</p> <p>performing 24:12</p> <p>perimeter 122:18 160:8</p> <p>period 146:18 179:10 195:8</p> <p>perishable 167:22</p> <p>permit 8:6 26:8 83:15,16 88:3 94:14 99:25 144:16,20 155:15</p> <p>permits 26:4</p> <p>permitted 8:16 15:5 23:22 24:3 94:22 95:19,21 101:9 197:2</p> <p>permitting 16:16 26:2</p> <p>person 4:21 202:23</p> <p>personally 33:13</p> <p>personnel 122:1 130:9 132:12</p> <p>perspective 32:10 49:1 51:17 129:11 153:1,19 168:15 174:20 198:7 207:10</p> <p>pertaining 176:4</p> <p>pervious 16:10 22:6 23:21 49:12 56:7 56:10</p> <p>PETER 2:11 43:1</p> <p>pharma 149:4 190:15</p> <p>phase 123:16 170:16,16,19 171:8</p> <p>phased 125:11 171:4</p> <p>phases</p>	<p>144:15 198:22,22,25</p> <p>Phillipsburg 172:21,23</p> <p>phone 177:21 178:18 200:22</p> <p>photo 107:10</p> <p>photometric 59:24 166:13,16</p> <p>phrase 63:7</p> <p>physically 65:6 131:7 163:11</p> <p>pick 153:10</p> <p>picking 71:15</p> <p>pictorially 166:17</p> <p>picture 30:6 107:7 128:2 161:16 169:10</p> <p>piece 27:2 36:23 200:3</p> <p>pile 45:22 130:12</p> <p>piled 131:3</p> <p>pipes 28:2</p> <p>pipng 27:22,24</p> <p>pit 136:20</p> <p>pitch 116:10</p> <p>pitches 26:4</p> <p>place 137:5 203:1</p> <p>places 124:23 152:11 187:11 190:5 193:6</p> <p>plain 100:18,20</p> <p>plan</p>	<p>6:17,20,21 7:4,12,21 8:8 9:10 9:12,17 12:14 14:9 19:14,16 19:16,17,17 28:23,24 29:4 32:14 34:14 36:3 56:13 57:1 57:8,23 58:5,16 59:10,15,17 59:23,24 62:9,11 66:22 67:18 69:10 72:2 73:17,23 74:15 77:9,10 79:13,16,17 82:13 87:17 88:21 91:15 98:10,11 108:5,6,8,13 110:9 110:10 111:3,10 115:15 125:25 126:10 127:2,3,4,12 127:19 137:20 144:24 145:1 155:9 157:5 180:3 190:1 197:12,13 201:19,19 202:1</p> <p>planned 15:16 124:20</p> <p>planner 101:1 103:8 174:24</p> <p>planning 1:12 8:5 32:5,19 35:20 36:7,9 82:3,12 111:18 120:12 130:22 144:3 154:18 209:4</p> <p>plans 28:22 29:24 30:3 57:2 89:15 110:21 114:23 138:16 140:8 186:4 201:22 203:1</p> <p>plant 6:14 14:23 159:14,15 172:17 172:24,25 173:2 179:19</p> <p>plastic 49:7</p> <p>plate 181:4,4</p> <p>platform 108:16 181:5</p> <p>platforms 193:1</p> <p>play 119:22 153:18</p> <p>please 3:24 4:21 5:8,19 11:14,16,21 13:14 19:5 54:20 55:24 60:21 80:3 88:25 89:1,2 91:18 99:10 104:11,16 105:2 105:6 106:13 107:3,4 143:4</p>
---	---	--

<p>143:10,20 147:2 169:9</p> <p>plenty 101:11 173:16</p> <p>plot 128:4</p> <p>PLs 154:4</p> <p>plus 63:3 65:3</p> <p>ply 116:2 126:6</p> <p>PMM 81:1</p> <p>Pods 171:13 175:1</p> <p>point 10:9 12:21 15:20 22:19 24:18 25:17 34:5 53:1,3 58:25 59:1 61:6,8 66:24 73:15 86:1,25 88:23 90:4,8 91:3 96:7,14,17 97:5 101:6 103:24 106:19 111:4 114:6 120:3 121:13 123:18 124:7 127:21 133:18 135:16 136:23 145:22 155:10 157:8 182:23 188:11</p> <p>pointed 23:17 91:13 97:23</p> <p>points 47:16 60:23 61:13 74:11 121:24</p> <p>police 138:13,15</p> <p>pollution 55:12,15 60:15 147:15 183:8</p> <p>ponds 16:25</p> <p>pop 159:17</p> <p>port 21:5 24:22 160:15 162:6</p> <p>portion 17:6 20:16 23:15 69:10 105:25 108:17 170:4</p> <p>portions 107:23</p> <p>positive</p>	<p>168:17</p> <p>positives 191:12</p> <p>possibility 65:2 114:20</p> <p>possible 18:13 34:2 63:2 73:2 123:15 124:21</p> <p>possibly 66:8 188:18</p> <p>post 78:17</p> <p>post- 78:21</p> <p>posted 71:25 78:7 207:4,7,14</p> <p>postings 72:1</p> <p>potable 87:8,9</p> <p>potential 23:7 69:12 73:14 114:12 117:2 164:2 167:2 174:13 183:7,17 191:22</p> <p>potentially 66:10 81:9 128:23 171:12 173:12 180:6</p> <p>practical 73:5</p> <p>practice 12:12 105:25</p> <p>pre- 107:18 198:20</p> <p>pre-cast 109:25</p> <p>pre-treated 84:14</p> <p>precedent 207:9</p> <p>precipitation 16:12</p> <p>prefer 53:5</p> <p>preference 26:24 53:21</p> <p>prefers</p>	<p>18:5</p> <p>preliminary 6:16,19 7:4,21 9:10,17 19:14 32:14 34:15 36:3 59:23 106:18 111:3 120:4 129:5 133:16 137:20 138:18 141:23 144:14,23,25</p> <p>premature 32:20</p> <p>premise 148:4</p> <p>premises 92:2 94:6</p> <p>prepare 45:12</p> <p>prepared 6:21 7:25 14:7 16:12 55:8</p> <p>present 6:16 8:9 10:4 22:17 26:22 57:19 58:15 59:1,5 60:6 65:4 142:2</p> <p>presentation 18:5,6 88:20 95:5 195:20</p> <p>presented 32:9,18 58:24 60:4 82:13 87:5 203:13 207:3</p> <p>presenter 18:13</p> <p>presenting 48:4 86:17 90:2</p> <p>presently 15:17 16:7 26:11 149:19 187:22</p> <p>preservation 119:23</p> <p>preserving 119:23</p> <p>pressures 132:3</p> <p>presumably 82:4</p> <p>presume 52:25 57:7 58:5 59:12 64:3 66:11 72:18 73:15,23 77:2,9 80:20</p> <p>pretty</p>
--	--	---

<p>18:11 43:3 87:7 115:23 116:10 122:10,10 131:4 132:23 161:15 186:22</p> <p>prevalent 188:10</p> <p>prevent 122:2</p> <p>preventing 99:13</p> <p>Prevention 131:24</p> <p>previous 138:7 196:14</p> <p>previously 66:24</p> <p>prima 94:10</p> <p>primarily 25:12 44:17 59:18 136:3</p> <p>prime 158:6 172:13 179:15</p> <p>Princeton 12:20</p> <p>prior 8:13 34:13 36:5 41:25 89:17 96:2 97:4 196:16 205:17</p> <p>pro 125:3 198:5</p> <p>probably 26:17 27:16 45:19 51:5 112:20 114:24 115:25 117:25 125:14 127:21 134:18 159:16 163:23,24 164:7,8,15,20 187:9</p> <p>problem 39:4 148:14 180:11</p> <p>procedural 41:8</p> <p>procedure 53:3 54:14 207:2</p> <p>proceed 44:25 84:5 98:23</p> <p>proceeding 96:2</p> <p>proceedings 210:5</p>	<p>proceeds 21:25 22:2</p> <p>process 7:2,20 30:21 33:22 35:3,16 36:4 40:9 80:25 87:17 120:2 151:25 155:16 167:8 177:6 193:24 194:18 196:16 199:23 200:5 202:19 204:25</p> <p>processed 14:25</p> <p>processing 147:1 172:17</p> <p>Proctor 153:25</p> <p>producers 172:12</p> <p>product 38:20 172:18 179:24 181:10 197:22</p> <p>production 6:15 37:20,21</p> <p>products 49:22 110:8 148:24,25 152:6 177:10</p> <p>profession 195:22</p> <p>professional 12:9 13:3 105:5</p> <p>professionals 6:23 8:13 9:4,13 26:19 41:17 57:21 131:17 169:3 182:15</p> <p>progresses 31:24</p> <p>project 7:17 8:7 9:21 14:17 15:1 16:20 25:10 31:25 32:24 33:12,21 34:10 43:11 92:15 100:1 104:8 144:1 149:6 153:20 170:15 172:4 178:21 192:6 196:21 197:20 198:18 198:19 199:1 205:10</p> <p>project's 15:6</p> <p>projects 144:22 146:13</p> <p>promise</p>	<p>153:1 174:23 191:23,24</p> <p>promote 34:20 98:3 99:1</p> <p>promoted 34:22 42:24 149:13</p> <p>promotes 97:25</p> <p>proper 72:14</p> <p>properly 39:3 66:21</p> <p>properties 97:20 145:22</p> <p>property 6:4,10 15:12 20:11,16 25:21 36:2 37:13 38:6 40:18,20,20 45:11,12,17,25 46:16,17 55:24 59:21 87:8 108:7 109:23 150:9 153:21 160:8 179:3</p> <p>property's 37:17</p> <p>proposal 7:22 26:18 29:23 111:10</p> <p>proposed 14:13 20:3,10 26:14 56:2 57:25 59:10 76:1,2,23 79:25 81:14 90:18 92:9,10 97:17 102:22 126:17 132:2</p> <p>proposes 20:7</p> <p>proposing 7:17 20:4 29:17 37:23 38:14 40:23 47:18 57:20 62:18 77:11 97:17</p> <p>protect 130:5</p> <p>protection 121:16,20 130:25</p> <p>prove 115:18</p> <p>provide 28:5 30:5 34:10 43:17,19 78:23 79:2 107:3 118:1 182:15</p> <p>provided</p>
---	--	--

<p>16:14 21:20 25:2,4 63:23 87:9 130:4,11</p> <p>provider 154:5</p> <p>provides 15:25 16:1 94:15</p> <p>provision 98:22</p> <p>provisions 157:19</p> <p>public 6:18 10:2,6,12 32:25 33:10 44:4 53:1,8,9,25 54:18 57:22 60:5 78:10,12 91:20 96:20 125:25 128:11 141:11,12 142:11 194:7 195:15 197:6 198:24 199:18 200:7 204:3,6 207:4,17</p> <p>public's 195:8 203:12</p> <p>publicly 145:23</p> <p>Publix 167:18</p> <p>PUD 196:25</p> <p>pull 13:17 19:2 39:18 70:18 71:3 118:24</p> <p>pulled 180:21</p> <p>pulling 71:16,17 163:2</p> <p>pumped 84:14 85:21 86:8,12</p> <p>purely 128:7,14</p> <p>purpose 99:3,22 117:2 120:9,22</p> <p>purposes 97:10 99:4,5,7,11,19 100:12 103:5</p> <p>pursuant 10:19,21</p> <p>put 31:20 73:14 83:20 115:15</p>	<p>124:23 134:4 181:15 193:16 196:8 199:13 200:16 202:3 203:1</p> <p>puts 32:10 163:2</p> <p>putting 124:16 157:11 186:5 196:1 205:3</p> <p>PV 124:8</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualifications 12:7 13:2,6,8,12 105:3,6,15 105:17,19 106:9,12</p> <p>qualified 187:20</p> <p>qualify 126:6</p> <p>quality 24:21 88:9</p> <p>quarter 116:1</p> <p>question 11:2 28:18 32:18 33:24 35:14 39:23 43:7 50:3,12 51:24 55:1 57:22,25 58:24 63:19 64:12,25 65:18 66:4 69:23 70:2,11 71:23 72:14 80:3 89:16 90:4,8,16 92:17,25 95:6,8 97:8 98:18 103:12 113:19,21 114:11 119:25 120:15 122:17 124:12 125:1 129:13 131:17 132:19,22 133:6 137:15,22 169:22 170:11,23 172:10 173:4 176:3,4,19 180:13 182:23 185:23 189:13 196:13 197:18 205:23 207:2,18,20 208:1</p> <p>questioning 94:18 180:14</p> <p>questionnaire 154:24 155:2</p> <p>questions 6:23,25 10:6,6 13:5,10 17:23</p>	<p>26:15,24 27:11 30:13 31:1,3 31:3,7,14,14 32:2 33:4,10 35:13 40:15 41:10,15,24 42:17 43:3,24 45:4 47:11 51:15,17 52:23,25 53:1,6,7 53:14,18,23,25 54:3,6,8,12 55:18 64:15,18 70:16 88:6 88:25 95:7,13 96:21 97:23 98:17,25 105:14,17 111:6,24 114:8 115:6,11 120:1,21 121:13 122:23 123:3,11,22 125:20,24 127:22 128:10 129:3 132:8,12 137:10 138:6 139:5,8,13 141:10,20 142:8 144:5,18 155:5 161:12 166:10,24 168:19,24 169:15 169:21 170:9 173:23 174:3 184:20,22 185:4,8 186:12 194:3,9,10 195:6,10 200:1,8 200:13,15,21 201:10,11,13 202:9 203:3,12 204:6,13 205:19,24 206:3 207:3,5,15 207:19</p> <p>quick 31:12 33:24 41:23 101:2 115:11 123:11 134:9 137:13 195:6,19 200:9,12 204:25</p> <p>quicker 56:18</p> <p>quickly 89:2 102:12 200:12 203:8 205:17</p> <p>Quinn 2:20,21 35:11,11,12 36:18 38:1,10,17 39:2,22 40:6,11 41:1 115:9,10,21 116:5 117:18,23 118:2,6,10,13,18 119:3,5,21 120:19,23 121:1 137:14,16 138:3 185:6,7,15 185:21,24 186:10,19 187:1 188:4,7,15 189:2,16,20,22 189:25 190:10,12,20,25 192:15 193:8 194:2 200:11 201:7</p> <p>quite 32:1 46:24 88:8,12 149:19</p>
--	---	--

167:14,15	21:4,6 39:16 44:20,20,24 45:2	204:12
R	ramps	really
R	21:3 39:13,13	55:15 64:13 71:21 103:12,14
210:1	ran	116:16 118:4 120:1 124:12
rack	172:24	129:14 132:7,19 137:4
163:3	randomly	147:19 154:6 160:3 161:10
racking	154:22 160:18	162:4 165:2 166:25 168:14
109:16	range	169:23 173:18 175:2 183:6
racks	63:16	187:9 192:3 193:9 196:9
158:24	ratable	197:6 198:1 199:11 200:3
rail	199:10,11	201:21 203:8 205:16 207:12
15:25 20:8,23,24 21:2 22:1,1	rate	207:16,18
24:7 38:18 39:6,17 40:7	80:25	Realty
48:14 50:18,24 51:2 92:14	rateables	1:14 3:1,7 6:3
92:21,22 93:18 97:18 108:12	196:2	rear
108:14 135:7 149:12 150:9	rates	23:20
155:25 156:3,5,12 158:8,8	67:11 68:11	reason
158:11 160:16 162:1,5,8,9	ratios	22:25 60:5 89:18 95:9 97:19
171:24 176:21,22 177:1	23:1	99:24 155:24 179:1 183:16
178:16,25 179:13 180:17	raw	187:19
181:23 183:6,13,18 187:23	148:24	reasonable
187:25 188:10	re-emphasize	94:8
railcar	199:21	reasons
181:6	reach	160:14 166:19 204:11
railed	129:18	recall
179:25	read	57:12 61:13 62:22 69:19 76:2
railroad	42:6 94:21 101:7 156:6 201:9	recap
16:2 22:23 145:12	Readi-	89:1
railroads	118:24	receipt
145:15 147:18 179:4,9	Readi-Mix	138:17
rails	6:12 14:22 20:7 26:12 37:7	received
38:21 187:15 193:2	ready	9:5,6 22:16 87:13 131:25
railway	23:10,14 83:22 181:17	recessed
15:11,11,19 16:19,22 17:16	real	134:25
39:23 45:15 93:2 97:21	6:2 49:4 134:9 137:13 145:10	recharge
railway's	152:4 165:3 174:20 185:23	24:22 79:19 85:21
39:25	189:23 200:9,11	recognize
raise	realistic	3:2 4:16 91:22 106:11 204:23
3:17 4:21,23 11:16 95:24	107:10 174:22 183:22	recognizes
104:11 119:12,13 143:4	realistically	101:19
raised	34:11 139:18	recognizing
4:25 5:7 6:23 44:21 119:7	reality	4:15,15
raising	151:24 156:10,17 164:16	recommend
203:24	realize	138:1 201:18 202:2
ramp	189:10	recommendation
	realized	116:12 194:23 207:9

<p>recommendations 9:14</p> <p>recommended 49:18</p> <p>reconnects 22:3</p> <p>record 27:10 42:11 95:23 96:8 100:5 140:23 141:1 202:10 210:5</p> <p>records 154:8</p> <p>Recovery 42:1</p> <p>Red 158:20</p> <p>redevelop 7:23</p> <p>redeveloped 173:1</p> <p>redevelopment 12:17 99:15 146:14,15,22 158:11</p> <p>reduction 24:19</p> <p>refer 59:18 154:4 162:11</p> <p>reference 11:2,7 56:3 58:2 70:13 86:18</p> <p>referred 156:4</p> <p>referring 27:15 52:5 89:23 99:4 112:3 180:22</p> <p>refrigeration 124:14,15,16,24 193:2</p> <p>reg 23:9</p> <p>regard 35:14 38:18 137:22 186:11 189:3 192:16</p> <p>regardless 129:24</p> <p>regards 31:13 34:2 35:3 42:2 123:22 123:25 124:11,13 129:3 169:20 196:14 200:1,6</p>	<p>201:16 202:9</p> <p>region 172:5</p> <p>regional 150:21 153:18 172:4</p> <p>registered 105:8,9 106:12</p> <p>regularly 146:24</p> <p>regulated 17:8,13,14,22</p> <p>regulations 77:17</p> <p>regulatory 146:7</p> <p>Reina 2:2,23,24 3:5,18 26:25 30:10 30:15 31:17,19 33:5 35:7 45:23 47:14,15,21 48:2,18 48:21 49:14 50:11 51:8,14 53:11 54:5 98:6,7 111:17,23 114:7 115:3,9 137:12,13 138:1,5,22 139:7 140:4,9,13 141:3,8,14,18 168:21 169:6 169:11 173:25 184:10,18 194:5 199:5,16 201:4 203:17 203:23 204:9,15 205:22 206:5,9 207:8,25 208:3,22</p> <p>reiterate 194:7</p> <p>related 101:4 115:6 164:5 169:15 176:19</p> <p>relates 46:4 111:24</p> <p>relative 55:18</p> <p>relatively 112:23</p> <p>release 175:16</p> <p>reload 161:1</p> <p>remain 26:7 40:16</p> <p>remaining</p>	<p>16:6 54:8</p> <p>remains 11:8</p> <p>remember 151:12</p> <p>reminder 3:21</p> <p>remote 207:24 208:13</p> <p>remotely 163:9</p> <p>removal 46:4,20 122:17</p> <p>remove 122:7 183:6</p> <p>removed 45:20</p> <p>rendered 59:16 79:15,16</p> <p>rendering 107:10,10 160:10</p> <p>renewable 123:25</p> <p>rented 116:20</p> <p>repeat 80:3 84:21 92:18</p> <p>repeatedly 194:17</p> <p>replace 16:22</p> <p>report 16:14 27:16 67:12 68:12 112:3 131:25</p> <p>Reporting 210:11</p> <p>reports 27:9 168:11</p> <p>represent 8:17 206:24</p> <p>representation 90:23</p> <p>representative 9:22</p> <p>represented 89:19</p>
--	--	---

<p>representing 3:12 4:20 6:3 90:1 175:9 176:6 206:15,18</p> <p>represents 101:12</p> <p>request 8:18 114:2 204:2</p> <p>requested 8:15 9:12 132:4</p> <p>requests 44:6</p> <p>require 26:4 46:3 50:5 114:1,3 166:15</p> <p>required 7:5 24:20 82:8 96:12 102:3,18</p> <p>requirement 23:13 36:1 59:20 131:14</p> <p>requirements 8:3 11:4 23:19 24:10 25:9,14 25:25 36:11,17 57:16 58:12 58:21 59:8 77:16,16</p> <p>requires 23:9 36:5 74:14</p> <p>research 89:17</p> <p>reserved 156:20</p> <p>reside 206:25 207:1</p> <p>residence 5:13</p> <p>resident 206:19</p> <p>residents 121:3</p> <p>resolution 83:16</p> <p>resource 37:18</p> <p>resources 193:19</p> <p>respect 91:4</p> <p>respectfully 100:14</p> <p>respond</p>	<p>30:25 42:25 128:11 206:24</p> <p>responding 100:11</p> <p>response 127:22</p> <p>responses 207:6</p> <p>responsibility 162:23</p> <p>rest 28:2 36:12 37:22 120:1,15 208:23</p> <p>restaurants 128:12</p> <p>restrooms 110:22</p> <p>resubmissions 91:14</p> <p>resubmitted 29:9</p> <p>result 103:13</p> <p>retail 118:4</p> <p>retailers 154:1 173:19</p> <p>retaining 8:25</p> <p>retention 26:13 77:18</p> <p>retrofit 117:5</p> <p>return 140:17</p> <p>reused 46:11</p> <p>review 7:15 9:4,9,13,14 24:12 28:13 36:8,14 55:22 57:6 96:22 97:10 101:5,22,23 102:21,22 102:22 138:13,16</p> <p>reviewed 10:18 77:22</p> <p>revise 29:9</p> <p>revised</p>	<p>30:4</p> <p>revisions 9:12</p> <p>Rich 164:6</p> <p>Richard 9:20 104:8,15,19,19 105:7 106:2,14,16 107:9 108:25 109:22 111:13 112:13 113:5 113:18,25 114:19 115:16,24 117:16,20,24 118:3,9,12,15 119:1,4,17 121:19 122:11,14 123:17 124:6,19 125:5,13 126:2,12 127:17 128:5 129:24 131:5,10 132:18 135:14,20</p> <p>ridge 109:19</p> <p>rig 70:24</p> <p>right 11:16 14:16,17 19:21 27:11 30:10 32:2,9 34:13 37:1,9,12 37:13 38:7,8 40:6,6,15,21,23 41:9 42:16 43:20 48:13,22 50:16 51:8,16,23 55:20 58:9 60:8 61:11,25 62:3 65:20,23 66:11 67:17 69:6,15 70:3,19 71:6,24 72:7,25 73:12 74:8 75:3,17 76:15 79:3,10 80:7 81:11,16 82:11,13 83:4,6 84:20,23 87:7 88:5 93:5 94:17 99:9 101:22 104:2,11 110:14 112:7 114:21 116:12 117:20 118:22 119:15 120:5 121:5 123:21 126:5 133:3,5 133:22 136:6,14,17 137:9 142:21 143:4 146:18 148:2 150:4,20 153:6 154:12 155:21,23 157:22 158:22 159:24 164:7 167:4,6 171:3 172:18 173:24 174:25 175:2 177:19 179:19 181:13 183:19 184:17 185:11,14 188:6 189:6,8 191:20 194:11 196:8 202:8 208:17</p>
---	---	---

<p>righthand 108:11</p> <p>rigorous 144:19</p> <p>road 6:5,6,7 14:19 15:18 16:23 17:18 22:5 25:3,5,6 45:14 61:10,16,18,20,20,21,24 107:14,14 113:15,16 119:18 147:13 149:15 162:1 207:1</p> <p>roads 198:16</p> <p>roadway 47:2 107:14</p> <p>rock 45:11,13,18,24 46:2,7,12 210:13</p> <p>Roger 52:16</p> <p>role 144:1 148:20,21</p> <p>roll 27:5 31:12 115:4 185:2</p> <p>roof 113:4 115:12,22,23,25 116:4 116:9 122:8 124:1,4,17 164:12</p> <p>roofing 125:25 126:6 164:11</p> <p>roofline 124:5</p> <p>roofs 116:3</p> <p>rooftop 112:17,20</p> <p>room 3:23</p> <p>rough 112:10</p> <p>roughly 38:20 47:21,23 56:1,19</p> <p>round 194:6</p> <p>route 16:21,22 49:8 133:25 135:3</p> <p>routed</p>	<p>24:16</p> <p>routing 173:14</p> <p>rubber 121:22</p> <p>rule 98:22</p> <p>run 31:12 86:10 115:4 153:24 154:3 191:19</p> <p>running 184:12 198:23</p> <p>runoff 57:2</p> <p>runs 36:23 48:23 177:18</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>S 104:20</p> <p>S1 110:5 111:15 114:3</p> <p>safe 69:25</p> <p>safer 177:5</p> <p>safety 129:9 137:18 146:9 153:21 154:7 160:6 166:19 178:10 178:12 180:25 181:6</p> <p>sales 193:15</p> <p>Sam-a-u-n-d-e-r-s-o- 104:20</p> <p>Samad 9:7 27:7 103:8 169:20 170:8</p> <p>SAMANAND 28:17 29:10 100:25 114:10 115:1 174:2 175:6,11,18,23 176:1,14 180:7,12 181:20 182:3,6,10,12,17,21 183:15 183:25 184:4,7</p> <p>sand 6:11,14 7:23 14:24 15:22 16:4 17:1 37:6,19 46:9 136:20 146:25</p>	<p>satisfying 7:11</p> <p>Saunderson 9:21 104:8,11,15,19,20 105:4 105:7 106:2,12,16,22 107:6 107:9 108:25 109:22 111:6,8 111:13 112:13 113:5,18,25 114:19 115:16,24 117:16,20 117:24 118:3,9,12,15 119:1 119:4,17 121:19 122:11,14 123:17 124:6,19 125:5,13 126:2,12 127:17 128:5 129:24 131:5,10 132:18 135:14,20 139:21</p> <p>Saunderson's 105:15</p> <p>save 206:8</p> <p>saved 206:3</p> <p>saw 44:6 137:15 203:2</p> <p>saying 58:19 71:4 84:6 98:16 103:24 116:6 128:13 147:2,3 160:5 182:3 188:8 195:17,18</p> <p>says 98:22 178:20</p> <p>scale 14:9 19:16 33:11 62:13</p> <p>scare 161:7,10</p> <p>scenario 171:22</p> <p>scenarios 88:1</p> <p>scheduled 83:5</p> <p>schedules 163:8</p> <p>schematic 109:7 111:4</p> <p>scheme 109:3</p> <p>Schneider's 177:14</p>
---	--	---

<p>school 193:21</p> <p>schools 192:24,25 193:13</p> <p>Science 12:11</p> <p>scope 31:25 32:24 33:12,20 49:15 129:4</p> <p>screen 13:18,23 14:1 18:10,14,19 19:5 48:17 61:4,5 76:6,12 106:15 118:21 134:22 136:15 142:25</p> <p>screened 113:6</p> <p>screening 113:3</p> <p>screenshots 205:25</p> <p>se 10:22</p> <p>seal 38:6 121:21</p> <p>second 17:9 38:22 76:7 94:19,20 158:15 160:2 206:7 208:15</p> <p>secondly 171:10 196:13</p> <p>seconds 34:24</p> <p>Secretary 2:1,7,10,12,14,17,19,22 31:16 35:10 41:3,12 42:18 43:5 44:1 45:5 47:9,13 115:8 121:7,10 122:25 123:5,9 125:21 128:15,25 131:25 132:9 137:11 184:16 185:5</p> <p>section 39:15 44:21 94:13 99:7,11</p> <p>sections 31:8 109:7 142:6</p> <p>security 137:23 186:11 190:1,5,7,18</p> <p>see 3:11,15,18 4:24 8:8 10:13</p>	<p>27:5 31:6 45:18 46:18,21 67:11 69:24 78:6,11,18 109:18,24 112:16 113:3,8,16 115:5 118:24 130:8 134:4 136:15 140:21 142:24,24 158:2 160:11 162:18 165:11 165:16 167:16 169:14 170:8 172:11 173:18 177:8 178:7 182:13 191:18 193:4 194:24 197:23 200:9 205:24 207:5 208:4</p> <p>seeing 14:4 23:1 33:2 144:13 146:3 159:22 188:24</p> <p>seek 7:7</p> <p>sought 32:13</p> <p>seeking 6:19 86:2</p> <p>seen 11:8 12:5 59:13 109:5 134:1 199:25 201:22 202:8</p> <p>sell-off 91:11</p> <p>seltzer 158:19 172:15</p> <p>send 207:13</p> <p>sense 157:18 161:24 188:22</p> <p>sent 24:24 42:21</p> <p>separate 11:12 77:10 82:24 142:24</p> <p>separated 131:6</p> <p>separation 131:15</p> <p>separations 130:18</p> <p>serve 172:6 173:21 175:21</p> <p>served 149:12 158:8 179:13</p> <p>service</p>	<p>16:8,9 25:1 102:7 155:25 177:20 178:15 180:4</p> <p>serviced 25:10</p> <p>services 12:15 25:5 129:14,17 168:2 187:8 210:12</p> <p>session 121:6 184:13 202:23</p> <p>set 75:23 79:18 93:13 94:11 198:13</p> <p>setback 112:17,25 113:10</p> <p>setbacks 23:20</p> <p>settling 16:24</p> <p>sewer 83:15,15</p> <p>shallow 52:12</p> <p>share 13:17,24,25 18:10,14,19,22,24 19:1,5 31:6 48:16,20 61:4,5 76:12 106:15 205:15</p> <p>shared 37:3 48:9 134:10,11 166:6</p> <p>sharing 13:23 76:5</p> <p>shed 35:2</p> <p>shelter 148:1</p> <p>shelves 151:18 167:20 178:4</p> <p>shift 63:21 64:5 65:14 183:17 186:21,23</p> <p>shifted 181:11</p> <p>shifts 63:21 64:1,4,7 65:14 186:22 186:23,24</p> <p>shining 134:17,23</p>
---	---	--

<p>ship 187:6 188:12,22</p> <p>shipment 93:19 187:5</p> <p>shippers 172:12</p> <p>Shoprite 152:9</p> <p>shoreline 179:7</p> <p>short 94:18 184:12</p> <p>short-term 196:12 198:6</p> <p>shortage 167:23</p> <p>shortened 46:18</p> <p>shot 7:13</p> <p>show 28:8 72:1 76:3 109:8 110:21 110:22 160:18 165:2 166:17 167:7</p> <p>showed 28:24 37:10 127:18</p> <p>showing 22:17 56:13 58:6 75:14 77:10 108:6 128:18 135:15 180:3</p> <p>shown 3:17 62:8,10,11 73:22 74:16 74:24 75:4 107:24 114:23 127:20 175:2</p> <p>shows 107:17 108:7 109:2</p> <p>shrink 156:24</p> <p>shuttered 173:2</p> <p>side 20:10,25 21:6,14 22:10,11,14 22:22 23:8,20 28:16 48:6,13 63:8 68:14,16 108:11 114:9 158:9 174:1 181:21,22,24,25 182:13,18</p> <p>sides</p>	<p>102:10 121:24</p> <p>siding 15:25 20:23,24 22:2 24:7 39:7 108:12,15,15,16 135:7</p> <p>sign 8:14,19 28:10 74:7 75:25 76:3 76:4,6,9,14 178:20</p> <p>signage 23:9 76:24</p> <p>signal 50:18</p> <p>signalized 50:22</p> <p>signals 74:2</p> <p>significant 32:25 59:12 119:6,12</p> <p>significantly 102:19</p> <p>signs 8:15 74:2,5 77:3,6</p> <p>similar 30:22 158:13</p> <p>similarly 11:1</p> <p>Simmons 9:5 27:6,14,14 111:19,24 112:1,2 113:2,13,20 114:5,8 131:21,21 132:7 169:14,20 170:7,10,11,18 171:2 172:2 172:8 173:23</p> <p>Simmons' 101:4</p> <p>Simons 169:7</p> <p>simple 150:19</p> <p>simply 188:8</p> <p>simultaneously 125:12</p> <p>single 109:19 116:2 126:6 171:19</p> <p>sir 5:7 11:15 12:25 14:1 56:9,14 61:18 62:11 63:22 65:7 66:7</p>	<p>66:17,23 70:21 71:11 76:21 79:6 81:16 85:8 89:25 91:9 91:25 92:7,13,15 93:8,12,21 94:2,7,12 95:9 96:23 97:22 100:21 105:7 135:1 206:10 208:1</p> <p>sister 108:9 109:4</p> <p>sit 158:25 181:16</p> <p>site 6:16,19 7:4,12,21 9:10,17 14:12,13,14,17,25 15:3,17 15:22 16:3,4,7,17 19:14 21:8 21:15 22:10 26:9 28:23 32:14 34:14 36:3 37:1,2 42:1 42:6 46:8,11 51:11,12 56:13 59:11,17,23 61:1 64:21 65:4 65:8,20 66:9,13,14,19 67:1,6 67:18,25 69:25 70:6,8,25 71:3,10 72:2 73:17,23,24 74:10,15,15,24 75:14,17,19 75:21 77:3,6,18 79:13,16 81:19 83:6 87:17 88:21 91:15 93:9 99:15 102:4 107:14 108:5,5 111:3 113:24 114:15 116:15 119:19 124:2 126:9 127:3,4 132:15,17 137:23 144:24 145:1,2 146:22 155:9 158:9,11 170:15 171:25 176:11 180:3 185:10 186:4,7,13 189:14 190:2,7 198:20,21</p> <p>site's 17:1</p> <p>sites 146:15 190:4 193:25</p> <p>sits 155:22</p> <p>sitting 59:21 100:16 149:19 160:7 161:2 199:6</p> <p>situation 83:19 167:11</p> <p>six 44:6 181:16 194:6</p>
--	--	---

<p>size 31:24 32:24 33:20 49:15 55:24 63:25 88:13 125:4 129:4 131:20 156:20 196:6</p> <p>sized 22:14 71:14 159:2</p> <p>sizes 150:25</p> <p>Skei 2:10,11 42:19 43:1 125:22,22</p> <p>sky 25:15</p> <p>sleeping 189:13</p> <p>sleepovers 189:17</p> <p>slice 175:15</p> <p>slide 106:22 108:4,13,19,23 109:6 109:6,20,20</p> <p>slides 106:17</p> <p>slight 119:18</p> <p>slightly 61:9</p> <p>slim 102:9</p> <p>slip 71:15</p> <p>slope 109:19 116:1 126:21</p> <p>slopes 126:20</p> <p>slow 51:1</p> <p>small 23:14 102:8 107:25 112:17</p> <p>SMEs 30:25 111:18</p> <p>snow 46:19 116:8 122:7,8,16</p> <p>soil 16:5 43:11 132:16</p> <p>soils</p>	<p>16:3,4,6,6</p> <p>solar 115:13,15,16 124:3</p> <p>sold 145:24</p> <p>somebody 34:20 128:11 156:16</p> <p>something's 167:19</p> <p>somewhat 187:18</p> <p>Sonya 210:3</p> <p>sorry 14:2 22:10,21 27:6 31:17,20 43:2,16 56:11,20 70:7 74:17 75:11 76:17 80:2 85:9,15 92:17 98:5 105:1 140:10 143:16 170:12 206:20</p> <p>sort 27:11 46:10 48:4 64:17 134:21 169:17 191:5,10</p> <p>sorts 149:1</p> <p>sounded 48:10</p> <p>sounds 3:6 139:24 187:2 201:8</p> <p>south 24:17,25 25:2 46:15 133:10 133:25 162:6</p> <p>southeast 15:9 85:17 107:12</p> <p>southeastern 21:23 85:4</p> <p>southern 15:23 17:4 21:24 69:21 76:20 76:22,22 85:3 179:5</p> <p>southwest 15:8 16:18 20:14,19 21:10 45:10 46:16</p> <p>space 46:19,23 98:1 118:8 121:5 130:21 153:12 176:1,6,16,17 177:11</p> <p>spaces</p>	<p>22:13,17,20 50:5 65:7,10 68:14 70:5 130:23 135:23 136:13</p> <p>Sparta 1:12 6:7,11 11:12 12:19 14:19 14:22 16:15 20:7 24:11 25:6 37:7 77:22 87:10,14,18,20 87:22 88:16 99:6,7,12 100:12 101:22 116:22 120:5 132:4 144:3 151:8 154:20 165:16 173:9 206:19 209:4</p> <p>speak 4:2,18 32:16 41:7 67:13,15 125:18 129:8 130:19 140:18 142:13 168:11 170:12 199:2</p> <p>speaker 3:25 19:6</p> <p>spec 157:10 165:4</p> <p>special 203:11 204:3</p> <p>specialize 105:23 106:5</p> <p>specific 27:25 49:24 60:22 107:21 110:24,25 114:2 115:6 124:21 127:14 131:13 169:15,21 170:8 184:22 201:22</p> <p>specifically 50:4 60:19 174:8 187:20</p> <p>specifications 132:14</p> <p>specifics 165:18</p> <p>speculative 160:1 174:6</p> <p>speech 104:1</p> <p>speeches 95:4,7 104:2</p> <p>speed 51:3 71:21,25 72:1 74:16,17 74:19,22,23,25 109:13 148:10 181:14</p> <p>spell</p>
---	---	--

<p>11:21 104:17 143:10</p> <p>spent 204:7</p> <p>spill 25:20 59:21</p> <p>spillage 133:24 134:5</p> <p>spin 39:19</p> <p>split 15:18</p> <p>sporadic 123:22</p> <p>spot 31:20 163:3 181:15</p> <p>spots 63:3,10 153:6 157:4</p> <p>sprawl 99:2,13</p> <p>sprinkler 132:2</p> <p>sprinklered 130:5</p> <p>spur 38:19 48:22 50:15 176:23 177:1</p> <p>square 20:9,11,12,13,16,17 23:4 56:2 56:5 63:24 66:6 79:25 80:6 81:8 88:14,25 89:4,7,8,21 90:3,10,14,19 102:9 129:7 156:16 158:8 159:10 172:20</p> <p>stack 204:13</p> <p>stacks 131:3,6 158:24</p> <p>staff 110:20 144:3,21 166:14</p> <p>stage 128:9 178:23 198:14</p> <p>staged 180:21 181:13</p> <p>stages 133:17</p> <p>stairs 121:25 122:3</p>	<p>stakeholder 196:16</p> <p>stalls 22:25 23:3,5,8,10,12,13</p> <p>Stan 111:19</p> <p>standard 59:25 63:23 68:5 71:13 109:10 140:24 141:2 166:6 209:5</p> <p>standards 25:24 146:19 159:25 190:18</p> <p>standing 12:10,23 105:10</p> <p>standpoint 21:7 22:9,15 23:16,22 24:2,9 24:21 25:1 161:18,18 163:19 167:1,1 172:1,5 192:13</p> <p>stands 91:16 166:4</p> <p>start 9:19 10:9 34:16 107:7 137:5 144:12 149:6 169:9,19 170:7 184:21 185:3 194:18</p> <p>started 10:12 151:13,14 166:8</p> <p>starting 24:15 31:13 171:9</p> <p>state 5:8 11:21 12:9,23 97:12 99:22 100:15 104:17 105:8 123:14 143:10 148:5 166:12 188:19 193:22</p> <p>stated 97:1</p> <p>statement 55:4,6,9,17 59:7 67:20 81:15 82:23 96:25 183:5,11 201:12</p> <p>statements 194:11 195:19</p> <p>states 93:14 105:9 152:21</p> <p>stations 186:7</p> <p>statistics 55:23</p>	<p>stay 40:22 167:14 180:8</p> <p>stealing 91:19</p> <p>steel 110:2,2,2,3,3 164:10</p> <p>steep 46:24 126:20</p> <p>step 7:20 32:4 116:25</p> <p>steps 116:13 157:24</p> <p>Steve 3:3 5:21,24,25 12:22 13:1,14 13:15,22 14:2 18:12,20,23 19:2,8,21,22 20:1 26:16 29:6 29:22 34:6,25 35:4,22 37:15 38:9,16,24 39:4,22 40:4,10 40:25 41:18 42:3,15 43:15 43:23 44:12 48:16 50:8,20 51:20 52:18 55:7,14 58:23 61:3 64:11 75:9 76:7,11 78:13,19,25 82:6 86:21,25 89:22 90:20,25 94:17 96:17 99:3,16,18 104:7 105:1,4,13 106:14,20 107:6 108:24 109:21 111:5 120:19,24 125:17 126:24 128:23 132:21 133:1,4 138:11,23 139:17 143:1,21 144:2 168:19,22 185:17,22 200:24 201:6,8 203:7,25 205:16 206:11,20</p> <p>stick 61:12</p> <p>stop 18:23,25 19:1 50:22 69:24 71:1 74:2,2,4,5,7,7 77:6 92:21 94:23 194:23</p> <p>Stop-n-Shop 152:10</p> <p>stopping 51:12</p> <p>stops 117:8</p> <p>storage</p>
--	---	--

<p>15:4 26:10 93:8,19 95:16,21 96:25 103:4 109:17 110:6 111:15,15 130:13 131:13 187:12</p> <p>store 118:4,7 167:17 191:18</p> <p>stored 49:25 94:5 96:6 116:19 129:8 186:7</p> <p>storefront 107:24 117:17,18 118:3 128:13</p> <p>stores 117:14</p> <p>stories 47:22,24 48:1</p> <p>storm 28:1 122:20</p> <p>stormwater 24:8,9,12,13,14 27:18 28:7 57:1 77:15,16,17,18,19</p> <p>straight 46:22 186:15</p> <p>straight- 183:22</p> <p>straightforward 132:23</p> <p>street 40:21 61:8 156:5 159:15 163:17 179:20</p> <p>streets 153:15</p> <p>stress 6:17 199:21</p> <p>stretch 140:5 141:4</p> <p>strike 163:24</p> <p>strip 181:7</p> <p>striped 21:5 39:14 45:1</p> <p>striping 69:25</p> <p>structural 122:15 136:25</p>	<p>structurally 137:1</p> <p>structure 25:4 110:1 122:15 130:5</p> <p>studies 31:9 44:6 198:15</p> <p>study 44:7 52:14 113:18 155:22 156:6 166:13,16 182:25 204:8</p> <p>studying 204:5,8</p> <p>stuff 38:12 41:8,11 44:16 98:16 144:19 152:14 154:10 158:4 158:19,22 162:14 166:11 172:16 173:14,17 199:24 201:12,23</p> <p>subcontractors 193:25</p> <p>subject 16:11</p> <p>submit 78:15,16</p> <p>submitted 17:20 29:24 57:1 59:24 78:22 206:4</p> <p>submitting 196:16</p> <p>subsequently 11:5</p> <p>substantially 97:14</p> <p>Suffice 46:9</p> <p>suggest 203:9</p> <p>suggested 104:5</p> <p>suggestion 32:18</p> <p>suitable 96:7</p> <p>Suite 210:14</p> <p>summarize</p>	<p>27:10</p> <p>super 167:5 200:12</p> <p>supplies 198:23</p> <p>supply 52:7,11 87:22 126:23 127:2 150:5 151:19 152:8,9 164:10 167:24</p> <p>supplying 58:3</p> <p>support 17:1 22:8 110:16,20 124:2 156:24 161:8 164:13 196:20 196:21 210:12</p> <p>supports 151:22</p> <p>suppose 73:1</p> <p>suppression 129:9 137:18</p> <p>sure 3:9 7:18 11:24 12:8 13:15 14:5 18:1 19:5 28:19 29:22 31:23 32:25 33:21 36:15,19 36:20 37:1 38:2 40:8 43:8,23 44:10 51:23 52:3 53:22 62:15 67:21 69:23 70:15 80:24 87:1 88:11,18 89:3,22 90:25 105:4 106:14 107:6 118:14 122:5,16 127:5 138:21 143:21 152:15 173:5 180:20 182:16,19 184:6,9 188:6 190:7 200:7 201:13 205:8,20 206:8 208:5</p> <p>surface 16:10 24:19 52:12 56:7,10,12 56:15,25 102:7 122:4</p> <p>surprised 88:8,12</p> <p>surrounded 144:6 147:11</p> <p>surrounding 157:3</p> <p>survive 150:23</p>
---	---	---

<p>suspect 33:15 170:2</p> <p>Susquehanna 15:10 16:2</p> <p>Sussex 14:20 151:8 173:9 188:20</p> <p>sustainability 123:14 196:3</p> <p>sustainable 196:6 198:2</p> <p>swear 3:8 11:15,17 104:12 143:5</p> <p>sworn 142:19 207:18</p> <p>Sylvester 2:8,9 41:13,14,22 42:7,16 52:8 123:6,6,7,10,21 124:10 124:25 125:10,17,19 169:8 195:4 197:17 198:9,12 204:16 205:23 208:7</p> <p>system 24:15 25:11 77:10,25 79:5,14 80:12,22 81:3,5,12,13 86:1,7 87:15,22 93:2 118:5 122:21 124:4,4 132:3</p> <p>systems 126:7 129:11</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>T 210:1,1</p> <p>table 198:13</p> <p>tail 31:4</p> <p>take 9:17 20:2 26:25 32:15 34:23 35:23 38:25 39:17 46:25 54:19 70:25 87:6 116:25 125:9 130:7 140:1 145:6,17 155:23 157:23 172:20 180:24 181:8 201:14 205:25 205:25</p> <p>taken 131:12 156:8</p> <p>takes</p>	<p>156:5 160:24,25</p> <p>talk 20:3 34:8 73:21 84:1 119:22 141:13 154:8,9 157:20 158:5 159:3 165:17,18 169:16 179:2 190:16 191:22 193:10</p> <p>talked 48:5 60:18 64:12 127:10 152:24 154:18 192:14</p> <p>talking 6:5 39:8 48:8 51:1,24 52:2,3,6 60:22,25 63:17 64:25 70:20 76:18 91:12 117:13 124:9 197:15</p> <p>Target 151:16 152:11 162:12</p> <p>tax 192:10 199:10</p> <p>taxes 192:8</p> <p>team 115:20 143:24 156:11 197:3 201:14</p> <p>technical 192:24 193:13</p> <p>technically 11:10</p> <p>technology 22:7</p> <p>tell 4:25 11:17 62:13 98:21 104:12 109:23 115:13 143:5 153:1,5 161:11,13 168:11 178:18</p> <p>temperature 179:25</p> <p>temporary 93:9,15,20</p> <p>tenancy 82:2 114:12,12 154:14 174:4 175:4</p> <p>tenant 7:16 34:9,18 35:14 36:5,6,6 36:10,15 42:14 50:4 64:9 72:5,6,9,22,24 81:18 83:21 110:23,25 124:13,13,21</p>	<p>129:25 130:20 131:14 136:2 144:7 148:19 157:16 158:14 165:5 167:3 170:21 171:1,2 171:19,20,22 177:24 178:22 180:5</p> <p>tenants 23:7 34:2 35:15,18 42:10 49:21 72:10,20,25 73:17,18 94:5 114:2,14,15,18,23 120:10 129:23 131:12 170:23 171:12 172:12 174:6 174:12,18,19 176:18 177:7,7 190:18</p> <p>term 117:21</p> <p>terminal 93:13,14,25 94:1,9,11 95:12 95:15 96:10,13 100:20 101:7 101:20 102:19,24 148:10,12 150:1 160:16</p> <p>terminals 94:14 102:6,10</p> <p>terms 26:17 47:16 95:11</p> <p>test 146:24</p> <p>testified 54:19 55:23 63:14 93:21 94:4 187:8</p> <p>testifies 106:23</p> <p>testify 41:20 55:10,11 72:16 87:1 120:17 146:12 155:20 168:9 207:18</p> <p>testifying 143:22,23 183:2</p> <p>testimonies 54:9</p> <p>testimony 10:10 11:8 27:7 30:5,24 31:5 31:8 32:9 34:10 41:16 44:10 53:8,16,20,22 55:2,5 57:10 57:12 58:1,10,16,19,19,25 59:1,5,9,14 60:7,12,12,14 62:21 86:6 88:9,10,13 93:25</p>
--	---	--

<p>95:10 96:3,5 98:9 100:5,10 100:16 106:25 116:24 120:22 123:24 142:10 174:7 195:9 199:3 200:6 204:23</p> <p>Texas 192:5</p> <p>thank 4:12,12,14 5:17,18,21 10:11 10:24 11:12,13,20 12:3 13:4 13:13 19:19 28:15 29:10 30:8,10 33:18 35:1,7 41:1,3 41:12 42:17,18 43:4,5,20,22 44:1 45:4,5 47:1,4,5,9,13 50:11 88:23 100:23 103:7 104:3,24 105:3 106:7 111:16 114:7 115:1,3 121:6,7 122:24,25 123:3,5 125:19,21 126:14 128:14,15,25 132:6,8 132:9 137:11 138:4,8,22 140:15 142:14 143:5,9,13,19 144:2,4 145:14 168:21 169:10,12 173:25 184:7,10 187:1 194:3,5 195:22 197:17 198:9 199:4,5,16,17 201:7 203:17,24 206:9 208:2,14,17 208:22 209:1</p> <p>thanks 19:25 34:25 47:15 169:11</p> <p>that'd 65:9 87:16 111:21 132:24</p> <p>THEODORE 2:13 45:7,16 46:14 47:4,7 128:17</p> <p>theoretically 170:24 171:13</p> <p>they'd 134:23 170:9</p> <p>thick 122:10</p> <p>thing 25:17 44:4 49:13 83:13 85:25 117:9,10 120:2 137:3 138:12 146:18 165:24 166:2 171:7 178:8 190:1 191:1</p> <p>things 31:10 32:10 37:8 45:9 46:4</p>	<p>73:22 82:4 102:11 116:19 117:7 120:7 131:3,22 142:6 146:16 147:7,25 148:1,24 149:5 150:22 152:1,17 155:6 155:14 156:2 159:4 161:7,9 164:24 165:9 166:20 168:9 176:9 178:1,3,10 181:1 186:14 187:6,14 190:4,15,16 191:19 192:21 193:14 201:2 202:21</p> <p>think 3:10 4:10 18:9 19:9,20 22:19 26:16 27:3 28:22 29:1,24 39:22 40:7,12 41:7 42:8 43:15 46:1 48:7 50:12,12 51:16 52:9,9 56:7,9 57:17,18 64:11,15 65:9 66:25 67:5,11 74:14 76:5,8 78:19 80:19 86:22 87:6 88:5 89:23 90:5,5 90:11 91:11,22 95:22 96:14 99:21 100:3,4 101:3 106:21 113:19 115:18 116:11,14 117:5,9 119:17,24,25 120:16 123:17 124:7,11,20 125:6,14 126:12 127:17 128:9 132:18 136:11 137:18 138:6 139:7 139:10,11,18,22,25 140:5 141:11,16 142:18 145:6 151:1,12 153:20 155:18 158:6 168:22,23 169:1,4,22 169:23,25 170:5 174:7,13,14 176:16 182:18 183:18,22 184:19 185:18,20,22 192:2 198:19 199:7,12 204:3,16 206:15 208:7</p> <p>thinking 151:24</p> <p>third 7:15 34:1 154:4 177:9</p> <p>those'll 134:17</p> <p>thought 85:5 137:15 155:24 163:18 170:19 177:6</p> <p>thoughts 168:18</p>	<p>thousand 56:3</p> <p>three 64:4,6 112:20 134:19 160:24 181:16 203:20 204:7</p> <p>three-sided 121:22</p> <p>tight 163:7</p> <p>time 3:19,23 10:23 18:22 27:1 28:14 31:22 32:4,15 33:3 34:4,13,14,16 35:15 42:15 43:25 45:4 47:8,12 53:10 65:2,4 66:9 67:1,7 71:18 72:11 83:8 87:6 90:4,8 91:4 91:10 98:8,23 122:23 127:23 139:18 140:7,21,24 141:2 144:4 149:20 151:9 159:17 161:1 162:9,24 163:12 164:5 167:17 168:20 169:1 175:13 179:10 184:11,12 185:20 195:8 205:6,14 209:5</p> <p>timeline 125:4</p> <p>times 102:4 122:10 151:22</p> <p>timing 42:12</p> <p>tip 194:19</p> <p>today 32:13 155:10 185:10 186:1 189:6,9,11,12 196:4 197:23 198:2</p> <p>told 85:5</p> <p>Tom 2:25 3:6,9 4:1,7,10,14 5:6,10 5:16,19,22,23 10:11,24 11:13,20 12:3 13:4,13,16,19 17:24 18:2,16 19:19,24 26:16,21 27:1,4 29:12 30:5,8 30:12 51:18 53:4 54:2,10,23 95:2 99:9 103:7,17,21,25 104:4,10,16,24 105:1,2,16</p>
---	--	--

106:10 107:1 111:7,16,17,20 132:24 133:3 138:23 139:1 139:10,15,23 140:10,11,16 142:15,17,23 143:3,9,19 206:23 207:8,11 208:11 209:1	135:1,4,8,11 136:1,8,14,17 136:23 137:6 156:3 180:22	tractors 153:9
tomorrow 196:5 198:3	Tony's 19:2 64:13	traded 145:23
tonight 6:2,5,15,20 7:1,21,25 8:9 9:18 10:4 32:18 37:3 41:16 43:18 54:19 86:22,23 120:8 126:22 126:25 140:14 141:13 143:23 195:7 197:6 200:22 203:13 206:13 208:8,14	tools 193:15	trades 193:23
tonight's 107:3	top 20:12 62:6 108:15,20 113:9 121:23 137:2 181:7	traditional 103:1
Tony 9:19 10:10 11:19,24,24 12:8 12:25 13:14 14:2,5 18:1,3,9 18:13,15,20 19:9,12,23 20:1 20:6 29:6,8 39:1,5 40:1,2 44:17,22 45:14,21,23 46:6 46:25 47:5,20,25 48:16,22 49:2,23 51:10 52:1,3,16 55:19 56:1,5,9,14,20,23 57:4 57:9,14 58:9,15 59:16 60:10 60:21 61:2,3,6,14,17,22 62:1 62:6,10,15,20 63:1,6,13,22 64:8,24 65:6,16,21,24 66:7 66:10,14,17,23 67:9,21 68:2 68:17,21,23 69:3,7,20 70:7 70:10,15,20,23 71:11,13 72:4,21 73:1,4,12,20,25 74:4 74:9,13,21 75:1,4,8,13,16,19 76:5,9,11,14,20,25 77:5,12 77:19 78:1,4,8,12 79:6,9,11 79:15,22 80:2,9,14,17,24 81:5,16,22,25 82:18,24 83:2 83:9 84:7,13,16,21 85:1,8,11 85:14,16,19,23,25 86:5,11 87:10,16,25 89:3,6,10 90:5 90:11 91:7,10,24 92:3,6,11 92:16,23 93:4,6,10 95:13 96:24 97:7,11,16 98:2 99:15 100:23 133:5,7,15 134:8	topics 168:23 201:20	traffic 9:24 21:8 31:9 41:21 44:5,7 60:19 65:15,16 66:1,12,19 67:12,12,14,16 68:12 69:16 69:25 70:13 74:1,6 77:2,6 98:10 99:1 150:12,12 154:10 155:20,22 156:6,8 158:4 168:8,9 174:8,13 176:25 182:25 183:1,7 184:1 189:8 196:7 198:14,15,15,15 199:2 199:14 204:4,5,8,18
	tore 173:1	trailer 22:13 63:7,10 68:10,19,23,24 70:17,24 71:15 136:1,11,12 152:24 153:6,8 157:1,2 160:25 161:1,22
	Toscano 2:15,16 31:18,21 33:18 35:1,5 129:1,2 130:17 131:9,16 132:6	trailers 50:6 63:4,11 64:22 65:3 69:2 69:4,11 70:5,12,16,21 71:7,9 92:1,8 135:24 136:3,6 160:7 160:9 163:13
	total 22:9,12 28:21 89:7 133:20	train 179:22 180:19 187:4
	totaling 20:9	training 84:5 193:14
	touch 55:15,16 131:23 162:24	trains 93:3
	touched 42:8 152:5 174:4 191:8	transcript 210:4
	touches 173:9	transfer 93:17 148:11
	town 30:25 44:7 78:7,8 79:2 111:18 129:14 154:25	transferring 41:24 152:20
	Town's 131:18	transparency 205:11
	township 1:12 5:14 14:19 16:15 24:11 25:25 27:23 35:24 36:12 57:7 75:15 77:22 78:17 91:13 97:15 99:6,7,12 100:13 103:8 129:19 144:3 154:20 157:24	transportation 145:11
	Township's 8:3	traveling
	TPO 126:1	
	tractor 92:1,8 135:25 136:7 152:9 153:9	

167:16	70:6,8 71:7,10 72:2 83:8	8:7 16:6 34:8 36:14 49:13
treat	93:17,18 102:12 121:14	54:13 64:18 80:6 105:23,25
57:2 79:21	122:2 147:12,13 149:14	110:6 113:3 124:3,14 131:15
treated	153:15 156:5 159:22 160:11	144:7,8 147:21 151:5,20
77:24 85:21	161:25 163:8 185:9,13 186:8	152:6 153:18 155:4,18 156:2
treatment	189:5,14 198:23	162:10,15 164:5,22 168:1
25:11 78:21 79:4,14,19 80:8	true	175:20 177:18 180:5 190:15
82:15 83:5 84:11,19,24 85:1	58:13 77:4 115:24 137:6	191:17 193:13 197:10
85:3,6 86:19 118:16	144:24 210:4	198:19
trees	truly	types
118:21	148:12,16 154:11	101:17 105:12 121:20
triangle	truth	typical
75:15	11:17,18,18 104:12,13,13	112:16 144:21 196:24
triangles	143:6,6,6	typically
75:17,20,21	try	67:9 69:3 72:4 112:13,18
tricky	17:25 41:15 54:14 89:13 95:6	113:5,6 116:2 121:20 122:1
176:10	103:9 121:12 146:6	156:20 181:3 186:24 197:14
tried	trying	typo
127:18	39:3 69:12 104:1 117:4 121:2	30:1
trigger	121:5 123:12 136:15 147:10	
42:1	181:21 186:16	<hr/> U <hr/>
trips	tubular	ultimate
92:8,13,19 93:16 183:4,17	132:13	81:2,5 148:23 149:17 150:20
Tropicana	turn	181:18
179:17,19,21	3:1 4:17 96:11 119:25 169:13	ultimately
trouble	184:20	7:16 17:17 151:20 155:15
126:19	turned	156:25 161:13 163:22
truck	19:6 26:13	181:15 184:25
21:5,7 22:8 24:22 39:15,21	turning	uncertainty
44:24,25 67:8 68:3,8 70:13	185:3	197:25
70:24 71:17 82:22 108:10,18	turnpike	uncles
117:8 124:22 134:11 135:18	162:7 173:12	145:15
135:23 148:11 150:12	two	underground
160:11,12,16 161:1 174:14	8:15 10:14 11:12 20:8,11,17	122:20
176:25 177:4 183:6 188:23	21:8,16,18,19 28:21 37:6,8	undermount
189:3	47:22,23,25 56:4 60:17	25:18
truck's	61:12 62:25 69:18 76:1 90:9	understand
71:15	97:17 100:9 108:6,7,18,21	10:1 32:17 36:22 38:23 40:8
trucking	109:12,17 121:19 135:10	44:10 61:20 63:6 64:25 65:2
93:12,14,24 94:1,9,10,14	139:4 150:1 151:13 157:14	65:19 66:2 69:23 72:15
95:12,15 96:10,13 100:20	158:7 171:11,12,13 174:19	81:11 82:12 84:4,6 91:24
101:7,13,20 102:6,10,19,24	174:25 179:4 186:12,23,24	103:20 130:25 148:3 150:25
117:8 145:12 147:6 177:15	195:5,6,19 201:20	152:16 153:23 154:17,25
trucks	two-lane	173:8 174:5 175:24 177:11
15:21,21 21:11 62:24 63:3	61:21	177:22 187:17 189:11,24
64:22 65:3 66:20 67:9 69:20	type	191:5,11 192:17,21

<p>understanding 28:12 35:15 36:21 40:13 49:20 54:16 60:9 73:19 117:1,1 118:22 120:9 129:4 161:9 184:23 194:25 198:25 205:9</p> <p>understands 7:19</p> <p>understood 39:3 64:19 70:1 95:22 113:20 122:11 180:7</p> <p>undeveloped 15:15</p> <p>unequivocally 148:8 150:7</p> <p>unfortunately 164:9 167:6</p> <p>unique 83:19,21 156:24</p> <p>unit 112:24 124:17 178:9 197:12</p> <p>units 112:11,17,20,22,23 113:4 124:1 125:12</p> <p>unknown 34:4 172:10,10 177:7 186:18</p> <p>unknowns 155:13</p> <p>unload 39:19 63:11,11 160:19,25 163:11</p> <p>unloaded 109:14 180:2</p> <p>unloading 63:4 160:21</p> <p>unmuted 42:23</p> <p>untouched 26:7</p> <p>update 90:11</p> <p>upgrade 119:18</p> <p>urban 99:2,13</p> <p>usage</p>	<p>120:1 124:11</p> <p>use 14:21 15:5 19:8 29:23 30:1,2 34:18 49:4 79:25 80:6 81:19 82:16,18 94:15,22 95:14,19 101:2,4 102:1,22 103:6 117:2,11 120:18 124:13 128:20 139:9 144:8 145:4 146:20 149:4 150:3,8 155:3 155:3 167:20 192:20 193:20 197:21,23 198:16</p> <p>user 187:21,21</p> <p>users 162:15</p> <p>uses 15:7,9,12 41:25,25,25 42:14 73:14 116:23 120:15 147:21 164:5 193:23</p> <p>usually 49:10 198:15</p> <p>utility 25:1,4 79:17 132:4</p> <p>utilize 177:1 183:6</p> <p>utilized 120:6</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>vacant 15:15</p> <p>valuable 161:25</p> <p>variable 62:2,2,4,10</p> <p>variance 8:12,20 28:11</p> <p>variances 8:1,23 32:13 96:12 99:21</p> <p>various 114:22 121:24</p> <p>vary 49:20 50:1</p> <p>vehicle 16:8,9 24:19 50:23</p> <p>vehicles</p>	<p>16:11 49:5 64:22 66:9,25 67:4 67:5,7,8,24,24 69:12 92:5,20 93:16</p> <p>ventilated 112:14</p> <p>venue 11:11</p> <p>verification 17:20</p> <p>verify 186:11</p> <p>Verizon 140:20</p> <p>version 107:2</p> <p>versus 103:3,4 130:23 196:5,12,21 199:10 201:11</p> <p>vetted 155:6,15</p> <p>viable 147:18 174:19,22,23</p> <p>view 95:19 107:11,16 112:7 149:5</p> <p>Village 40:21</p> <p>virtual 202:12</p> <p>visible 113:11,14 135:3</p> <p>vision 155:17 169:17 170:14 195:23 196:18</p> <p>visit 43:14</p> <p>visual 108:1 118:1</p> <p>visualize 177:21</p> <p>voice 4:11 200:2</p> <p>voir 13:6 105:17,19</p> <p>volume 49:4 50:21 51:1 53:12 131:11</p> <p>volunteers</p>
---	---	--

<p>205:1 vote 7:3 141:17 vowed 17:12</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>W2M 81:1 wagon 199:13 wait 137:23 184:1 waiting 52:15 161:3 195:8,16 waiver 8:24 Wal-Mart 152:10 Wal-Marts 154:1 walk 110:9 141:5 wall 8:25 25:13 59:19 110:1 134:12 166:12 walls 107:18 130:3 want 3:1,11 4:19 6:17 7:18 10:13 10:16 24:18 26:19 29:13 30:13 33:21 35:8,13 36:20 38:2 44:9 47:22 51:18 53:5,9 54:3,4,11,21 55:22 59:6 87:6 95:3,5 100:15 103:14 106:25 111:18 118:13,23 119:7,24 120:7 130:21 137:25 138:8 139:2,5 142:15 148:5 152:15 153:16 156:12 157:8,9,15 159:23 160:22 161:1,5,11 165:15,15,16,17,18 168:8,10 170:21 171:1,16,17 177:20 180:5,8 182:25 183:10 185:19 186:4 187:7 188:15 189:4,11,22 190:23 193:5 194:7,14,19 195:11 198:13</p>	<p>199:17,21 203:1,15 208:5 wanted 30:18 31:6 36:18 40:8 51:21 82:9 91:3 97:4 101:1 103:11 111:8 116:8 125:8 137:14 138:20 145:17 157:6 165:24 180:14 184:2 186:11 196:9 200:10 203:6 205:15 wanting 42:13 wants 104:6 142:18 149:7 162:18 203:10 warehouse 7:24 15:4 20:9 23:5 29:19,23 30:2 59:13 64:4 66:6 81:7 89:21 90:3 93:23 94:3,7,20 94:22 95:25 96:1,4,10,15 97:1,18 100:7 101:8,9,13 102:2,20,25 103:1,5 105:24 109:11 110:16 111:14 116:20 118:8 119:19 128:14 148:4,16 150:17,19 158:23 159:2 172:21 180:2 warehouses 37:10 38:13 63:18,25 90:9 106:6 116:11,21 119:16 120:5 134:1 151:1 153:24 164:19 176:7 188:9 warehousing 49:24 95:16,20 101:15,17,19 102:7,16 103:4 109:10 151:21 197:21 wares 94:4 warming 167:7 wash 14:24 15:22 17:1 washing 46:9 wasn't 42:12 63:25 78:18 79:1 168:14 182:19 204:12 waste 25:11</p>	<p>wastewater 78:21 79:4,18 84:10 85:20,21 157:22 wastewater's 77:24 water 5:13 17:10 24:21 25:5,7,8,11 26:2 52:4,11 84:11 86:8 87:8 87:9,10,15,18,19,20,22 88:3 132:4 151:17 156:1 167:21 water's 146:23 way 17:25 18:4 21:5 29:19 33:13 39:13,14 45:19 50:2 52:24 61:25 62:2,3,11,14 68:3 69:13 70:4 72:13 75:17 78:5 82:12 83:5 88:18 137:7 145:23 149:8 153:10 154:13 157:2,25 160:20 163:11 171:8 180:1,18 182:22 183:16 188:8 201:14 way's 62:16 ways 60:18,23 147:11 we'll 4:16 7:5,7,10 11:14 13:6,18 14:13 19:10 27:2 28:13 29:8 31:14 43:17,17 46:25 50:9 52:16,20 54:13,15,15 65:16 79:2 86:6 87:18 111:5 125:18 127:4 140:16,17,17 140:18 168:7 169:2 170:3 184:19,25 201:11 we're 4:15 6:24,25 7:2 8:18 9:19 14:3 19:9 20:4 22:17,17,25 23:1,22,25 24:3,5 25:24 26:1 31:4 33:14 34:9 37:23 42:4,5 46:6 52:18 53:17 59:21 81:12 82:10 83:18 87:17 99:19 103:18,21 104:1 106:22 107:7 116:15 117:3 118:20 121:12 124:8 126:4 127:20,23 129:5 133:11,15</p>
---	---	---

<p>133:16 135:14 139:22 140:23 143:21 151:4,21,25 155:10,19 159:18 160:3 161:16,19,23 162:15 164:7 169:24,25 173:8 178:21,23 180:2,23 184:11,23 185:20 185:22 186:1 189:12 192:18 192:20 195:12 201:25 202:7 205:12 207:24</p> <p>we've 6:21 7:25 23:7 27:17 28:7 30:19 44:10 53:16 58:10 60:11 91:12 99:20 100:9 110:14 120:14 121:2 126:3 127:25 128:1 132:4 142:3 151:3 164:1 167:7 169:1 180:23 194:6,20,25 198:19 205:9</p> <p>weather 180:24 181:1</p> <p>website 44:7 78:17 89:19,25 90:1,12 90:24 207:4</p> <p>week 208:24</p> <p>weigh 142:13</p> <p>weighs 122:13</p> <p>weight 122:6,8</p> <p>welcome 47:5</p> <p>welcoming 167:9</p> <p>well-being 202:17</p> <p>well-known 145:21</p> <p>went 36:21 108:24 173:2 204:4</p> <p>weren't 86:21</p> <p>west 12:20 15:8 22:11,14 46:17,20 63:8 68:16,18 84:16 136:2</p>	<p>western 15:10 16:2 20:15 21:6 23:8 68:18</p> <p>wetland 16:19</p> <p>wetlands 17:3,3,5,6,11 26:2</p> <p>whatnot 38:13</p> <p>whatsoever 152:23 156:9 157:7 186:6</p> <p>White 158:18,19 172:14</p> <p>wide 62:14,16,17 68:6,7,8 156:19</p> <p>wider 181:14</p> <p>width 46:19 48:25 49:2,4 61:23 62:2 62:11</p> <p>widths 62:5 68:5 131:8</p> <p>willing 28:13 152:1</p> <p>Windsor 12:20,21</p> <p>wise 85:12 165:24</p> <p>withdraw 66:4</p> <p>withdrawing 8:18</p> <p>witness 11:16 30:13 31:8 43:16 51:19 52:22 53:3,9,15,19 54:4,12 54:13,14 55:6,20 87:1 95:3,5 95:9 97:4 100:4,11,16,22 103:9,10,22 104:5,7 105:22 120:20,25 140:9</p> <p>witnesses 9:19 18:6,7 26:23 30:24 33:9 53:7 54:17,17,18 86:17,20 139:4 142:2 199:18 203:12</p> <p>wonderful 138:5,10 206:9 208:23</p> <p>wondering</p>	<p>200:12,14 205:17 206:12</p> <p>words 69:16 71:5 113:9 144:24</p> <p>work 12:2 27:20 62:2 71:12 104:21 106:3 108:9 122:14 137:8 157:24,24 160:20 165:2 167:21 178:9 193:25 203:14 204:14</p> <p>worked 145:20 155:16</p> <p>working 25:24 82:21 163:20 176:11 185:22 192:23</p> <p>works 205:20</p> <p>world 149:18 150:4 151:5 153:25 158:16 167:6 168:3 177:15</p> <p>worldwide 166:6</p> <p>would've 156:15</p> <p>wouldn't 31:22 122:6 158:21 177:1 185:2 197:9</p> <p>WQMP 83:23 84:7 86:3</p> <p>write 5:5</p> <p>written 27:9 207:6</p> <p>wrong 62:23</p> <p>wrote 168:24</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>XPO 177:17,23</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>yard 23:20 70:23 71:15,20 158:11</p> <p>yeah 3:5,6 13:11 18:12 19:12,22</p>
--	---	--

20:6 29:8,23 30:15 31:19 33:5,6,16 35:4 40:3 41:18 42:3,8 43:1,15 44:18,22 45:7 47:25 48:7,18,21 49:3 50:8 50:20 52:8,18 55:7 64:11 68:17 70:9,25 76:12 77:5,19 78:13 80:4,14 81:8 82:18,24 84:7,13,23 85:11,18 87:25 89:10,10 90:5 93:1 106:20 111:20 120:19 123:2 125:5 125:17 126:24 127:6,24 128:5,17 129:2 133:5 134:10 136:5,14,16,24 140:4 141:14 141:18 143:1 169:6 174:21 175:11,18,18 176:13 182:8 182:20 184:1,3,6,7 188:3 190:21 195:4 197:14 200:24 201:4 203:7,23 204:9,15 205:22	<hr/> 0 <hr/>	75:6 15 3:15 16:21,22 23:24 51:5 133:25 134:14 135:3 164:8 150 15:18 167:2 16 50:25 164:8 17th 19:15 143:15 18 164:24 18- 94:13 18-1.1 99:7,11 19 210:17 190 53:18 62:23 63:2,9 65:3 160:11 163:10 191 22:9 133:21 157:11 159:5 1992 145:16
year 8:6 125:6,9 159:1 192:1	<hr/> 1 <hr/>	
years 12:14 88:8 90:12 101:16 105:10 106:5 145:8,16,20 146:14 147:9 151:13 158:7 159:10 163:20	1 44:14 89:20 1,200 15:24 10 72:24 76:9 102:4 106:17 10,000 81:6,13 10:11 209:5 100 50:1 63:16 64:3 65:13 74:14 80:15,16,22 81:18 82:9,17 82:19 83:7,21 130:10 148:9 157:23 191:25 193:17 210:13	19 210:17 190 53:18 62:23 63:2,9 65:3 160:11 163:10 191 22:9 133:21 157:11 159:5 1992 145:16
yellow 14:18 107:25	10th 17:12	<hr/> 2 <hr/>
yield 23:13	118 29:1	2 1:13 19:10 44:14
York 15:10 16:1 104:22 173:7 188:18	119 22:18 23:7 12 23:13 164:6 12008 6:9 1208 15:2 124 22:11 28:25 12x55 22:15 13 184:24 140 210:14 145	2,000 23:4 79:23 80:13 81:12,17 83:12,19 84:8 2,500 23:3 20 19:15 49:4 51:5 81:8 159:23 159:23 20,000 81:8 200 10:21 2006 145:24 2008 145:25 2022
<hr/> Z <hr/>		
zone 8:6 15:3,13,15,16 37:4 94:22 95:20 97:10,20 99:25 101:9		
zoning 8:2,3 35:24,25 36:11,12,16 86:18 96:8 99:4,8,20,22 100:13 197:8		
zoom 14:16 15:23 18:11 20:20 140:18 143:2 205:21 207:23		

1:13 9:6,7 14:8 19:15 27:15 112:4 210:17 2025 17:12 22 62:16 23 6:8 12:14 15:2 24 62:16,17 64:5 164:25 24- 186:24 24-foot 68:6 24-hour 63:17 64:3 24.3 24:5 24/7 186:14 190:7 240 64:22 65:3,10 66:8,25 67:4 69:12 24th 9:7 14:8 28:19 27 56:7 29.7 24:3 2B 130:1 <hr/> 3 3 154:4 30 16:7 105:10 145:8,9,16,20 146:14 147:9 159:10 163:20 164:23 170:1 179:9 191:25 30-foot 68:7 30-year 157:14 300 22:25 81:7 157:4 306	22:17 23:12 32 145:8 33 6:5 14:19 337,600 89:3 34209 143:18 35 51:3 350 23:3 136:2 36- 158:24 37 56:23,24,25 373,600 20:11 3PL 160:5,20 3PLs 177:12 <hr/> 4 4.29 94:14 40 51:3 56:19 74:17,19,25 109:9 109:9,15 113:10 159:22 164:23 40:55d-12 10:19 400 63:16 64:3,6 65:13 75:8 80:21 157:4 159:7 440 23:5 445 75:1,5,9,11 45 24:2,4 51:3 450 50:2 80:20,21 81:3 48 135:15 136:21,21	49 23:25 4th 159:16 <hr/> 5 5 126:16 5,000 20:11,13,17 50 16:3 22:13 63:3,7,10 65:3 68:24 70:12,16 135:23 136:13 153:6 193:17,17 500 157:4 500,000 172:20 508,000 89:6 508,800 20:16 51 63:3 53 135:24 136:12 54 23:22 56:16,17,20 545 104:22 55 135:24 136:10 55-foot 68:10 56 23:23 47:19 48:1 135:11 <hr/> 6 6 207:22 208:13 60-foot 68:9 633,000 158:7 159:10 65 23:22 56:15
---	--	---

<p>67 22:10,10</p> <p>68 56:17,21 59:11</p> <p>68.04 15:2 56:1</p> <p>6th 184:15 202:7 203:9 207:22 208:13</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7:8 24:10 77:21</p> <p>70-foot 68:8</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8:45 140:20</p> <p>8:54 140:20,20</p> <p>8:55 140:23</p> <p>80 81:18 83:3,8</p> <p>800 20:23 39:6,7 56:3</p> <p>80s 145:14</p> <p>850 20:25 38:20 39:9 48:24</p> <p>880 66:7</p> <p>880,000 79:25</p> <p>880,480 20:9 56:5 89:8</p> <p>8841 143:15</p> <p>8th 104:22</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 140:21 141:1</p> <p>9:45 140:14</p>	<p>90 146:12</p> <p>900 149:12</p> <p>900,000 66:6</p> <p>92 11:25</p> <p>95 207:1</p> <p>95th 207:1</p> <p>9th 9:6 27:15 112:3</p>	
--	--	--