1	BOROUGH OF SAYREVILLE PLANNING BOARD
2	COUNTY OF MIDDLESEX - STATE OF NEW JERSEY
3	
4	REGULAR MEETING FOR:
5	MASJID SADAR COMMUNITY CENTER/HOUSE OF WORSHIP BLOCK 444.04, LOTS 23, 24, 25 & 28
6	212-216 ERNSTON ROAD, PARLIN
7	PRELIMINARY & FINAL MAJOR SITE PLAN
8	SAYREVILLE SENIOR CITIZEN CENTER
9	MEETING ROOM 423 MAIN STREET
10	SAYREVILLE, NEW JERSEY 08872
11	<del></del>
12	WEDNESDAY, OCTOBER 16, 2024
13	7:30 P.M.
14	
15	TRANSCRIPT OF PROCEEDINGS
16	PUBLIC HEARING
17	- CONTINUED -
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21	
22	
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1	BOARD MEMBERS PRESENT:
2	THOMAS TIGHE, CHAIRMAN
3	JAMES ALLEGRE, JR.
4	KEITH KANDEL
5	JUDY LAHRMAN
6	BARRY MULLER, VICE-CHAIRMAN
7	JOHN ZEBROWSKI, COUNCILMAN
8	
9	
L O	
11	PROFESSIONALS AND STAFF PRESENT:
.2	JOSEPH SORDILLO, ESQUIRE, BOARD ATTORNEY
13	DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum
4	BRENT R. POHLMAN, ESQUIRE, RLUIPA ATTORNEY Mandelbaum Barrett, P.C.
L5 L6	JAY CORNELL, P.E., BOARD ENGINEER CME Associates
L 7	MICHAEL FOWLER, P.P., AICP, BOARD PLANNER Michael P. Fowler Associates, LLC
18	JOSEPH FISHINGER, P.P., PTOE, TRAFFIC ENGINEER Bright View Engineering
20	BETH MAGNANI, BOARD SECRETARY Borough of Sayreville
22	STENOGRAPHICALLY REPORTED BY:
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     EWZ Engineering
16
    RYAN CALLAHAN
17
    KLAUS Multiparking
18
19
    PING LIEU
    Metropolis Technologies
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1		INDEX	
2			
3	WITNESS	<u>SES</u>	PAGE
4			
5	WILLIAN Stimmel	4 STIMMEL, P.E, P.P., PTOE L Engineering	8
6	TO:::: M	DOMONICH D. D. ATOD T.	0.4
7		CDONOUGH, P.P., AICP, LA . McDonough Associates, LLC	84
8			
9			
10			
11			
12			
13			
14			
15			
16		EXHIBITS	
17	NI -	DECONTRETON	
18	<u>No.</u>	DESCRIPTION	PAGE
19	A-9	Aerial drone view of subject site and	86
20		surrounds, taken 9/18/24, 4 pages	
21			
22			
23			
24			
25			

# 1 PUBLIC QUESTIONS/COMMENT:

۷	NAME	ADDRESS	PAGE
3			
4	Osman Zaman	418 Main Street	138
5	Lisa Michelle	Main Street	146
6	Joe Karmazin	322 Ernston Road	150
7	Michael Cann	12 Vincent Place	160
8	Carol Esposito	6 Villanova Road	173
9	Imtiaz Siamwalla	8505 Hana Road, Edison	178
10	Jennifer Edwards	10 Vincent Place	180
11			

	6		W. Stimmel, P.E.
1	CHAIRMAN TIGHE: If we could all		8
2	stand.	1	oath.
3	[Pledge of Allegiance.]	2	And as well, Mr. Chairman, if time
4	CHAIRMAN TIGHE: Madam Secretary, has	3	permits I would like to get into planning testimony
5	this meeting been properly noticed per the Sunshine	4	this evening. So I do have our professional
6	Laws?	5	planner, Mr. John McDonough, here as well.
7	SECRETARY MAGNANI: Yes, Chairman, it	6	CHAIRMAN TIGHE: Thank you.
8	has.	7	ATTORNEY SACHS: So if I could
9	CHAIRMAN TIGHE: Thank you very much.	8	proceed. And again, Mr. Chairman, I will ask
10	Can I have a roll call, please.	9	counsel, I believe Mr. Stimmel is still under oath,
11	SECRETARY MAGNANI: Mr. Kandel?	10	but if you want to swear him in again, that's fine.
12	MEMBER KANDEL: Here.	11	ATTORNEY SORDILLO: Yes. Mr. Stimmel,
13	SECRETARY MAGNANI: Mr. Allegre?	12	you understand you are still under oath from the
14	MEMBER ALLEGRE: Here.	13	prior testimony you gave on this application?
15	SECRETARY MAGNANI: Mr. Ellmyer?	14	WILLIAM STIMMEL: I do, yes.
16	Ms. Lahrman?	15	
17	MEMBER LAHRMAN: Here.	16	EXAMINATION
18	SECRETARY MAGNANI: Mr. Muller?	17	ATTORNEY CACHE COM CHARACLE
19	VICE-CHAIRMAN MULLER: Here.	18	ATTORNEY SACHS: So, Mr. Stimmel, I
20	SECRETARY MAGNANI: Mr. Shah?	19	know between the last time you testified, which was
21	Mr. Volosin? Councilman Zebrowski?	20	a number of months ago when you had your initial
22	COUNCILMAN ZEBROWSKI: Here.	21	traffic study, you had an opportunity to prepare a revised traffic study based upon some comments and
23	SECRETARY MAGNANI: Chairman Tighe?	23	recommendations from the board. So if you could
24	CHAIRMAN TIGHE: Here.	24	give the board the benefit of your analysis on that
25	SECRETARY MAGNANI: We have a quorum.	25	revised traffic study.
23	SECRETARY PAGRANT. We have a quorum.	23	,
	7		W. Stimmel, P.E.
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1 2 (Whereupon, the board continues with 3 the posted agenda.) 4 CHAIRMAN TIGHE: Site Plans and 5 6 Subdivision. You're up. 7 ATTORNEY SACHS: Good evening, Mr. Chairman, members of the board. Lawrence Sachs 8 9 on behalf of the Masjid Sadar. 10 If the board will recall we were last here on September 18th, and at that time we 11 presented the testimony of the valet company and the 12 manufacturer of the stacking system that will be 13 installed into the proposed garage, which will be 14 15 underneath this building. 16 They're both here this evening as well 17 if there are any questions, but I think we comprehensively covered that at the last meeting. 18 And as I indicated back on 19 20 September 18th, my plan tonight was to have our 21 traffic engineer testify based on the submission of a revised traffic study that was submitted to this 22 board and for review by your professionals. 23 So we do have Mr. William Stimmel, who 24 25

had testified previously so I know he's still under

THE WITNESS: Sure, thank you. 1 2 This will be the revised traffic study with the date of October 2nd, 2024. I believe all 4 the board members should have a copy of it. It's 5 also posted on the municipal website. There were four key points based on the 6 7 conversations that were held at the last meeting where I testified and the subsequent meetings and those are the fire hall counts; the applicant agreed 9 10 to provide traffic counts at the Madison Park fire hall where the mosque is currently holding their 11 12 services on a typical Friday. 13 We increased the growth percentage 14 which was a comment from Bright View Engineering; growth percentage affects the increase in background 15 traffic growth in the area of the site. 16 17 We made mention of the updated parking calculations based on the provisions of the parking 18 19 lifts. 20 And we noted that the service times for the proposed services, the applicant has agreed to 21 limit the service times for the Friday prayer 22 services from 12:30 to 12:50 and 1:50 to 2:10 on a 23

year-round basis. So regardless of the time of year

there would be a one-hour gap between the first

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W. Stimmel, P.E.

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service and the second service at the facility. 1 So those elements were added to the 2 revised study, as well as incorporating the 3 revisions that were made to the study based on the 5 two addendums, which include additional counts at 6 the intersection of Ernston and Bordentown, and the 7 restriction of left-turn movements out of the 8 western driveway. 9 So with that said, I would like to not 10

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24 25 go through the entire traffic report as I had done the first time, and just hit points where things have changed. Obviously, if the board or the public has any questions we'll go back and touch on that. But toward the bottom of the first page of the traffic study there is a note that 120 -- 166 parking spaces will be provided on-site where 121 are located in the below-grade parking garage. 57 of those 121 parking spaces are being provided via the lift mechanisms, and then the remaining 45 parking spaces are going to be in the surface lot. So the old plan had 109 parking spaces. There's 57 lift parking spaces. So the new total is 166.

## W. Stimmel, P.E.

25 the existing traffic volumes and data collection,

Moving ahead to Page 3 of the report in

1 there's no -- the mosque is not currently operating 2 at the subject property. At the request of the 3 board, and the public as well, to be honest, there were counts done at the Madison Park volunteer 5 firehouse where the mosque is holding services now. Counts were done Friday, May 17th, 2024, from noon 6 7 until 4:00 p.m. We also collected additional 24-hour 8

ATR data -- ATR is automatic traffic recorder -- at 9 10 the site frontage along Ernston Road from Friday, May 17th through Friday, May 24th of 2024 as 11 requested by Bright View Engineering. 12 13

The updated existing traffic volumes, if you will, are shown on Figure 2 of the report, Figure 2 of the report and provides a schematic representation of the area. And for the purposes of this analysis the Friday at peak hour is based on, data collected on Friday, March 1st, 2024, from 1:00 until 2:00 p.m. And the Sunday peak hour is based on data collected Sunday, June 18th, 2023, from 12:30 p.m. until 1:30 p.m.

Moving on to Page 4 of the report under site-generated traffic volumes, right now at the firehouse there are currently two separate prayer services occurring during the Friday afternoon peak

period. Data was collected from 12 to 4 to capture all vehicular traffic leading up to the first 2

3 service, and after departing the second service with the substantial buffer on either side of that.

During that four-hour window a total of 194 vehicles entered the site and roughly two-thirds of those vehicles were oriented to the earlier two prayer services.

9 Given the location of the property and 10 the adjacent athletic fields there, there is certainly a possibility that some amount of this 11 12 traffic would be visiting the nearby park, but for the purposes of this report all the traffic at the 13 14 firehouse is assumed to be there for the prayer 15 services at those times.

provided by the client and submitted to the board, 18 Friday afternoon prayers are expected to be the main

Based on the schedule of events

generator of traffic associated with the mosque. 19 20 The peak one-hour period of traffic at the firehouse

21 has 132 vehicles entering, and 110 vehicles exiting.

22 In that hour, from 12:45 until 1:45,

23 that is when that peak volume occurs. That captures

24 nearly all the vehicles entering and existing for

25 the earlier service and a portion of the vehicles

W. Stimmel, P.E.

And it's important to note that the way

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entering for the later service. 1

3 the services are set up at the firehouse right now, 4 they do not provide that one-hour buffer in between. So the services at 216 Ernston Road, if the board

looks favorably on this application, will be spaced

7 out a little bit.

So we're including both of the services to an extent in that one-hour peak period when they would be spaced out a little better at the site 11 where this application is proposed.

To present a conservative estimate of 13 future operations, and when I say conservative, I mean not in the applicant's favor, these numbers were increased by 10 percent to 145 vehicles entering and 121 vehicles exiting.

The analysis of the Sunday peak period and the trip generation associated with that period is largely the same as what had been submitted in the previous addendum, with the noted exception that the background of traffic growth rate has been increased.

23 We did contact the Borough of 24 Sayreville and the Township of Old Bridge. I spoke 25 to the zoning officials of both municipalities about

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W. Stimmel, P.E.

any other area developments in the planning stages 1 or other construction. They both advised that there 2 3 were none.

4 A number of the members of the public 5 had mentioned the arsenal development, which had 6 recently become operational at the time of the last 7 hearing. We did get a copy of that traffic study. 8 It showed that the arsenal site was two miles away from the subject property. It did not include the 10 intersection of Ernston and Bordentown, or the section of Ernston Road across the site frontage in 11 12 the analysis.

So we did not factor that into our own analysis specifically, although it would be accounted for in the background traffic growth rate in the area.

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So the comment from Bright View was to use the updated growth rate table from DOT, which shows annual growth of 2.75 percent for arterial roadways in Middlesex County. Over a two-year period that's 5.58 percent. And that growth rate is 22 factored in when you go from the existing traffic volumes on Figure 2 of the report to the no-build traffic volumes which are shown on Figure 5 of the report.

W. Stimmel, P.E.

15 Site-generated traffic volumes based on 1 2 the fire hall counts were added to the no-build 3 traffic volumes using the same distribution as the 4 site driveways then exhibited when we counted the 5 active mosque operation at the site in April of '22. Those are shown on Figure 6 of the report. 6 7 As with the earlier versions of the

report and the addendums, we analyzed the existing no-build and build conditions, utilizing Highway 10 Capacity Software. The results of those analyses are shown on a schematic format in Figure 7 and 8 in the no-build and build traffic level of service figures. They're also shown in tabular format in the appendix of the report.

And largely the movements stayed the same at the intersection of Ernston and Bordentown when considering the existing no-build and build conditions at the studied intersection.

18 19 There is one level of service deterioration. The eastbound through movement at 20 the intersection of Ernston and Bordentown Road 21 deteriorates from a Level of Service D to a Level of 22 Service E during the Friday peak hour when comparing 23 the peak no-build and build conditions. The other 24 25 levels of service at that intersection remain the

same.

2 We also did an updated analysis at the 3 site driveway. Levels of service at the site driveway operating at Level of Service D for both 5 peak hours. And that primarily applies to the 6 traffic exiting the site.

The westbound traffic making a right turn into the site is generally unopposed. And the eastbound traffic making a left turn into the site experiences very little delays.

Parking supply on Page 6. I note that the site plan prepared by AWZ Engineering, last revised July 11th of 2024, that is the exhibit that speaks about the lift operations and was, I believe, presented to the board at the last meeting, possibly two meetings ago, but again, the July 11th, 2024, plan from AWZ Engineering notes that the parking calculation is 196 spaces for the combined place of worship, gymnasium, offices and classrooms, whereas a total of 166 parking spaces are provided. Of course, a variance is required for that deficiency.

As we had said before and we continue to say, no other events will be occurring on the site during the Friday prayer service. And if you take the parking requirement for the place of

W. Stimmel, P.E.

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worship alone, it's 151 parking spaces based on that 1 2 AWZ plan.

3 In addition, we collected data at the 4 existing firehouse during Friday services which show 5 a parking peak demand of 121 parking spaces leaving a buffer of 45 between the observed parking demand 7 at the fire hall, and the proposed parking supply on the subject property. So based on the above we believe that the proposed parking supply is adequate 9 10 for the intended use of the property. 11 Moving on to site layout and

circulation. Much of that section stays the same. I did note that a total of 25 cars can be gueued in two lanes for the valet operation in order to stage the cars to be loaded into lifts in the underground garage.

17 I noted that based on the volume of traffic at the existing fire hall and the 18 19 distribution of traffic between the early and late 20 services, the lifts would not be required for the 21 later service.

22 So based on the counts we have done at 23 the other site and based on the anticipated use of the property, it appears that the lifts would only 24 25 be required for the earlier two services.

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the report.

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There was a question I think the last 1 time about the Middlesex County Review. I just 2 3 spoke to Mr. Sachs about it a moment ago. We provided materials to Middlesex County for review 5 and approval. We have gotten preliminary approval 6 with the standard engineering comments requiring 7 technical revisions to the plans and things like 8 that. 9

And the board then requested, or the board's traffic engineer I suppose, had requested proposing a concrete island at the western driveway to better delineate the prohibition on left-turn movements out of that driveway and to force vehicles existing to the right.

There was also a comment about providing a walkway from the building entrance after Ernston Road. And the applicant has previously agreed to comply with those requests, subject to county approval, obviously. Again, it is a county road and we're required to get their approval.

That is it for the revised traffic report. I would like to go through the comments from Bright View Engineering.

24 ATTORNEY SACHS: Mr. Chairman, if you don't mind, we could have Mr. Stimmel respond to 25

W. Stimmel, P.E.

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Mr. Fishinger's report. 1

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2 CHAIRMAN TIGHE: Okay, we're fine.

3 ATTORNEY SACHS: Okay.

4 THE WITNESS: This is the Bright View 5 Engineering report, dated October 11th, of '24. It

restates the comments that were presented at the 6

7 earlier review letter from Bright View with a

8 clarification on the points as to where they stand

and then also a few new comments introduced as well. 9

The first comment on Page 2 of the review talks about the peak hour selected for the TIA, the provision of ATR data and the request for additional traffic analysis.

And I suppose this is as good a time as any to mention it, I know it was discussed before. 15 Ernston Road is an arterial roadway. As everyone in the room knows it experiences relatively high volumes of traffic throughout the day. The site, of course, redevelopment of the property will add some traffic to this roadway.

This is a conditionally permitted use in the zone. It meets all the conditions, and is treated as a permitted use. So the addition of traffic to an already congested roadway is not grounds for a denial to the application.

1 Ernston Road also is a county road under the jurisdiction of Middlesex County and has 2 3 received -- the applicant has received preliminary 4 approval for the proposed site development and 5 driveway configuration.

W. Stimmel, P.E.

had met with representatives of Sayreville several times before submitting the initial traffic study and had looked at various different access scenarios -- one-way driveways, two-way driveways, bifurcated driveways -- and this is what the county ultimately recommended.

We had met with Middlesex County. We

We are flexible, let's say, as to the access configuration but, you know, your county holds all the cards on that one particular issue. So getting back to the data collection,

17 .1 from the Bright View review letter, we did 18 collect ATR data. We went out to the site between May 17th and May 24th of 2024, collected ATR data, 19 20 which has been appended to the revised report.

The weekday morning peak period had a two-way traffic of 1,168 vehicles. The weekday midday peak period had a two-way traffic volume of 1,294 vehicles. And the weekday evening peak period had a one-hour traffic volume of 1,406 vehicles.

#### W. Stimmel, P.E.

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So the morning peak hour experiences 1 lower volumes of site-generated traffic because the 3 only thing that would potentially be occurring 4 during the morning peak hour at the site is the 5 typical daily prayer services, experiences lower volumes of site-generated traffic and lower volumes 6 7 of street traffic along Ernston Road than the midday peak period, which was the subject of analysis in

The weekday evening peak period experiences lower volumes of site-generated traffic 12 but slightly higher volumes of street traffic, about 8 and a half percent higher on the street traffic and about 66 percent lower on the site-generated traffic when compared to the midday peak period.

We did do a quick analysis of driveway operations during the weekday morning and weekday evening peak periods at the site driveways using the 19 same methodologies that were in the updated report. 20 Results of the analysis show the movements at the 21 site driveway operate at Level of Service A for 22 vehicles entering the property, and levels of service C for vehicles exiting this property. And that's largely a function of the much lower volumes 24

of site-generated traffic for those daily prayers.

believe testimony related to that has been provided.

weekday morning and weekday evening peak periods for

Comment Number 2 from the --

Mr. Chairman, before we move on, while we're on that

not seen that analysis, I assume you will be able to

ENGINEER FISHINGER: If I may,

So you said -- you assume and I have

THE WITNESS: I just did it today. I

ENGINEER FISHINGER: Did I hear you

services which will be occurring during the typical

street traffic will be those regular daily prayers

which again have a much lower -- much lower

attendance, let's say, than the Friday afternoon

services. So we did do a driveway analysis. We

believe that's adequate to address the question.

I just wanted to clarify.

can certainly send you a copy.

provide it?

be prayer service?

operations for the proposed mosque within the

traffic report, and testimony, I believe -- and

we're on hearing five so a little fuzzy -- but I

We had submitted a schedule of

The applicant has agreed that the only

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7 or 8 o'clock Friday evening, after the peak period

W. Stimmel, P.E.

2 of street traffic.

As far as the use of the other amenity spaces, you know, my client, I think, might be

5 better equipped to answer that. But the point from

 $\,\,$  the traffic engineering perspective is that they're

7 going to be outside of those critical windows for

3 the street traffic.

9 ATTORNEY SACHS: Yeah, maybe I can 10 clarify. I think we even stipulated to this point 11 at one of the earlier meetings that whenever there's 12 ritual activity going on of any nature the other 13 activities won't occur.

So, in other words, the gymnasium is not going to be open when there's ritual activity.

16 ENGINEER FISHINGER: And I understand 17 that completely and I've heard that, but I don't

18 have a clear answer as then when will those

19 facilities be used?

20 ATTORNEY SACHS: And, again, we 21 probably testified, and it might have been before

22 you were involved, Mr. Fishinger, but I think what

23 we would like to provide to this board -- and I

24 think I even discussed this with counsel -- is I

need to give you a schedule of when these events

W. Stimmel, P.E.

correctly that during the morning and evening rush

hours the only event going on in the facility would

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THE WITNESS: The only possible event

3 that would be going on in the facility would be the

4 prayer services. And that's only if the prayer

 $\,\,$  times align with the morning and evening peak

6 periods.

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So anything else, the Friday prayers

8 obviously occur before the evening rush hour.

9 Family nights, weddings, funerals, so on and so

forth, will not occur 7:00 to 9:00 a.m. and 4:00 to

11 6:00 p.m. which is the typical peak hours.

12 ENGINEER FISHINGER: And maybe I

13 missed it; I know I was retained late in this

14 application. And maybe you're getting to it, and if

15 you are, we'll get to it when you're ready.

So when are the, what I'll call the

17 amenity space -- the basketball court, the jogging

18 track -- when are those uses going to be used?

Because it sounds like they're not

20 going to be used in the morning. They're not going

21 to be used in the middle of the day. And they're

22 not going to be used on Sundays. So when are they

23 being used?

24 THE WITNESS: Yeah, there was a

25 discussion having family nights on Friday evenings,

W. Stimmel, P.E.

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1 will occur, a written schedule.

2 MEMBER OF THE AUDIENCE: When?

3 CHAIRMAN TIGHE: That's enough. We

4 can't have the public speak and shout out. We have

 $\,\,$ 5  $\,$  to let the professionals speak, and they'll answer

6 the questions. At the end you will get to say

7 everything you want.

8 Mr. Sachs, go ahead.

9 MEMBER OF THE AUDIENCE: It hasn't

10 been answered for months.

MEMBER OF THE AUDIENCE: When?

12 MEMBER OF THE AUDIENCE: And why?

ATTORNEY SACHS: Mr. Chairman, if I

14 can finish without interruption, I would appreciate

15 it.

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16 CHAIRMAN TIGHE: I would like that,

17 too, Mr. Sachs.

18 ATTORNEY SACHS: Yes, thank you.

All right, so before this board

20 deliberates on this application, and I imagine it

21 would be at the next hearing, we will provide that

22 information well in advance of the hearing.

23 MEMBER OF THE AUDIENCE: Is today the

24 last meeting?

25 CHAIRMAN TIGHE: No.

26 MEMBER OF THE AUDIENCE: You said it 1 2 was last time. CHAIRMAN TIGHE: No, it's not the last 3 4 meeting; I don't think we're going to get through 5 all of this tonight. And, you know, we'll have to 6 go -- we'll have to go from, at the end of this, 7 where we're going, okay. Don't worry, you're not getting cut 8 9 out. 10 MEMBER OF THE AUDIENCE: We already have been so. 11 12 ENGINEER FISHINGER: And, Bill, while we're still on this first comment -- and the 13 attorneys in the room can correct me if they believe 14 I am wrong -- even if it's a permitted use the 15 planning board is still -- still has to confirm that 16 17 the driveways will operate safely and efficiently. 18 And that is the impetus for why I keep asking for traditional peak hour levels of service 19 20 and analysis, to confirm that the driveways will operate safely and efficiently when the traffic on 21

## W. Stimmel, P.E.

were doing an office building, the site peak and the

road peak at the same time, that's why you only see

Ernston Road is at its highest. Typically if we

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24 25 a.m. and p.m.

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In this particular development, the 1 2 traffic on the site doesn't necessarily correspond with the traffic on the road. That's why I'm asking 3 4 to look at both to confirm that the driveway will operate safe and efficiently. And then the board 5 has to find whether it's a fully conforming site 6 7 plan application or not. THE WITNESS: The board has to 8 consider whether the site introduces a new safety 9 10 concern, not just the fact that there's traffic on the roadway and it's difficult to pull out; because 11 there's traffic on the roadway now, at times it 12 13 could be difficult to pull out if the site remains a single-family house. 14 15 So really, you know, as a means to an

end there's a relevance to the traffic study, but 16 we've counted, we've counted, we've analyzed, we've analyzed.

We've spoken with the county; it's a county roadway. The county has more or less signed off on it.

You know, the client has been largely open to performing updated traffic counts. They've counted at the site driveway. They've counted at the intersection of Ernston and Bordentown. They've done updated counts when school was in session.

W. Stimmel, P.E.

They've counted Sundays. They've counted other 2

3 sites. They've counted the fire hall. They've

counted ATRs.

5

I understand what you're saying, but I 6 think the applicant's position is that there is

7 sufficient data provided at this point for the board

to make a determination. And if the board 8

disagrees, then the board disagrees, and we'll go

10 from there.

ENGINEER FISHINGER: I will point out 11 12 that I have been asking for this analysis since April, and Mr. Stimmel just said he just performed 13 14

MEMBER OF THE AUDIENCE: Thank you. 15 16 ATTORNEY SORDILLO: Mr. Chairman? CHAIRMAN TIGHE: Go ahead. 17

ATTORNEY SORDILLO: I'm sorry, 18

Mr. Chairman, if I may, if I may just add because I 19

20 think it's kind of what we were talking about, if

21 it's not appropriate now please, you know please let

me know. 22

23 But at the last meeting, since we're 24 talking about the egress and ingress from the site, 25 we were talking about parking and how it would work

## W. Stimmel, P.E.

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with the queuing. The prior witnesses had testified

that there would be queuing within the site.

And there was a question by one of the 3 4 board members, I have a note here, about whether

5 that queuing will go -- spill out onto Ernston Road,

and my notes say that the traffic engineer will 6

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address that.

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I just, since we're talking about the egress at the driveways right now, I thought this would be the appropriate time to really address that question now. Because I understand, you know, it's a county road and so forth, but the way the traffic -the parking analysis works and how it's going to be functioning with the valet specifically with Friday nights, I think the board wants to hear some testimony from the traffic engineer as to whether or not that will spill over to Ernston Road and cause

THE WITNESS: Yes, good question. I did touch on it when I was going through the report. 20

I looked at the exhibit prepared by AWZ Engineering 21

22 with the revision date of July 11th, '24.

traffic issues in that manner.

Looking at Sheet Z-03, from the 23 24 southeast corner of the building there's a solid 25 line shown across the driveway there. If you take

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W. Stimmel, P.E.

THE WITNESS: Agreed. The whole

But we did count the existing facility

additional -- additional parking spaces that aren't

being provided per the ordinance, correct?

package is under consideration.

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that and extend it back not quite but almost to the 1 property line at the western entrance, you can queue 2 3 25 vehicles in two lanes. 4 The exhibit that was prepared by the -by the valet operation, the valet operator rather, 5 6 showed additional queuing wrapping back around 7 through the interior of the site, which I think 8 would be -- I would call it almost a little bit of 9 an overflow, or extra queuing in case of emergency, 10 not to say what the emergency. But I think 25 vehicles could safely 11 12 queue on the subject property without causing interference with site operation. And I think based 13 14 on the 57 vehicles, which would be oriented towards 15 the lifts coming in over a period of half an hour before the services, I think that 25-vehicle queuing 16 17 supply is adequate. 18 VICE-CHAIRMAN MULLER: Mr. Chairman? CHAIRMAN TIGHE: Go ahead. 19 20 VICE-CHAIRMAN MULLER: Mr. Stimmel, 21 that is based on, you know, an assessment that you 22 only need 196 parking spaces, correct? 23 THE WITNESS: Pardon me? VICE-CHAIRMAN MULLER: That analysis 24 you gave is based upon the assumption that you only 25 W. Stimmel, P.E. 31 need 196 parking spaces, correct? 1 2 THE WITNESS: The assumption is based

6 and provide parking data based on that as well, too. 7 ATTORNEY SACHS: All right. And if 8 there's -- perhaps Mr. Stimmel can --9 MEMBER ALLEGRE: Mr. Stimmel, you've 10 checked the existing facility. Can you give us comparison in size between the existing facilities? 11 THE WITNESS: The fire hall? 12 MEMBER ALLEGRE: Yeah. 13 14 THE WITNESS: I could tell you that the 15 volume is roughly the same from what we counted at 16 the existing -- the former site on 216 Ernston Road versus the fire hall. It came out to be roughly 17 190 cars over a four-hour period for both of them. So we did not see a change in the site-generated traffic over the two-year period. So the comment from our side of the table is that the square footage of the building is not necessarily the best determinant of what the site-generated traffic was going to be because of the fact that you have this existing community here W. Stimmel, P.E. 33 and existing draw to the area, whether the site was

-- whether the mosque was in operation at the site or at the fire hall a mile away roughly.

So we believe that that is going to be a better determinant of what the site traffic is going to be than just assigning a number to the -assigning a rate to the building's square footage because the difficulty is that you don't have 30

mosques in Sayreville. It's not like you're looking

at a coffee shop or fast food or gas station;

there's a limited data pool to draw from.

And it's, to some extent, based on the demographics of the community, you know, maybe deduct the location of it. And then with the site you've got various factors that could be at play here, even though we're not saying that the

basketball court, for instance, is going to be in

use during the same time as the services are held.

You know, you've got all these other factors.

20 So I think it's hard to spec out from that exactly what is determining the trip generation 21 22 other than the fact that you've got the mosque on the site which had been in operation in 2022 when we 23

24 counted it, and now that group has moved to the fire

25 hall and we counted that as well.

on the parking supply proposed for the site and the 4 area available for the queuing.

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VICE-CHAIRMAN MULLER: Okay. But you're going to need -- you're going to need a 6

7 variance for about 45 parking spaces, or 30 parking 8 spaces; is that correct?

9 THE WITNESS: I believe it's 30. 10 VICE-CHAIRMAN MULLER: 30. But that's

based off 196-parking-space requirement, correct?

THE WITNESS: The variance, yes, it's 12 13 based on that.

VICE-CHAIRMAN MULLER: And we're not 14 sure if it's 196 parking spaces that's required 15 under the ordinance, correct? 16

THE WITNESS: There, I'm sure, will be some discussion regarding that.

19 VICE-CHAIRMAN MULLER: And if I'm understanding your testimony, regardless of 20 conditional use, and we generally can't look at the 21 additional traffic that is going to be generated on 22 Ernston Road, but based upon the fact that your 23

client is seeking a variance for parking, you would

25 agree that we can consider the impact of that

W. Stimmel, P.E.  34 1 So I don't know the square footages off 2 the top of my head, but I don't know that that's the 3 critical factor here.  4 VICE-CHAIRMAN MULLER: Mr. Chair? 5 CHAIRMAN ITGHE: Go shead. 6 VICE-CHAIRMAN MULLER: Mr. Stimmel, de 6 VICE-CHAIRMAN MULLER: Mr. Stimmel, de 7 VICE-CHAIRMAN MULLER: My question is, 11 is did you do an analysis of what your opinion would 12 be if the parking deficiency were 211 spaces as 13 opposed to 30? 14 THE WITNESS: The deficiency was 211 15 spaces? 15 VICE-CHAIRMAN MULLER: Ves. 16 THE WITNESS: The deficiency was 211 17 THE WITNESS: That number had been 18 Various parking numbers and head counts for the 19 square footage had been icked around at previous 20 meetings. 21 Again, based on my prior testimony, 22 based on my Itestimony tonight, we believe those 21 unumbers are far beyond what the demand is going to 22 be at the property. 23 So, you know, if you have — if 300 or  34 W. Stimmel, P.E. 35 1 800 cars all show up to get onto the property at the 2 same time, obviously, that wouldn't work, but we 3 don't believe that is going to be the case here. 4 W. CE-CHAIRMAN MULLER: Case, So you 2 don't believe that is going to be be case here. 4 W. CE-CHAIRMAN MULLER: New, Stimmel, P.E. 36  18 800 cars all show up to get onto the property at the 3 do an enalysis assuring a deficiency was 3 don't believe that is going to be the case here. 4 W. CE-CHAIRMAN MULLER: New, Stimmel, P.E. 37  38 THE WITNESS: We did research counts 39 the research counts 4 Again, based on that we don't 4 Horse were going to be with the fire station not a 4 Horse were going to be with the state of the parking. 5 Ow revised our analysis and we 5 own revised our anal				
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ATTORNEY SACHS: Go ahead. 1 THE WITNESS: So we are on Comment 2 2 from Bright View. 3

Comment 2 talked about the queuing across the site frontage. It talked about testimony providing how backups effect on data collection.

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We did provide testimony about this at the last hearing. I did review five hours of video from the site when it had been in operation at 216 Ernston Road. And, you know, the queuing across the site frontage did occur from time to time.

It was very limited outside the 20-minute period when the mosque exited, when the services being held at that time exited. And then later during that 12-to-4 window another roughly 20-minute period when the Samsel School discharged the students.

At both of those times queuing extended to or past the driveways, but I noted that traffic moved steadily and cars appeared to make the light within two cycles.

22 It did not -- interestingly, and I had 23 testified to this at the last time as well, 24 interestingly the queues did not generally interfere with people getting in and out of the site driveway 25

W. Stimmel, P.E.

- because the motorists who were stopped in a queue 1 2 didn't appear to object to letting people in or out
- 3 of the properties at that time.

So in addition to that, we also agreed to provide police traffic directors, which was stipulated to on the record. The police traffic directors will be there during typical Friday services, if this application is approved.

And I think it had been discussed before, we would look to provide updated traffic counts if and when the site is approved and becomes operational, work out any traffic issues at that time with the board and their professionals.

Comment Number 3 from the Bright View letter talks about the selection of the intersection of Ernston and Bordentown Road, and the count being done with the data being utilized was 1 to 2:00 p.m. was the basis for the analysis. And then it goes into peak hours for the intersection, peak hours for the similar mosques, et cetera, et cetera.

20 We chose the 1 to 2:00 p.m. period based on earlier traffic counts when the mosque and 22 the subject property was in operation. Based on the revised schedule the busiest hour for traffic at the proposed site would be roughly 12:10 to 1:10 p.m.

when the street traffic volumes are slightly lower.

2 So to avoid giving the appearance of

3 reducing the existing or background traffic volumes 4 on the site, we maintain that 1 to 2 time period as

the basis for the analysis. Again, conservative,

6 not in our favor, we continue to use the slightly

7 higher time volumes, traffic volumes from that later

8 time period.

9 Anticipated background growth,

10 Comment 4, talks about updating the growth rate

based on new NJDOT data. So we submitted the 11

12 report. Initially NJDOT had a growth rate of

1 percent. Through all the revisions they updated 13

their table and showed 2.75 percent, which works out 14

15 to be 5.58 percent growth over a two-year build-out

period. So I believe that comment has been 16

17 addressed.

18 Comment Number 5 talks about other area

developments within the vicinity of the project. 19

20 And I testified, and I mentioned in the report, that

we spoke to the Sayreville and Old Bridge zoning 21

22 officials and found no such developments. So I

23 believe that comment has been addressed as well.

24 Trip generation, Comment Number 6 in

25 the Bright View report, talks about the fact that we

W. Stimmel, P.E.

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have updated traffic counts at the nearby firehouse

2 where services are being conducted resulting in 145

3 inbound trips and 121 outbound trips during the

4 busiest hour.

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5 So, again, that captures all of the first service, part of the second service, and 6

7 includes a 10 percent growth factor over what was

8 observed at the property.

There was a further question from Mr. Fishinger about the persons present at the service at the firehouse. We did go back and parse that data from the fire hall a little bit further and found that the per vehicle occupancy was 1.38 persons per vehicle, which is slightly lower than the two other sites we had looked at earlier in this

15 process; we had collected data at two other mosques 16

17 showing the occupancy of 1.82 and 1.88 persons per

vehicle. So it's about a half a person per vehicle 18

19 lower at the fire hall versus those two sites.

20 Comment Number 7 talks about the limited ITE data. It talks about, you know, how 21

comparable the facilities in East Brunswick and 22

23 Somerset are compared to the proposed facility.

24 I think I had talked about this at the 25 last meeting where I testified, but possibly not;

the driveway, which I will certainly provide to

- the two facilities we looked at, the one in
- 2 East Brunswick, that's located along Dunhams Corner
- Road which is a fairly busy two-lane road, primarily 3 residential development around it, it has a
- 5 footprint of approximately 18,000 square feet and
- 6 paved parking for 100 vehicles with an overflow
- 7 parking area for an additional 50 vehicles.

8 The Somerset site was located on a

9 local road in a residential neighborhood and is a

10 smaller facility. Presents as a large ranch-style

residence. Has a footprint of approximately 11

12 2,500 square feet. And a small parking area for approximately 16 vehicles. 13

We did provide the occupancy per vehicle and again that's that 1.82 and 1.88 dataset.

Comment Number 8 from the Bright View review talks about trip generation associated with the earlier version of the traffic study. I believe that is no longer relevant based on the revised data which has been collected, and analysis which has

been submitted. 21

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Comment Number 9 talks about the testimony that none of the amenity space would be utilized during scheduled prayers. Additional

information and testimony should be provided. 25

W. Stimmel, P.E.

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So to the extent that I understand how 1 2 the site is going to operate, I provided that

3 testimony. The Friday prayer services are a peak

4 generator of traffic on the subject property.

5 At times the regular daily prayers will overlap with the morning or evening peak periods, 6

7 but other than the potential for those overlapping

8 prayers which have much lower attendance, there will

be no scheduled activities at the property during 9

10 the peaks of the roadway traffic along Ernston Road.

ENGINEER FISHINGER: And, Bill, while 11

we're on that one, I believe Mr. Sachs had already 12 13

said that you would provide a schedule of when those

amenities... and that's really where that comment 14

15 is getting to, is what is going on with those other

uses. 16

think you can move on.

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So I believe that's -- it's still outstanding because we haven't seen it yet, but I

THE WITNESS: Thank you.

Comment Number 10, and I guess we have 21

-- we have spoken about this already, but again ties 22 into the weekday morning and weekday evening and 23

Saturday midday time periods based on the schedule 24

25 of activities above. We did provide an analysis of

2 Mr. Fishinger. And the testimony related to that

3 item has been provided.

4 Comment Number 11 relates to the trip

W. Stimmel, P.E.

distribution. It appears from the information

6 provided that trip distribution for the site that's

7 based on the data collected in April of '22,

8 absolutely correct.

9 Additional information/testimony should

10 be provided regarding the applicability of using

this data for a typical prayer service. And, you 11

12 know, talks about doing I believe something along

the lines of a graphing model or something of that 13

nature to distribute site traffic. 14

15 This is the rare case where we have a use on the site which is the same as the proposed 16

17 use. It's going to be used by largely the same

18 people.

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We have the distribution of those

20 people to and from the site under real world

21 conditions, it's not a projection, it's not a

22 calculation. In my experience, I would say that I

23 find that to be more accurate than a projection.

24 And, you know, again it gets back to the issue of

25 you're just splitting up the traffic slightly

W. Stimmel, P.E.

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differently, and at the end of the day what is the 1

2 end result going to be. You know, it's still

3 Ernston Road. You're still adding traffic to it,

4 just in a slightly different form.

5 So we believe we analyzed it accurately

and we believe the projection represents an accurate 6

7 projection of what the site operation is going to

8 be.

9 Capacity analysis this is kind of the

10 same issue, I think, so I'm not going to go through

11 it again.

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12 ENGINEER FISHINGER: It's the same

13 thing, you covered it.

THE WITNESS: Comment Number 14 talks 14

15 about the full use of both driveways. Counting for

the left turn out restriction at the west driveway, 16

17 testimony regarding the applicability of this

configuration should be provided to address 18

19 operations when valet parking is being used,

20 including if the driveway will be restricted to one

way in/out during the valet operation. 21

So this is a new comment. The valet

23 testimony provided at the last hearing noted that

24 the western driveway would be for ingress only

25 movements while the valets are queuing vehicles to

W. Stimmel, P.E.

VICE-CHAIRMAN MULLER: How many

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46 be parked in the underground garage. 1 2 Based on the data collected at the 3 existing fire hall, I mentioned this earlier, the lifts would not be needed for the second service. 5 So the restriction of vehicles entering the property 6 would only apply to the time period leading up to 7 the first service, the earlier service with the 8 higher attendance, and at that time there are very 9 few vehicles exiting the property. 10 So I don't believe that that temporary 11 modification for the valet operation would 12 significantly impact the operations at the site. 13 Comment Number 15, level of service for the driveways utilizes the .98 peak hour factor. 14 15 I'm not going to dive too deeply into the numbers, but basically the peak hour factor is a numerical 16 description of how site-generated traffic is going 17 18 to be distributed throughout the hour. 19 So if you had 60 cars leaving the site, 20 one per minute, that would be a peak hour factor of 21 one. If you have 60 cars leaving within an hour all 22 within 15 minutes, that would be a peak hour of .25. 23 It can't go below .25. 24 It's an interesting question because 25 obviously there's going to be a peak to the traffic W. Stimmel, P.E. 47 entering and exiting the site, the way we had done 1

2 parking spots at the firehouse? 3 THE WITNESS: The parking spots at the 4 firehouse are -- they're partly striped. There's 5 two lots. The one, if you look at the building from 6 the street, the one to the left towards the baseball 7 fields is not striped. The one to the right it has 8 some striping but it's very hard to see. 9 Based on my estimation, I came up with 10 roughly 150 parking spaces if you more or less follow the standard aisles width and parking 11 12 dimension, but I am sure that from time to time 13 there have been more cars parked in there than that. ENGINEER FISHINGER: Bill, can you 14 15 clarify that 150 number; is that the -- what I will 16 call the right lot if you're facing the firehouse? THE WITNESS: That's the two lots 17 18 combined. 19 ENGINEER FISHINGER: Two lots 20 combined, thank you. That's where I wasn't sure. 21 And for the board's education I did go 22 back and look at those numbers and Mr. Stimmel's 23 calculations are roughly correct. The more formal 24 lot holds between 80 and 90 cars. Again, it's not 25 fully striped anymore. And you can get a similar --W. Stimmel, P.E.

- the analysis based at the counts at the fire hall
  does incorporate volumes from the two services. So
  while it's not going to be a peak hour factor of
  one, it's certainly not going to be a peak hour
- 6 factor of .25, it would land somewhere in the 7 middle.

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9 primarily would affect the analysis as it relates to
10 movements exiting the site driveways because the
11 site is -- because the roadway is so busy, adding a
12 small amount of traffic or modifying one of the
13 factors has a somewhat significant effect on the
14 analysis.
15 So it does cause the delays for those

Changing that peak hour factor

So it does cause the delays for those movements to increase, but that is for the Friday services when, again, we have agreed to provide the police traffic director. So I think, although it's a valid question, I think the traffic director is going to mitigate that situation.

VICE-CHAIRMAN MULLER: Mr. Chairman?CHAIRMAN TIGHE: Go ahead.

23 VICE-CHAIRMAN MULLER: Mr. Stimmel, how 24 many square feet is the firehouse?

many square feet is the firehouse?

THE WITNESS: Still don't know that.

49 excuse me, a roughly 50 to 60 cars on the other side 1 2 near the fields, assuming that cars parked in an 3 orderly fashion and not --4 (Audience disruption.) 5 (Stenographer clarification.) VICE-CHAIRMAN MULLER: I'm sorry, I 6 7 asked the parking expert if he knew the square 8 footage of the firehouse. 9 ENGINEER FISHINGER: No, I don't. 10 ATTORNEY SACHS: Mr. Chairman, if we can, I know the court reporter is trying to take 11 everything down, but when there's conversation from 12 13 the public when testimony is being provided, it's very difficult for that to occur. 14 15 MEMBER OF THE AUDIENCE: Very.

16 CHAIRMAN TIGHE: Thank you. Please be
17 quiet.
18 THE WITNESS: The next comment moves on
19 to the parking section. It talks about a parking
20 requirement of 377 spaces, calculated using one

space per three occupants.
 I think there has been an updated plan
 submitted, although it seems like Bright View and
 CME may not have seen it, but it shows a parking

25 calculation of 196 spaces. And I believe that

W. Stimmel, P.E. 50 52 reflects a reduction in the assembly area. but if not, or it's somewhere where it can't be 1 2 So I think that may be some of the 2 located in the municipality, we'll provide it again, 3 Mr. Cornell, not a problem. 3 discrepancy when we're talking about these parking numbers here. Yeah, so the revised plans from AWZ, 4 And I will provide it to Mr. Fishinger 5 dated July 11th, '24 show a parking requirement of 5 as well. 6 196 where 166 are provided. 6 THE WITNESS: Back to the Bright View 7 Provide practical testimony related to 7 report, it's Comment Number 2 under Parking at the 8 the use of parking on the property and the parking 8 bottom of Page 6. Talks about the very limited ITE 9 demand of the current fire hall. The data collected 9 parking data published for this use, similar to the 10 in April of '22 shows a total of 190 vehicles 10 limited ITE traffic, trip generation data. And it's entering the site during the two-hour window leading kind of the same thing, the data is of limited 11 11 up to and including the Friday prayer services. 12 utility when you're talking only about two data 12 points. 13 The May 2024 traffic fire counts at the 13 fire hall show a total of 188 vehicles entering the 14 14 It mentions that the parking at the 15 property during the same two-hour window. 15 fire hall shows a total of 121 spaces at peak, plus 16 Comment Number 2 --16 additional spaces required for valet operations 17 VICE-CHAIRMAN MULLER: Mr. Chair? I'm 17 weekly variability and attendance and future 18 sorry, Mr. Stimmel. 18 expansion. 19 CHAIRMAN TIGHE: Go ahead. 19 You know, there's no intent to expand 20 VICE-CHAIRMAN MULLER: Before we go off 20 the building at this point, so that's that comment. 21 21 that comment, can we get confirmation that our The capacity of the fire hall is 150 22 professionals have that calculation and agree with 22 parking spaces, we just spoke about, which 23 that calculation, the 196? 23 represents a buffer of about 24 percent over the 24 CHAIRMAN TIGHE: Go ahead. 24 parking demand at that location during the Friday service. 25 ENGINEER CORNELL: In our report we 25 W. Stimmel, P.E. W. Stimmel, P.E. 51 53 still raise the question. The revised plan that If I hadn't mentioned it before I 1 you're referencing, I don't think that has been should mention it now, it is certainly possible that provided to our office or Bright View. 3 a few vehicles included in the count were parking at We need to see -- and we say that in 4 the fire hall to get to the park, but we assumed 5 numerous locations on the report, we really need to 5 they were all there for the religious services. see the size of these different rooms, what the uses Based on 166 spaces provided we have a 6 6 7 7 are, what the hours are. If you can come up with an buffer of 45 parking spaces for the earlier, more 8 accurate calculation. heavily attended service. Even factoring in if all

1 2 3 4

I think all that we saw was revised architecturals that had the size of the prayer rooms based upon mats as opposed to open areas. Aside from that I don't think we have seen revised calculations.

14 ATTORNEY SACHS: All right. If you 15 don't have that, Mr. Cornell, we will provide that for you. I thought you had that because I know --16 (Audience disruption.)

CHAIRMAN TIGHE: We're never going to 18 19 get through this if you don't behave.

20 Listen, if you are going to talk you have to do it amongst yourselves so we can't hear 21 it, otherwise we can't go on. 22

23 Thank you.

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ATTORNEY SACHS: Again, I will repeat, 24 25 we were under the impression it had been provided

12 of the valet operators drive their vehicles to 9 10 the site you still have a buffer of 32 parking 11 spaces. 12

And there was testimony provided at the 13 last meeting by the valet operator that he did not 14 think it was likely that all 12 of his employees 15 would be driving their own vehicles to the site, and they would find a way to shuttle them to and from 16 17 the property if it became an issue. 18 Comment Number 3 is no longer 19 applicable.

20 Comment Number 4 is please provide testimony regarding how the conversion from patrons 21 22 to parked vehicles is determined.

23 You know, it's -- the activity at the 24 site based on the different operations, other than 25 the Friday prayer service, is largely based on how

- 1 the site operates or how the site can operate under existing conditions. There has been testimony 2 3 provided on several occasions that the regular
- prayer services, which occur at multiple times a
- 5 day, have much lower attendance than the Friday

6 services.

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There was discussion about the attendance at the weddings, the funerals, the family nights and other events. To an extent these are estimates of how the site will operate.

As with the applicant's stipulation 12 that they would agree to provide the traffic directors during busier times during the Friday prayer services, that wouldn't apply to those other operations. But the expectation from the applicant based on the way the mosque operated on the site 16 previously, is that those would all be much lower generators of traffic and lower generators of parking demand.

So to an extent that information is provided by the applicant but is -- it's based on the knowledge of the current operation.

23 ENGINEER FISHINGER: Bill, while we're 24 on that one, so you had said earlier you did confirm the number of people per vehicle at the firehouse. 25

W. Stimmel, P.E.

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1 I believe you said 1.38.

2 THE WITNESS: Correct.

ENGINEER FISHINGER: How does that 3 4 number -- did you do the math looking at the 5 capacity of the prayer hall?

I believe the last number we had showed it based on number of prayer mats. Assuming that 1.38 people per car, but how does that translate the number of parking spaces you have on-site versus the 10 capacity of the -- the theoretical capacity of the prayer hall based on the number of mats; do you have that count?

THE WITNESS: I believe there is an updated head count based on the revised architectural plan. I did not get a chance to grab that before the meeting, but will get that number and get back to you after the intermission.

ENGINEER FISHINGER: And that's the intent of that comment with regard to people versus patrons is, you know, how many people -- how many people the prayer hall holds based on the number of prayer mats?

You know, the 1.8 or 1.38 people per car, does that mean -- do you have enough parking based on that calculation?

1 THE WITNESS: Yeah, we can run that calculation. Like if you look at the calculation 2 3 based on the site plan, which shows 340, you know, 4 it's going to be over what the ordinance calculation is, based on the revised plan. But we can -- we can 6 take a look at that and give you that number 7 certainly.

8 So that was Number 4 on Page 7. 9 Number 5, regarding the scheduling of 10 Friday midday services and the ability of the facility to turn over the parking between services. 11 12 So we did talk about that briefly at the beginning of the presentation. We talked about 13 14 the fact that the two services are going to be

15 separated by an hour. There are going to be fixed times, 12:30 to 12:50, and 1:50 to 2:10, which will 16 17 be consistent year round, and allow for the 18 unloading of -- the unparking of vehicles from the

parking spaces and unloading of vehicles from the 19 20 lifts. 21 I think the fact that based on the

22 distribution of traffic to the two services showing the lower utilization in the second service, not having to load additional vehicles into the lifts at that time, I think probably helps that unloading/

W. Stimmel, P.E.

57

reloading process and reduces the time. 1

services are going to work.

2 You know, aside from that I know that extensive testimony was provided about the valet 4 operation at the last meeting, and would have to 5 defer to the gentlemen who spoke about the lifts and the valets for a more granular analysis of how their

8 Comment Number 6, about the tandem parking spaces. There are six tandem parking spaces 9 10 in the underground garage, so three pairs. So if 11 there's only three spaces if you want to think about it that way, that are the inside spaces in the 12 tandem spots. And those will be occupied by the

13 14 imam and the mosque staff, so they're not going to 15 be turning over.

16 ENGINEER FISHINGER: So is it fair to 17 say those spaces -- outside of when the lot is being used for valet operations, I understand at that 18 19 point no visitors are parking in there, will those 20 spaces be assigned to staff, essentially?

21 THE WITNESS: When there's -- when 22 there is nothing happening at the site, and I think 23 people are just going to park at the spot that is 24 most convenient to where on the property they're 25 going, we can designate those spaces for staff if

	W. Stimmel, P.E.		W. Stimmel, P.E.
	58		60
1	the board would recommend it, and certainly have no	1	L-I-E-U.
2	objection to it.	2	ATTORNEY SACHS: And Mr. Lieu, I
3	You know, if you're talking about 30 or	3	believe, was sworn in at the last meeting,
4	40 cars there for a typical daily prayer, I can't	4	Mr. Sordillo so
5	imagine why anyone would want to park in the tandem	5	ATTORNEY SORDILLO: Correct.
6	spaces.	6	Understanding you're still under oath?
7	ENGINEER FISHINGER: And then,	7	PING LIEU: Yes.
8	Mr. Chairman, I believe the rest of the comments on	8	CHAIRMAN TIGHE: All right, we've got
9	my review letter refer to issues with the site,	9	25 cars in the stack, just about to go out on
10	things like turning radii of vehicles. I believe	10	Ernston Road. How long does it take for the person
11	the site engineer may be better equipped to handle	11	to get out of his car, get into church, and you take
12	them than Mr. Stimmel.	12	care of the car and him come back out?
13	But, of course, if you want to go	13	PING LIEU: Sure. On average
14	through them, Bill, by all means.	14	typically in one of our operations, about a minute
15	THE WITNESS: No, I was going to say	15	and a half, some run longer, some take two to three,
16	actually the same thing, I would defer to the site	16	four minutes. Some are very quick.
17	engineer regarding turning exhibits, et cetera.	17	As I understand for the service it's
18	CHAIRMAN TIGHE: Anybody have any	18	largely adults, adult males in this service. You
19	questions of the	19	know, working age, healthy. Somebody pulls up, they
20	MEMBER ALLEGRE: I have a question.	20	get out of the car, they check in and it's a very
21	Mr. Stimmel, for the funeral/body	21	quick process.
22	preparation room, is there an on-site hearse or	22	CHAIRMAN TIGHE: How long to get the
23	something of that nature that stays on-site all the	23	cars through?
24	time.	24	So you're telling me it's going to take
25	THE WITNESS: I have to defer that to	25	30 minutes to clear that queue of 25?
	W. Stimmel, P.E.		W. Stimmel, P.E.
	59		61
1	the	1	PING LIEU: So the way we plan our
2	ATTORNEY SACHS: The answer is no, no	2	operations we're going to have five teams, one team
3	hearse.	3	working in each section of the level of the garage.
4	MEMBER ALLEGRE: The answer is no?	4	So they can actually process five vehicles at a
5	ATTORNEY SACHS: The answer is no.	5	time.
6	CHAIRMAN TIGHE: Mr. Sachs, you have	6	CHAIRMAN TIGHE: That's with the full
7	people that have the lifts here?	7	capacity of all your attendants?
8	ATTORNEY SACHS: I do.	8	PING LIEU: Actually, in an ideal
9	CHAIRMAN TIGHE: Could I ask	9	situation we would have one operating the lift, one

CHAIRMAN TIGHE: Could I ask 9 Mr. Stimmel this; if you get 25 cars in the stack, 10 how long to get them in and out? 11 THE WITNESS: I think the valet 12 13 operator would be the person to answer that. CHAIRMAN TIGHE: Just giving you a try 14 15 first. ATTORNEY SACHS: Would you like me to 16 17 bring up the... CHAIRMAN TIGHE: I would like that. I 18 would like to know how long it's going to take them 19 to get out and how long it's going to take them when 20

they pick up the cars and leave them.

introduce for the record your name again, sir, for

ATTORNEY SACHS: Again, let me just

PING LIEU: Sure, Ping, P-I-N-G, Lieu,

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the record?

situation we would have one operating the lift, one 10 valet -- what we call the valet runner who drives the car to the final location. 11 12 But they can actually operate with five 13 runners and approximately two to three lift operators, because they're not actually operating 14 the lifts all at the same time, they're working in a 15 16 sequence. So ideally seven underground and then 17 some will flow up top for traffic -- you know for 18 traffic direction. 19 CHAIRMAN TIGHE: The less people you 20 have, the longer it takes? 21 22 PING LIEU: Not necessarily, no. No. CHAIRMAN TIGHE: How does that break 23 24 up? 25 PING LIEU: I would say seven

	W. Stimmel, P.E.		W. Stimmel, P.E.
	62		64
1	underground, and then, you know, two to three up top	1	facility; can you explain to me again why you
2	for traffic direction.	2	disagree with that?
3	CHAIRMAN TIGHE: You're telling me	3	THE WITNESS: It's a limited data
4	bare minimum is ten people; what if you are down to	4	size, I think it's only two data points. I looked
5	eight?	5	at it quite some time ago, but it is very limited
6	PING LIEU: If we're down to eight	6	data sample. Don't know anything about the
7	then it would be, you know, slightly slower, not by	7	configuration of the buildings. You know, were they
8	much, and we would just direct some of the traffic	8	all worship area? Were they similar to this site,
9	the staff up top for traffic direction,	9	where they have amenities?
10	accounting for three up top, we can bring one down	10	So it's a small dataset. And we don't
11	to cover.	11	know what the basis for those projections is.
12	So it would not have a significant	12	And the ITE itself tells you at the
13	impact.	13	beginning of all these, both trip generation and
14	CHAIRMAN TIGHE: Thank you.	14	parking generation and so on, that they require
15	ATTORNEY SORDILLO: Mr. Chairman, if I	15	engineering judgment in the application of the data.
16	may ask just one question.	16	And then further, in situations like
17	CHAIRMAN TIGHE: Yes.	17	this, there is usually a note on the page to be
18	ATTORNEY SORDILLO: And this may be way	18	cautious of the application of the data given the
19	off base I'm just looking at it, you know, looking	19	fact that it's a small data size.
20	at the numbers with the traffic, you know, that are	20	VICE-CHAIRMAN MULLER: But your data
21	set forth in the report, and I know it has been	21	point was the firehouse observation on May 17th,
22	testified before, we're saying that 57 of the 21	22	2024, correct?
23	spaces being provided underneath are going to be	23	THE WITNESS: Correct.
24	provided with lift mechanisms.	24	VICE-CHAIRMAN MULLER: So you're

### W. Stimmel, P.E.

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But I just now I'm thinking about it in

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my head, that seems an odd number. For the lift 1 system, we have a car above and a car below, 3 shouldn't that be an even number? THE WITNESS: The 57 is the number of lifts. So there's going to be spaces underneath 5 each of those lifts. 6 7 The layout was 109 parking spaces. And looking at the configuration of the garage, they 8 were able to add 57 lifts to it. 9 10 ATTORNEY SORDILLO: Oh, okay. So that's 57 just considered the above ones? 11 ATTORNEY SACHS: The above ones, yes. 12 13 THE WITNESS: Correct. ATTORNEY SORDILLO: Need to make sure 14 my notes are right. Got confused there. 15 CHAIRMAN TIGHE: Anybody else have 16 17 questions of the traffic engineer? 18 Mr. Muller, go ahead. 19 VICE-CHAIRMAN MULLER: Mr. Stimmel, on

the Bright View report on Page 6, the comment from

seem to require 905 parking spaces for the proposed

VICE-CHAIRMAN MULLER: -- which would

the bottom about the 6th edition ITE Parking

THE WITNESS: Yes.

Generation Manual --

W. Stimmel, P.E.

looking into one data point too, right?

THE WITNESS: One data point which 1 represents this congregation in this community a 3 mile away from the proposed site. 4 VICE-CHAIRMAN MULLER: And it's fair 5 to say that you rely on the ITE throughout your 6 report? 7 THE WITNESS: I generally rely on the ITE more than I did in this particular case. I noted in the report, and said in my 9 earlier testimony, the mosque is unusual in that 10 there's not a lot of published data out there. The 11 ITE did not have much data. The Department of 12 13 Transportation did not have much. 14 So we had to rely on the data collected 15 at the site for the most part. 16 VICE-CHAIRMAN MULLER: Was that, the 17 data point for one isolated day, enough for you to 18 rely to make your opinions? 19 THE WITNESS: Well we counted the existing site in '22. And we counted the existing 20 site prior to approval; we counted the operation of 21 this mosque at the fire hall in 2024. 22 23 You know, there certainly could be a

fluctuation from time to time, but typically if you

are counting site traffic for a use like this for

	W. Stimmel, P.E.		W. Stimmel, P.E.
	66		68
1	this type of Traffic Impact Study, you know, you're	1	Mr. Stimmel, could be for the parking agent or if
2	not going out and counting it 30 times.	2	KLAUS is still in the room; I'm not sure if they're
3	VICE-CHAIRMAN MULLER: Right.	3	here or not.
4	It's not an apples-to-apples comparison	4	ATTORNEY SACHS: They're here.
5	as to what is being proposed for this site and the	5	MEMBER ALLEGRE: All right. When the
6	existing facility and firehouse, correct?	6	Friday services are over are the parking units left
7	THE WITNESS: It's an apples-to-apples	7	in the up or down position?
8	comparison in that we think the main driver of	8	ATTORNEY SACHS: Let me get him sworn
9	traffic for the facility is going to be that Friday	9	in.
10	prayer, which is what the basis for the analysis	10	ATTORNEY SORDILLO: We had him sworn
11	was.	11	last time, right?
12	All the other things associated with	12	RYAN CALLAHAN: No, not from last time.
13	the project, the basketball courts and whatever	13	ATTORNEY SACHS: He was not here last
14	else, are nice features to have but those are not	14	time, so let's get him sworn.
15	going to be the main focus of the traffic	15	ATTORNEY SORDILLO: Would you please
16	generation.	16	raise your right hand. Do you swear or affirm the
17	VICE-CHAIRMAN MULLER: And you're	17	testimony you are to give this evening is the truth,
18	assuming that the congregation is not going to grow	18	the whole truth, and nothing but the truth?
19	to fit the proposed building; it's going to stay	19	RYAN CALLAHAN: I do.
20	stagnant and what you could fit in the firehouse now	20	ATTORNEY SORDILLO: And would you
21	will be in the existing facility, correct?	21	please state and spell your name for the record.
22	THE WITNESS: There could be growth in	22	RYAN CALLAHAN: Sure. My name is Ryan
23	the congregation down the road, but there could also	23	Callahan. R-Y-A-N, Callahan, C-A-L-L-A-H-A-N.
24	be additional mosques built.	24	ATTORNEY SACHS: And Mr. Callahan is a
25	You know, the idea that if you double	25	representative of the manufacturer so.
	W. Stimmel, P.E.		W. Stimmel, P.E.
	67		69
1	the size of the building you're going to double the	1	RYAN CALLAHAN: From KLAUS, right.
2	size of the congregation something hit me in the	2	MEMBER ALLEGRE: Manufacturer from
3	back of the head was, you know, it just doesn't	3	installer?
4	make sense.	4	RYAN CALLAHAN: Correct. I'm the
5	If you said that St. Bernadette's right	5	installer, maintainer, repair, everything.
6	now is 6,000 square feet and they increase the size	6	MEMBER ALLEGRE: So for these Friday
7	of the assembly hall to 12,000 square feet, I don't	7	services, how are these units left, with the
8	think anyone would say they're going to get twice as	8	platform up or the platform down?
9	many people there next Sunday. You know, it's a	9	RYAN CALLAHAN: So that all depends on
10	community. It grows from the number of followers of	10	the attendant that is going to be using it. So

this particular religion within the area, and people 11 that might happen to be close by on a particular 12 13 day. VICE-CHAIRMAN MULLER: Well, follow the 14 15 logic, right, there would be no reason to expand an existing use or increase its usage, right? 16 17 Logically you're not going to expand Saint Bernadette's if there's no reason to do it so. 18 19 All right, no more questions, Mr. Chairman. 20 CHAIRMAN TIGHE: Anybody else have any 21 22 questions? MEMBER ALLEGRE: I do. 23

CHAIRMAN TIGHE: Go ahead.

MEMBER ALLEGRE: May not be for

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typically when you would get there, say the lot is 11 empty, all the sleds would be down, so they could 12 13 load those up first, and then pull under and park, 14 you know, whether it's one deep or two deep, depending on how the units are staggered and set up 15 16 17 MEMBER ALLEGRE: And I just want to make sure that KLAUS is okay with the general public 18 19 parking on the platforms on their own? 20 RYAN CALLAHAN: Yes. So, I mean --MEMBER ALLEGRE: Anybody can just 21 drive up and park? 22 23 RYAN CALLAHAN: We provide a product. 24 You know, what the municipality or, you know,

whoever the building owner is, what they choose to

W. Stimmel, P.E.

- do with them at that point, that's their decision is 1 what they do with the product after we, you know, 2
- either install it or sell the product to a customer. 3
- 4 MEMBER ALLEGRE: So KLAUS has no recommendations for or against non-trained personnel 5
- 6 to park cars?
- 7 RYAN CALLAHAN: So again, that really
- 8 falls back to -- typically we provide with all of
- 9 our units an instruction on how to operate the unit.
- 10 Typically if it's an attendant unit, which this
- would be an attendant unit, we do like to train the 11
- 12 personnel how to use these.
- MEMBER ALLEGRE: It's only attended on 13
- 14 Fridays. So outside someone can park on this
- 15 without an attendant, right?
- 16 So I just want to make sure, are we
- 17 good -- KLAUS, are we good with parking on it?
- 18 RYAN CALLAHAN: KLAUS is fine with
- that. Again, like I said, we're just selling the 19
- 20 product. What the owner of that product does
- afterwards, after we sell that product, that's their 21
- decision. 22
- 23 We just follow up with guidelines of
- 24 the municipalities to install and to follow
- guidelines and regulations to make it meet the 25

## W. Stimmel, P.E.

71

- standards of where it's being installed. 1
- 2 ATTORNEY SACHS: And just to follow
- up, Mr. Chairman, I think we testified one of the 3
- 4 earlier meetings there could be weddings
- 5 occasionally, or funerals occasionally, maybe
- another life cycle event. 6
- 7 Certainly if there's a demand to have
- the valet there at that particular time we will do
- that if we expect that type of crowd. But 9
- 10 generally, you know, these are going to be in use on
- Fridays so. 11
- CHAIRMAN TIGHE: Anybody else? Go 12
- 13 ahead.

16

- PLANNER FOWLER: Mr. Chairman, for 14
- Mr. Stimmel, not for KLAUS. 15
  - So early on I think you had testified
- that 25 cars could queue on-site ready to go to the 17
- 18 parking garage?
- 19 THE WITNESS: Roughly, yes.
- PLANNER FOWLER: I see where you 20
- estimate those 25 cars stacked, but will they 21
- interfere with the surface parking? 22
- THE WITNESS: I'm sorry, where is the 23
- queuing; is that what you're asking? 24
- 25 PLANNER FOWLER: Yeah. You had said

- that 25 cars in the queue. Where they're queuing,
- do you have access to surface parking for others to 2
- 3 park?
- 4 THE WITNESS: Yeah, the 25 vehicles
- would start queuing at the southeast corner of the
- 6 building. The queue would extend along the front of
- 7 the building and then wraparound toward the western
- 8 entrance and stop before you get to the western
- 9 entrance.

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- 10 And that queuing assumes a length of
- 20 feet per vehicle, which is essentially 18 feet 11
- 12 per vehicle with a two-foot space in between. So
- your mileage may vary there, you may have larger 13
- 14 vehicles or smaller vehicles spaced closer or
- 15 further apart, but roughly 25.
  - PLANNER FOWLER: So I don't have --
- 17 looking at the plan, you're describing it, but what
- 18 you're describing then does not block any of the
- surface parking, you are saying? 19
- 20 THE WITNESS: It would have to block
- 21 some of the surface parking. It wouldn't interfere
- with site operations. You would still be able to 22
- 23 get to some of the surface parking and still be able
- 24 to get in and out of the garage, but the gueue has
- 25 to go somewhere and that seems to be the least

## W. Stimmel, P.E.

73

- intrusive place to put it. 1
- 2 PLANNER FOWLER: Then, Mr. Sachs, you
- 3 had mentioned providing revised calculations for the
- 4 professionals and I think for the board members.
- 5 Mr. Stimmel had mentioned in July a
- revised plan he was looking at. Those revisions 6
- 7 include plan sheets that have been revised for us to
- 8 review?
- ATTORNEY SACHS: Yes. For some 9
- 10 reason, I'm not sure -- we believe we dropped off
- these plans, the July 11th revised plans, shortly 11
- after July 11th. I'm not sure why they never made 12
- 13
- But, notwithstanding, we will, we will 14
- provide that. And if there are revisions we 15
- 16 referred to we can add them.
- 17 PLANNER FOWLER: Thank you,
- 18 Mr. Chairman.
- 19 ENGINEER CORNELL: While we're talking
- about the queue area, it's something that isn't in 20
- my report, but would it be possible to provide an 21
- exhibit that shows the limits of the queue, not only 22
- for cars entering but also cars exiting? 23
- 24 Just so we can understand, as cars are
- 25 leaving the parking garage, where do they queue?

	W. Stimmel, P.E.		W. Stimmel, P.E.
	74		76
1	ATTORNEY SACHS: Yeah, we can provide	1	Mr. Sachs.
2	that. I've just spoken to my engineer and that's	2	ATTORNEY SACHS: Yes, thank you,
3	something that we can provide. So we'll do that as	3	Mr. Chairman.
4	a separate exhibit.	4	CHAIRMAN TIGHE: How is your reporter
5	COUNCILMAN ZEBROWSKI: Mr. Chairman,	5	doing; is she fine?
6	just a question.	6	ATTORNEY SACHS: Much better.
7	CHAIRMAN TIGHE: Mr. Zebrowski.	7	So, Mr. Chairman, I think it was
8	COUNCILMAN ZEBROWSKI: And I don't want	8	indicated to us that let's you would like
9	to belabor the issue of queuing, but for the	9	Mr. Stimmel to go through the CME traffic, you know,
10	procedures for the early service on Friday, all the	10	the traffic issues raised in Mr. Cornell's report.
11	the first 100 vehicles or whatever, 50 vehicles,	11	We're prepared to do that. And then
12	will all be queued and all be parked subsurface?	12	once he's gone through that we'll go to my planner.
13	The procedure would be to get all the	13	CHAIRMAN TIGHE: I appreciate that.
14	vehicles that first come in downstairs for the	14	ENGINEER CORNELL: Mr. Chairman, I can
15	parking, or to the surface parking first?	15	highlight there's certain items that maybe we
16	THE WITNESS: The testimony that was	16	want to just discuss this evening. Some have
17	presented at the last meeting, my understanding was	17	already been talked about, but I think we just want
18	that the cars that were the cars that would fit	18	to make the applicant prepared to be addressed in
19	on the lift, so if you take out the, you know, the	19	the future.
20	oversized vehicles, handicap things like that, those	20	So if you would like, I can just point
21	would still be in the surface area.	21	to the ones I think I want you to address.
22	The regular cars that were capable of	22	ATTORNEY SACHS: Sure. That's fine.
23	going up on the lifts, those would go up on lifts.	23	ENGINEER CORNELL: First one is
24	And they fill the lift spaces first.	24	Section A, Item Number 1. And it's not necessarily
25	Now, I think if and when the site	25	for your traffic engineer, but it indirectly comes
	W. Stimmel, P.E.		W. Stimmel, P.E.
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1	becomes operational, they're going to find out and	1	back to him. It has to do with the building size.
2	have a better idea of whether or not they need to	2	We had initially raised this question
3	use all the lifts. And at that point, like I said,	3	based on the architectural plans. As an example,
4	for the second service, it doesn't appear that they	4	the first floor of the building initially was
5	even need it and then they may change the procedure.	5	13,000 square feet, now it's 23,000 square feet.
6	But at least initially that's the intention.	6	When you total all the individual
_	COLINCIA MANI ZERROMCKI. Object. The sale	1 -	

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go to Section G in traffic.

## 7 COUNCILMAN ZEBROWSKI: Okay. Thank 8 you. 9 CHAIRMAN TIGHE: Anyone else of 10 Mr. Stimmel? Hearing none. 11 Are you going to bring your planner up? 12 ATTORNEY SACHS: Yes, Mr. Chairman, I 13 can bring the planner up. 14 15 Maybe we should just give the court reporter a break for five minutes? 16 CHAIRMAN TIGHE: We can take a 17 ten-minute break. 18 ATTORNEY SACHS: Okay, thank you. 19 20 21 (A recess is taken at 8:51 p.m.) 22

(Time noted, 9:07 p.m.)

CHAIRMAN TIGHE: Thank you very much.

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back to him. It has to do with the building size.
We had initially raised this question
based on the architectural plans. As an example,
the first floor of the building initially was
13,000 square feet, now it's 23,000 square feet.
When you total all the individual
components of that first floor, it still doesn't add
up to 23,000 square feet.
The same thing with the second floor;
originally it was 21,000 square feet. Now it's
31,000 square feet. When you total the components,
it doesn't add up.
So I think this may be an exercise for
your architect. Let him know, and just make sure
that the numbers in the different types of rooms
match the square footage on his plans. That leads
into the correct calculation of the number of
parking spaces which is kind of what we're having
difficulty doing up to this point.
ATTORNEY SACHS: That's fine.
CHAIRMAN TIGHE: Thank you.
ENGINEER CORNELL: I guess now let's

Item Number 2, again here we talk about

inconsistencies between the engineering plans that

may be a need for off-site parking at Samsel School.

W. Stimmel, P.E.

- we had before -- I don't know if the current plans
- 2 address this, they may. But we just want to make
- 3 3 sure that your architectural plans are consistent
- with the engineering plans, and the calculations for
- the parking are based on those accurate numbers, and 5
- 6 that we can make sure we have the correct number of 6 particular thing.
  - spaces that you exceed and don't need a variance, or 7
- 8 you're deficient and you need a variance.
- 9 ATTORNEY SACHS: That's fine.
- 10 THE WITNESS: Understood.
- ENGINEER CORNELL: Item Number 6 has 11
- to do with the different religious activities taking 12
- 13 place at the site.
- 14 The initial report had certain numbers,
- 15 the revised report has significantly higher numbers.
- It brings me to a question about why those numbers 16
- 17 have increased so dramatically since the initial
- 18 report?

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- THE WITNESS: We had asked the client 19
- 20 to give a projection of what the operations would be
- 21 at the site, not just Friday services but when they
- 22 had regular prayer, what do you do in terms of
- 23 weddings, funerals, Sunday school, et cetera, and
- they had given us data initially. 24
- 25 And when it became more of an issue

#### W. Stimmel, P.E.

79

- 1 based on the comments from board professionals and
- 2 the public we asked for a little bit of further
- 3 clarification of those points, you know, are these
- 4 numbers accurate? Do you feel safe with these
- 5 numbers? Are they a little bit high; a little bit
- low? 6
- 7 And based on the revisions the trend of
- the numbers was generally a little bit higher to
- give a little bit more a factor of safety. I don't 9
- 10 think it's really changed how the site is going to
- be operated, but I think it's more of a conservative 11
- 12 estimate of how the site is going to be operating.
- 13 ENGINEER CORNELL: I think are you now
- 14 trying to justify the size of the building and have
- 15 the numbers match the square footage. That was the
- issue. 16

19

- 17 THE WITNESS: The biggest thing will
- 18 still be the Friday prayer so, I think, you know,
  - none of the other events are going to approach that.
- ENGINEER CORNELL: And also the same 20
- section, it talks about Ramadan. Previously it was 21
- indicated that a lot of activities were going to 22
- 23 take place off-site.
- 24 Now based upon the revised report it
- 25 appears that there may be activities on-site, there

- So I think that needs to be clarified.
- 2
- ATTORNEY SACHS: Mr. Cornell, we'll
- 4 clarify that. And I'm going to provide that also in
- my letter of operations with respect to every 5
- VICE-CHAIRMAN MULLER: Mr. Chairman,
- 8 just...
- 9 Mr. Sachs, is that seven days, Ramadan,
- 10 and does the prayer service start at 8:00 p.m. and
- end at 10:30? 11
- 12 ATTORNEY SACHS: I have to get
- clarification on that, Mr. Muller. 13
- 14 VICE-CHAIRMAN MULLER: If you could,
- 15 yeah. I would appreciate that.
- 16 ATTORNEY SORDILLO: Mr. Chair, if I
- 17 may.
- 18 Just, Mr. Sachs, when you do provide us
- this summary, if you could clarify in there which 19
- 20 events are going to -- if that's still the case,
- 21 which events will be held off-site? I was going
- 22 through my notes -- because I was getting confused
- 23 too -- I think prior testimony was weddings would
- 24 be on-site, but receptions would not be.
- 25 If we could just make sure, since we're

## W. Stimmel, P.E.

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- 1 creating it anyway, that that's very clear so we
- 2 can...
- 3 ATTORNEY SACHS: Yes, will do.
- 4 ATTORNEY SORDILLO: Thank you.
- ENGINEER CORNELL: Item Number 7. The 5
- attorney just mentioned the wedding services. 6
- 7 Previously you did not have a purpose hall. I know
- you revised one of the prayer rooms, it's now called
- a "purpose hall." I just want to make sure that now 9
- 10 that that has been revised, we are not going to have
- 11 wedding receptions?
- 12 Since you originally said it, I just
- 13 want to confirm that.
  - ATTORNEY SACHS: That's correct.
- 15 ENGINEER CORNELL: Item Number 9,
- there was some discussion about potential traffic 16
- 17 impacts from other developments in town. I did
- 18 previously provide copies of traffic reports for the
- 19 Arsenal Trade Center, Camelot at Main Street,
- Camelot at Ernston Road per the request of the 20
- 21 board.

- 22 I don't know that the traffic engineer
- 23 has received those and reviewed those.
- 24 So maybe, Mr. Sachs, if you want to
- 25 provide those to him or if you -- I had sent those

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	1	to you after that May meeting. I just want to make	1	ATTORNEY SORDILLO: Good evening,
	2	sure that that is addressed and make sure there's no	2	Mr. McDonough. If you would please raise your right
	3	impacts from those developments.	3	hand. Do you swear or affirm the testimony you are
	4	ATTORNEY SACHS: Okay.	4	going to give this evening is the truth, the whole
	5	THE WITNESS: I did briefly address	5	truth, and nothing but the truth?
	6	that the arsenal development, that site is two miles	6	JOHN McDONOUGH: I certainly do, yes.
	7	away. Our intersection and our study area was not	7	ATTORNEY SORDILLO: And would you
	8	included in their analysis. So we did not directly	8	please state and spell your name for the record.
	9	address that other than through the background of	9	JOHN McDONOUGH: Sure. Hi, everyone,
	10	the road.	10	my name is John McDonough, M-c-D-O-N-O-U-G-H.
	11	ENGINEER CORNELL: I'm not sure where	11	I'm the project planner.
	12	you got that information. You did have that traffic	12	
	13	report or I did provide it to, Mr. Sachs.	13	EXAMINATION
	14	THE WITNESS: I had the arsenal	14	
	15	report. I don't know how it came to my attention.	15	ATTORNEY SACHS: Mr. McDonough, if you
	16	I did not see the other report for the Camelot	16	can briefly give the board the benefit of your
	17	development developments.	17	education and professional background.
	18	ENGINEER CORNELL: And then the last	18	THE WITNESS: Sure. I'm a licensed
	19	item of my report, I think that we still have some	19	professional planner here in the State of New
	20	trouble understanding the operations of the valet	20	Jersey. That license is current. It's in good
	21	system. I had mentioned the exhibits for cars	21	standing.
	22	entering the site and where they're going to queue.	22	I also have a certification on the
	23	The same concern with cars exiting; when someone	23	national level from AICP which is current and in
	24	leaves the service, they request their car, where	24	good standing. I have the good fortune of getting
	25	does that car go for them to go pick up?	25	to testify nightly throughout New Jersey, north,
Ī		W. Stimmel, P.E.		J. McDonough, P.P.
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Is there going to be a queue at the 1 same location as the cars entering in reverse? 2 3 Is there another area across from the 4 queue where people are going to have to exit the facility and then walk out in the front of their 5 car? 6 7 Just some further clarification as to how that's going to operate. Maybe an exhibit that shows the queue areas for both exiting and entering 9 10 the site. ATTORNEY SACHS: Yeah, and I think we 11 agreed that we will provide some type of separate 12 13 exhibit showing how the queuing will operate. If there needs to be notes on those 14 15 plans, we'll provide them as well. ENGINEER CORNELL: Mr. Chairman, those 16 17 are the items that have been revised since my initial report, so I think that should be sufficient 18 19 for discussion this evening. CHAIRMAN TIGHE: Anyone have any 20

If not, bring up your planner.

Mr. Chairman. If I could have Mr. McDonough come

ATTORNEY SACHS: Thank you,

questions of Mr. Cornell?

from the side of the room.

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south, east, west. I get to see the full cross-section of this beautiful, diverse state of 3 ours so. 4 And I have been here as well. 5 CHAIRMAN TIGHE: Motion to accept his credentials. 6 7 MEMBER ALLEGRE: Make a motion. CHAIRMAN TIGHE: Do I have a second? 8 COUNCILMAN ZEBROWSKI: Second. 9 10 CHAIRMAN TIGHE: All in favor. BOARD MEMBERS IN UNISON: Aye. 11 ATTORNEY SACHS: Thank you, 12 13 Mr. Chairman. 14 Mr. McDonough, with that said I know 15 you have had an opportunity, you are intimately familiar with this project, and if you could give 16 17 the board the benefit of your planning analysis of 18 this particular project. 19 THE WITNESS: Sure, sure thing. As we know all land use planning starts 20 with the land. So we're going to take the board 21

with a look at the land which you heard a lot of

Mr. Chairman, which are going to be a little packet

I would like to enter an exhibit,

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testimony about.

86 of drone photographs that were taken last month in 1 anticipation of testifying last month. 2 3 CHAIRMAN TIGHE: We're going to accept 4 them and we're going to make them exhibit --5 ATTORNEY SORDILLO: Nine, I believe. 6 CHAIRMAN TIGHE: 9. 7 THE WITNESS: And A-9, for the record, is going to be four sheets. And they're simply 8 9 aerial drone photographs of the subject property. 10 For our interested parties here they're just photographs of the land that I'm sure everybody 11 12 all knows. And they were taken on September 18th. 13 14 CHAIRMAN TIGHE: By your firm or 15 someone else? 16 THE WITNESS: I did not -- I don't 17 touch the drone. It was taken by a licensed drone 18 operator in my office. 19 CHAIRMAN TIGHE: Thank you. 20 THE WITNESS: Under my direction. 21 CHAIRMAN TIGHE: Okay. 22 23 (Exhibit A-9, Aerial drone view of 24 subject site and surroundings, taken 9/18/24, 25 4 pages, was marked.)

## J. McDonough, P.P.

87 THE WITNESS: So it looks like 1 everybody has one. 2 3 The first view is a view of the subject 4 property. Tried to hover it over the site, try to give you sort of a look from a bird's eye, looking 5 top down at the property. 6 7 The first thing that jumps out, of course, is we have four tax lots here in Block 8 444.04, Lots 23, 24, 25 and 26. I think the first 9 thing that jumps out at you is we have a site here that is exceptionally large in the context of the 11 neighborhood, in the context of your R-7 zoning 12 13 ordinance, as well. The key point here, again looking at 14 land marrying up with land use, we've got a site 15 that has excellent spatial capacity to accommodate a 16 development of the scale that is being put forth for 17 vou this evening. 18

This site, as we know, is developed

with multiple buildings and parking. And you can

of the surrounding land use context we've got

residential on three sides. This is a residential

zone. You've got some non-residential uses

sprinklered in on the opposite side as well.

see that in the photograph that was taken. In terms

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back of the property looking at some of the homes in 2 3 the back neighborhood, looking back towards the site, looking at the land use on the opposite side of the street as well. And then spinning toward 6 another angle showing the subject property. Again 7 the larger mass in the middle, the surrounding land use context. 8 9 And then finally again, just to bookend 10 what I told you at the outset is that we are dealing with an exceptionally large piece of property here. 11 12 Generally rectangular in shape or square in shape. Again, readily able to accommodate the development 13 that is before the board. 14 So in terms of the plan before you, 15 16 again this is a redevelopment project. This is 17 going to be to construct a three-story, 18 44,391-square-foot house of worship that is going to be 40 feet above grade in terms of the overall 19 20 building height. You've heard about the details of 21 the plan, the religious use within, and the multipurpose components that are very common with 22 23 this type of land use. 24 In my practice we see religions uses of all types and I've testified for mosques, for 25 J. McDonough, P.P.

J. McDonough, P.P.

Next page, we'll take you more to the

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89

temples, for synagogues and for churches as well.

It is very typical to see the worship use at the

3 core, and then these other uses as well which would

4 promote fellowship and also a sense of community and

5 social service as well.

So again these are all knitted and integrated into the religious mission of this

8 particular land use in this particular faith.9 You've heard about the subsurface

parking. You've heard a lot of details about parking, the ground-level parking as well, and the makeup of the rooms that are going to be within the

13 building.

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I won't go into detail about all of them now because you have a good, solid record operationally, architecturally, and then site and expert-wise in terms of how the overall site will flow, will function and will operate.

The unwavering testimony here on the applicant's side is that the site will flow, function and operate safely and efficiently and comfortably for all of the persons who will come here, again, in the interest of serving that paramount public interest of religious freedom.

We are here in the R zone -- R-7 zone

- district where this use is conditionally permitted. 1
- 2 I think it's been well vetted that the two
- 3 conditions that are required here are both met,
- Number 1, to comply with all of your Schedule 3 bulk
- 5 standards top to bottom. They were listed in
- 6 Mr. Kahn's site plan as well. Complies, complies
- 7 complies over and over again.

8 So to the extent that someone is 9 concerned about the land use, the land use is

10 permitted here. That in and of itself explicitly

means it serves the public welfare. 11

12 Secondly, to the extent someone is concerned about the size of the building, the 13 overall height of the building complies. The 14 15 overall mass of the building complies. The building 16 coverage complies. The lot coverage complies. The 17 building positioning complies as well from all 18 respects. Front setback complies. Side setbacks comply on both sides. Rear setback complies as 19

Buffering, which is intended to provide for integration with the surrounding neighborhood 22 fully complies as well in terms of the width and the composition.

Now our land use process talks about an

J. McDonough, P.P.

91

- 1 interactive process whereby the board makes
- 2 comments, public makes comments, and applicant
- 3 listens and responds. That is what's happening
- here. It's exactly what our Supreme Court of
- 5 New Jersey says the process should be; a good
- interactive process where we take a good plan and 6
- 7 make it better as we go.

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well.

8 So use and scale of the development

- here are in line with your zoning ordinance. We're 9
- 10 looking for again, design standards, landscape,
- lighting and buffering being substantially in 11
- compliance with your ordinance as well. 12

Through your engineer's report, I think your planner report referenced the engineer report for some design-related relief, and I'll pop through that as I conclude my testimony.

But in terms of the letter of the ordinance as we now stand now, the only relief that 18 19 the applicant is seeking is relative to parking to the extent that the board is considering the 20 aggregate of all uses, if that's the strict 21

interpretation of the ordinance. 22

23 You have good, solid testimony through the witness before me and the witnesses before me 24 25 that based on the traditional way of calculating

- parking for a house of worship, which is based on
- the peak demand, we're looking at actual compliance 2
- 3 here in terms of parking of 166 space being
- provided, where 151 would be required, if we take
- all of the mats, count them as chairs and divided
- 6 that by three, which is the requirement of your
  - ordinance.

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8 So again, 166 provided, 151 required

9 based on the number of mats for both the men and for

10 the women operating at one time.

As you've heard the religious practice,

12 the ritual, the worship service is non-coincident

with all of the other activities that would take 13

14 place on this facility. And those extra I would say

15 curricular activities or non-worship activities do

not approach or exceed the 151-space demand that 16

17 will be triggered by the ordinance for the religions

18 use at peak.

19 So, again, we've got good, solid 20 testimony on the record that forms a predicate that

21 on balancing the benefits of the application as a

22 whole would substantially outweigh the detriments

23 with respect to parking.

24 Now when we apply the balancing test we 25 always start with the purposes of the Municipal Land

J. McDonough, P.P.

93

Use Law and we see if they're advanced here. 1

2 The very first purpose in the Land Use

3 Law and the reason why this board is here and why

- 4 your town has the power to create zone districts and
- 5 zone within its borders is found in Purpose A.
- N.J.S.A 40:55D-2, Purpose A, promotion of the 6
- 7 general welfare.

8 And that is advanced here by an

applicant delivering a permitted use that fully 9

10 conforms with the conditional use requirements that

11 would be applied to this use.

12 Not only are we dealing with a

13 permitted use, but we're dealing with an extra

14 special land use as well in terms of what we would

15 call an inherently beneficial land use, or a

16 top-tier land use reserved for a very narrow band of

17 uses in our Land Use Law.

18 I always think of them as the mind,

19 body and spirit uses. Mind, we're talking about

20 educational or academic uses are reserved as

21 inherently beneficial. Body, we're looking at

22 health-oriented uses like a hospital. And then

23 finally, of course, in terms of spirit are religions

24 uses. Whether we're talking about a church, a

25 synagogue, a temple or a mosque, it's clear under

the Land Use Law that all religious practice gets 2 equal treatment.

3 And so, again, this is going to fulfill 4 the religious mission of this particular faith at 5 this particular location where the faith is already 6 located.

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Every religion deserves a decent place to worship. Again this building, as you've heard through the testimony, will meet the needs of this particular faith to serve its religious mission and provide itself with a decent place to worship. That 11 12 all goes towards Purpose A, the promotion of the general welfare.

We know in that regard freedom of religion is the fundamental founding principle of this country. And again that counts, in my view, as paramount public interest in terms of the advancement of Purpose A.

Other purposes advanced here under N.J.S.A. 40:55D-2 would be Purpose C, the planning goal to provide for adequate light, air and open space.

23 Again, in terms of the vertical mass of 24 the building, complies. Horizontal mass of the 25 building, complies. Positioning of the building,

## J. McDonough, P.P.

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1 complies. This application is spot on in terms of 2 advancing the planning goal for adequate light, air and open space. 3

Next, Purpose "G" under the Land Use 5 Law, to provide for a variety of uses according to the needs of all New Jersey citizens. We know here in New Jersey that there are shifting demographics. It's happening in your community as well. And again this will fulfil the mission of this organization in a practice that is already there.

Purpose M, planning goal for efficient 11 use of land. Taking assemblage of lots, pulling 12 13 them together to develop in a cohesive, unified fashion. Again goes towards that planning goal for 14 the efficient use of land, taking multiple lots that 15 16 create a larger lot and developing them as a single whole. 17

Lastly, we look at planning goal 18 19 Purpose I, the promotion of a desirable, visual environment. The centerpiece of this development is 20 going to be a very beautiful building, and you have 21 the architecturals to support that as well. It is 22 23 going to take the multiplicity of uses on the property, cojoin them together in a single focal 24 25 point, single beautiful building.

J. McDonough, P.P.

96

1 Again we have landscape architecture to complement the architecture, and that will help 2 3 build or blend the built environment into the natural surrounding environment as well.

5 So again, in terms of the positive 6 criteria for the board to consider here, we have extreme weight on the positive side in the 7 advancement of Purpose A, Purpose C, G, M and 8 9 Purpose I.

10 Counterbalancing that, obviously we always have to consider the negative criteria and 11 12 whether relief can be granted without any substantial detriment to the public, without any 13 14 substantial impairment to the intent and purpose of your zone plan and ordinance.

15 16 In terms of the substantial detriment 17 to the public, I think obviously the key concern 18 here is the queuing, is the parking, is the traffic. You have uncontroverted expert opinion on the 19 20 record, again, that that site will flow, will 21 function and operate safely and efficiency, that the parking supply is adequate to meet the actual 22 23 demand. 24 Again using the ordinance and the 151

ratio, if that worship hall were occupied at peak,

J. McDonough, P.P.

97

or the two worship components were occupied at peak 1 at the same time, 166 where 151 would be the peak demand. 3

4 You also have good analytic real-world calculations in terms of that 1.38 ratio which would also adequate in terms of providing for the 166 6 7 spaces that the applicant is providing here.

With respect to the zone plan and ordinance, again the degree of departure from the zone scheme is not substantial here given the parking ratios that I just gave you. The core question of course before the board is not the use, not the size of the building, but rather that the level of the activity and the parking supply, and whether it is adequate to meet the actual demand.

16 Again based on those ratios, based on 17 the consistent and unwavering testimony of the witnesses before me, the parking supply is adequate 18 19 to meet the demand.

20 Lastly, we look at impairment to your zone plan and ordinance. I looked at your 2023 21 22 Master Plan by Susan -- Master Plan Reexamination by Susan Gruel, that 2013 Master Plan by John

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24 Leoncavallo, again recognizing the diversity of your 25 community, the changing of demographics, and the

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J. McDonough, P.P.

100 need to plan for future population. So I think this the R-7 zone is not only for single-family uses but 2 is on point with that as well. 2 it does allow for institutional uses here as well. All said, I believe on balancing this 3 From a planning standpoint we're not supposed to 4 is clearly reconcilable under the "flexible c" 4 say, well, that would never happen; we have to look 5 balancing test, whereby the benefits of the at what the zone plan contemplates as what is okay. 5 6 application as a whole would substantially outweigh 6 So you could have a building here of the detriments. 7 the exact same size that would meet all the light It's not the applicant's burden to 8 and air controls and be a school where everyone prove that it has a hardship here. That would be 9 comes at the exact same time and every room in that the c(1) standard. We're not relying upon that. 10 building gets filled. So again, activity and That is the older standard in the Land Use Law. traffic are contemplated here within this zone. 11 That is the only standard I can use if 12 You could also have community shelters, 13 I go outside of New Jersey, but New Jersey is 13 victims of domestic violence, you could have distinct in that we do allow for this reasonable community residences for persons that are 14 14 15 balancing here as well. And again, I think the 15 developmentally disabled. Again, it's not just the weight -- the heavy weight is on the positive side 16 single-family zone but there are other uses that 16 with minimal weight, if any, on the negative side. 17 could go here as well. Lastly, we have some design exceptions 18 So in terms of consideration of the here that are listed in your engineer's report. degree of departure from the zone plan, I think this 19 19 20 We're now looking at a lower standard of 20 plan is well thought out, it is consistent with good 21 planning principles and community development and 21 reasonableness and appropriateness and a sense of

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J. McDonough, P.P.

Based on the testimony and what you

good practicability, whereby strict or literal

have seen on the plan, I believe the relief is

practical planning purpose.

parking lot in the front.

enforcement of your ordinance would serve no

99

2 reasonable. We're looking at parking in the front 3 yard; we have parking in the front yard now. We think it's better to have the open air activity of 5 parking closer to the street and the building mass in the back. 6 7 Buildings can become buffers, just like 8 landscaping can as well. We think that the building mass helps separate the residential uses behind from 9 10 the active land use which is really that open air

No sidewalks against the building. No 13 islands in the parking lot. No designated loading space. And no deceleration lane. All fall within the confines I think of the testimony of the engineer and the witnesses before me, that the site will meet acceptable site planning standards, not withstanding those design exceptions that the applicant is seeking.

With that, again, the board does have an abundance of evidence before it that you can 21 certainly consider, but from a planning standpoint I'm satisfied that this applicant has met its burden under the law.

I would also just remind the board that

J. McDonough, P.P. 101 I believe the applicant has met its 1 burden here, and approval is warranted. 3 ATTORNEY SACHS: Thank you, 4 Mr. McDonough. 5 Mr. Chairman, with that said, 6 Mr. McDonough is certainly available for any 7 questioning by the board members. 8 CHAIRMAN TIGHE: Does anybody have any questions of Mr. McDonough? Go ahead. 9 10 ENGINEER FISHINGER: John, just one question. You quoted the one-per-three-seat number for the parking ordinance. How do you reconcile that requirement with Mr. Stimmel's earlier testimony that the

orderly growth. Most importantly the statutory

applicant is seeking here, it's a single variance

criteria for the very minimal relief that the

and some design exceptions.

11 12 13 14 existing operation is 1.38 people per vehicle, as 15 opposed to three people per vehicle as the ordinance 16 17 requires? 18 How do you justify those two from a 19 planning perspective? 20 THE WITNESS: Again, I will fall back 21 on the testimony of Mr. Stimmel and how he dealt 22 with the ratio requirement there. Again, the supply 23 will meet the actual demand.

24 ENGINEER FISHINGER: That was my only 25 question, Mr. Chairman.

	J. McDonough, P.P.		J. McDonough, P.P.
	102		104
1	ATTORNEY SACHS: Mr. Fishinger, I	1	opinion that one vehicle per three prayer mats is an
2	think part of the issue we're having tonight is the	2	appropriate ordinance for this use?  THE WITNESS: Yes.
3	fact that you don't have the benefit even though		
4	we dropped it off of the July 11th, 2024, plan	5	ENGINEER FISHINGER: Those are my
5	prepared by AWZ, where we're showing the occupancy		questions, Mr. Chairman.
6	of 340 for the gents prayer hall, which is 340 prayer mats, and I believe 114 for the ladies. And	6	MEMBER ALLEGRE: Mr. Chairman?  MEMBER LAHRMAN: I also have a
7		7	
8	based upon that, Mr. McDonough, if you divide that	8	question.
9	by three, that's where we come up with the 151.	9	CHAIRMAN TIGHE: You first, and
10	Now, the other uses and I will ask	10	then
11	you this question, Mr. McDonough. We've already	11	VICE-CHAIRMAN MULLER: Mr. McDonough,
12	stipulated that the other uses will not operate at	12	what type of variance how many additional parking
13	the same time. That is where if you add all of the	13	spots are you seeking a variance for is your
14	other uses in terms of the parking requirement, we	14	client seeking a variance for?
15	come up with the 196.	15	THE WITNESS: The applicant is
16	Is that correct?	16	providing 166 spaces. And I just heard testimony
17	THE WITNESS: That is correct, yes.	17	that 196 would be required. So a 30-space
18	We assume there's not not coincident peaks; that	18	deficiency.
19	they're all happening at the same time.	19	VICE-CHAIRMAN MULLER: You don't know
20	ENGINEER FISHINGER: Well, and my	20	how that 196 requirement was calculated, do you?
21	question was more to the ordinance says one per	21	ATTORNEY SACHS: No, we do.
22	three people per vehicle. And you had testimony	22	THE WITNESS: It's taking the
23	from your traffic engineer saying the actual	23	aggregate of the uses. Again for the place of
24	experience is only 1.38 people per vehicle.	24	worship I just gave you the 151 based on the number
	Is the ordinance in your professional	2.5	of mate
25	Is the ordinance, in your professional	25	of mats.
	J. McDonough, P.P.	25	J. McDonough, P.P.
25	J. McDonough, P.P.		J. McDonough, P.P.
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25	J. McDonough, P.P.  103  opinion, is the ordinance correct?  THE WITNESS: I will say that the	1 2	J. McDonough, P.P.  105  Then for the basketball court/gymnasium at a ration of 4.5 per 1,000. And then we have a
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1 2 3 4	J. McDonough, P.P.  103  opinion, is the ordinance correct?  THE WITNESS: I will say that the ordinance standard is typical of what I see for a house of worship, yes.	1 2 3 4	J. McDonough, P.P.  105  Then for the basketball court/gymnasium at a ration of 4.5 per 1,000. And then we have a 703-square-foot gym. That comes out to 35 spaces.  You have the office uses at 4 per 1,632
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23 to have that one day a week, or do you think you

that capacity of the halls?

24 should have calculated the parking spaces based on

23 more children present, wouldn't that push up the

This ultimately is -- is it your

24 occupancy per vehicle?

J. McDonough, P.P. J. McDonough, P.P. 106 108 THE WITNESS: Typically when we plan, that the balance of the week has much less 1 we plan for -attendance even for the daily prayers so --2 2 3 MEMBER ALLEGRE: You said multiple 3 MEMBER ALLEGRE: Well, in his 4 times in your testimony before that. Demographics 4 testimony he said demographics were changing, we're 5 are changing and you're expecting growth in the 5 expecting growth. 6 area. Mr. Stimmel is calculating what is at the 6 ATTORNEY SACHS: Well, no, 7 firehouse today. 7 demographics are changing -- well, you can ask him that question again. I mean, certainly. 8 So is it safe to assume that as 8 9 demographic fill you could fill 454 spaces during 9 MEMBER ALLEGRE: It wasn't a question; 10 prayers at any given day during the week? 10 it was a statement that he made during his THE WITNESS: We know that this land testimony. 11 11 12 use has its religious practice on Fridays. That's 12 ATTORNEY SACHS: Well, I'm not going consistent for this land use. And at peak demand on 13 13 to... MEMBER ALLEGRE: So are we expecting 14 Fridays we're looking at 454 mats, which would come 14 15 out to that 151 space requirement. 15 growth, or are we going to base everything on what 16 If in the event there is additional 16 we have today for the congregation, as a planner? THE WITNESS: Both. 17 growth here, there would have to be planning for 17 18 that as they move forward. It's not atypical for 18 CHAIRMAN TIGHE: What is the other some religions to --19 side? 19 20 MEMBER ALLEGRE: But you don't have to 20 THE WITNESS: I'm sorry? CHAIRMAN TIGHE: What was the other plan for that in building your construction; you 21 21 don't plan for that now? 22 22 planning for the future? MEMBER OF THE AUDIENCE: Yes. 23 THE WITNESS: Could be an operational 23 24 consideration. It's typical for a religious 24 THE WITNESS: This is planned for the practice to maybe go to a split service to changing 25 future. We're looking at low demand during the 25 J. McDonough, P.P. J. McDonough, P.P. 107 109 -- again, those are operational things that would non-worship service, and there's adequate supply for 1 1 2 have to be considered. 2 both. MEMBER ALLEGRE: But don't you take 3 3 CHAIRMAN TIGHE: As soon as you say 4 operational considerations into planning? 4 that you're going to expand, let's say, the 5 Have you seen or reviewed in your 5 ancillary stuff says the same, Friday gets busier; planning operation the days of the week it would be what is that plan going to do now? 6 6 7 operated? 7 THE WITNESS: As with -- as with any THE WITNESS: Yes. Yes, this is 8 religious practice, that would have to be planned typical for what I have seen for this land use. for. Special services, special holidays, all of 9 9 10 They have planned for 454 mats now to serve their 10 that gets planned for as part of any religious population and members now. 11 practice. 11 If there is future growth there would 12 MEMBER ALLEGRE: But we're not even 12 13 have to be planning for that down the road. 13 talking about special events, we're talking about 14 14 MEMBER ALLEGRE: Well, but my point the general five-times-a-day prayer -- I'm not sure is, we're only planning for those spaces on Friday, 15 what it's called. 15 not the rest of the week. 16 But Monday through -- I don't know if 16 THE WITNESS: Right. Right. it's on weekends; still waiting for the schedule. 17 17 And those ancillary -- the testimony on You promised it. Are we going to get it, hopefully, 18 18 19 record is those ancillary uses are not going to 19 for the next time? exceed that 151-space demand. 20 ATTORNEY SACHS: Oh yeah. 20 MEMBER ALLEGRE: But we're not 21 MEMBER ALLEGRE: Can we get it before? 21 operating the parking lot with 161 spaces other than 22 ATTORNEY SACHS: I'm sorry? 22 Friday; we're only operating that on Friday so... 23 MEMBER ALLEGRE: As a condition of the 23 ATTORNEY SACHS: Mr. Allegre, not to 24 next hearing, can we have this before the next 24 25 interrupt you, but I believe there's been testimony 25 hearing?

	J. McDonough, P.P.		J. McDonough, P.P.
	110		112
1	ATTORNEY SACHS: Yes. I've indicated	1	And you will have that in advance of the next
2	I'll provide that.	2	meeting.
3	MEMBER ALLEGRE: You did the last	3	However, as to the Friday prayer
<i>3</i>	three times.	4	services, we know those are going to be specific set
5	Can we put a condition before the next	5	times. There's no question about that.
6	hearing?	6	VICE-CHAIRMAN MULLER: Mr. Chair?
7	MEMBER OF THE AUDIENCE: Fine them.	7	CHAIRMAN TIGHE: Go ahead.
8	MEMBER ALLEGRE: Otherwise we'll	8	VICE-CHAIRMAN MULLER: I want to
9	postpone the hearing if they don't provide it to us.	9	express the same sentiments as Mr. Allegre. I'm not
10	ATTORNEY SORDILLO: Oh, oh, that's why	10	looking to place blame on anyone; the number of
11	I was confused when you were saying a condition.	11	the parking requirement seems to change every time
12	I'm sorry?	12	we come back here and it's very frustrating.
13	MEMBER ALLEGRE: Because I don't know	13	Additionally, hours of operation seem to change.
14	how we can review testimony and try to wait for the	14	I'm not really sure about the level of
15	comments when everybody in the room gets a chance to	15	service for the whole month of Ramadan. That's
16	review things if we don't have the items to review.	16	going to be a nightly event with 300 to 500 people.
17	ATTORNEY SACHS: And, Mr. Allegre,	17	So there's a lot of moving parts here,
18	I've indicated at the outset of the meeting that I	18	and I think we can't proceed forward with our
19	would provide that in time for the meeting.	19	questions of Mr. McDonough until we get this basic
20	MEMBER ALLEGRE: With all due respect	20	information.
21	you said that the last time and at the very first	21	So I would like to get this information
22	meeting.	22	and table this so we could have an intelligent
23	ATTORNEY SACHS: No, no. I'm not	23	discussion as to what the magnitude of this variance
24	going to get into an argument with you over it, and	24	is really what we're dealing with.
24			•
25	I wouldn't do that. But it was important that we	25	MEMBER OF THE AUDIENCE: Yeah.
	I wouldn't do that. But it was important that we	25	MEMBER OF THE AUDIENCE: Yeah.
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23 its current membership and the reasonable future

ATTORNEY POHLMAN: So I'm glad you

24 projected growth.

25

23 that sunrise doesn't occur at the same day, and

will provide that information to you, all right?

sunset doesn't occur at the same day. And yes, we

24

J. McDonough, P.P.

114 said that because the current testimony on the 1 record is that the membership is approximately 300 2 to 330 individuals. 3 4 MEMBER OF THE AUDIENCE: That's 5 230 cars. 6 ATTORNEY POHLMAN: So right now the 7 testimony that you gave, the testimony on the record

is that there's -- I'm not going to say seating --8 occupancy for a ritual service in the amount of 454. 9 10 You've also testified at length in your opening soliloguy about the size of this property 11

12 and how much space there is. So from a planning perspective why 13 14 wouldn't it be appropriate, since there is sufficient amount of space, for the applicant to 15

16 provide parking for either the number of congregants that they currently have or anticipate having, or to 17 18 reduce the occupancy amount to meet or to provide for what the congregation is? 19

20 THE WITNESS: Because the applicant doesn't need more parking. 21

ATTORNEY POHLMAN: Well, they do, 22 23 right; the law says they do. I mean and that's why 24 they're seeking relief. They're seeking a variance.

They're here for a variance, That's fine; people 25

## J. McDonough, P.P.

115

often seek relief. Nothing wrong with that. 1

2 But here you've testified that this is

a large property, abnormally large for the area that 3

4 it's located in. And given that it's large for the

5 area it's in, and given that right now ritual

occupancy is at 454 and somebody can certainly 6

correct me if I'm wrong, but I believe that the

congregation size is between 300 and 330. 8

I'm confused as to why from a planning perspective we need to grant relief for parking when it appears that your occupancy decreased or since, as you pointed out, this is a very large piece of property, additional parking could be put in by redesigning or scaling down the building.

So that's what I'm asking.

THE WITNESS: I'll repeat my answer, it doesn't change because the applicant does not need more parking.

The ordinance may say it does. We have actual testimony here with respect to supply, the applicant doesn't need more parking. The parking is adequate to serve the occupancy that is --

CHAIRMAN TIGHE: Why are you asking 23 24 for a variance?

25 ATTORNEY SACHS: Well, let me respond

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J. McDonough, P.P.

to that, Mr. Chairman. We technically do not need a

variance for the ritual activity. Based upon the --

3 based upon the occupancy with the prayer mats we

need 151 parking spaces when the ritual activity is

5 occurring. We have 166.

6 We need a technical variance because

7 you're adding in all the other uses --

8 ATTORNEY POHLMAN: But we're not

9 adding.

10 ATTORNEY SACHS: No, you're not, but your ordinance does, which brings it up to 196. 11

I also want to -- and I know 12

Mr. McDonough --13

14 CHAIRMAN TIGHE: So you're saying our

ordinance is out of line? 15

16 ATTORNEY SACHS: No, I didn't say your

ordinance is out of line. I'm just saying that it's 17

18 a technical variance; based upon the size of the

building it triggers 196 parking spaces. 19

CHAIRMAN TIGHE: If the building was 20

21 smaller, the trigger would go away?

ATTORNEY SACHS: Well, no, if -- no,

it wouldn't, because we would still have these other 23

24 uses.

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But in terms of the actual ritual

## J. McDonough, P.P.

activity which occurs on Friday around noontime to

2 o'clock, we only need 151 parking spaces at full

occupancy of this building. That would be if all

4 454 spaces in that prayer hall were utilized.

5 Now, Mr. McDonough, to follow up on

that, you heard the testimony from Mr. Stimmel and 6

7 he did actual traffic counts at the Madison Park

fire hall which showed the peak parking demand at

that site as 121 vehicles. 9

THE WITNESS: Yes.

ATTORNEY SACHS: And that's

substantially less than the 166 parking spaces that 12

13 we provide.

So to follow up on the question of

15 Mr. Muller and other various board members, if you

-- yes, we would love to see growth, but we know 16

consistently, consistently that there were 121 17

vehicles parked at the Madison Park fire hall. That 18

was done in April of 2024. That was done on a 19

Friday. 20

21 Do we expect the congregation to grow?

22 Maybe. But maybe not. We have 121 vehicles that

23 are generally there on every Friday.

24 And, Mr. McDonough, is that consistent

25 with your analysis here?

116

J. McDonough, P.P. J. McDonough, P.P. 118 120 THE WITNESS: Yes, it is. Factually, if they're telling us that 1 1 2 And just to bring it back to the Chair, 2 their occupancy is X, and they're seeking occupancy I think we all know a variance should not be denied 3 of Y; in order to do Y they need variance relief, 3 because it's a variance. That's the reason why 4 why should that variance relief be granted in this 5 we're here. That's why you have had three or four situation where based on their own testimony, their 6 hearings now, extensive hearings on this. 6 own expert testimony, their own fact witness 7 It comes down to the testimony before 7 testimony, it doesn't -- that level of intensity of 8 you, the credibility and the reliability of the 8 use isn't supported? 9 witnesses and the evidence that the supply will meet 9 THE WITNESS: You have testimony of an 10 the actual demand. It's based on the testimony. 10 operator, a religious operator, that says we need That's why we do this. this number to fulfill our religious --11 11 12 ATTORNEY POHLMAN: So going back 12 ATTORNEY POHLMAN: That's not what he actually, since you're incorporating the traffic said. I asked how many, how many congregants, he 13 13 14 testimony, peak of -- at the time the study was done 14 said most between I think 3 and 330. So certainly 15 peak vehicles on a Friday earlier service were 121. 15 correct me if I'm wrong, I believe that's the The vehicle occupancy I've got 1.38. That's 16 number. 16 17 certainly not 454 prayer mats or occupants or 17 THE WITNESS: The applicant has said 18 congregants or worshippers. 18 that, but the plan has been put before you to So, again, from a planning perspective accommodate 451 persons here. 19 19 20 in order to meet this congregation's ability --20 ATTORNEY POHLMAN: Under the fact because, right, it is an inherently beneficial use. 21 testimony was, your own client's own fact testimony, 21 22 That's certainly not disputed. But hearing the 22 was 3 to 330. 23 factual testimony and congregation size and of 23 THE WITNESS: The plan shows 454. vehicles and congregants in attendance, I just --24 ATTORNEY POHLMAN: Well, yeah, that's 24 I'm having a hard time understanding where, from a 25 25 what my point is; your fact testimony is one number, J. McDonough, P.P. J. McDonough, P.P. 121 planning perspective, the 454 occupancy is necessary 1 1 the plans show another. when you're seeking variance relief, where if that 2 2 What is the planning justification for 3 was reduced variance relief may not be needed. 3 granting relief when the applicant's own testimony,

4 And it just doesn't appear from the testimony that has been put on by the applicant's 5 own witnesses that demand requires that there be 450 6 7 -- that there be space for 454 congregants. 8 So that's what I think myself and for the members of the board, we're having difficulty 9 10 with. ATTORNEY SACHS: Understand. 11 ATTORNEY POHLMAN: So, you know, why 12 13 from a planning perspective, understanding that we

have a need to -- that certainly it's an inherently beneficial use but, Mr. McDonough, wouldn't this congregation, this applicant's needs be met if the occupancy was lower?

18 THE WITNESS: No.

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19 ATTORNEY POHLMAN: Why?

THE WITNESS: Because this applicant 20 has said this is the space it needs to accommodate 21

its membership. 22 23

ATTORNEY POHLMAN: But that's telling me -- that's just saying I disagree with you because I don't like what you said.

4 both factual testimony from the applicant that the

5 project or applicant witness, as well as that from

their experts that they put forward, doesn't support

7 the need for space for 454 congregants during a

8 single worship service?

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That's my question.

10 THE WITNESS: Again, there was a question asked of me to plan for future growth to a 11 reasonable degree; that is certainly built into that 12 13 454 mats there.

14 ATTORNEY POHLMAN: So if current 15 growth -- if current congregation size is between 300 and 330 and they're planning for 454 -- I'll say 16 17 450, I'm a lawyer not -- certainly if I was good in math I would be an engineer or doctor -- that's 18 19 almost 150 congregant increase, which, you know, by

my poor math is somewhere between 50 percent, 45 to 20

50 percent increase. 21

> So what is the data that shows that planning for growth at the area of 40, 50 percent is the appropriate -- the appropriate metric to use? What justifies that?

	J. McDonough, P.P.		J. McDonough, P.P.
	THE WITNESS. THE fall back on the		ATTORNEY POLIT MANY. Absolutely
1	THE WITNESS: I'll fall back on the record that it's not atypical in my view to see a 5	1 2	ATTORNEY POHLMAN: Absolutely.  ATTORNEY SACHS: I mean, if I go down
2	percent growth increase over the course of five	3	the street past the church I know there's a
4	years. I have seen it, planned it, religious	4	gymnasium there. If I go past the synagogue
5	practice.	5	ATTORNEY POHLMAN: JCC, CYO, no
6	For this particular land use, it will	6	question.
7	get you to 25 percent. And I believe the number you	7	ATTORNEY SACHS: All right.
8	just gave you was about a 25 percent increase.	8	ATTORNEY POHLMAN: But it's the
9	ATTORNEY POHLMAN: Given that you have	9	intensity of the use based on the testified
10	said this is such a significant it is a large	10	occupancy congregation that I think is a real
11	piece of property. And looking at 9-A, you know,	11	question that this board deserves answers to.
12	I've driven by the property. I'm looking at the	12	ATTORNEY SACHS: All right.
13	aerial view, it shows it even more. You know, could	13	VICE-CHAIRMAN MULLER: Mr. Chair?
14	this project be redesigned or reconfigured to	14	CHAIRMAN TIGHE: Go ahead.
15	provide for the appropriate amount of parking for	15	VICE-CHAIRMAN MULLER: Mr. McDonough,
16	the appropriate number of for the identified	16	let's assume it's correct and you need a variance
17	number of congregants by the applicant?	17	for 30 parking spaces, and I'm not entirely
18	THE WITNESS: No.	18	convinced that that's the case. It's your testimony
19	ATTORNEY POHLMAN: Why not?	19	that that is not going to create a substantial
20	THE WITNESS: I just told you.	20	burden in the area, having 30 cars looking for
21	ATTORNEY POHLMAN: You didn't. I	21	parking on Ernston Road?
22	don't know. I mean why can't it be reconfigured?	22	THE WITNESS: That is my emphatic
23	ATTORNEY SACHS: Well, you know what,	23	testimony, yes.
24	Mr. Pohlman, I think you know the answer. Sure,	24	VICE-CHAIRMAN MULLER: How many times
L 24	THE FUHILIBILE FUHICK YOU KNOW LIFE BUSWELL SUITE.		
25	•	25	,
	anything can happen, all right. And if that's what		have you been on Ernston Road?
	anything can happen, all right. And if that's what  J. McDonough, P.P.		have you been on Ernston Road?  J. McDonough, P.P.
25	J. McDonough, P.P.	25	have you been on Ernston Road?  J. McDonough, P.P.  125
25	J. McDonough, P.P.  123 you're looking to obtain from the applicant then	1	J. McDonough, P.P.  125  THE WITNESS: Based on based on the
1 2	J. McDonough, P.P.  123 you're looking to obtain from the applicant then I've answered that.	1 2	J. McDonough, P.P.  125  THE WITNESS: Based on based on the underlying record that the supply will meet the
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23 the traffic expert.

CHAIRMAN TIGHE: But you say that's

25 good planning; I asked the question, your testimony

24

23 right, and certainly is common --

laudable -- it's certainly a laudable goal.

ATTORNEY SACHS: Right, which is a

24

	J. McDonougn, P.P.		J. McDonougn, P.P.
	126		128
1	that 30 cars, you don't know where they're going,	1	It's only in operation for two hours on
2	you consider that good planning?	2	Fridays. Plus other parties or celebrations that
3	THE WITNESS: I am not planning for	3	may occur that you will bring people in.
4	that happening.	4	We're only assuming for ritual
5	CHAIRMAN TIGHE: What happens when it	5	purposes, only operating two hours on Friday, 2 to
6	does? You're not living there.	6	3 hours ballpark. What about the rest of the ritual
7	MEMBER OF THE AUDIENCE: We've got to	7	services? Because only 109 spots, so now while I'm
8	live with it.	8	not a traffic expert, what did you plan for all the
9	THE WITNESS: I can't I can't hear	9	ritual services, to meet the capacity of the rooms
10	you, Mr. Chairman.	10	for the ritual services?
11	CHAIRMAN TIGHE: I said what happens	11	THE WITNESS: And is it Mr. Allegre
12	when it does? You don't live here. That's what I	12	MEMBER ALLEGRE: Yes.
13	said.	13	THE WITNESS: Board Member Allegre,
14	THE WITNESS: I don't know how to	14	it's the second time you asked me that so I think
15	answer that question.	15	this applicant certainly owes you that answer for
	CHAIRMAN TIGHE: You have been on	16	sure, what happens during the non-peak religious
16			use. We know that prayer services are multiple
17	Ernston Road and you've seen  MEMBER OF THE AUDIENCE: Of course you	17 18	times during the day.
18 19	don't.	19	
20	CHAIRMAN TIGHE: Have you physically	20	And to the extent that the applicant hasn't given you those numbers of what the capacity
	been to the property?	21	is, as I understand it, it's substantially less than
21 22	THE WITNESS: Yes. And I have have	22	those 90 surface spaces that
23	not done an analysis of the parking testimony in the	23	MEMBER ALLEGRE: I'm asking would you
24	past.	24	plan to meet the capacity of those; as a planner
25	CHAIRMAN TIGHE: I didn't ask you	25	would you plan to meet the capacity of those rooms?
23	CHAIRMAN HOHE. I didn't ask you	23	would you plan to meet the capacity of those rooms:
	J. McDonough, P.P.		J. McDonough, P.P.
	127		129
1	that. Have you noticed the traffic on Ernston Road?	1	129 Would you plan for other ritual
1 2		1 2	
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But when you said that the benefits

25 outweigh the detriments, you know, for the variance

parking lift system is not operational.

ATTORNEY SACHS: Right.

24

25

J. McDonough, P.P.

J. McDonough, P.P.

130 for 30 parking spots, did you analyze what the 1 detriments would be on the area of 30 cars not being 2 able to park, and what detriment, if any, that would 3 cause in that area? 5 Did you do that analysis to say that detriment -- the benefits outweigh that detriment? 6 7 THE WITNESS: I'm not giving my testimony in a vacuum. There's been a number of 8 9 witnesses that were before me. You have a signed 10 and sealed traffic report. As far as I understand it, you have had on the board side a check of that 11 12 data and how that methodology was done, and it has not been questioned. 13 14 I'm sure if I'm not saying the right 15 thing I will be corrected, but there are checkpoints here. And I'm not giving testimony in a vacuum, but 16 17 I am certainly relying on at least three witnesses 18 before me who said traffic, parking and circulation will be okay. 19 20 VICE-CHAIRMAN MULLER: And I 21 understand that that's your answer that you're not 22 going to need the 30 spots, in essence, right, 23 because we have the data point saying it's only going to be 121 that we need, right, because we know 24 what happened at the firehouse, right? 25

## J. McDonough, P.P.

131

THE WITNESS: In accordance with 1 acceptable traffic engineering principles. 2 VICE-CHAIRMAN MULLER: The question 3 4 is, what happens if we do need it? 5 Because the law says we're going to need it. That's what the ordinance says. So the 6 7 law presumes that you're going to need those spots. And if you need the 30 spots, did you analyze what 8 the detriment would be of not having those 30 spots? 9 10 Because you've testified bit conclusory manner that the benefit outweigh the 11 detriments with respect to parking. 12 13 So did you analyze what the detriment would be of not having of needing the 30 spots and 14 15 not having them? THE WITNESS: I did not. 16 17 VICE-CHAIRMAN MULLER: Okay. Thank 18 you. 19 ATTORNEY SACHS: Mr. Muller, I can

perhaps respond as well, because I'll go back to April. One of the conditions we agreed to was that there would be no parking in the residential neighborhood.

20

21

22 23

So, let's say 30 cars show up in excess of the 166 that are there. We already know that we are employing the Sayreville Borough Police
 Department to direct traffic. They'll be there at
 12:10. They're going to close the parking lot.
 What is going to happen in reality is
 those individuals are not going to go to that

J. McDonough, P.P.

service, they'll probably go to the second service,which we also know is less well-attended.

I didn't need applause for that, all right, but anyway.

10 CHAIRMAN TIGHE: Please, please. Both 11 sides. Listen -- yo. We need some decorum here, 12 both sides.

MEMBER OF THE AUDIENCE: Exactly.

CHAIRMAN TIGHE: Yo. I've got the
floor.

16 ATTORNEY SACHS: Thank you.
17 CHAIRMAN TIGHE: Thank you.
18 ATTORNEY SACHS: Boy, I wish we could

19 --20 CHAIRMAN TIGHE: Mr. Sachs, before -- I

21 would appreciate both sides not clapping.

We have to keep on schedule and we don't need any interruptions. We need to get a solid report from our court stenographer, so

25 please...

# J. McDonough, P.P.

133

Thank you.

ATTORNEY SACHS: Anyway, the bottom

line, and I think Mr. McDonough has testified to

4 this and I will ask him again; do we need a variance 5 for the use of the ritual hall?

6 THE WITNESS: No.

ATTORNEY SACHS: We don't, correct.

8 We have 166 parking spaces. Based upon

9 -- and by the way, I apologize if you don't have the 10 revised plans of July 11th, 2024, because if you had

them in front of you, that would answer a lot of

12 questions.

7

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We did deliver them to the town. For some reason you don't have them. That's fine, and we'll make sure that you get them tomorrow, all right, so that you will have -- you will have them in front of you and you could make an educated decision when there's ultimately this application doesn't get adjudicated. But the bottom line is that there are safeguards in place. We're not going

that there are safeguards in place. We're not goingto have vehicles trying to navigate a parking lot

to have vehicles trying to navigate a parking lot when it's full. When it's full, you're not going to

when it's full. When it's full, you're not going to that service, all right.

24 CHAIRMAN TIGHE: So your testimony is 25 that everybody that comes to that service that can't

	J. McDonough, P.P.		J. McDonough, P.P.
	134		136
1	get in is going home?	1	else?
2	ATTORNEY SACHS: I would say so,	2	VICE-CHAIRMAN MULLER: Mr. Chairman,
3	Mr. Chairman, all right. There's another	3	just going back to my comments before, I would just
4	CHAIRMAN TIGHE: What happens when	4	ask that Mr. Sachs bring Mr. McDonough back once we
5	they overflow into the residential neighborhoods?	5	have the full plans and we know what the full
6	ATTORNEY SACHS: We will agree to put	6	parking requirements are, if there's any disputes
7	signage up, all right. We will regulate it. We	7	regarding that.
8	don't want to be a bad neighbor; we want to be a	8	CHAIRMAN TIGHE: Mr. Sachs, do you
9	good neighbor.	9	have a problem with that?
10	Now, again, of course, I appreciate	10	ATTORNEY SACHS: I have no objection
11	excuse me.	11	to that, Mr. Chairman.
12	CHAIRMAN TIGHE: Again, please.	12	CHAIRMAN TIGHE: Thank you very much.
13	ATTORNEY SACHS: Mr. Chairman, I have	13	Anybody else have any question?
14	to tell you, I just want to make a comment. I mean,	14	Questions of the planner? Go ahead.
15	maybe it's just endemic of society today, but I	15	ENGINEER FISHINGER: Actually I'm
16	would appreciate some civility. This is a	16	still and I know we've started to go over this,
17	quasi-judicial hearing in front of this board, all	17	but I'm still confused, John, on which, in your
18	right, and we need to establish a record.	18	professional opinion, what is the correct number of
19	Now the people who are making comments,	19	to convert number of people you know,
20	they could make whatever comments they would like,	20	congregants/parishioners to number of needed
21	but it's affecting the ability of the court reporter	21	parking spaces?
22	to get this down accurately, all right.	22	Because we have the ordinance says
23	CHAIRMAN TIGHE: I understand that.	23	that's three persons per vehicle. Your testimony of
		23	that's three persons per vehicle. Tour testimony or
	And I have tried on both sides	24	your own traffic engineer says it's 1 38. Which is
24	And I have tried on both sides.  ATTORNEY SACHS: I appreciate it.	24 25	your own traffic engineer says it's 1.38. Which is
	ATTORNEY SACHS: I appreciate it,	24 25	correct?
24	ATTORNEY SACHS: I appreciate it,  J. McDonough, P.P.		J. McDonough, P.P.
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Now, before I open to the public, the

I will remind you that it's a quarter

22 only questions we are going to take tonight from the

23 public from either side are for traffic and

planning, nothing else.

21 is still an outstanding issue.

So, yes, that, like everything else,

CHAIRMAN TIGHE: Thank you. Anybody

23 it's a trade-off; it could back up Ernston Road

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24 further.

138 after 10; at 11 o'clock we end. 1 2 ATTORNEY SORDILLO: Someone make a 3 motion to open to the public. 4 CHAIRMAN TIGHE: Motion to open to the 5 public? MEMBER ALLEGRE: Motion. 6 CHAIRMAN TIGHE: Do I have a second? 7 MEMBER ALLEGRE: Second. 8 CHAIRMAN TIGHE: All in favor? 9 10 BOARD MEMBERS IN UNISON: Aye. CHAIRMAN TIGHE: All right, go to the 11 12 mic, state your name and where you live. 13 14 **PUBLIC SESSION** 15 OSMAN ZAMAN: Good evening. My name 16 is Osman, spelled O-S-M-A-N, last name Zman, Z, like 17 zebra, A-M-A-N. I live at 418 Main Street, 18 Sayreville, New Jersey. 19 This is a question for the applicant. 20 21 If Jummah prayer does go over occupancy, would you be able to relocate to the firehouse again? Because 22 that's the question that the board was asking. 23 24 ATTORNEY SACHS: I don't know if the 25 traffic engineer could answer that, or the planner.

hard for you guys to follow as it is for us citizens to follow. 3 4 So if a board member could answer, how do you want that broken up? 6 ATTORNEY SORDILLO: Yeah, I'm sorry, I 7 hear your question, I'm not really sure how that could be answered. 8 9 The questions from the board members 10 are asked based upon the testimony that is brought to them. 11 12 There is definitely times that the 13 board members may be asking the same question again 14 because maybe a different testimony might have 15 brought up a question or an issue or, you know, they 16 might have forgotten a testimony so they're 17 re-questioning it. I mean this board wants to know what 18 the peak demand is for parking and attendance for 19 all services. And that is one of the things that 20 21 we're asking because this board may not fully understand what that demand is, what those services 22 23 are, which services have a higher demand than 24 others, what times are those services. 25 And I think that's what -- the 141 1 applicant's attorney is going to provide a document

I'm part of the congregation here, it is just as

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evening. 3 I mean I could get back to him on that 4 issue, Mr. Chairman. I don't know the answer to 5 that. CHAIRMAN TIGHE: Remember, we're 6 talking about traffic and planning. 7

1 I mean that's the only testimony we provided this

OSMAN ZAMAN: I brought it up because

8 9 it was part of the traffic part.

10 I have a question for the board. When you guys are discussing how many people are going to 11 be at prayer or a service, you reference back and 12 forth between peak, which is considered Jummah, and 13 non-peak which is considered everything else. 14

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From the way I'm following the testimony, how does the board want to segregate that so that the rest of us citizens understand why you're asking in such close proximity to each other?

18 Because a board member will ask what 19 20 is the occupancy of Jummah, which is the Friday 21 prayer, and immediately jump back to what about the 22 rest of the week? About what a funeral service? And then jump back to, okay, you answered that 23 question, now you're back here, right. 24 25 So as a citizen, and I will disclaim

that is going to help this board, but without having

3 that sometimes the questions do get re-asked because

4 they don't know and we're trying to get that

5 information.

6 OSMAN ZAMAN: Thank you. That's all I 7 wanted was the clarification.

8 CHAIRMAN TIGHE: Thank you very much.

9 OSMAN ZAMAN: I think it's hard for

10 everyone to follow.

11 CHAIRMAN TIGHE: Go ahead.

12 OSMAN ZAMAN: My time is up? I have

13 one more question.

14 CHAIRMAN TIGHE: Are you done? 15 OSMAN ZAMAN: No, I have one more

16 question.

17 CHAIRMAN TIGHE: Okay. I'm sorry.

18 OSMAN ZAMAN: That was it for that

19 question.

20 CHAIRMAN TIGHE: I'm sorry, I thought

21 you were done.

22 OSMAN ZAMAN: No, one more thing.

23 I have been following these hearings

since whenever they began, closer to the beginning 24

25 of the year, and I believe the board members are

- 1 asking people-to-park ratio. And from my own memory
- 2 and notes, and I can't quote what hearing it was,
- 3 but we did -- the applicant did provide testimony of
- 4 what the congregation currently is, and that was an
- 5 issue because it might grow. And when clients and
- 6 people to parking spots was adjusted, we're now
- 7 going back to whether it's needed or not.
- 8 So if the board can also clarify that
- 9 so that we can follow along too, because we're going
- 10 from, okay, this was your congregation number to the
- 11 applicant, and they testified to that, and what they
- 12 needed for that, and then we move to how much are
- 13 you expected to grow and make testimony on that,
- 14 which caused confusion. And now we're circling back
- to, like, wait, why are you giving us that higher
- 16 number?
- To my logic what I'm understanding is
- 18 that there is a congregation number and the first
- 19 problem was why is the building so big for that
- 20 congregation, and now it's -- because this is a
- 21 traffic hearing -- why is the building so big and
- 22 how many spots are needed for it?
- 23 But one question is leading to a
- 24 different set of plans that is leading to another
- 25 question, and then the board is circling back around
  - 143
- 1 and the public circling back around, from both
- 2 sides. I'm not singling anyone out to how these
- 3 questions are being answered.
- 4 So I just wanted to know if the
- 5 applicant or the board can be, like, this is the
- 6 number we need, and this is where it's going to go.
- 7 And if there is alternate plans needed, then is the
- 8 board willing to accept the applicant to have
- 9 different number of plans? And can the applicant
- 10 provide us with different number of plans, like, A,
- 11 B and C that would be reviewed?

- ATTORNEY SORDILLO: Initially, I'm
- 13 just going to start with a point of clarification
- 14 because this is actually technically supposed to be
- 15 questions of the applicant's witnesses that were
- 16 presented, not questions of this board.
- 17 There will be opportunity at the very
- 18 end to ask questions or comments. Generally, right
- 19 now, technically -- I'm going to address your
- 20 question, but technically it's supposed to just be
- 21 of the witnesses that were presented by the
- 22 applicant. This is not a questioning of the board.
- 23 OSMAN ZAMAN: Got it.
- 24 ATTORNEY SORDILLO: I will respond just
- 25 to that point because it is a valid point.

- 1 That is part of the issue that the
- 2 board is having as well, and even the board's
- 3 professional is trying to understand because there
- 4 has been different revisions of the plans. In fact,
- 5 the applicant acknowledges that there is a version
- 6 of the plan that the board actually doesn't have,
- 7 you know, that was dropped...
- 8 So there is a confusion and that's why
- 9 we're circling around, because the board is hearing
- 10 one testimony here, testimony there that might be
- 11 slightly different, so we're trying to figure out
- 12 the final number.
- There was some questioning of the
- 14 planner as to need versus what is being proposed
- 15 because that goes to planning justification for a
- 16 variance. That doesn't go for necessarily what is
- 17 being proposed is whether or not you should be
- 18 proposing or not. It was a question more for
- 19 planning as a justification for the variance,
- 20 whether that's good planning or bad planning in
- 21 supporting the variance.
- 22 So it's a different question than just
- 23 saying do you -- you know, you shouldn't be asking
- 24 for that type of space, that's not what was the
- 25 question.
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  OSMAN ZAMAN: No problem. Thank you.
  - 2 I'm asking for clarification for both
  - 3 sides.
  - 4 ATTORNEY SORDILLO: Right. And it is
  - 5 -- there is some confusion.
  - 6 OSMAN ZAMAN: It's confusing for here,
  - 7 as it is there.
  - 8 And I have one last question for SP
  - 9 Parking, Mr. Lieu, I believe his name is. And I
  - 10 wanted to know, you said your minimum staffing
  - 11 versus optimal staffing, they were below and
  - 12 above-ground. And we kind of understand the
  - 13 below-ground would need some kind of training to
  - 14 operate the lifts, shuttle the cars or valet the
  - 15 cars.

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- 16 But could you answer what the
- 17 above-ground is doing? And if they actually did not
- 18 exist -- to one of your questions -- would it
- 19 actually stop usage of the lifts, or could
- 20 operations still happen without the two people or
- 21 three people above-ground?
  - ATTORNEY SACHS: Got to come back up.
- 23 CHAIRMAN TIGHE: You've got to come
- 24 back up and take the mic.
- 25 And you're done with your questions,

146 right? 1 2 OSMAN ZAMAN: Yeah, this is all. 3 CHAIRMAN TIGHE: Okay, thank you. 4 PING LIEU: So I spoke to three people 5 above-ground. Generally they would be directing traffic and screening vehicles. Previously we spoke 6 of oversized vehicles parking up top, for example. 7 8 Generally I would say that we could do 9 with two; three is ideal. But, no, it would not, it 10 would not stop the operation. OSMAN ZAMAN: So those are not 11 12 required? PING LIEU: One would not -- losing 13 14 one would not be mission critical. Two would be, 15 you know, a decent number. 16 OSMAN ZAMAN: Thank you. 17 CHAIRMAN TIGHE: You and then you. UNIDENTIFIED SPEAKER: You just called 18 19 me. CHAIRMAN TIGHE: I did call on you. I 20 21 did not know she was waiting. You figure it out. Go ahead. 22 23 LISA MICHELLE: Hi. My name is Lisa 24 Michelle. I live on Main Street. 25 I'm finding a very hard time

3 as to the use of this building. There has to be 4 projections. 5 CHAIRMAN TIGHE: I believe Mr. Sachs said when he comes back that he will have a detail --6 7 LISA MICHELLE: I understand that, but people have been here -- it's now 10:15. You guys 8 9 have put in a lot of time. You guys have been here 10 all night. This is ridiculous at this point, this far into the process, nobody knows what is being 11 proposed and why. And now we're quibbling over 12 parking spots like this; we don't need a variance, 13 14 we don't need a variance. 15 Well, a 5,000-square-foot property for 16 Madison Park is sufficient for the main purpose of 17 this site, but we need a 44 [sic] square foot commercial property with underground parking that a 18 19 5,000-square-foot property would accommodate. 20 Reducing the size of this building or 21 buildings would alleviate concerns that I guess we're not allowed to address just yet. 22 23 And I think we all deserve an 24 opportunity to get an overview of this from start to 25 finish, because listening to that there might be 149

building would be used. And I don't understand how

we have gotten this far without any clear planning

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understanding how any traffic study can approve 1 increased traffic on Ernston Road in any capacity. 3 I have grown up here my entire life and 4 I think that people are putting their heads in the sand regarding the impact that the traffic will 5 have. 6 7 I also find, to the previous speaker, it is very difficult to follow all of this because 8 9 every time we come here there's something different. There is something added. So I'm not even sure 10 where we're at with this. 11 12 I don't understand why you're not 13 planning for the future. Any business plan has projections. 14

We are going through a lot of effort. You are going through a lot of effort, a lot of expense for a 44 square -- 44,000-square-foot property and we're focusing on Friday. You're not building a 44,000-square-foot property just to accommodate Friday. You're building it to accommodate seven days a week, 12 months out of the

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year.

I cannot imagine that this community center and religious site will remain empty and not 24 25 being used. There is no clarity as to how this

1 activities in the evenings, whether on the weekend

2 or during the week, I do not think -- particularly

3 when you're talking about the general purpose, the

4 inherent beneficial use and general promotion of

5 general welfare, I do not think it is in the

promotion of the general welfare or an inherently 6

7 beneficial use to impose a 44,000-square-foot

8 commercial-size site on these residents.

9 I don't care if it's a supermarket. I 10 don't care if it's a church, a synagogue, a mosque, an Amazon hub, it is inappropriate. It is a square 11 peg in a round hole. There are plenty of other 12

13 appropriate sites for that.

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ATTORNEY SORDILLO: You have not asked a question yet. This is for questions of the witnesses.

17 LISA MICHELLE: When are we going to 18 get a holistic view of what this property is being 19 planned for?

20 Any business plan has projections. They keep saying we don't know, we don't know, we 21 22 don't know. They don't need 44,000 square feet to 23 accommodate 300/400 people.

24 ATTORNEY SORDILLO: This is the time 25 for questions of the witnesses.

150 LISA MICHELLE: They're being 1 2 disingenuous about their planning and their future 3 use of the site. 4 Why are they trying to acquire 5 additional property? For future growth. ATTORNEY SORDILLO: You're out of 6 order right now. This is, once again, this is 7 questions of the witnesses. 8 9 CHAIRMAN TIGHE: Go ahead. And then 10 you. JOE KARMAZIN: Good evening. My name 11 is Joe Karmazin, 322 Ernston Road. I live across 12 13 the street. 14 I have a question for the planner 15 actually. Oh, did he step out? 16 CHAIRMAN TIGHE: No, he's here. 17 JOE KARMAZIN: I was reading through the Sayreville Municipal Land Use on Page 173, Code 18 2665 under Environmental Impact Assessment 19 Alternatives, in Section F, "A discussion of site 20 21 design and project location alternatives that were considered shall be provided. Shall indicate why an 22

How do we accommodate that? 1 2 JOHN McDONOUGH: It sounds to me like 3 what you're reading from is part of an Environmental 4 Impact Statement or a community --5 JOE KARMAZIN: Sayreville Municipal Land Use Code, yeah. 6 7 JOHN McDONOUGH: Again, this application has been deemed complete. To the extent 8 that's in there, I have given you the reason why I 9 10 don't consider alternate sites as part of my planning conclusions. 11 12 My planning analysis relates to this 13 use on this property here, and based on all of the 14 evidence in my conclusion it's not going to cause a 15 substantially adverse impact in terms of traffic, parking, circulation, environmental, and all of the 16 17 things that zoning is intended to protect. 18 This application lines up very well with the ordinance which those controls are put in 19 20 to protect the public. 21 JOE KARMAZIN: Okay. All right. I guess we're not getting answers on that because you 22 23 weren't involved with that. JOHN McDONOUGH: I wasn't involved 24 25 with site selection. 153

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ten properties to you guys, and you declined them 1 all. Now if it showed less of a negative impact, 3 you have to give a really good reason other than "we 4 just brought the property there," because I think that's what Mr. Sachs said in a previous meeting. 5 So, like, what's the reason for turning 6 down all these alternate sites that were presented? 7 JOHN McDONOUGH: First of all, I don't 8 9 know about the alternate sites, I wasn't involved. 10 JOE KARMAZIN: I thought you were the planner. 11 JOHN McDONOUGH: I am. 12 JOE KARMAZIN: Oh. 13 14 JOHN McDONOUGH: I can tell you what the law tells me in terms of that, consideration of 15

alternative was rejected if it would have less of a

negative impact than the proposed development."

It's my understanding they showed about

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denial of a variance application.

JOE KARMAZIN: Yeah, but it says that you must provide a good reason of why these were declined if it shows less of a negative impact on the community, i.e. Ernston Road, Samsel School.

They pushed the prayer times up now.
Samsel gets out half day at 1:15. And I think they

availability of alternate sites is not a reason for

24 said their second prayer service is at 1:20. So

25 half days on Fridays it's going to be gridlocked.

1 JOE KARMAZIN: Mr. Sachs, do you have

2 an answer to that?

3 ATTORNEY SACHS: I'm not testifying

4 so...

5 JOE KARMAZIN: Oh. But you give a lot

6 of testimony, okay.

7 So my next question is the hours.

8 We're going to have the hours of operation next

9 meeting?

10 ATTORNEY SACHS: Yeah. We did provide

11 hours at the April meeting, but we'll -- I know that

12 you wanted more clarity --

JOE KARMAZIN: Yeah, something, right.

14 Like you know...

15 ATTORNEY SACHS: Well the board wanted

16 more clarity as to the hours and uses of the

17 particular rooms, and we'll provide that.

JOE KARMAZIN: Okay.

Also, you didn't really touch on the weddings and funerals. I thought in the beginning of all this they said they weren't having that, and now all of a sudden they're saying they're having

23 that.

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24 ATTORNEY POHLMAN: Sir, what they had

25 testified was that ritual activity -- certainly

- funerals will occur because if you look at the plan 1 2 it provides for --3 JOE KARMAZIN: Right. ATTORNEY POHLMAN: -- I'll be polite and 4 5 say an area for the transportation of a deceased. 6 JOE KARMAZIN: Right. So what does 7 peak look like? ATTORNEY POHLMAN: And so ritual 8 funeral, ritual wedding will take place. What the 9 10 witness testified is that there will not be receptions or we might refer to as a repass or 11 activities such as that at the site. 12 And if the application were to be 13 14 granted, I believe that the applicant has already 15 represented that they would agree that that would be a condition of any application. 16 17 Is that correct, Mr. Sachs? ATTORNEY SACHS: Correct. 18 JOE KARMAZIN: Okay. I got one other 19 question. We still haven't found a good comparison 20 to other mosques around this size in New Jersey, 21 about 44,000 square feet, like Cranbury Road, or, 22 you know, like as far as their traffic patterns. 23
- 156 buses; did we land that there will be busing for 1 like maybe the children or for other people to come 3 Is there going to be buses going onto 4 that property? 6 ATTORNEY SACHS: Well children are 7 going to be transported by their parents. JOE KARMAZIN: Okay. 8 9 ATTORNEY SACHS: So that's for Sunday 10 school. 11 JOE KARMAZIN: All right. So no buses 12 then? 13 ATTORNEY SACHS: No buses for 14 children. I think we spoke about buses -- we spoke 15 about buses, perhaps if there's a need for off-site parking for Ramadan. And we'll clarify that in our 16 17 correspondence to you. CHAIRMAN TIGHE: Right. Mr. Sachs, 18 one other question, if I can butt in. 19 20 There was a mosque on Cranbury Road in 21 East Brunswick. Is that too far away? 22 ATTORNEY SACHS: No, the mosque -there's a mosque on Dunhams Corner Road in 23

East Brunswick, which we did analyze.

CHAIRMAN TIGHE: Well the one on

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operates.

1 counts from two other mosques. We did that with the understanding that the data there was going to be 3 used for establishing how many occupants are in each vehicle. So we tried to go with something in

Do we have comparison at all?

WILLIAM STIMMEL: We have submitted

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4 5 relatively close proximity. We've counted the site 6 when it was in operation. We counted the site at 7 the fire hall. We have had, to be honest with you, 8 difficulty in finding an apples-to-apples match because it's not only the size of the overall 10 building, it's providing the same amenities, being 11 along the same road, and then also demographically 12 similar to Ernston Road. 13 14 So from my analysis, and in my professional opinion, I believe the data collected 15 at the site and at the fire hall is more relevant 16 than something three towns over which is a different 17 size and on a different type of roadway and has 18 different amenities included within it. 19 So it's not -- and I had said this to 20 the board before -- it's not something where you've 21 got a million different coffee establishments and 22

you can find one that is pretty close. You know,

JOSEPH KARMAZIN: Okay. What about

here mosques are fewer and farther between.

157 Cranbury Road is rather new. It's in between the new warehouses. It's the road that goes --3 JOE KARMAZIN: Ridge Road. 4 CHAIRMAN TIGHE: Ridge Road. 5 ATTORNEY SACHS: It's not a mosque, it's a Hindu temple. 7 CHAIRMAN TIGHE: Is it? 8 ATTORNEY SACHS: Yeah. 9 CHAIRMAN TIGHE: My mistake. My mistake. 10 11 ATTORNEY SACHS: Yeah, it's at Cranbury and 522. 12 CHAIRMAN TIGHE: Is that different 13 14 uses? 15 ATTORNEY SACHS: It's a different religion. 16 CHAIRMAN TIGHE: I know it's a 17 18 different religion. 19 ATTORNEY SACHS: Yeah, it is different --CHAIRMAN TIGHE: The traffic study, 20 21 that's all I'm asking. ATTORNEY SACHS: It has different 22 23 dynamics. I don't know the particulars of how it

JOE KARMAZIN: So Ramadan is going to

- 158 be held at this site? Because you originally said 1 2 that it was going to be off-site. 3 ATTORNEY SACHS: No, we said that the holy days, which are Eid and several other days, 4 5 would be conducted off-site. 6 MEMBER OF THE AUDIENCE: No you didn't. 7 (Audience disruption.) JOE KARMAZIN: Wait, wait, stop. 8 9 Please stop. Please stop. I'm trying to talk here. 10 I just want to know like what does peak at Ramadan look like? How late does Ramadan run? 11 12 Because it operated across the street from my house and it was all hours of the night, 13 14 just so you -- and I want -- I want to ask the 15 board, am I allowed to submit photos? Because I 16 have a lot of evidence of what happened when they were operating. 17 MEMBER OF THE AUDIENCE: Illegally. 18 ATTORNEY SORDILLO: Mr. Chairman, if I 19 may. After the conclusion of their testimony -- so 20 21 when they're done, they essentially rest, for lack of better term -- then it gets opened up to public 22 comment, general comment. You're not limited to 23 just questioning testimony. You can present exhibits at that time. You have to provide copies 25
- 2 Thank you. 3 UNIDENTIFIED SPEAKER: Today I have 4 comments. CHAIRMAN TIGHE: Well come up to the mic and introduce yourself. 6 ATTORNEY SORDILLO: Wait, wait, he's 7 saying -- Mr. Chairman, he's saying he has comments, 8 not a question. So this is not a time for comments, 9 10 this is a time for questions. CHAIRMAN TIGHE: No, no. No comments, 11 12 just questions. Go ahead. MICHAEL CANN: Good evening. Michael 13 14 Cann, 12 Vincent Street, Parlin. 15 Questions for the planner. 16 I have plenty of questions for parking 17 but without the details that were supposed to be 18 produced this evening from the last evening commitment, didn't show up, I have questions 19 20 missing. 21 Are you not seeking two variances, one for 16 in the 50-foot setback, and one for a 22 23 shortage of overall parking spots? 24 JOHN MCDONOUGH: A relief for the 25 number of parking for the parking supply. 161

Just food for thought.

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159 1 to the applicant as well so they can make any objections or comments to those. 3 But, yes, at that time you can provide 4 evidence or other documentation to the board. JOE KARMAZIN: Excellent. One last 5 thing and I'll leave. I just wanted to speak to the 6 variances a little bit. 7 8 And you're talking about the one 9 variance; "we just need the one variance for 10 parking." But there also was a variance for a deceleration lane that was highly recommended by the 11 county, probably because it's going to impact 12 traffic, and that's another variance. 13 14 And there was a variance on the 15 sidewalks. And there's a variance on the height of the building. I mean how many variances, you know, 16 17

before it's too many?

WILLIAM STIMMEL: Only talking about the variance related to the deceleration lane, we had talked to the county about the possibility of providing a deceleration lane, and they didn't want it at this location.

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JOE KARMAZIN: Yeah, they said it wasn't viable because we didn't have the space to open the street, but they proposed it originally.

1 And what was the second one? 2 MICHAEL CANN: Setback; parking in the 3 setback. 4 JOHN MCDONOUGH: Parking in the front, 5 yes. MICHAEL CANN: Correct. So is that 6 7 not two, two variances, or one? 8 JOHN MCDONOUGH: I would have to go 9 back and check if the parking location was a design 10 exception. It might have been called out in the engineer's report as a design -- variances and 11 design exceptions are two different things. The 12 13 variance has a stricter test. 14 MICHAEL CANN: If the variance, I'm assuming -- I'm using the word "variance," so I 15 could be wrong -- for the 16 spots on Ernston Road 16

less parking spots on the property?
 JOHN MCDONOUGH: If the variance
 for...
 MICHAEL CANN: I'm sorry, there are 16
 less. There are 29 on the surface lot.
 JOHN MCDONOUGH: If the variance for,
 or the relief, I'll say, for parking location, yes,

there would be fewer on-site parking, yes.

setback is not granted you agree that there's 29

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162 MICHAEL CANN: What is the planned 1 2 life of this project? How long is this building, 3 mosque, masjid going to be there? JOHN MCDONOUGH: I don't know. I'm 4 5 not an architect. It looks pretty solid to me. 6 MICHAEL CANN: When does your responsibility end? 7 JOHN MCDONOUGH: Probably never. 8 MICHAEL CANN: Okay. If this 9 10 application was approved, when would the building open? 11 JOHN MCDONOUGH: I don't know. 12 MICHAEL CANN: Laws changing, 13 14 project's future planning. We have a new law coming 15 into effect in 2027 for the sale of electric vehicles, zero-emission vehicles. 16 17 Whose commitment is it to park oversized and electric vehicles on the ground lot; 18 is that by code or is that by preference? 19 20 JOHN McDONOUGH: And I'm sure I'll be corrected if I'm wrong, but we have state 21 regulations with respect to EV, electric vehicle, 22 parking. And this application is not asking for any 23 relief in that regard. 24 25 MICHAEL CANN: So for overall 163 population of vehicles coming to this, we can't 1

MICHAEL CANN: I can't project the 1 2 future either but can go by the mandates in state 3 law that there will be no internal combustible 4 engines sold in New Jersey in 2035, which begins in 5 two years, that we don't have sufficient parking on 6 29 parking spots just to fulfill the obligation 7 either 151 or 196. ATTORNEY SORDILLO: Mr. Chairman, 8 these are questions of this witness but based on 9 10 their testimony. I don't think they can answer any questions that are outside of what they've testified 11 12 before this board. 13 MICHAEL CANN: So is that the traffic 14 engineer? 15 ATTORNEY SORDILLO: Well, it's a traffic question, but I don't think it's -- it's 16 17 just lot of speculation about future laws and requirements that this applicant may not even be 18 required to because they may be grandfathered in 19 20 because they already have their approval. 21 So I was letting you go forward with 22 the question, I wasn't interrupting you before, but I think it's kind of going down a line that it's 23 just a little bit too speculative to really 24 25 entertain. 165

discuss parking, that has been ad infinitum.

3 Without square footage being documented, there's no

- 4 math calculations that can take place to have an
- educated conversation regarding that, so I'll leave 5
- that alone. 6

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7 However, in model year 2027, which starts in 2026, Advanced Clean Car Number 2 is the 8 9 law in New Jersey which mandates 37 percent of all

10 light vehicles sold in New Jersey be electric, which

escalates to 100 percent in 2035. 11

How do you plan to use 29 parking spots on the surface to answer any of the responsibilities of the overall parking of either 151 or 196 or 367 or 418 that's yet to be documented?

JOHN McDONOUGH: I'll give you the 16 planning answer. There's probably a traffic answer; 17

18 I see Bill writing your numbers down over there.

The applicant has provided a plan based 20 on what it believes the actual supply, the actual demand will be for this site now and in the future, now and in the foreseeable future. If that changes 22 going forward I'm sure this applicant will be back 23

in front of this board for some form of an amended 24

25 site plan. MICHAEL CANN: It's a law. It's been

2 enacted. It's going -- it is in effect, and if you

3 -- I left it over there with the code numbers; I can

4 gladly submit it.

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5 It's a law and it's in effect. It's

not speculation, it's in effect.

7 ATTORNEY SORDILLO: No, it's

8 speculation as to how it may have to be -- the site

would have to be designed for planning purposes for

10 that. That's my point, not that the law was

speculative. 11

MICHAEL CANN: Okay.

CHAIRMAN TIGHE: That's it?

MICHAEL CANN: No. I have... 14

CHAIRMAN TIGHE: Okay.

MICHAEL CANN: Parking. Parking queue

we had. I don't know if that's you or the traffic 17

18 engineer.

19 JOHN MCDONOUGH: We'll see.

20 MICHAEL CANN: 25 vehicles parked in a

queue on a drawing that we don't have. The drawings 21

I have from February submittals are clearly 22

23 indicated as a flow.

24 What it sounds like to me what is being

25 testified is queue for parking is on C-09 clearly

166 identified as fire truck access. I don't see a dual 1 2 purpose area sufficient for both. 3 Which one is it; is it parking queue or is it fire truck access? 4 5 ATTORNEY SACHS: Chairman, I can respond to that. We'll provide -- we've already 6 7 indicated we're going to provide a separate exhibit which will delineate the queue. I believe we 8 already provided a fire truck template, if I'm not 9 10 mistaken. MICHAEL CANN: C-O9 but it did not 11 have an overlay of parking queue on it. 12 Is it your intention to add sidewalk as 13 14 requested by Middlesex County from Ernston Road to 15 the front of the facility? JOHN McDONOUGH: I don't know that. I 16 17 didn't testify to sidewalks. ATTORNEY SACHS: Mr. Stimmel, do you 18 want to answer that? 19 20 WILLIAM STIMMEL: Yeah, I thought the request for the sidewalk from Ernston Road to the 21 front of the building was a comment from 22 Mr. Cornell, or possibly Mr. Fishinger as well. The 23 applicant is open to providing that sidewalk subject 25 to the approval from the county.

landscaping. We've sacrificed the internal parking 1 2 landscaping in favor of having a better frame around 3 the development. 4 MICHAEL CANN: Parking queue and the 5 operation interaction with the parking surface 6 provider; where do people wait for their cars? 7 And are there sidewalks to get them 8 from the building to their cars or are they walking 9 through traffic? 10 WILLIAM STIMMEL: I believe testimony to that issue was provided by the representative 11 from the valet operator. And I don't want to step 12 on what they said, so I would have to defer to them. 13 14 I did not speak about it. 15 MICHAEL CANN: They deferred to a future drawing depicting cars parked along the front 16 17 of the building. That was not provided for this evening. So it's another open-ended requirement or 18 request then. 19 20 WILLIAM STIMMEL: I don't think that was requested for this meeting, but the applicant 21 22 has said that they would provide a queuing exhibit. 23 I did a quick sketch and there is no rigorous engineering. I took a scale and measured 24 25 20-foot lengths to show the position of cars, but 169

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MICHAEL CANN: 1124 Middlesex County, 1 2 Page 2, Number 18. County's Vision Action Plan 3 clearly asked for it. 4 WILLIAM STIMMEL: So the applicant is open to providing that sidewalk if the county is 5 okay with it. 6 7 ATTORNEY SACHS: Will that reduce the amount of parking on the ground-level? 8 9 WILLIAM STIMMEL: That would require a revision to the plan. I can't tell you that on the 10 fly. 11 12 MICHAEL CANN: Do you intend to create 13 the -- change the head-to-head parking to what is requested and specified by the township ordinance? 14 15 WILLIAM STIMMEL: I'm not following 16 you. MICHAEL CANN: For the detail, I 17 believe there's no head-to-head parking. I believe 18 there's supposed to be an island between parking. 19 JOHN MCDONOUGH: It's probably me. 20 So is the question why are there no 21 22 islands?

MICHAEL CANN: Correct.

maximize the perimeter grading, the perimeter

JOHN MCDONOUGH: To optimize and

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1 it's just a quick --

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MICHAEL CANN: I didn't question your 3 25 queue. I questioned the access to the cars 4 parked in the queue.

WILLIAM STIMMEL: I mean, I'm not sure what the issue is; it looks like there's sidewalk all along the front of the building adjacent to the area where the cars would be queued.

9 Where the queue wraps around along the westerly edge of the property, the people would walk 10 alongside the parking stalls to get to the front of 11 the building. 12 13

Depending on the revision to the plan that shows the location of the sidewalk between Ernston Road and the front of the building, they may be able to use that sidewalk as well.

MICHAEL CANN: If you have sufficient parking spaces for the attendees of the services, where is the float between the two services, where are they to wait when the parking lot is full, where is the gueue between the two services going to be? They testified last time, September, that it would be first in/first out and it was the intention of the operator to actually preload the cars out in front of the building is what I derived

1 from the testimony.

What happens to the ones coming in?

3 WILLIAM STIMMEL: The proposal is to

- 4 have the two services separated by an hour. The
- 5 first service will end; an hour later the second
- 6 service will begin. And the first half hour of that
- 7 period the cars from the service will leave the
- 8 site, and the second half hour of that one hour
- 9 break the cars for the second service will come into
- 10 the property.

Based on the counts that have been done

12 at the fire hall about two-thirds of the people

13 coming to the property would be going to the first

14 service. So we do not anticipate that the lifts

would be needed for the second service, so it does

16 simplify the operation for the second service a

17 little bit.

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18 MICHAEL CANN: Except if the first

19 cars are up in the air and the second service is

20 parked under them, how does the first service get

21 down? So then they become inoperable and non-value

22 added for the second session if the first session is

23 full on the bottom.

WILLIAM STIMMEL: I don't think that's

25 how it's going to operate. I think the cars are

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- 1 going to have to go on the lifts first for the first
- 2 service and then park underneath.
- 3 MICHAEL CANN: So then when the first
- 4 people come out, first service attendees leave and
- 5 the second service people is parked beneath them,
- 6 how does the lift come down on top of that car?

7 WILLIAM STIMMEL: There's going to be

8 an hour gap. All the cars, except for employees,

are going to leave the site between services. The

10 cars for the second service are going to come in, so

11 the lifts will be unloaded.

MICHAEL CANN: There was testimony

13 that if the parking lot was full asked to go home

14 and circle back and come later on.

If there's 25 queue available and the

16 street is full, the parking lot queue is full and

17 the police officers direct them somewhere else and

18 they decide to go home, and they know that the

19 service will be done in one hour and they have an

20 hour break. They will come back in addition to the

21 people who were intending to come to the second

 $\,$  22  $\,$  service. Do you not see an overload on the second

23 service coming in at the time as well?

24 WILLIAM STIMMEL: I don't follow your

25 question. I feel like I've answered it three times.

1 I must be missing what you're trying to tell me.

2 I don't foresee an issue between the

3 cars leaving first service and cars coming into the

4 second service.

5 MICHAEL CANN: Testimony was given

6 anywhere between two and a half to four minutes per

7 car.

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8 WILLIAM STIMMEL: No, no.

9 MICHAEL CANN: Yes.

10 WILLIAM STIMMEL: It was about

11 90 seconds per car was the testimony.

MICHAEL CANN: Okay. So 121 parking

13 spots available under the deck, divided by

14 90 seconds -- multiplied by 90 seconds.

WILLIAM STIMMEL: Divided by the number

16 of different teams that are bringing cars in and out

17 of the garage. Think about it this way, if it takes

18 five minutes to get through the checkout at ShopRite

19 you don't have 100 people waiting in line for five

20 minutes to get out, you have multiple checkout lanes

21 open.

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22 You don't quite have the same

23 situation, but you are processing the same multiple

24 channels here because you have multiple teams

25 bringing cars in and out of the parking garage.

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MICHAEL CANN: Do you not have one

2 delegated exit on the holidays, the high-volume? I

3 thought you were closing one and making a single

4 entrance and a single exit.

5 WILLIAM STIMMEL: The single entrance

for the first period when the lifts are in use and

7 queues are wrapping around in that area, but there's

8 not going to be cars exiting at that time.

At the end of the service the cars are

10 going to be able to use both exits. And we are not

11 anticipating that they will need the lifts for the

12 second service.

13 MICHAEL CANN: Okay, that's your

14 testimony. I would beg to differ but we'll leave it

15 at that, I don't want to take up...

Thank you very much.

17 CHAIRMAN TIGHE: Remember, it's ten

18 of.

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19 CAROL ESPOSITO: Carol Esposito, 6

20 Villanova Road, Parlin.

My question was about the police, so

22 I'm not sure who answers that.

23 Are you hiring police to direct the

24 traffic or is it all auxiliary?

25 WILLIAM STIMMEL: Police traffic

174 directors. Uniform police traffic directors. 1 2 CAROL ESPOSITO: Is there a signed agreement with the Sayreville police department? 3 ATTORNEY SACHS: There will be. And 4 5 there will be a condition if, in fact, this application is acted favorably, that that would be 6 7 the case. CAROL ESPOSITO: So at this time 8 there's not a signed agreement, right? 9 10 ATTORNEY SACHS: No. CAROL ESPOSITO: Will the police have 11 their lights on while they're doing the traffic? 12 ATTORNEY SACHS: I don't know what 13 14 police protocol is. If it requires them to have lights on, they certainly would have them on. 15 CAROL ESPOSITO: Okay, when the 16 traffic study was discussed, was Old Bridge Glenwood 17 Green considered? 18 That development will have thousands of 19 homes and development's already in process and that 20 development connects -- will be connecting to Water 21 Works Road and Cheesequake Road. Was that 22 development considered? 23 WILLIAM STIMMEL: As we discussed, we 24 25 contacted both Old Bridge and Sayreville zoning

was the question that you asked the Sayreville or 1 2 the Old Bridge Planning Board about what projects? 3 Were you asking what projects are being 4 built on Ernston Road, or a five-mile radius? WILLIAM STIMMEL: I called the zoning 5 6 board official in Sayreville, and I called the 7 zoning board official in Old Bridge. I told them I was doing a traffic study for the proposed mosque at 8 9 216 Ernston Road, and asked if there were any other 10 traffic studies for other projects in planning or in construction that I should include in my analysis, 11 and they said no. 12 13 CAROL ESPOSITO: So you didn't ask 14 about like a certain mile radius, any projects that 15 were -- right? 16 WILLIAM STIMMEL: Any, any projects 17 that I should consider. CAROL ESPOSITO: Okay. So then when 18 the traffic counts were done at the Madison Park 19 20 Firehouse, were the cars that park in the Madison Park neighborhood counted? 21

WILLIAM STIMMEL: We were specifically

CAROL ESPOSITO: So cars that park in

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counting the driveway, the parking lots adjacent to

the Madison Park Firehouse.

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officials, and they both told us that there were no projects in planning or in construction which should 3 be factored into our traffic study. We do account -- we did look at the 4 Arsenal study which was provided. Mr. Cornell is 5 going to provide two additional studies which we'll 6 7 take a look at, but did not specifically include 8 those or any other studies of other developments in 9 our analysis. We did include a background growth rate 10 which increases the traffic volumes by 2.75 percent 11 annually over what's there now. So over 2 years 12 it's 5.58 percent, if I remember my math correctly. 13 14 So we did increase the traffic in the area by 5.58 percent, and that's how we accounted 15 for background traffic growth. 16 CAROL ESPOSITO: Okay. So what is 17 really unique about this project, though, is you're 18

bordering two towns. You're on the edge of

what that is -- that's part of Sayreville.

Sayreville, you're on the edge of Old Bridge. So

some of these projects are part of Old Bridge that

are not -- like the Arsenal, which I'm not even sure

What was the -- let me ask that as a question. What

So I'm not sure what the question was.

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the neighborhood were not counted? 1 WILLIAM STIMMEL: There was not a 2 3 count done of cars parked in the neighborhood, no. 4 CAROL ESPOSITO: Okay. And then I'm 5 not sure if this is part of it as well but to clarify the use, that it has been discussed that nothing was going to be happening in the afternoon 8 rush hour. However, in April Mr. Sachs testified that there's school activities and after-school activity for prayer -- for prayer study for children 10 that occurs 5 to 6:00 p.m. on Monday through 11 12 Thursday. So can somebody just clarify how 5:00 13 14 to 6:00 p.m. is not part of rush hour traffic? 15 WILLIAM STIMMEL: My understanding is

day, and those can overlap with morning and evening 19 20 peak hours or peak periods, so 7:00 to 9:00 in the morning, 4:00 to 6:00 in the afternoon. 21 22 Those are much smaller than the Friday 23

that the daily prayers, which occur and I'm the last

person to speak about the religious aspect of it, ut

there's daily prayers that occur multiple times a

prayer services, which are the focus of the traffic 24 study. It's something like a third or probably less the amount of traffic. 25

178 So aside from that, there's no other IMTIAZ SIAMWALLA: There is no 1 1 activities occurring during those peak hours. 2 question but it will give clarity to the board, CAROL ESPOSITO: Okay, but that's not 3 basically. 3 what Mr. Sachs said. And that's also not what's 4 4 5 advertised through the mosque. 5 6 6 Last question. Is there anybody that can actually explain the valet process; so if I pull 7 7 up to check in my car, I leave my car. There's Last one. 8 8 9 9 three people up on the surface directing traffic. 10 There's seven people underneath doing whatever. How 10 does my car get underground? 11 11 12 When the guy comes up, is he running up 12 13 13 the street? 14 Like how long does it take for him to 14 15 come up and get the next car? 15 16 Can somebody actually explain that 16 17 17 process? WILLIAM STIMMEL: There was extensive 18 18 testimony provided regarding the valet operation at 19 19 the last meeting and there was an opportunity to ask 20 20 21 questions then. 21 I am not the valet expert, I'm the 22 trucks. 22 traffic engineer, so I can't answer that for you. 23 23 24 CAROL ESPOSITO: All right, thank you. 24 25 CHAIRMAN TIGHE: All right, we have 25 179 1 time for one more. 1

ATTORNEY SORDILLO: That comes at the end, when the public comment comes in. IMTIAZ SIAMWALLA: Okay, thank you. CHAIRMAN TIGHE: All right, go ahead. JENNIFER EDWARDS: It's kind of quick. Jennifer Edwards, 10 Vincent Street, Parlin. Okay, so just to follow up on the question that was asked, last meeting there was extensive testimony given about the valet parking. And during that testimony it was discussed that vehicles over 6,000 pounds would not be allowed on the lifts, and also electric vehicles would not be allowed under the building. My question is currently, currently -so this is not future, this is not speculation, but currently -- seven of the ten best-selling vehicles as of last year, 2023, are electric vehicles or How do you anticipate covering the need for parking with that in mind? Because if electric vehicles cannot go under the building, and trucks 181

2 IMTIAZ SIAMWALLA: Good evening. My

name is Imtiaz Siamwalla. I-M-T-I-A-Z, last name, 3

S-I-A-M-W-A-L-L-A. I'm from 8505 Hana Road in 4

5 Edison.

6 So since we're only talking about 7

traffic regulations I will just address those and

leave everything else that I had in mind. 8

9 ATTORNEY SORDILLO: Well, let me just

clarify. We're not talking about -- this is 10

questions of the witnesses. So if you have a 11

statement or something, that is not for tonight; 12

it's just questions of their witnesses relating 13

to those. 14

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IMTIAZ SIAMWALLA: So let me just -- I

think the board had a question in reference to 16

17 parking of a hearse, so that is what I would like to

talk about. 18

And the reason I think I can talk about --

CHAIRMAN TIGHE: You have to ask a

question. We don't want to hear you talking about 21

something. Either you have a question or you have a 22

comment. 23

And what we are getting at at this late 24

25 hour, do you have a question before this board? cannot go on the lifts, potentially can't fit under

2 the lifts.

3 WILLIAM STIMMEL: I don't have any

4 information -- sorry, microphone.

5 I don't have any information on the

number of electric vehicles and trucks currently 6

7 among the top ten selling vehicles.

What I can tell you is that the 8

intention is to have the larger vehicles, handicap

10 vehicles park on the surface area.

I don't recall the comment about 11

12 electric vehicles, but the site is designed to

13 accommodate the volume of traffic we're anticipating

14 to accommodate the amount of parking.

We did not look at the constitution of

16 the vehicles as the services currently exist at the

17 fire hall and I don't know that there is, you know,

18 any requirement. I think it's out of abundance of

caution that the applicant is saying that the 19

electric vehicles will be parked outside. 20

JENNIFER EDWARDS: Don't we still have

the parking guy here? Because he's the one that 22

said it. 23

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24 Can't we call him back up to answer the

25 question?

ATTORNEY SACHS: Mr. Chairman, I think 1 2 we went through this at the last hearing. I mean, 3 and obviously our test --JENNIFER EDWARDS: We didn't all get a 4 5 chance to ask our questions last time so. 6 ATTORNEY SACHS: What is your specific question? He's certainly here, but what is your 7 question? Because if it was addressed at the last 8 9 hearing, I don't think there's a need to rehash it. 10 My recollection of his testimony is that electric vehicles would be parked outside, and 11 larger vehicles would be parked outside as well. 12 JENNIFER EDWARDS: So I guess my 13 14 question is then if 70 percent of the new cars being 15 sold are not going to work with lifts or potentially be parked underground, how are the 45 total -- or 16 43, I don't know exactly what the number is -- spots 17 outside going to accommodate the need for parking 18 we're going to have? 19 20 And again, the ten-year plan, how is 21 that going to be accommodated? ATTORNEY SACHS: I'm not sure that's 22 something the valet can answer. 23 24 Secondly, Mr. Chairman, I don't know --25 (Audience disruption.)

year. There were, from my recollection, five or six 1 2 Fridays where there was no school from the September 3 to June school year, and then the entire summer 4 they're off. 5 So will it occur on occasion? Yes. Is it a significant issue? No. It's going to be far 6 7 outweighed by the number of Fridays when there's no 8 school at all. 9 JENNIFER EDWARDS: Understood that 10 it's not going to be a common occurrence, but it is very, very bad at 1:00 p.m. on those early dismissal 11 12 davs. 13 Last question, if police are directing 14 traffic, where are they going to park their car; we 15 have a one-lane-in-each-direction road, and where is 16 their car going to be going? 17 WILLIAM STIMMEL: I'm sure they will find a place. I'm completely confident of that. 18 JENNIFER EDWARDS: I'm sure they will, 19 yes. Thank you. 20 21 CHAIRMAN TIGHE: Thank you. 22 All right, and that ends tonight. Do 23 you have anything, Larry? 24 ATTORNEY SACHS: No, Mr. Chairman. I 25 think we probably just need to set a date for the

183 ATTORNEY SACHS: Excuse me again. Can 1 2 I... 3 CHAIRMAN TIGHE: Go ahead, finish, 4 please. 5 ATTORNEY SACHS: Okay, thank you. I don't think this board can take 6 judicial notice of anything regarding what the 7 top 7 10 -- 7 out of the top 10 vehicles are. 8 9 Our testimony was that electric vehicles will be parked outside, and that the larger 10 vehicles will not be on top of the lift. I mean 11 12 so... JENNIFER EDWARDS: So my question is 13 14 whether or not those 45 spots are going to be 15 sufficient in any way. 16 Additional question, just for the 17 traffic person, so Samsel Upper Elementary School, early dismissal is 1:00 p.m. and elementary schools 18 are let out at 1:45, which both fall into the window 19 20 between 1 and 2:00 p.m.

Has it ever been considered to do a

WILLIAM STIMMEL: No. The school is

traffic study that includes early dismissal?

scheduled at -- the Samsel school is scheduled to

have two early dismissals on Friday this school

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185 1 next hearing. 2 CHAIRMAN TIGHE: All right. At that, 3 the next open meeting that we have is November 6th. Would you -- no? 4 5 ATTORNEY SACHS: No. I think we -- I think I may have discussed with Beth the meeting 7 after that would be December 4th. 8 SECRETARY MAGNANI: December 4th. 9 CHAIRMAN TIGHE: All right. I have a 10 personal problem with December 4th; I get my knee operated on on that day. I have no problem giving 11 it to the vice-chair, I just want everybody to know 12 that if we have it on December 4th, you won't see me 13 14 here, okay. 15 And if it goes on to anywhere else, I mean, if I could hook up to these guys I will during 16 17 the course of that meeting, but this is an operation that I put off for two years, it just happens to be 18 that day so. 19 20 ATTORNEY SACHS: Okay. We understand, 21 Mr. Chairman. 22 CHAIRMAN TIGHE: All right, what is our pleasure? I can make the 15th of January, if 23

ATTORNEY SACHS: Is there another

I've got to crawl up here.

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meeting in December? SECRETARY MAGNANI: No. ATTORNEY SACHS: That's it, okay. Mr. Chairman, why don't we list it now for December 4th, then if there's an issue --CHAIRMAN TIGHE: I have no problem with that. I just want to be up front with everybody. I mean, I have sat here as long as --and I don't want to go through this but --ATTORNEY SACHS: I know you have. CHAIRMAN TIGHE: -- the next operation isn't until the end of February and that messes up spring golf, so that's not happening. ATTORNEY SORDILLO: So I think, from what we're hearing is we're going to -- the public hearing is going to be carried to the December 4th, 2024 planning board meeting. If there is a reason that we need to adjourn it further, then either at that meeting notice would be provided to the public that it is being carried further. If that meeting doesn't go forward for whatever reason, then they would have to be 

renoticing for the next public meeting.

But as of right now the public hearing

on this application is being carried to the December 4th hearing -- I'm sorry, planning board meeting. No further public notice is required. ATTORNEY SACHS: Thank you. MEMBER OF THE AUDIENCE: What time? ATTORNEY SORDILLO: Same time. It will still be at 7:30, and it will be at this location. (Whereupon, the application was adjourned at 11:05 p.m.) 

CERTIFICATE

Agela C. Suorantuono

I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that prior to the commencement, the witnesses were duly sworn to testify the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the proceeding as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative, nor employee, nor attorney, nor counsel of any of the parties to this action, and that I am neither a relative, nor employee of such attorney or counsel, and that I am not financially interested in the action.

22 Angela C. Buonantuono, CCR, RPR, CLR
NJ License No. 30XI00233100

24 Notary Public Commission No. 50014616

				<u>.                                      </u>
	<b>12:45</b> [1] - 12:22	2	39:17, 39:21,	<b>444.04</b> [2] - 1:5, 87:9
	<b>12:50</b> [2] <b>-</b> 9:23, 56:16	2	183:20	<b>45</b> [7] - 10:19, 17:6,
<b>'22</b> [4] - 15:5, 44:7,	<b>13,000</b> [1] - 77:5	<b>2</b> [16] - 11:14, 11:15,	<b>2:10</b> [2] - 9:23, 56:16	31:7, 53:7, 121:20,
50:10, 65:20		14:23, 19:10,	2nd [1] - 9:3	182:16, 183:14
<b>'24</b> [3] - 19:5, 29:22,	<b>132</b> [1] - 12:21	22:14, 38:2, 38:4,	211 <b>u</b> [1] - 9.5	<b>450</b> [4] - 119:6,
50:5	<b>138</b> [1] - 5:4	40:4, 50:16, 52:7,	2	
	<b>14</b> [1] - 45:14	77:24, 117:2,	3	121:17, 123:8,
0	<b>145</b> [2] - 13:15, 41:2	128:5, 163:8,	<b>3</b> [7] - 10:24, 39:14,	129:6
	<b>146</b> [1] <b>-</b> 5:5	167:2, 175:12	53:18, 90:4,	<b>451</b> [1] - 120:19
<b>08535</b> [1] - 1:24	<b>15</b> [2] <b>-</b> 46:13, 46:22	<b>2,500</b> [1] - 42:12	120:14, 120:22,	<b>454</b> [16] <b>-</b> 105:18,
<b>08816</b> [1] - 3:4	<b>150</b> [5] - 5:6, 48:10,	<b>2.75</b> [3] - 14:19,	128:6	106:9, 106:14,
<b>08872</b> [1] - 1:9	48:15, 52:21,	40:14, 175:11	<b>30</b> [19] - 31:7, 31:9,	107:10, 114:9,
	121:19	<b>20</b> [1] - 72:11	31:10, 33:8, 34:13,	115:6, 117:4,
1	<b>151</b> [13] - 17:1, 92:4,	<b>20-foot</b> [1] - 168:25	58:3, 60:25, 66:2,	118:17, 119:1,
<b>1</b> [8] - 20:17, 39:17,	92:8, 96:24, 97:2,	<b>20-minute</b> [2] - 38:13,	124:17, 124:20,	119:7, 120:23,
39:21, 40:4, 40:13,	102:9, 104:24,		125:18, 126:1,	121:7, 121:13,
76:24, 90:4, 183:20	105:9, 106:15,	38:16	130:1, 130:2,	121:16, 123:7,
<b>1,000</b> [1] - 105:2	116:4, 117:2,	<b>2013</b> [1] - 97:23	130:22, 131:8,	137:6
	163:14, 164:7	<b>2022</b> [1] - 33:23	131:9, 131:14,	<b>4:00</b> [3] - 11:7, 23:10,
<b>1,168</b> [1] - 20:22	151-space [2] -	<b>2023</b> [3] - 11:20,	131:24	177:21
<b>1,294</b> [1] - 20:24	92:16, 107:20	97:21, 180:21	<b>30-space</b> [1] - 104:17	<b>4th</b> [7] - 185:7, 185:8,
<b>1,406</b> [1] - 20:25	<b>15th</b> [1] - 185:23	<b>2024</b> [15] <b>-</b> 1:11, 9:3,	• • •	185:10, 185:13,
<b>1,632</b> [1] - 105:4	<b>16</b> [5] - 1:11, 42:13,	11:6, 11:11, 11:18,	<b>300</b> [6] - 34:25, 36:9,	186:5, 186:16,
<b>1.3</b> [1] - 103:19	160:22, 161:16,	16:13, 16:16,	112:16, 114:2,	187:2
<b>1.38</b> [10] <b>-</b> 41:13,		20:19, 50:13,	115:8, 121:16	
55:1, 55:8, 55:23,	161:21	64:22, 65:22,	300-something [1] -	5
97:5, 101:15,	<b>160</b> [1] - 5:7	102:4, 117:19,	35:19	
102:24, 118:16,	<b>161</b> [1] - 107:22	133:10, 186:17	<b>300/400</b> [1] - 149:23	<b>5</b> [5] - 14:24, 40:18,
136:24, 137:10	<b>166</b> [14] <b>-</b> 10:16,	<b>2026</b> [1] - 163:8	30XI00233100 [2] -	56:9, 122:2, 177:11
<b>1.8</b> [1] - 55:23	10:23, 16:20, 50:6,	<b>2027</b> [2] - 162:15,	2:24, 188:23	5,000-square-foot [2]
<b>1.82</b> [2] - 41:17, 42:15	53:6, 92:3, 92:8,	163:7	<b>31,000</b> [1] - 77:11	- 148:15, 148:19
<b>1.88</b> [2] - 41:17, 42:15	97:2, 97:6, 104:16,	<b>2035</b> [2] - 163:11,	<b>32</b> [1] - 53:10	<b>5.58</b> [4] - 14:21,
<b>10</b> [8] - 5:10, 13:15,	116:5, 117:12,	164:4	<b>322</b> [2] - 5:6, 150:12	40:15, 175:13,
41:7, 43:21, 138:1,	131:25, 133:8	<b>21</b> [1] - 62:22	<b>33</b> [1] - 123:10	175:15
180:10, 183:8	<b>173</b> [2] - 5:8, 150:18	<b>21,000</b> [1] - 77:10	<b>330</b> [8] - 114:3, 115:8,	<b>50</b> [6] - 42:7, 49:1,
<b>100</b> [4] - 42:6, 74:11,	<b>178</b> [1] <b>-</b> 5:9	<b>211</b> [5] - 34:12, 34:14,	120:14, 120:22,	74:11, 121:20,
163:11, 172:19	17th [4] - 11:6, 11:11,		121:16, 123:6,	121:21, 121:23
<b>109</b> [4] - 10:21, 63:7,	20:19, 64:21	35:6, 35:10, 35:16	123:9	<b>50-foot</b> [1] - 160:22
127:23, 128:7	<b>18</b> [2] - 72:11, 167:2	211-space [2] -	<b>340</b> [3] - 56:3, 102:6	<b>500</b> [1] - 112:16
	<b>18,000</b> [1] - 42:5	35:24, 36:1	<b>35</b> [2] - 105:3, 105:9	<b>50014616</b> [1] - 188:24
<b>10:15</b> [1] - 148:8	<b>180</b> [1] - 5:10	<b>212-216</b> [1] - 1:5	<b>367</b> [1] - 163:14	<b>522</b> [1] - 157:12
<b>10:30</b> [1] - 80:11	<b>188</b> [1] - 50:14	<b>216</b> [4] - 13:5, 32:16,		
<b>11</b> [2] - 44:4, 138:1	<b>18th</b> [4] - 7:11, 7:20,	38:9, 176:9	<b>37</b> [1] - 163:9	<b>57</b> [7] - 10:18, 10:22,
<b>110</b> [1] - 12:21	11:20, 86:13	<b>23</b> [2] <b>-</b> 1:5, 87:9	<b>377</b> [1] - 49:20	30:14, 62:22, 63:4,
<b>1124</b> [1] - 167:1	<b>190</b> [2] - 32:18, 50:10	<b>23,000</b> [2] - 77:5, 77:8		63:9, 63:11
<b>114</b> [1] - 102:7		<b>230</b> [1] - 114:5	4	<b>5:00</b> [1] - 177:13
<b>11:05</b> [1] <b>-</b> 187:11	<b>194</b> [1] - 12:6	<b>24</b> [3] - 1:5, 52:23,	<b>4</b> [8] - 4:19, 11:22,	1
<b>11th</b> [9] - 16:13,	<b>196</b> [15] - 16:18,	87:9	12:1, 40:10, 53:20,	6
16:16, 19:5, 29:22,	30:22, 31:1, 31:15,	24-hour [1] - 11:8	56:8, 86:25, 105:4	<b>6</b> [9] - 5:8, 15:6,
50:5, 73:11, 73:12,	49:25, 50:6, 50:23,	24th [2] - 11:11,	<b>4.5</b> [1] - 105:2	16:11, 40:24, 52:8,
102:4, 133:10	102:15, 104:17,	20:19	<b>40</b> [3] - 58:4, 88:19,	57:8, 63:20, 78:11,
<b>12</b> [6] <b>-</b> 5:7, 12:1,	104:20, 105:10,	<b>25</b> [21] - 1:5, 17:13,	121:23	173:19
53:9, 53:14,	116:11, 116:19,	30:3, 30:11, 46:22,	<b>40:55D-2</b> [2] - 93:6,	<b>6,000</b> [2] - 67:6,
147:21, 160:14	163:14, 164:7	46:23, 47:6, 59:10,	94:20	180:15
<b>12,000</b> [1] - 67:7	196-parking-space	60:9, 60:25, 71:17,	<b>418</b> [3] - 5:4, 138:18,	<b>60</b> [3] - 46:19, 46:21,
<b>12-to-4</b> [1] - 38:15	[1] - 31:11	71:21, 72:1, 72:4,	163:15	49:1
<b>120</b> [2] - 10:15, 123:9	<b>1:00</b> [3] - 11:18,	72:15, 87:9, 122:7,		<b>613-1441</b> [1] - 3:5
<b>121</b> [12] - 10:17,	183:18, 184:11	122:8, 165:20,	<b>423</b> [1] - 1:9	<b>66</b> [1] - 21:14
10:18, 13:16, 17:5,	<b>1:10</b> [1] - 39:25	169:3, 171:15	<b>43</b> [1] - 182:17	<b>6:00</b> [5] - 23:11,
41:3, 52:15, 117:9,	<b>1:15</b> [1] - 151:23	<b>25-vehicle</b> [1] - 30:16	<b>44</b> [2] - 147:17,	
117:17, 117:22,	<b>1:20</b> [1] - 151:24	<b>26</b> [2] - 1:23, 87:9	148:17	111:18, 177:11,
118:15, 130:24,	<b>1:30</b> [1] - 11:21	<b>2665</b> [1] - 150:19	<b>44,000</b> [2] - 149:22,	177:14, 177:21
172:12	<b>1:45</b> [2] - 12:22,		154:22	<b>6th</b> [2] - 63:21, 185:3
<b>172.12 12:10</b> [3] <b>-</b> 39:25,	183:19	<b>28</b> [1] - 1:5	44,000-square-foot	_
	<b>1:50</b> [2] - 9:23, 56:16	<b>29</b> [4] - 161:17,	[4] - 36:21, 147:17,	7
111:11, 132:3	1st [1] - 11:18	161:22, 163:12,	147:19, 149:7	<b>7</b> [7] - 15:11, 24:1,
<b>12:30</b> [3] - 9:23,		164:6	44,391-square-foot	41:20, 56:8, 81:5,
11:21, 56:16		<b>2:00</b> [4] - 11:19,	[1] - 88:18	· · ·
	1	1	1	1

183:7, 183:8
70 [1] - 182:14
703-square-foot [1] 105:3
732 [1] - 3:5
732)882-3590 [1] 1:24
7:00 [2] - 23:10,
177:20
7:30 [2] - 1:12, 187:7

# 8

8 [5] - 4:4, 15:11, 21:13, 24:1, 42:16 80 [1] - 48:24 800 [1] - 35:1 84 [1] - 4:6 8505 [2] - 5:9, 179:4 86 [1] - 4:19 8:00 [2] - 80:10, 111:19 8:51 [1] - 75:21 8G [1] - 3:4

# 9

9 [3] - 42:22, 81:15, 86:6 9-A [1] - 122:11 9/18/24 [2] - 4:19, 86:24 90 [5] - 48:24, 128:22, 172:11, 172:14 905 [1] - 63:25 98 [1] - 46:14 9:00 [2] - 23:10, 177:20 9:07 [1] - 75:23

## Α

**A-9** [3] - 4:19, 86:7, 86.23 **A-M-A-N** [1] - 138:18 a.m [3] - 23:10, 26:25, 111:18 AB [1] - 1:22 ability [3] - 56:10, 118:20, 134:21 able [9] - 22:19, 63:9, 72:22, 72:23, 88:13, 130:3, 138:22, 169:16, 173:10 abnormally [1] -115:3 above-ground [4] -145:12, 145:17, 145:21, 146:5 absolutely [2] - 44:8, 124:1 abundance [2] -99:21, 181:18 academic [1] - 93:20 accept [3] - 85:5,

86:3, 143:8 acceptable [2] -99:17, 131:2 access [6] - 20:9, 20:14, 72:2, 166:1, 166:4, 169:3 accommodate [12] -87:16, 88:13, 119:21, 120:19, 147:20, 147:21, 148:19, 149:23, 152:1, 181:13, 181:14, 182:18 accommodated [1] -182:21 accordance [1] -131:1 according [1] - 95:5 account [1] - 175:4 accounted [2] -14:15, 175:15 accounting [1] -62:10 accurate [7] - 36:1, 44:23, 45:6, 51:8, 78:5, 79:4, 188:10 accurately [2] - 45:5, 134:22 acknowledges [1] -144:5 acquire [1] - 150:4 acted [1] - 174:6 Action [1] - 167:2 action [2] - 188:15, 188:18 active [2] - 15:5, 99:10 activities [13] - 24:13, 43:9, 43:25, 78:12, 79:22, 79:25, 92:13, 92:15,

149:1, 154:12, 177:9, 178:2 activity [13] - 24:12, 24:15, 53:23, 97:14, 99:4, 100:10, 116:2, 116:4, 117:1, 123:14, 123:15, 153:25, 177:10 actual [13] - 92:2, 96:22, 97:15, 101:23, 102:23, 115:20, 116:25, 117:7, 118:10, 125:3, 137:4, 163:20 ad [1] - 163:2 add [9] - 19:19,

28:19, 63:9, 73:16,

77:7, 77:12,

166:13

102:13, 105:8,

added [4] - 10:2,

15:2, 147:10,

122:13

86:23

Aerial [2] - 4:19,

affect [1] - 47:9

affecting [1] - 134:21

170:22 addendum [1] - 13:20 addendums [2] -10:5, 15:8 adding [4] - 45:3, 47:11, 116:7, 116:9 addition [4] - 17:3, 19:23, 39:4, 171:20 additional [19] - 10:5, 11:8, 19:13, 30:6, 31:22, 32:1, 42:7, 42:24, 44:9, 52:16, 56:24, 66:24, 104:12, 106:16, 115:13, 150:5, 175:6, 183:16 additionally [1] -112:13 **ADDRESS** [1] - 5:2 address [11] - 22:13, 29:7, 29:10, 45:18, 76:21, 78:2, 82:5, 82:9, 143:19, 148:22, 179:7 addressed [5] -40:17, 40:23, 76:18, 82:2, 182:8 adequate [13] - 17:9, 22:13, 30:17, 35:10, 94:21, 95:2, 96:22, 97:6, 97:15, 97:18, 109:1, 113:22, 115:22 adjacent [3] - 12:10, 169:7, 176:23 adjourn [1] - 186:19 adjourned [1] -187:11 adjudicated [1] -133:19 adjusted [1] - 142:6 **ADNAN** [1] - 3:15 adult [1] - 60:18 adults [1] - 60:18 advance [2] - 25:22, 112.1 Advanced [1] - 163:8 advanced [3] - 93:1, 93:8, 94:19 advancement [2] -94:18, 96:8 advancing [1] - 95:2 adversarial [1] -129:17 adverse [1] - 152:15 advertised [1] - 178:5 advised [2] - 14:2, 113:12 aerial [2] - 86:9,

affects [1] - 9:15 affirm [2] - 68:16, 84:3 after-school [1] -177:9 afternoon [5] - 11:25, 12:18, 22:11, 177:7, 177:21 afterwards [1] - 70:21 age [1] - 60:19 agenda [1] - 7:3 agent [1] - 68:1 aggregate [2] - 91:21, 104:23 ago [4] - 8:20, 16:16, 18:3, 64:5 agree [7] - 31:25, 36:22, 50:22, 54:12, 134:6, 154:15, 161:17 agreed [9] - 9:9, 9:21, 18:18, 22:6, 32:3, 39:4, 47:17, 83:12, 131:21 agreement [2] -174:3, 174:9 ahead [24] - 10:24, 25:8, 28:17, 30:19, 34:5, 38:1, 47:22, 50:19, 50:24, 63:18, 67:24, 71:13, 101:9, 112:7, 124:14, 127:20, 129:14, 136:14, 141:11, 146:22, 150:9, 160:12, 180:7, 183:3 AICP [3] - 2:17, 4:6, 84:23 aid's [1] - 127:8 air [6] - 94:21, 95:2, 99:4, 99:10, 100:8, 170:19 aisles [1] - 48:11 Algonquin [1] - 1:23 align [1] - 23:5 **Allegiance** [1] - 6:3 ALLEGRE [46] - 2:3, 6:14, 32:9, 32:13, 58:20, 59:4, 67:23, 67:25, 68:5, 69:2, 69:6, 69:17, 69:21, 70:4, 70:13, 85:7, 104:6, 105:15, 105:21, 106:3, 106:20, 107:3, 107:14, 107:21, 108:3, 108:9, 108:14, 109:12, 109:21, 109:23, 110:3, 110:8, 110:13, 110:20, 111:5, 111:12,

111:17, 127:19,

127:21, 128:12, 128:23, 129:5, 129:8, 129:12, 138:6, 138:8 Allegre [6] - 6:13, 107:24, 110:17, 112:9, 128:11, 128:13 alleviate [1] - 148:21 **allow** [4] - 56:17, 98:14, 100:2, 135:18 allowed [4] - 148:22, 158:15, 180:15, 180:17 almost [5] - 30:1, 30:8, 121:19, 129:21, 129:22 alone [2] - 17:1, 163:6 alongside [1] -169:11 **ALSO** [1] - 3:13 alternate [5] - 143:7, 151:7, 151:9, 151:16, 152:10 alternative [1] -150:23 Alternatives [1] -150:20 alternatives [1] -150:21 Amazon [1] - 149:11 amended [1] - 163:24 amenities [4] - 37:12, 64:9, 155:11, 155:19 amenities.. [1] -43:14 amenity [3] - 23:17, 24:3. 42:23 amount [9] - 12:11, 47:12, 114:9, 114:15, 114:18, 122:15, 167:8, 177:25, 181:14 analyses [1] - 15:10 analysis [41] - 8:24, 11:17, 13:17, 14:12, 14:14, 16:2, 19:13, 21:8, 21:16, 21:20, 22:12, 22:19, 26:20, 28:12, 29:13, 30:24, 34:11, 35:5, 35:13, 35:15, 35:18, 36:17, 39:18, 40:5, 42:20, 43:25, 45:9, 47:2, 47:9, 47:14, 57:6, 66:10, 82:8, 85:17, 117:25, 126:23, 130:5, 152:12, 155:14, 175:9, 176:11

122:21, 122:23,

analytic [1] - 97:4 analyze [4] - 130:1, 131:8, 131:13, 156:24 analyzed [4] - 15:8, 27:17, 27:18, 45:5 ancillary [3] - 107:18, 107:19, 109:5 **AND** [1] - 2:11 **ANGELA** [2] - 2:23, 188:3 angela [1] - 188:23 angelabuonocsr@ gmail.com [1] - 1:25 angle [1] - 88:6 annual [1] - 14:19 annually [1] - 175:12 answer [26] - 24:5, 24:18, 25:5, 59:2, 59:4, 59:5, 59:13, 115:16, 122:24, 126:15, 128:15, 130:21, 133:11, 138:25, 139:4, 140:4, 145:16, 153:2, 163:13, 163:17, 164:10, 166:19, 178:23, 181:24, 182:23 answered [6] - 25:10, 123:2, 139:23, 140:8, 143:3, 171:25 answers [3] - 124:11, 152:22, 173:22 anticipate [4] -114:17, 123:5, 170:14, 180:23 anticipated [2] -17:23, 40:9 anticipating [2] -173:11, 181:13 anticipation [1] -86:2 anyway [3] - 81:1, 132:9, 133:2 apart [1] - 72:15 apologize [1] - 133:9 appear [3] - 39:2, 75:4, 119:4 appearance [1] - 40:2 appeared [1] - 38:20 appended [1] - 20:20 appendix [1] - 15:14 applause [1] - 132:8 apples [6] - 66:4, 66:7, 155:9 apples-to-apples [3] - 66:4, 66:7, 155:9 applicability [2] -44:10, 45:17 **applicable** [1] - 53:19 applicant [48] - 9:9, 9:21, 18:17, 20:3,

22:6, 54:15, 54:21, April [9] - 15:5, 28:13, 76:18, 91:2, 91:19, 44:7, 50:10, 93:9, 97:7, 99:19, 111:15, 117:19, 99:23, 100:24, 131:21, 153:11, 101:1, 104:15, 177:8 113:11, 114:15, architect [2] - 77:14, 114:20, 115:17, 162:5 115:21, 119:20, architectural [3] -120:17, 121:4, 55:15, 77:3, 78:3 121:5, 122:17, architecturally [1] -123:1, 123:19, 89:16 128:15, 128:19, architecturals [2] -138:20, 142:3, 51:10, 95:22 142:11, 143:5, architecture [2] -143:8, 143:9, 96:1, 96:2 143:22, 144:5, area [30] - 9:16, 154:14, 159:1, 11:16, 14:1, 14:16, 163:19, 163:23, 31:4, 33:1, 40:18, 164:18, 166:24, 42:7, 42:12, 50:1, 167:4, 168:21, 64:8, 67:11, 73:20, 181:19 74:21, 82:7, 83:3, Applicant [1] - 3:6 106:6, 115:3, applicant's [10] -115:5, 121:23, 13:14, 28:6, 54:11, 124:20, 129:21, 89:20, 98:8, 119:5, 130:2, 130:4, 119:16. 121:3. 154:5, 166:2, 141:1, 143:15 169:8, 173:7, application [26] -175:15, 181:10 8:13, 13:6, 13:11, areas [2] - 51:11, 19:25, 23:14, 83:9 25:20, 27:7, 35:23, argument [1] -39:8, 64:15, 64:18, 110:24 92:21, 95:1, 98:6, Arsenal [3] - 81:19, 123:20. 133:18. 175:5, 175:22 151:17, 152:8, arsenal [4] - 14:5, 152:18, 154:13, 14:8, 82:6, 82:14 154:16, 162:10, arterial [2] - 14:19, 162:23, 174:6, 19:16 187:1, 187:10 aside [3] - 51:11, applied [1] - 93:11 57:2, 178:1 applies [1] - 16:5 aspect [1] - 177:17 apply [3] - 46:6, assemblage [1] -54:14, 92:24 95:12 appreciate [7] assembly [2] - 50:1, 25:14, 76:13, 67:7 80:15, 132:21, assessment [1] -134:10, 134:16, 30:21 134:25 Assessment [1] approach [2] - 79:19, 150:19 92:16 assigned [1] - 57:20 appropriate [10] assigning [2] - 33:6, 28:21, 29:10, 33:7 104:2, 105:22, associated [4] -114:14, 121:24, 12:19, 13:18, 122:15, 122:16, 42:17, 66:12 149:13 Associates [3] - 2:16, appropriateness [1] -2:17, 4:7 98:21 assume [7] - 22:18, approval [9] - 18:5, 22:19, 102:18, 18:19, 18:20, 20:4, 106:8, 124:16, 65:21, 101:2, 125:17, 137:3 164:20, 166:25 assumed [3] - 12:14,

approve [1] - 147:1

approved [3] - 39:8,

39:11, 162:10

36:13, 53:4

assumes [1] - 72:10

assuming [8] - 35:13,

35:15, 49:2, 55:7, 66:18, 128:4, 137:1, 161:15 assumption [2] -30:25, 31:2 assumptions [1] -35:14 athletic [1] - 12:10 **ATR** [5] - 11:9, 19:12, 20:18, 20:19 ATRs [1] - 28:4 attendance [9] -22:11, 43:8, 46:8, 52:17, 54:5, 54:8, 108:2, 118:24, 140:19 attendant [4] - 69:10, 70:10, 70:11, 70:15 attendants [1] - 61:7 attended [3] - 53:8, 70:13, 132:7 attendees [2] -169:18, 171:4 attention [1] - 82:15 ATTORNEY [180] -2:12, 2:14, 7:7, 8:7, 8:11, 8:18, 18:24, 19:3, 24:9, 24:20, 25:13, 25:18, 28:16, 28:18, 32:7, 37:1, 37:8, 37:22, 38:1, 49:10, 51:14, 51:24, 59:2, 59:5, 59:8, 59:16, 59:22, 60:2, 60:5, 62:15, 62:18, 63:10, 63:12, 63:14, 68:4, 68:8, 68:10, 68:13, 68:15, 68:20, 68:24, 71:2, 73:9, 74:1, 75:13, 75:19, 76:2, 76:6, 76:22, 77:20, 78:9, 80:3, 80:12, 80:16, 81:3, 81:4, 81:14, 82:4, 83:11, 83:23, 84:1, 84:7, 84:15, 85:12, 86:5, 101:3, 102:1, 104:21, 107:24, 108:6, 108:12, 109:20, 109:22, 110:1. 110:10. 110:17, 110:23, 111:8, 111:14, 111:22, 113:9, 113:25, 114:6, 114:22, 115:25, 116:8, 116:10, 116:16, 116:22, 117:11, 118:12, 119:11, 119:12, 119:19, 119:23, 120:12, 120:20, 120:24, 121:14, 122:9, 122:19,

123:18, 123:24, 124:1, 124:2, 124:5, 124:7, 124:8, 124:12, 127:5, 127:9, 127:25, 131:19, 132:16, 132:18, 133:2, 133:7, 134:2, 134:6, 134:13, 134:25, 135:4, 136:10, 138:2, 138:24, 140:6, 143:12, 143:24, 145:4, 145:22, 149:14, 149:24, 150:6, 153:3, 153:10, 153:15, 153:24, 154:4, 154:8, 154:18, 156:6, 156:9, 156:13, 156:22, 157:5, 157:8, 157:11, 157:15, 157:19, 157:22, 158:3, 158:19, 160:7, 164:8. 164:15. 165:7, 166:5, 166:18, 167:7, 174:4, 174:10, 174:13, 179:9, 180:4, 182:1, 182:6, 182:22, 183:1, 183:5, 184:24, 185:5, 185:20, 185:25, 186:3, 186:10, 186:14, 187:4, 187:6 attorney [4] - 81:6, 141:1, 188:14, 188:16 attorneys [1] - 26:14 attract [2] - 36:23 atypical [4] - 106:18, 122:2, 129:10 Audience [4] - 49:4, 51:17, 158:7, 182:25 AUDIENCE [28] -25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15, 108:23, 110:7, 112:25, 113:1, 113:2, 113:4, 113:6, 114:4, 125:20, 126:7, 126:18, 129:11, 132:13, 158:6, 158:18, 187:5 Auer [1] - 3:4

automatic [1] - 11:9 auxiliary [1] - 173:24 availability [1] -151:16 available [4] - 31:4, 101:6, 171:15, 172:13 average [1] - 60:13 avoid [1] - 40:2 **AWZ** [7] - 16:12, 16:17, 17:2, 29:21, 50:4, 102:5, 105:12 Aye [2] - 85:11, 138:10 В background [9] -40:3, 40:9, 82:9, 84:17, 175:10,

9:15, 13:21, 14:15, 175:16 backups [2] - 38:6, 135:20 bad [4] - 129:22, 134:8, 144:20, 184:11 balance [2] - 37:12, 108:1 balancing [5] - 92:21, 92:24, 98:3, 98:5, 98:15 ballpark [1] - 128:6 band [1] - 93:16 bare [1] - 62:4 Barrett [1] - 2:14 BARRY [1] - 2:6 base [2] - 62:19, 108:15 **baseball** [1] - 48:6 based [87] - 7:21, 8:22, 9:6, 9:18, 10:4, 11:17, 11:19, 12:16, 15:1, 17:1, 17:8, 17:17, 17:22, 17:23, 30:13, 30:21, 30:25, 31:2, 31:11, 31:13, 31:23, 32:6, 33:12, 34:21, 34:22, 35:8, 35:18, 36:5, 36:12, 36:20, 39:22, 39:23, 40:11, 42:19, 43:24, 44:7, 46:2, 47:2, 48:9, 51:11, 53:6, 53:24, 53:25, 54:16, 54:21, 55:7, 55:11, 55:14, 55:21, 55:25, 56:3, 56:5, 56:21, 77:3, 78:5, 79:1, 79:7, 79:24, 91:25, 92:1, 92:9, 97:16, 98:25, 102:8. 103:6.

104:24, 105:12, 105:17, 105:18, 105:24, 111:21, 116:2, 116:3, 116:18, 118:10, 120:5, 123:15, 124:9, 125:1, 133:8, 140:10, 152:13, 163:19, 164:9, 170:11 basic [1] - 112:19 basis [5] - 9:24, 39:18, 40:5, 64:11, 66:10 basketball [4] -23:17, 33:17, 66:13, 105:1 Bateman [1] - 2:13 beautiful [3] - 85:2, 95:21, 95:25 became [2] - 53:17, 78:25 become [3] - 14:6, 99:7, 170:21 becomes [2] - 39:11, 75:1 beg [1] - 173:14 began [1] - 141:24 begin [1] - 170:6 beginning [4] -56:13, 64:13, 141:24, 153:20 begins [1] - 164:4 behalf [1] - 7:9 behave [1] - 51:19 behind [1] - 99:9 belabor [1] - 74:9 believes [1] - 163:20 below [5] - 10:17, 46:23, 63:2, 145:11, 145:13 below-grade [1] -10:17 below-ground [1] -145:13 beneath [1] - 171:5 beneficial [6] - 93:15, 93:21, 118:21, 119:15, 149:4, 149:7 benefit [5] - 8:24, 84:16, 85:17, 102:3, 131:11 benefits [4] - 92:21, 98:5, 129:24, 130:6 Bernadette's [2] -67:5, 67:18 best [2] - 32:23, 180:20 best-selling [1] -

180:20

Beth [1] - 185:6

**BETH** [1] - 2:20

better [11] - 13:10,

18:12, 24:5, 33:5,

58:11, 75:2, 76:6, 91:7, 99:4, 158:22, 168:2 between [27] - 8:19, 9:25, 13:4, 17:6, 17:19, 20:18, 32:11, 36:14, 48:24, 56:11, 72:12, 77:25, 115:8, 120:14, 121:15, 121:20, 139:13, 155:24, 157:1, 167:19, 169:14, 169:19, 169:21, 171:9, 172:2, 172:6, 183:20 beyond [1] - 34:23 bifurcated [1] - 20:10 big [3] - 37:6, 142:19, 142:21 biggest [1] - 79:17 bill [2] - 48:14, 54:23 Bill [4] - 26:12, 43:11, 58:14, 163:18 Bill's [1] - 137:10 bird's [1] - 87:5 bit [13] - 13:7, 30:8, 37:24, 41:12, 79:2, 79:5, 79:8, 79:9, 131:10, 159:7, 164:24, 170:17 blame [1] - 112:10 blend [1] - 96:3 block [2] - 72:18, 72:20 Block [1] - 87:8 **BLOCK** [1] - 1:5 Board [2] - 128:13, 176.2 **BOARD** [8] - 1:1, 2:1, 2:12, 2:15, 2:17, 2:20, 85:11, 138:10 board [80] - 7:2, 7:8, 7:10, 7:23, 8:23, 8:24, 9:4, 10:12, 11:3, 12:17, 13:5, 16:15, 18:9, 24:23, 25:19, 26:16, 27:5, 27:8, 28:7, 28:8, 28:9, 29:4, 29:15, 37:18, 39:13, 58:1, 73:4, 79:1, 81:21, 84:16, 85:17, 85:21, 88:14, 91:1, 91:20, 93:3, 96:6, 97:12, 99:20, 99:25, 101:7, 117:15, 119:9, 124:11, 130:11, 134:17, 138:23, 139:10, 139:16, 139:19, 140:4, 140:9. 140:13.

140:18, 140:21,

141:2, 141:25, 142:8, 142:25, 143:5, 143:8, 143:16, 143:22, 144:2, 144:6, 144:9, 153:15, 155:21, 158:15, 159:4, 163:24, 164:12, 176:6, 176:7, 179:16, 179:25, 180:2, 183:6, 186:17, 187:2 board's [3] - 18:10, 48:21, 144:2 **body** [2] - 93:19, 93:21 bookend [1] - 88:9 Bordentown [6] -10:6, 14:10, 15:16, 15:21, 27:25, 39:16 bordering [1] -175:19 borders [1] - 93:5 Borough [3] - 2:20, 13:23, 132:1 **BOROUGH** [1] - 1:1 bottom [7] - 10:14, 52:8, 63:21, 90:5, 133:2, 133:19, 170:23 Boy [1] - 132:18 bravo [1] - 113:1 break [5] - 61:23, 75:16, 75:18, 170:9, 171:20 **BRENT** [1] - 2:14 Bridge [8] - 13:24, 40:21, 174:17, 174:25, 175:20, 175:21, 176:2, 176:7 briefly [3] - 56:12, 82:5, 84:16 Bright [19] - 2:19, 9:14, 11:12, 14:17, 18:23, 19:4, 19:7, 20:17, 34:9, 37:16, 37:19, 38:3, 39:14, 40:25, 42:16, 49:23, 51:3, 52:6, 63:20 bring [8] - 59:17, 62:10, 75:12, 75:14, 83:22, 118:2, 128:3, 136:4 bringing [2] - 172:16, 172:25 brings [2] - 78:16, 116:11 broken [1] - 140:5 brought [4] - 139:8, 140:10, 140:15, 151.4 Brunswick [5] - 3:4,

41:22, 42:2, 156:21, 156:24 buffer [6] - 12:4, 13:4, 17:6, 52:23, 53:7, 53:10 buffering [2] - 90:21, 91:11 **buffers** [1] - 99:7 build [12] - 14:23, 15:2, 15:9, 15:12, 15:17, 15:24, 40:15, 96:3 build-out [1] - 40:15 building [65] - 7:15, 18:16, 26:23, 29:24, 32:22, 36:21, 37:3, 37:6, 37:12, 48:5, 52:20, 66:19, 67:1, 69:25, 72:6, 72:7, 77:1, 77:4, 79:14, 88:20, 89:13, 90:13, 90:14, 90:15, 90:17, 94:8, 94:24, 94:25, 95:21, 95:25, 97:13, 99:5, 99:8, 99:12, 100:6, 100:10, 106:21, 113:17, 113:22, 115:14, 116:19, 116:20, 117:3, 142:19, 142:21, 147:19, 147:20, 148:1, 148:3, 148:20, 155:11, 159:16, 162:2, 162:10, 166:22, 168:8, 168:17, 169:7, 169:12, 169:15. 169:25. 180:17, 180:25 building's [1] - 33:7 **buildings** [4] - 64:7, 87:20, 99:7, 148:21 built [4] - 66:24, 96:3, 121:12. 176:4 **bulk** [1] - 90:4 Buonantuono [1] -188:23 **BUONANTUONO** [2] - 2:23, 188:3 burden [4] - 98:8, 99:23, 101:2, 124:20 buses [6] - 156:1, 156:4, 156:11, 156:13, 156:14, 156:15 busier [2] - 54:13, 109:5 busiest [2] - 39:24, 41:4 business [2] -147:13, 149:20

busing [1] - 156:1

busy [2] - 42:3, 47:11 butt [1] - 156:19 BY [2] - 2:22, 3:3 C **c(1** [1] - 98:10 C-09 [1] - 165:25 C-A-L-L-A-H-A-N [1] -68:23 C-09 [1] - 166:11 calculated [3] -49:20, 104:20, 105:24 calculating [3] -91:25, 105:16, 106:6 calculation [12] -16:18, 36:5, 44:22, 49:25, 50:22, 50:23, 51:8, 55:25, 56:2, 56:4, 77:17 calculations [7] -9:18, 48:23, 51:13, 73:3, 78:4, 97:5, 163:4 CALLAHAN [11] -3:17, 68:12, 68:19, 68:22, 69:1, 69:4, 69:9, 69:20, 69:23, 70:7, 70:18 Callahan [3] - 68:23, 68:24 Camelot [3] - 81:19, 81:20, 82:16 can.. [1] - 81:2 Cann [2] - 5:7, 160:14 CANN [34] - 160:13, 161:2, 161:6, 161:14, 161:21, 162:1, 162:6, 162:9, 162:13, 162:25, 164:1, 164:13, 165:1, 165:12, 165:14, 165:16, 165:20, 166:11, 167:1, 167:12, 167:17, 167:23, 168:4, 168:15, 169:2, 169:17, 170:18, 171:3, 171:12, 172:5, 172:9, 172:12, 173:1, 173:13 cannot [3] - 147:23, 180:25, 181:1 capable [1] - 74:22 capacity [15] - 35:18, 45:9, 52:21, 55:5, 55:10, 61:7, 87:16, 105:25, 113:22, 128:9, 128:20, 128:24, 128:25,

147:2

Capacity [1] - 15:10 capture [1] - 12:1 captures [2] - 12:23, 41:5 car [21] - 55:8, 55:24, 60:11, 60:12, 60:20, 61:11, 63:2, 82:24, 82:25, 83:6, 105:17, 171:6, 172:7, 172:11, 178:8, 178:11, 178:15, 184:14, 184:16 Car [1] - 163:8 cards [1] - 20:15 care [3] - 60:12, 149:9, 149:10 CAROL [12] - 173:19, 174:2, 174:8, 174:11, 174:16, 175:17, 176:13, 176:18, 176:25, 177:4, 178:3, 178:24 Carol [2] - 5:8, 173:19 carried [3] - 186:16, 186:21, 187:1 cars [62] - 17:13, 17:15, 32:18, 35:1, 35:19, 36:9, 38:20, 46:19, 46:21, 48:13, 48:24, 49:1, 49:2, 58:4, 59:10, 59:21, 60:9, 60:23, 70:6, 71:17, 71:21, 72:1, 73:23, 73:24, 74:18, 74:22, 82:21, 82:23, 83:2, 114:5, 124:20, 125:18, 126:1, 130:2, 131:24, 145:14, 145:15, 168:6, 168:8, 168:16, 168:25, 169:3, 169:8, 169:25, 170:7, 170:9, 170:19, 170:25, 171:8, 171:10, 172:3, 172:16, 172:25, 173:8, 173:9, 176:20, 176:25, 177:3, 182:14 case [11] - 30:9, 35:3, 36:7, 37:2, 44:15, 65:8, 80:20, 111:20, 124:18, 125:11, 174:7 caused [1] - 142:14 causing [1] - 30:12 caution [1] - 181:19 cautious [1] - 64:18

CCR [2] - 2:23,

celebrations [1] -

188:23

128:2 Center [1] - 81:19 **CENTER** [1] - 1:8 center [2] - 123:21, 147:24 CENTER/HOUSE [1] - 1:4 centerpiece [1] -95:20 certain [5] - 37:11, 76:15, 78:14, 111:11, 176:14 certainly [29] - 12:11, 22:22, 37:16, 44:1, 47:5, 53:2, 56:7, 58:1, 65:23, 84:6, 99:22, 101:6, 108:8, 115:6, 118:17, 118:22, 119:14, 120:14, 121:12, 121:17, 123:3, 123:22, 123:23, 123:25, 128:15, 130:17, 153:25, 174:15, 182:7 Certainly [1] - 71:7 certification [1] -84:22 Certified [1] - 188:4 certified [1] - 1:23 certify [1] - 188:6 **CERTIFY** [2] - 188:9, 188:13 cetera [4] - 39:20, 58:17, 78:23 Chair [7] - 34:4, 50:17, 80:16, 112:6, 113:10, 118:2, 124:13 chair [1] - 185:12 CHAIRMAN [183] -2:2, 2:6, 6:1, 6:4, 6:9, 6:19, 6:24, 7:5, 8:6, 19:2, 25:3, 25:16, 25:25, 26:3, 28:17, 30:18, 30:19, 30:20, 30:24, 31:5, 31:10, 31:14, 31:19, 34:4, 34:5, 34:6, 34:10, 34:16, 35:4, 35:12, 35:21, 36:19, 37:7, 37:19, 37:24, 47:21, 47:22, 47:23. 48:1. 49:6. 49:16, 50:17, 50:19, 50:20, 50:24, 51:18, 58:18, 59:6, 59:9, 59:14, 59:18, 60:8, 60:22, 61:6, 61:20, 61:23, 62:3, 62:14, 62:17, 63:16,

63:19, 63:24,

64:20, 64:24, 65:4, 65:16, 66:3, 66:17, 67:14, 67:21, 67:24, 71:12, 74:7, 75:9, 75:17, 75:25, 76:4, 76:13, 77:21, 80:7, 80:14, 83:20, 85:5, 85:8, 85:10, 86:3, 86:6, 86:14, 86:19, 86:21, 101:8, 104:9, 104:11, 104:19, 105:11, 105:14, 108:18, 108:21, 109:3, 112:6, 112:7, 112:8, 113:7, 115:23, 116:14, 116:20, 124:13, 124:14, 124:15, 124:24, 125:4, 125:9, 125:16, 125:24, 126:5, 126:11, 126:16, 126:20, 126:25, 127:7, 127:17, 127:20, 129:13, 129:14, 129:15. 130:20. 131:3, 131:17, 132:10, 132:14, 132:17, 132:20, 133:24, 134:4, 134:12, 134:23, 135:2, 135:8, 135:25, 136:2, 136:8, 136:12, 137:19, 138:4, 138:7, 138:9, 138:11, 139:6, 141:8, 141:11, 141:14, 141:17, 141:20, 145:23, 146:3, 146:17, 146:20, 148:5, 150:9, 150:16, 156:18, 156:25, 157:4, 157:7, 157:9, 157:13, 157:17, 157:20, 160:5, 160:11, 165:13, 165:15, 173:17, 178:25, 179:20, 180:7, 183:3, 184:21, 185:2, 185:9, 185:22, 186:6, 186:11 Chairman [54] - 6:7, 6:23, 7:8, 8:2, 8:8, 18:24, 22:16, 25:13, 28:16, 28:19, 30:18, 37:17, 47:21,

49:10. 58:8. 62:15.

67:20, 71:3, 71:14,

73:18, 74:5, 75:13, 76:3, 76:7, 76:14, 80:7, 83:16, 83:24, 85:13, 85:25, 101:5, 101:25, 104:5, 104:6, 116:1, 126:10, 127:5, 127:11, 129:13, 134:3, 134:13, 135:1, 136:2, 136:11, 139:4, 158:19, 160:8, 164:8, 166:5, 182:1, 182:24, 184:24, 185:21, 186:4 chairs [1] - 92:5 **chance** [3] - 55:15, 110:15, 182:5 change [8] - 32:19, 35:25, 36:11, 75:5, 112:11, 112:13, 115:17, 167:13 changed [2] - 10:12, 79:10 changes [1] - 163:22 changing [7] - 47:8, 97:25, 106:5, 106:25, 108:4, 108:7, 162:13 channels [1] - 172:24 check [4] - 60:20, 130:11, 161:9, 178:8 checked [1] - 32:10 checkout [2] -172:18, 172:20 checkpoints [1] -130:15 Cheesequake [1] -174:22 children [5] - 103:23, 156:2, 156:6, 156:14, 177:10 choose [1] - 69:25 chose [2] - 39:21, 123:19 church [5] - 60:11, 93:24, 103:21, 124:3, 149:10 **churches** [1] - 89:1 circle [1] - 171:14 circling [4] - 142:14, 142:25, 143:1, 144.9 circulation [3] -17:12, 130:18, 152:16 **CITIZEN** [1] - 1:8 citizen [1] - 139:25 citizens [3] - 95:6, 139:17, 140:2 civility [1] - 134:16 clapping [1] - 132:21

clarification [9] -

19:8, 49:5, 79:3, 172:3 24:17, 184:18 145:5 100:5 commencement [1] -80:13, 83:7, 111:1, compliance [2] congested [1] - 19:24 context [5] - 87:11, 141:7, 143:13, 188:6 91:12, 92:2 87:12, 87:22, 88:8, congregant [1] -145:2 comment [32] - 9:14, complies [14] - 90:6, 121:19 137:11 clarified [1] - 80:2 14:17, 18:15, 90:7, 90:14, 90:15, congregants [8] continue [2] - 16:22, clarify [10] - 22:17, 19:10, 26:13, 90:16, 90:17, 113:13, 114:16, 40:6 24:10, 48:15, 80:4, 32:21, 39:14, 90:18, 90:19, CONTINUED [1] -118:18, 118:24, 80:19, 142:8, 40:16, 40:18, 90:23, 94:24, 119:7, 120:13, 1:16 156:16, 177:6, 40:23, 41:20, 94:25, 95:1 121:7, 122:17 **continues** [1] - 7:2 42:16, 42:22, comply [3] - 18:18, 177:13, 179:10 congregants/ controls [2] - 100:8, 43:14, 43:21, clarity [4] - 147:25, 90:4, 90:19 parishioners [1] -152:19 153:12, 153:16, 45:14, 45:22, components [4] -136:20 convenient [1] -180:2 46:13, 49:18, 77:7, 77:11, 88:22, congregation [19] -57:24 classrooms [2] -50:21, 52:20, 97:1 65:2, 66:18, 66:23, conversation [2] -53:18, 53:20, 16:19, 105:6 composition [1] -49:12, 163:5 67:2, 108:16, 55:19, 63:20, Clean [1] - 163:8 90:24 113:18, 114:19, conversations [1] -134:14, 158:23, clear [5] - 24:18, comprehensively [1] 115:8, 117:21, 166:22, 179:23, 60:25, 81:1, 93:25, - 7:18 118:23, 119:16, conversion [1] -180:5, 181:11 148:2 121:15, 124:10, concern [4] - 27:10, 53:21 Comment [9] - 22:14, clearly [4] - 98:4, 82:23, 96:17, 137:5, 140:1, convert [1] - 136:19 38:2, 38:4, 40:10, 165:22, 165:25, 103:11 142:4, 142:10, convinced [1] -40:24, 44:4, 50:16, 142:18, 142:20 167:3 concerned [2] - 90:9, 124:18 52:7, 57:8 client [6] - 12:17, 90:13 congregation's [1] copies [2] - 81:18, comments [20] -118:20 24:4, 27:22, 31:24, concerns [1] - 148:21 158:25 8:22, 18:6, 18:22, 78:19, 104:14 connecting [1] **conclude** [1] - 91:16 **copy** [3] - 9:4, 14:7, 19:6, 19:9, 58:8, 174:21 client's [1] - 120:21 conclusion [2] -22:22 79:1, 91:2, 110:15, clients [1] - 142:5 152:14, 158:20 connects [1] - 174:21 **core** [2] - 89:3, 97:11 127:21, 134:19, conservative [4] close [5] - 67:12, conclusions [1] -**CORNELL** [14] - 2:15, 134:20, 136:3, 132:3, 139:18, 13:12, 13:13, 40:5, 152:11 50:25, 73:19, 143:18, 159:2, 155:6, 155:23 conclusory [1] -79.11 76:14, 76:23, 160:4, 160:8, closer [3] - 72:14, 131:11 consider [9] - 27:9, 77:22, 78:11, 160:9, 160:11 31:25, 96:6, 96:11, 99:5, 141:24 concrete [1] - 18:11 79:13, 79:20, 81:5, commercial [2] -99:22, 105:22, closing [1] - 173:3 condition [5] -81:15, 82:11, 148:18, 149:8 126:2, 152:10, CLR [1] - 188:23 109:23, 110:5, 82:18, 83:16 commercial-size [1] -176:17 **CME** [5] - 2:16, 34:7, 110:11, 154:16, Cornell [6] - 51:15, 149:8 consideration [4] -35:22, 49:24, 76:9 174:5 52:3, 80:3, 83:21, Commission [1] -Code [2] - 150:18, conditional [2] -32:4, 100:18, 166:23, 175:5 188:24 106:24, 151:15 152:6 31:21, 93:10 Cornell's [1] - 76:10 commitment [2] considerations [1] conditionally [2] code [2] - 162:19, corner [2] - 29:24, 160:19, 162:17 107:4 19:21, 90:1 165:3 72:5 common [3] - 88:22, considered [8] coffee [2] - 33:10, conditions [9] - 15:9, Corner [2] - 42:2, 123:23, 184:10 63:11, 107:2, 155:22 15:18, 15:24, 156:23 **Commons** [1] - 3:3 139:13, 139:14, cohesive [1] - 95:13 19:22, 44:21, 54:2, Correct [3] - 60:5, **COMMUNITY** [1] - 1:4 150:22, 174:18, coincident [2] -90:3, 131:21, 137:4 69:4, 167:23 community [14] -174:23, 183:21 92:12, 102:18 conducted [2] - 41:2, correct [41] - 26:14, 32:25, 33:13, 65:2, considering [2] cojoin [1] - 95:24 158:5 30:22, 31:1, 31:8, 67:10, 89:4, 95:8, 15:17, 91:20 collect [1] - 20:18 confer [1] - 137:16 31:11, 31:16, 32:2, 97:25, 100:12, consistent [6] collected [14] - 11:8, confident [1] - 184:18 35:6, 35:14, 35:16, 100:14, 100:21, 56:17, 78:3, 97:17, configuration [5] -36:23, 36:24, 44:8, 11:18, 11:20, 12:1, 123:21, 147:23, 100:20, 106:13, 20:5, 20:14, 45:18, 48:23, 55:2, 63:13, 17:3, 20:19, 36:13, 151:21, 152:4 117:24 63:8, 64:7 64:22, 64:23, 66:6, 41:16, 42:20, 44:7, company [1] - 7:12 consistently [2] -66:21, 77:17, 78:6, 46:2, 50:9, 65:14, confines [1] - 99:15 comparable [1] -117:17 81:14, 102:16, 155:15 confirm [5] - 26:16, 41:22 constitution [1] -102:17, 103:1, collection [3] - 10:25, 26:20, 27:4, 54:24, compared [3] - 21:15, 181.15 105:13, 105:20, 81:13 20:16, 38:6 41:23, 103:21 construct [1] - 88:17 111:21, 115:7, combined [3] - 16:18, confirmation [1] comparing [1] -48:18, 48:20 50:21 construction [4] -120:15, 124:16, 15:23 14:2, 106:21, 125:17, 133:7, combustible [1] **conforming** [1] - 27:6 comparison [5] -175:2, 176:11 136:18, 136:25, 164:3 **conforms** [1] - 93:10 32:11, 66:4, 66:8, contact [1] - 13:23 137:2, 137:8, comfortably [1] confused [5] - 63:15, 154:20, 154:24 contacted [1] -154:17, 154:18, 89:22 80:22, 110:11, complement [1] -174:25 161:6 coming [8] - 30:15, 115:9, 136:17 96:2 contemplated [1] corrected [2] -137:15, 162:14, confusing [1] - 145:6 complete [1] - 152:8 100:11 130:15, 162:21 163:1, 170:2, confusion [3] completely [2] -

142:14, 144:8,

170:13, 171:23,

contemplates [1] -

correctly [2] - 22:24,

175:13 correspond [1] - 27:2 correspondence [1] -156:17 135:15 COUNCILMAN [6] -2:7, 6:22, 74:5, 74:8, 75:7, 85:9 Councilman [1] -6:21 counsel [4] - 8:9, 24:24, 188:14, 188:17 Counsel [1] - 3:6 count [7] - 32:5, 39:16, 53:3, 55:12, 55:14, 92:5, 177:3 counted [19] - 15:4, 27:17, 27:24, 28:2, 28:3, 28:4, 32:15, 33:24, 33:25, 146:14 65:19, 65:20, 65:21, 155:6, 155:7, 176:21, 85:2 177:1 counterbalancing [1] - 96:10 counting [4] - 45:15, 65:25, 66:2, 176:23 country [1] - 94:16 counts [21] - 9:9, 9:10, 10:5, 11:4, 11:6, 15:2, 17:22, 27:23, 28:1, 34:18, 35:7, 39:11, 39:22, 41:1, 47:2, 50:13, CYO [1] - 124:5 94:16, 117:7, 155:1, 170:11, 176:19 **COUNTY** [1] - 1:2 County [7] - 14:20, 18:2, 18:4, 20:2, 177:18 20:6, 166:14, 167:1 county [14] - 18:19, 20:1, 20:11, 20:14, 27:19, 27:20, 29:12, 129:20, 159:12, 159:20, 166:25, 167:5 county's [1] - 167:2 course [10] - 16:21, 19:19, 58:13, 87:8, 93:23, 97:12, 122:3, 126:18, 134:10, 185:17 court [6] - 23:17, 33:17, 49:11, 75:15, 132:24, 134:21 COURT [1] - 1:22 Court [4] - 1:23, 3:4, 91:4, 188:4 155:15 court/gymnasium [1] - 105:1 courts [1] - 66:13

cover [1] - 62:11

coverage [2] - 90:16 covered [4] - 7:18, 45:13, 135:6, covering [1] - 180:23 Cranbury [4] -154:22, 156:20, 157:1, 157:12 crawl [1] - 185:24 create [5] - 93:4, 95:16, 124:19, 135:10, 167:12 creating [1] - 81:1 credentials [1] - 85:6 credibility [1] - 118:8 criteria [3] - 96:6, 96:11, 100:23 critical [4] - 24:7, 34:3, 113:15, cross [1] - 85:2 cross-section [1] crowd [1] - 71:9 current [10] - 50:9, 54:22, 78:1, 84:20, 84:23, 113:12, 113:23, 114:1, 121:14, 121:15 curricular [1] - 92:15 **customer** [1] - 70:3 cut [1] - 26:8 **cycle** [1] - 71:6 cycles [1] - 38:21

# D

168:13 daily [8] - 21:5, 21:25, deferred [1] - 168:15 22:9, 43:5, 58:4, deficiency [10] -108:2, 177:16, 16:21, 34:12, 34:14, 35:6, 35:9, data [49] - 10:25, 35:15, 35:24, 36:2, 11:9, 11:18, 11:20, 36:4, 104:18 17:3, 19:12, 20:16, deficient [1] - 78:8 20:18, 20:19, 28:7, definitely [1] - 140:12 32:6, 33:11, 36:12, degree [3] - 97:9, 38:6, 39:17, 40:11, 100:19, 121:12 41:12, 41:16, delays [2] - 16:10, 41:21, 42:19, 44:7, 47:15 44:11, 46:2, 50:9, delegated [1] - 173:2 52:9, 52:10, 52:11, deliberates [1] -52:12, 64:3, 64:4, 25:20 64:6, 64:15, 64:18, delineate [2] - 18:12, 64:19, 64:20, 166:8 64:25, 65:1, 65:11, deliver [1] - 133:13 65:12, 65:14, delivering [1] - 93:9 65:17, 78:24, demand [27] - 17:5, 121:22, 125:5, 17:6, 34:23, 50:9, 125:9, 130:12, 130:23, 155:2, 52:24, 54:19, 71:7, 92:2, 92:16, 96:23, 97:3, 97:15, 97:19, Data [1] - 12:1 101:23, 103:18, dataset [2] - 42:15, 103:19, 106:13, 64:10

date [4] - 9:3, 29:22, 107:20, 108:25, 117:8, 118:10, 184:25, 188:12 119:6, 125:3, dated [2] - 19:5, 50:5 Davis [1] - 2:13 140:19, 140:22, days [7] - 80:9, 107:6, 140:23, 163:21 demographic [1] -147:21, 151:25, 158:4, 184:12 106:9 demographically [1] dealing [4] - 88:10, - 155:12 93:12, 93:13, 112:24 demographics [6] dealt [1] - 101:21 33:13, 95:7, 97:25, 106:4, 108:4, 108:7 deceased [1] - 154:5 deceleration [4] denial [2] - 19:25, 151:17 99:14, 159:11, denied [1] - 118:3 159:19, 159:21 departing [1] - 12:3 December [8] -Department [2] -185:7, 185:8, 185:10, 185:13, 65:12, 132:2 186:1, 186:5, department [1] -186:16, 187:2 174:3 departure [2] - 97:9, decent [3] - 94:7, 100:19 94:11, 146:15 decide [1] - 171:18 depicting [1] - 168:16 decision [3] - 70:1, derived [1] - 169:25 70:22, 133:18 describing [2] deck [1] - 172:13 72:17, 72:18 description [1] declined [2] - 151:1, 151:20 46:17 **DESCRIPTION** [1] decorum [1] - 132:11 4:17 decreased [1] deserve [1] - 148:23 115:11 deserves [2] - 94:7, deduct [1] - 33:14 deemed [1] - 152:8 124:11 design [9] - 91:10, deep [2] - 69:14 deeply [1] - 46:15 91:15, 98:18, defer [4] - 57:5, 99:18, 100:25, 150:21, 161:9, 58:16, 58:25, 161:11, 161:12 design-related [1] -91:15 designate [1] - 57:25 designated [1] -99:13 designed [2] - 165:9, 181:12 desirable [1] - 95:19 detail [3] - 89:14, 148:6, 167:17 details [3] - 88:20, 89:10, 160:17 deteriorates [1] -15:22 deterioration [1] -15:20 determinant [2] -32:23, 33:5 determination [1] -28:8 determined [1] -53:22 determining [1] -

33:21

**detriment** [7] - 96:13,

96:16, 130:3,

130:6, 131:9,

131:13 detriments [6] -92:22, 98:7, 129:25, 130:2, 131:12, 135:11 develop [1] - 95:13 developed [1] - 87:19 developing [1] -95:16 development [16] -14:5, 20:4, 27:1, 42:4, 82:6, 82:17, 87:17, 88:13, 91:8, 95:20, 100:21, 150:24, 168:3, 174:19, 174:21, 174:23 development's [1] -174:20 developmentally [1] -100:15 developments [7] -14:1, 40:19, 40:22, 81:17, 82:3, 82:17, 175:8 differ [1] - 173:14 different [28] - 20:9, 35:14, 45:4, 51:6, 53:24, 77:15, 78:12, 103:13, 111:21, 140:14, 142:24, 143:9, 143:10, 144:4, 144:11, 144:22, 147:9, 155:17, 155:18, 155:19, 155:22, 157:13, 157:15, 157:18, 157:19, 157:22, 161:12, 172:16 differently [1] - 45:1 difficult [5] - 27:11, 27:13, 49:14, 127:6, 147:8 difficulty [5] - 33:8, 77:19, 119:9, 127:10, 155:9 DiFrancesco [1] -2:13 dimension [1] - 48:12 direct [5] - 62:8, 132:2, 135:9, 171:17, 173:23 directing [3] - 146:5, 178:9, 184:13 direction [5] - 61:19, 62:2, 62:9, 86:20, 184:15 directly [1] - 82:8 director [2] - 47:18, 47:19 directors [5] - 39:5, 39:7, 54:13, 174:1 disabled [1] - 100:15 disagree [2] - 64:2,

174:8, 174:11,

engineer's [3] -

119:24 126:23, 130:12, 128:18, 149:2, 181:20, 182:11, 91:13, 98:19, disagrees [2] - 28:9 141:14, 141:21, 178:2, 180:14, 183.9 161:11 145:25, 158:21, 185:16 Elementary [1] engineering [7] discharged [1] -38:16 170:11, 171:19, **During** [1] - 12:5 183:17 18:6, 24:6, 64:15, disclaim [1] - 139:25 176:19, 177:3 dynamics [1] elementary [1] -77:25, 78:4, 131:2, **DOT** [1] - 14:18 168:24 discovered [1] -157:23 183:18 double [2] - 66:25, elements [1] - 10:2 Engineering [11] -111:19 67:1 2:19, 3:15, 4:5, Ε **Ellmyer** [1] - 6:15 discrepancy [1] down [19] - 49:12, 9:14, 11:12, 16:12, 50:3 **Email** [1] - 3:5 early [7] - 17:19, 62:4, 62:6, 62:10, 16:17, 18:23, 19:5, discuss [2] - 76:16, emergency [2] - 30:9, 71:16, 74:10, 66:23, 68:7, 69:8, 29:21, 105:12 163:2 30:10 183:18, 183:22, 69:12, 87:6, engines [1] - 164:4 discussed [9] emission [1] - 162:16 183:25, 184:11 107:13, 115:14, enter [2] - 85:24, 19:15, 24:24, 39:9, emphatic [1] - 124:22 easier [1] - 135:19 118:7, 124:2, 135:19 123:22, 174:17, employee [2] -East [5] - 3:4, 41:22, 174:24, 177:6, 134:22, 151:7, entered [1] - 12:6 188:14, 188:16 42:2, 156:21, 163:18, 164:23, 180:14, 185:6 entering [13] - 12:21, employees [2] -156:24 170:21, 171:6 discussing [1] -12:24, 13:1, 13:16, 53:14, 171:8 east [1] - 85:1 139:11 downstairs [1] -21:22, 46:5, 47:1, **employing** [1] - 132:1 eastbound [2] -74:14 50:11, 50:14, discussion [7] empty [2] - 69:12, 15:20, 16:9 dramatically [1] -73:23, 82:22, 83:2, 23:25, 31:18, 54:7, 147:24 edge [3] - 169:10, 78:17 81:16, 83:19, enable [1] - 113:17 175:19, 175:20 draw [2] - 33:1, 33:11 entertain [2] - 37:17, 112:23, 150:20 enacted [1] - 165:2 Edison [2] - 5:9, drawing [2] - 165:21, 164:25 disingenuous [1] end [13] - 25:6, 26:6, 179:5 entire [4] - 10:10, 150:2 168:16 27:16, 45:1, 45:2, edition [1] - 63:21 drawings [1] - 165:21 111:13, 147:3, dismissal [3] -80:11, 138:1, educated [2] drive [2] - 53:9, 69:22 183:18, 183:22, 184:3 143:18, 162:7, 133:17, 163:5 driven [1] - 122:12 entirely [1] - 124:17 184.11 170:5, 173:9, education [2] - 48:21, driver [1] - 66:8 entrance [6] - 18:16, dismissals [1] -180:5, 186:12 84.17 drives [1] - 61:10 30:2, 72:8, 72:9, 183:25 ended [1] - 168:18 educational [1] disputed [1] - 118:22 driveway [19] - 10:8, 173:4, 173:5 **endemic** [1] - 134:15 93:20 disputes [1] - 136:6 16:3, 16:4, 18:11, environment [3] ends [1] - 184:22 EDWARDS [7] disruption [4] - 49:4, 18:13, 20:5, 21:16, 95:20, 96:3, 96:4 enforcement [1] -180:9, 181:21, 21:21, 22:12, 27:4, environmental [1] -51:17, 158:7, 98:23 182:4, 182:13, 27:24, 29:25, 152:16 182:25 engage [1] - 113:18 183:13, 184:9, 38:25, 44:1, 45:16, Environmental [2] distinct [1] - 98:14 engineer [20] - 7:21, 184:19 45:20, 45:24, 150:19, 152:3 distribute [1] - 44:14 18:10, 29:6, 29:16, Edwards [2] - 5:10, 125:21, 176:23 equal [1] - 94:2 distributed [1] -58:11, 58:17, 180:10 driveways [12] - 15:4, equipped [2] - 24:5, 46.18 63:17, 74:2, 76:25, effect [7] - 38:6, 20:10, 20:11, 58:11 distribution [7] -81:22, 91:14, 47:13, 135:16, 21:18, 26:17, **ERNSTON** [1] - 1:5 15:3, 17:19, 36:14, 99:16, 102:23, 162:15, 165:2, 26:20, 29:9, 38:19, **Ernston** [42] - 5:6, 44:5, 44:6, 44:19, 121:18, 136:24, 165:5, 165:6 45:15, 46:14, 47:10 56:22 10:6, 11:10, 13:5, 137:4, 138:25, effective [1] - 135:9 driving [1] - 53:15 14:10, 14:11, district [1] - 90:1 164:14, 165:18, efficiency [1] - 96:21 drone [6] - 4:19, 86:1, 15:16, 15:21, districts [1] - 93:4 178:23 efficient [2] - 95:11, 86:9, 86:17, 86:23 18:17, 19:16, 20:1, **dive** [1] - 46:15 ENGINEER [42] -95:15 dropped [2] - 73:10, 21:7, 26:22, 27:25, diverse [1] - 85:2 2:15, 2:18, 22:15, efficiently [4] - 26:17, 102:4 29:5, 29:17, 31:23, 22:23, 23:12, diversity [1] - 97:24 26:21, 27:5, 89:21 32:16, 38:10, dropped.. [1] - 144:7 divide [2] - 102:8, 24:16, 26:12, effort [2] - 147:15, 39:16, 43:10, 45:3, dual [1] - 166:1 28:11, 37:20, 123.9 147:16 60:10, 81:20, due [1] - 110:20 43:11, 45:12, divided [3] - 92:5, egress [2] - 28:24, 124:21, 124:25, duly [1] - 188:7 48:14, 48:19, 49:9, 172:13, 172:15 29:9 Dunhams [2] - 42:2, 126:17, 127:1, 50:25, 54:23, 55:3, **DO** [2] - 188:9, Eid [1] - 158:4 129:18, 135:17, 156:23 55:18, 57:16, 58:7, 188:13 eight [2] - 62:5, 62:6 135:20, 135:23, 73:19, 76:14, during [33] - 11:25, doctor [1] - 121:18 either [10] - 12:4, 147:2, 150:12, 15:23, 16:24, 17:4, 76:23, 77:22, document [1] - 141:1 70:3, 114:16, 151:21, 155:13, 78:11, 79:13, 21:4, 21:17, 22:7, documentation [1] -123:8, 137:23, 161:16, 166:14, 22:24, 33:18, 79:20, 81:5, 81:15, 159:4 163:14, 164:2, 166:21, 169:15, 38:15, 39:7, 41:3, 82:11, 82:18, documented [2] -164:7, 179:22, 176:4, 176:9 42:24, 43:9, 45:21, 83:16, 101:10, 163:3, 163:15 186:19 escalates [1] - 163:11 50:11, 50:15, 101:24, 102:20, domestic [1] - 100:13 electric [12] - 162:15, 103:5, 103:9, Esposito [2] - 5:8, 52:24, 54:13, done [20] - 10:10, 162:18, 162:22, 173:19 103:20, 104:4, 106:9, 106:10, 11:4, 11:6, 17:22, 163:10, 180:16, ESPOSITO [12] -135:12, 136:15, 108:10, 108:25, 28:1, 39:17, 47:1, 180:21, 180:24, 111:21, 121:7, 137:14 173:19, 174:2, 117:19, 118:14, 181:6, 181:12,

127:15, 128:16,

174:16, 175:17, 176:13, 176:18, 176:25, 177:4, 178:3, 178:24 **ESQUIRE** [3] - 2:12, 2:14, 3:3 essence [1] - 130:22 essentially [3] -57:20, 72:11, 158:21 establish [1] - 134:18 establishing [1] -155:3 establishments [1] -155:22 estimate [3] - 13:12, 71:21, 79:12 estimates [1] - 54:10 **estimation** [1] - 48:9 et [4] - 39:20, 58:17, 78:23 EV [1] - 162:22 evening [29] - 7:7, 7:16, 8:4, 20:24, 21:10, 21:18, 22:8, 22:24, 23:5, 23:8, 24:1, 43:6, 43:23, 68:17, 76:16, 83:19, 84:1, 84:4, 87:18, 111:2, 138:16, 139:2, 150:11, 160:13, 160:18, 168:18, 177:19, 179:2 evenings [2] - 23:25, 149:1 event [5] - 22:25, 23:2, 71:6, 106:16, 112:16 events [8] - 12:16, 16:23, 24:25, 54:9, 79:19, 80:20, 80:21, 109:13 evidence [5] - 99:21, 118:9, 152:14, 158:16, 159:4 **EWZ** [1] - 3:15 exact [2] - 100:7, 100:9 Exactly [1] - 129:11 exactly [4] - 33:21, 91:4, 132:13, 182:17 **example** [2] - 77:3, 146:7 exceed [3] - 78:7, 92:16, 107:20 Excellent [1] - 159:5 excellent [1] - 87:16 **except** [2] - 170:18, 171:8 exception [2] - 13:20, 161:10 exceptionally [2] -87:11, 88:11

exceptions [4] -98:18, 99:18, 100:25, 161:12 excess [1] - 131:24 excuse [3] - 49:1, 134:11, 183:1 exercise [1] - 77:13 exhibit [11] - 16:13, 29:21, 30:4, 73:22, 74:4, 83:8, 83:13, 85:24, 86:4, 166:7, 168:22 Exhibit [1] - 86:23 exhibited [1] - 15:4 exhibits [3] - 58:17, 82:21, 158:25 exist [2] - 145:18, 181:16 existing [25] - 10:25, 11:13, 12:24, 14:22, 15:8, 15:17, 17:4, 17:18, 18:14, 32:5, 32:10, 32:11, 32:16, 32:25, 33:1, 35:8, 40:3, 46:3, 54:2, 65:20, 66:6, 66:21, 67:16, 101:15 exit [3] - 83:4, 173:2, 173:4 exited [2] - 38:13, 38:14 exiting [11] - 12:21, 13:16, 16:6, 21:23, 46:9, 47:1, 47:10, 73:23, 82:23, 83:9, 173:8 exits [1] - 173:10 expand [4] - 52:19, 67:15, 67:17, 109:4 expansion [1] - 52:18 expect [2] - 71:9, 117:21 expectation [1] -54:15 expected [2] - 12:18, 142:13 expecting [3] - 106:5, 108:5, 108:14 expense [1] - 147:17 experience [2] -44:22, 102:24 experiences [5] -16:10, 19:17, 21:1, 21:5, 21:11 expert [9] - 49:7, 89:17, 96:19, 103:13, 120:6, 125:6, 125:23, 128:8, 178:22 expert-wise [1] -89:17 experts [2] - 35:13, 121:6

explain [3] - 64:1,

178:7, 178:16 **explicitly** [1] - 90:10 **express** [1] - 112:9 extend [2] - 30:1, 72:6 extended [1] - 38:18 extensive [4] - 57:3, 118:6, 178:18, 180:13 extent [10] - 13:9, 33:12, 43:1, 54:9, 54:20, 90:8, 90:12, 91:20, 128:19, 152:8 extra [3] - 30:9, 92:14, 93:13 **extreme** [1] - 96:7 eye [1] - 87:5

# F facilities [4] - 24:19,

32:11, 41:22, 42:1 facility [16] - 10:1, 22:25, 23:3, 32:5, 32:10, 41:23, 42:10, 56:11, 64:1, 66:6, 66:9, 66:21, 83:5, 92:14, 103:21, 166:15 facing [1] - 48:16 fact [18] - 27:10, 31:23, 32:25, 33:22, 36:12, 36:15, 37:11, 40:25, 56:14, 56:21, 64:19, 102:3, 120:6, 120:20, 120:21, 120:25, 144:4, 174:5 factor [11] - 14:13, 34:3, 41:7, 46:14, 46:16, 46:20, 47:4, 47:6, 47:8, 79:9, 105:17 factored [3] - 14:22, 37:13, 175:3 factoring [1] - 53:8 factors [3] - 33:15, 33:19, 47:13 factual [2] - 118:23, 121:4 factually [1] - 120:1 fair [3] - 57:16, 65:4, 113:6 fairly [1] - 42:3 faith [4] - 89:8, 94:4, 94:5, 94:10 fall [4] - 99:14, 101:20, 122:1, 183:19 falls [1] - 70:8 familiar [1] - 85:16 family [6] - 23:9,

23:25, 27:14, 54:8, 100:1, 100:16 far [8] - 24:3, 34:23, 130:10, 148:2, 148:11, 154:23, 156:21, 184:6 fashion [2] - 49:3, 95:14 fast [1] - 33:10 fault [1] - 129:23 favor [5] - 13:14, 40:6, 85:10, 138:9, 168:2 favorably [2] - 13:6, 174:6 features [1] - 66:14 February [2] -165:22, 186:12 feet [16] - 42:5, 42:12, 47:24, 67:6, 67:7, 72:11, 77:5, 77:8, 77:10, 77:11, 88:19, 105:5, 149:22, 154:22 fellowship [1] - 89:4 few [4] - 19:9, 46:9, 53:3, 137:18 fewer [2] - 155:24, 161:25 fields [3] - 12:10, 48:7, 49:2 figure [4] - 129:19, 144:11, 146:21 **Figure** [6] - 11:14, 11:15, 14:23, 14:24, 15:6, 15:11 figures [1] - 15:13 fill [3] - 74:24, 106:9 filled [1] - 100:10 final [2] - 61:11, 144:12 **FINAL** [1] - 1:6 finally [2] - 88:9, 93:23 financially [1] -188:17 fine [11] - 8:10, 19:2, 37:20, 70:18, 76:5, 76:22, 77:20, 78:9, 110:7, 114:25, 133:14 finish [4] - 25:14, 37:4, 148:25, 183:3 fire [33] - 9:9, 9:10, 15:2, 17:7, 17:18, 28:3, 32:12, 32:17, 33:3, 33:24, 36:10, 36:13, 36:20, 41:12, 41:19, 46:3, 47:2, 50:9, 50:13, 50:14, 52:15, 52:21, 53:4, 65:22, 98:4 117:8, 117:18, float [1] - 169:19 155:8, 155:16,

166:9, 170:12, 181:17 firehouse [20] - 11:5, 11:24, 12:14, 12:20, 13:3, 17:4, 41:1, 41:11, 47:24, 48:2, 48:4, 48:16, 49:8, 54:25, 64:21, 66:6, 66:20, 106:7, 130:25, 138:22 Firehouse [2] -176:20, 176:24 firm [1] - 86:14 first [38] - 9:25, 10:11, 10:14, 12:2, 19:10, 26:13, 41:6, 46:7, 59:15, 69:13, 74:11, 74:14, 74:15, 74:24, 76:23, 77:4, 77:7, 87:3, 87:7, 87:9, 93:2, 104:9, 110:21, 142:18, 151:8, 169:23, 170:5, 170:6, 170:13, 170:18, 170:20, 170:22, 171:1, 171:3, 171:4, 172:3, 173:6 FISHINGER [28] -2:18, 22:15, 22:23, 23:12, 24:16, 26:12, 28:11, 37:20, 43:11, 45:12, 48:14, 48:19, 49:9, 54:23, 55:3, 55:18, 57:16, 58:7, 101:10, 101:24, 102:20, 103:5, 103:9, 103:20. 104:4. 135:12, 136:15, 137:14 Fishinger [7] - 24:22, 41:10, 44:2, 52:4, 102:1, 135:8, 166:23 Fishinger's [1] - 19:1 fit [4] - 66:19, 66:20, 74:18, 181:1 **five** [12] - 22:4, 38:8, 61:2, 61:4, 61:12, 75:16, 109:14, 122:3, 172:18, 172:19, 176:4, 184:1 five-mile [1] - 176:4 five-times-a-day [1] -109:14 fixed [1] - 56:15 Flaum [1] - 2:13 flexible [2] - 20:13,

floor [4] - 77:4, 77:7,

166:1, 166:4,

77:9, 132:15 **FOWLER** [8] - 2:17, 154:9 115:5, 122:9, 140:2, 148:8, flow [5] - 61:18, funeral/body [1] -128:20, 152:9, 148:9, 151:1, 71:14, 71:20, 89:18, 89:20, 71:25, 72:16, 73:2, 58:21 172:5, 180:13 185:16 96:20, 165:23 73:17, 113:15 funerals [6] - 23:9, glad [1] - 113:25 **gym** [1] - 105:3 fluctuation [1] -Fowler [1] - 2:17 54:8, 71:5, 78:23, gladly [1] - 165:4 gymnasium [3] -65:24 frame [1] - 168:2 153:20, 154:1 Glenwood [1] -16:19, 24:14, 124:4 fly [1] - 167:11 free [1] - 113:18 FURTHER [2] - 188:9, 174:17 goal [6] - 94:21, 95:2, focal [1] - 95:24 188.13 Н freedom [2] - 89:24, future [19] - 13:13, 95:11, 95:14, focus [2] - 66:15, 94:14 half [9] - 21:13, 52:17, 76:19, 98:1, 95:18, 123:25 177:23 Friday [49] - 9:12, 30:15, 41:18, 9:22, 11:6, 11:10, 107:12, 108:22, golf [1] - 186:13 focusing [1] - 147:18 60:15, 151:23, 108:25, 113:23, follow [14] - 48:11, 11:11, 11:17, grab [1] - 55:15 151:25, 170:6, 121:11, 147:13, 11:18, 11:25, grade [2] - 10:17, 67:14, 70:23, 170:8, 172:6 150:2, 150:5, 12:18, 15:23, 70:24, 71:2, 117:5, 88:19 hall [41] - 9:9, 9:11, 162:14, 163:21, 117:14, 140:2, 16:24, 17:4, 22:11, grading [1] - 167:25 15:2, 17:7, 17:18, 163:22, 164:2, 140:3, 141:10, 23:7, 23:25, 24:1, grandfathered [1] -28:3, 32:12, 32:17, 164:17, 168:16, 142:9, 147:8, 29:14, 39:7, 43:3, 164:19 33:3, 33:25, 36:10, 180:19 171:24, 180:11 47:16, 50:12, grant [1] - 115:10 36:13, 37:10, 52:24, 53:25, 54:5, fuzzy [1] - 22:4 followers [1] - 67:10 granted [4] - 96:12, 41:12, 41:19, 46:3, 54:13, 56:10, 66:9, following [3] -120:4, 154:14, 47:2, 50:9, 50:14, 68:6, 69:6, 74:10, 139:15, 141:23, G 161:17 52:15, 52:21, 53:4, 78:21, 79:18, 167:15 granting [1] - 121:3 gap [2] - 9:25, 171:8 55:5, 55:11, 55:21, 107:15, 107:23, food [2] - 33:10, granular [1] - 57:6 garage [12] - 7:14, 65:22, 67:7, 81:7, 109:5, 112:3, 160:1 graphing [1] - 44:13 81:9, 96:25, 102:6, 10:17, 17:16, 46:1, 117:1, 117:20, foot [2] - 72:12, Green [1] - 174:18 117:4, 117:8, 57:10, 61:3, 63:8, 117:23, 118:15, 148:17 gridlocked [1] -117:18, 133:5, 71:18, 72:24, 125:10, 128:5, footage [8] - 32:22, 151:25 155:8, 155:16, 73:25, 172:17, 129:4, 139:20, 33:7, 34:19, 49:8, ground [8] - 89:11, 172:25 170:12, 181:17 147:18, 147:20, 77:16, 79:15, 145:12, 145:13, gas [1] - 33:10 halls [2] - 105:19, 177:22, 183:25 125:11, 163:3 145:17, 145:21, general [9] - 69:18, 105:25 Fridays [8] - 70:14, footages [1] - 34:1 146:5, 162:18, Hana [2] - 5:9, 179:4 93:7, 94:13, 71:11, 106:12, footprint [2] - 42:5, 167:8 hand [2] - 68:16, 84:3 109:14, 149:3, 106:14, 128:2, 42:11 ground-level [2] -149:4, 149:5, handicap [2] - 74:20, 151:25, 184:2, **FOR** [1] - 1:3 89:11, 167:8 149:6, 158:23 181.9 184:7 for.. [1] - 161:20 grounds [1] - 19:25 handle [1] - 58:11 generally [11] - 16:8, front [19] - 72:6, 83:5, force [1] - 18:13 group [1] - 33:24 31:21, 38:24, 65:7, hard [6] - 33:20, 48:8, 90:18, 99:2, 99:3, foregoing [1] - 188:9 grow [4] - 66:18, 71:10, 79:8, 88:12, 118:25, 140:2, 99:11. 133:11. foresee [1] - 172:2 117:21, 142:5, 117:23, 143:18, 141:9, 146:25 133:17, 134:17, foreseeable [1] -146:5. 146:8 142:13 hardship [1] - 98:9 161:4, 163:24, 163:22 generated [11] grown [1] - 147:3 have.. [1] - 165:14 166:15, 166:22, forgotten [1] - 140:16 grows [1] - 67:10 11:23, 15:1, 21:2, head [9] - 34:2, 168:16, 169:7, form [2] - 45:4, 21:6, 21:11, 21:14, growth [31] - 9:13, 34:18, 55:14, 63:1, 169:11, 169:15, 163:24 9:15, 9:16, 13:21, 21:25, 31:22, 67:3, 167:13, 169:25, 186:7 formal [1] - 48:23 32:19, 32:24, 46:17 14:15, 14:18, 167:18 frontage [4] - 11:10, format [2] - 15:11, 14:19, 14:21, 40:9, generation [8] head-to-head [2] -14:11, 38:5, 38:11 15:13 40:10, 40:12, 13:18. 33:21. 167:13, 167:18 frustrating [1] former [1] - 32:16 40:24, 42:17, 40:15, 41:7, 66:22, heads [1] - 147:4 112:12 forms [1] - 92:20 100:22, 106:5, 52:10, 64:13, health [1] - 93:22 fulfil [1] - 95:9 106:17, 107:12, forth [6] - 23:10, 64:14, 66:16 health-oriented [1] fulfill [3] - 94:3, 108:5, 108:15, 29:12, 62:21, Generation [1] -93:22 120:11, 164:6 87:17, 139:13, 63:22 113:24, 117:16, healthy [1] - 60:19 full [13] - 45:15, 61:6, 188:12 **generator** [2] - 12:19, 121:11, 121:15, hear [10] - 22:23, 85:1, 117:2, 121:23, 122:3, fortune [1] - 84:24 43:4 29:15, 51:21, 133:22, 136:5, 123:5, 123:6, forward [6] - 106:18, generators [2] -126:9, 127:3, 169:20, 170:23, 150:5, 175:10, 112:18, 121:6, 54:18 127:6, 127:7, 171:13, 171:16 175:16 163:23, 164:21, **gentlemen** [1] - 57:5 127:8, 140:7, fully [5] - 27:6, 48:25, Gruel [1] - 97:23 186:22 gentlemen's [1] -179:21 90:23, 93:9, 140:21 guess [5] - 43:21, founding [1] - 94:15 105:19 heard [9] - 24:17, function [4] - 21:24, 77:22, 148:21, four [9] - 9:6, 12:5, gents [2] - 37:10, 85:22, 88:20, 89:9, 89:18, 89:21, 96:21 152:22, 182:13 32:18, 60:16, 86:8, 102:6 89:10, 92:11, 94:8, functioning [1] guidelines [2] -87:8, 105:8, 118:5, Given [1] - 12:9 104:16, 117:6 29:14 70:23, 70:25 172:6 given [11] - 64:18, hearing [24] - 14:7, fundamental [1] guy [2] - 178:12, four-hour [2] - 12:5, 78:24, 97:10, 22:4, 25:21, 25:22, 94:15 181:22 32:18 106:10. 115:4. 38:8, 45:23, 75:11,

guys [6] - 139:11,

funeral [2] - 139:22,

				11
100.24 100.25	hauryo 0,05	importantly	110:11 110:6	10.6 14.10 15.16
109:24, 109:25,	hour [42] - 9:25,	importantly [1] -	119:14, 149:6	10:6, 14:10, 15:16,
110:6, 110:9,	11:17, 11:19, 12:5,	100:22	initial [5] - 8:20, 20:8,	15:18, 15:21,
118:22, 127:8,	12:20, 12:22, 13:4,	impose [1] - 149:7	78:14, 78:17, 83:18	15:25, 27:25,
134:17, 142:2,	13:9, 15:23, 19:11,	impression [1] -	inoperable [1] -	39:15, 39:19, 82:7
142:21, 144:9,	20:25, 21:1, 21:4,	51:25	170:21	intimately [1] - 85:15
182:2, 182:9,	23:8, 26:19, 30:15,	<b>IMTIAZ</b> [5] - 179:2,	inside [1] - 57:12	introduce [2] - 59:23,
185:1, 186:15,	32:18, 39:24, 41:4,	179:3, 179:15,	install [2] - 70:3,	160:6
186:16, 186:25,	46:14, 46:16,	180:1, 180:6	70:24	introduced [1] - 19:9
187:2	46:18, 46:20,	<b>Imtiaz</b> [2] - 5:9, 179:3	installed [2] - 7:14,	introduces [1] - 27:9
<b>HEARING</b> [1] - 1:16	46:21, 46:22, 47:4,	<b>IN</b> [2] - 85:11, 138:10	71:1	intrusive [1] - 73:1
hearings [3] - 118:6,	47:5, 47:8, 50:11,	in/first [1] - 169:23	installer [2] - 69:3,	involved [4] - 24:22,
141:23	50:15, 56:15,	in/out [1] - 45:21	69:5	151:9, 152:23,
hearse [3] - 58:22,	170:4, 170:5,	inappropriate [1] -	instance [1] - 33:17	152:24
59:3, 179:17	170:6, 170:8,	149:11	institutional [1] -	island [2] - 18:11,
heavily [1] - 53:8	171:8, 171:19,	inbound [1] - 41:3	100:2	167:19
heavy [1] - 98:16	171:20, 177:8,	include [6] - 10:5,	instruction [1] - 70:9	islands [2] - 99:13,
height [3] - 88:20,	177:14, 179:25	14:9, 73:7, 175:7,	integrated [1] - 89:7	167:22
90:14, 159:15	hours [20] - 16:5,	175:10, 176:11	integration [1] -	isolated [1] - 65:17
held [5] - 9:7, 33:18,	22:25, 23:11, 38:8,	included [4] - 36:18,	90:22	issue [18] - 20:15,
38:14, 80:21, 158:1	39:19, 51:7, 111:9,	53:3, 82:8, 155:19	intelligent [1] -	44:24, 45:10,
help [2] - 96:2, 141:2	112:13, 127:14,	includes [2] - 41:7,	112:22	53:17, 74:9, 78:25,
helping [1] - 129:21	128:1, 128:5,	183:22	intend [1] - 167:12	79:16, 102:2,
helps [2] - 56:25,	128:6, 153:7,	including [3] - 13:8,	intended [3] - 17:10,	135:21, 139:4,
99:9	153:8, 153:11,	45:20, 50:12	90:21, 152:17	140:15, 142:5,
hereby [1] - 188:6	153:16, 158:13,	inconsistencies [1] -	intending [1] -	144:1, 168:11,
hereinbefore [1] -	177:20, 178:2	77:25	171:21	169:6, 172:2,
188:12	house [6] - 27:14,	incorporate [1] - 47:3	intensity [2] - 120:7,	184:6, 186:5
<b>Hi</b> [1] - 146:23	88:18, 92:1, 103:4,	incorporating [2] -	124:9	issues [6] - 29:18,
<b>hi</b> [1] - 84:9	103:6, 158:13	10:3, 118:13	intent [3] - 52:19,	39:12, 58:9, 76:10,
high [3] - 19:17, 79:5,	hover [1] - 87:4	increase [11] - 9:15,	55:19, 96:14	123:17, 135:10
173:2	hub [1] - 149:11	47:16, 67:6, 67:16,	intention [4] - 75:6,	ITE [8] - 41:21, 52:8,
high-volume [1] -	hypotheticals [1] -	121:19, 121:21,	166:13, 169:24,	52:10, 63:21,
173:2	35:14	122:3, 122:8,	181:9	64:12, 65:5, 65:8,
higher [8] - 21:12,	_	123:10, 135:20,	interaction [1] -	65:12
21:13, 40:7, 46:8,	I	175:14	168:5	Item [4] - 76:24,
78:15, 79:8,	I [1] - 183:2	increased [5] - 9:13,	interactive [2] - 91:1,	77:24, 78:11, 81:5
140:23, 142:15	i.e [1] - 151:21	13:15, 13:22,	91:6	item [3] - 44:3, 81:15,
highest [1] - 26:22	idea [3] - 35:18,	78:17, 147:2	interest [3] - 89:23,	82:19
highlight [1] - 76:15	66:25, 75:2	increases [1] -	89:24, 94:17	items [3] - 76:15,
highly [1] - 159:11	ideal [2] - 61:8, 146:9	175:11	interested [2] - 86:10,	83:17, 110:16
Highway [1] - 15:9	ideally [1] - 61:17	indicate [1] - 150:22	188:17	itself [4] - 64:12,
Hindu [1] - 157:6	identified [2] -	indicated [10] - 7:19,	interesting [1] -	90:10, 94:11,
hiring [1] - 173:23	122:16, 166:1	76:8, 79:22, 110:1,	46:24	135:10
hit [2] - 10:11, 67:2	illegally [1] - 158:18	110:18, 111:9,	interestingly [2] -	
holding [2] - 9:11,	imagine [3] - 25:20,	111:13, 123:4,	38:22, 38:24	J
11:5	58:5, 147:23	165:23, 166:7	interfere [3] - 38:24,	<b>JAMES</b> [1] - 2:3
holds [3] - 20:15,	imam [1] - 57:14	indirectly [1] - 76:25	71:22, 72:21	January [1] - 185:23
48:24, 55:21	immediately [1] -	individual [1] - 77:6	interference [1] -	<b>JAY</b> [1] - 2:15
hole [1] - 149:12	139:21	individuals [2] -	30:13	JCC [1] - 124:5
holidays [2] - 109:9,	impact [10] - 31:25,	114:3, 132:5	interior [1] - 30:7	JENNIFER [7] -
173:2	46:12, 62:13,	infinitum [1] - 163:2	intermission [1] -	180:9, 181:21,
holistic [1] - 149:18	135:9, 147:5,	information [11] -	55:17	182:4, 182:13,
holy [1] - 158:4	150:24, 151:2,	25:22, 42:25, 44:5,	internal [2] - 164:3,	183:13, 184:9,
home [3] - 134:1,	151:20, 152:15,	54:20, 82:12,	168:1	184:19
171:13, 171:18	159:12	111:25, 112:20,	interpretation [1] -	Jennifer [2] - 5:10,
homes [2] - 88:2,	Impact [3] - 66:1,	112:21, 141:5,	91:22	180:10
174:20	150:19, 152:4	181:4, 181:5	interrupt [1] - 107:25	<b>JERSEY</b> [2] - 1:2, 1:9
honest [2] - 11:3,	impacts [2] - 81:17,	information/	interrupting [1] -	Jersey [16] - 1:24,
155:8	82:3	testimony [1] - 44:9	164:22	3:4, 84:20, 84:25,
hook [1] - 185:16	impairment [2] -	ingress [2] - 28:24,	interruption [1] -	91:5, 95:6, 95:7,
hope [1] - 123:5	96:14, 97:20	45:24	25:14	98:13, 125:13,
hopefully [1] - 109:18		inherent at 140.4	1 4	
	impetus [1] - 26:18	inherent [1] - 149:4	interruptions [1] -	138:19, 154:21,
horizontal [1] - 94:24	important [2] - 13:2,	inherently [5] - 93:15,	132:23	138:19, 154:21, 163:9, 163:10,
	• • • • • • • • • • • • • • • • • • • •	1	-	138:19, 154:21,

JOE [21] - 150:11, 151:18, 152:5, 159:11, 159:19, 142:23, 142:24 62:24, 63:1, 74:19, 150:17, 151:10, 152:21, 153:1, 159:21, 184:15 leads [1] - 77:16 74:24, 127:24, 151:13, 151:18, 153:5, 153:13, lanes [3] - 17:14, least [3] - 72:25, 75:6, 171:6, 183:11 152:5, 152:21, 153:18, 154:3, 30:3, 172:20 130:17 lifts [28] - 9:19, 17:15, 153:1, 153:5, 154:6, 154:19, large [8] - 42:10, leave [10] - 59:21, 17:20, 17:24, 153:13, 153:18, 155:25, 156:8, 87:11, 88:11, 30:15, 46:4, 56:20, 135:19, 159:6, 156:11, 157:3, 154:3, 154:6, 115:3, 115:4, 163:5, 170:7, 56:24, 57:5, 59:7, 154:19, 156:8, 157:25, 158:8, 115:12, 122:10 171:4, 171:9, 61:15, 63:5, 63:6, 159:5, 159:23 63:9, 74:23, 75:3, 156:11, 157:3, largely [7] - 13:19, 173:14, 178:8, Karmazin [2] - 5:6, 157:25, 158:8, 145:14, 145:19, 15:15, 21:24, 179:8 159:5, 159:23 150:12 170:14, 171:1, 27:22, 44:17, leaves [1] - 82:24 **Joe** [2] **-** 5:6, 150:12 keep [3] - 26:18, 53:25, 60:18 171:11, 173:6, leaving [5] - 17:5, jogging [1] - 23:17 132:22, 149:21 173:11, 180:16, larger [6] - 72:13, 46:19, 46:21, John [6] - 4:7, 8:5, **KEITH** [1] - 2:4 88:7, 95:16, 181:9, 73:25, 172:3 181:1, 181:2, 84:10, 97:23, key [3] - 9:6, 87:14, 182:12, 183:10 left [8] - 10:7, 16:9, 182:15 light [5] - 38:20, 101:10, 136:17 96.17 largest [1] - 123:14 18:12, 45:16, 48:6, 94:21, 95:2, 100:7, **JOHN** [24] - 2:7, 4:6, **KHAN** [1] - 3:15 Larry [1] - 184:23 68:6, 69:7, 165:3 163:10 84:6, 84:9, 151:8, kicked [1] - 34:19 larry@sachslawnj. left-turn [2] - 10:7, lighting [1] - 91:11 151:12, 151:14, kind [8] - 28:20, 45:9, com [1] - 3:5 18:12 lights [2] - 174:12, 152:2, 152:7, 52:11, 77:18, last [45] - 7:10, 7:18, Lehrer [1] - 2:13 152:24, 160:24, 174:15 145:12, 145:13, length [2] - 72:10, 8:19, 9:7, 14:6, 161:4, 161:8, 164:23, 180:9 likely [1] - 53:14 16:12, 16:15, 18:1, 114:10 161:19, 161:23, **KLAUS** [8] - 3:17, limit [1] - 9:22 25:24, 26:2, 26:3, lengths [1] - 168:25 162:4, 162:8, limited [10] - 33:11, 68:2, 69:1, 69:18, 28:23, 38:8, 38:23, Leoncavallo [1] -162:12, 162:20, 70:4, 70:17, 70:18, 41:25, 45:23, 37:11, 38:12, 97:24 163:16, 165:19, 53:13, 55:6, 57:4, 41:21, 52:8, 52:10, 71:15 less [14] - 27:20, 166:16, 167:20, knee [1] - 185:10 60:3, 68:11, 68:12, 52:11, 64:3, 64:5, 48:10, 61:20, 167:24 knitted [1] - 89:6 68:13, 74:17, 158:23 103:18, 108:1, JOSEPH [3] - 2:12, limits [1] - 73:22 know.. [1] - 153:14 82:18, 86:1, 86:2, 117:12, 128:21, 2:18, 155:25 line [9] - 29:25, 30:2, knowledge [1] -110:3, 110:21, 132:7, 150:23, **JR** [1] - 2:3 138:17, 145:8, 91:9, 116:15, 54:22 151:2, 151:20, judgment [1] - 64:15 159:5, 160:18, 161:18, 161:22, 116:17, 133:3, knows [3] - 19:17, judicial [2] - 134:17, 169:22, 177:16, 133:19, 164:23, 86:12, 148:11 177:24 183:7 178:6, 178:20, 172:19 lesser [1] - 103:19 Kunzman [1] - 2:13 JUDY [1] - 2:5 179:3, 180:8, lines [2] - 44:13, letter [6] - 19:7, 180:12, 180:21, 152:18 July [9] - 16:13, 20:17, 39:15, 58:9, 182:2, 182:5, 16:16, 29:22, 50:5, Lisa [2] - 5:5, 146:23 80:5, 91:17 **L-I-E-U** [1] - 60:1 182:8, 184:13 73:5, 73:11, 73:12, LISA [4] - 146:23, letting [2] - 39:2, **LA**[1] - 4:6 102:4, 133:10 lastly [3] - 95:18, 148:7, 149:17, 164:21 lack [1] - 158:21 Jummah [3] - 138:21, 97:20, 98:18 level [10] - 15:12, 150:1 ladies [1] - 102:7 late [4] - 17:19, 23:13, 139:13, 139:20 list [1] - 186:4 15:19, 46:13, 61:3, ladies' [1] - 105:18 listed [2] - 90:5, jump [2] - 139:21, 158:11, 179:24 84:23, 89:11, **LAHRMAN** [3] - 2:5, 139.23 laudable [2] - 123:25 97:14, 112:14, 98:19 6:17, 104:7 LAW [1] - 3:2 jumps [2] - 87:7, 120:7, 167:8 listen [3] - 51:20, **Lahrman** [1] - 6:16 87:10 law [12] - 99:24, Level [4] - 15:22, 132:11, 137:10 land [26] - 47:6, 114:23, 125:17, listening [1] - 148:25 June [2] - 11:20, 16:4, 21:21 85:20, 85:21, 131:5, 131:7, 184:3 Levels [1] - 16:3 listens [1] - 91:3 85:22, 86:11, jurisdiction [1] - 20:2 151:15, 162:14, literal [1] - 98:22 levels [3] - 15:25, 87:15, 87:22, 88:4, 163:9, 164:3, just.. [1] - 80:8 21:22, 26:19 live [6] - 126:8, 88:7, 88:23, 89:8, 165:1, 165:5, justification [3] license [1] - 84:20 126:12, 138:12, 90:9, 90:25, 93:14, 165:10 121:2, 144:15, 138:18, 146:24, License [2] - 2:24, 93:15, 93:16, 144:19 **Law** [6] - 93:1, 93:3, 188:23 150:12 95:12, 95:15, justifies [1] - 121:25 93:17, 94:1, 95:5, living [1] - 126:6 licensed [3] - 84:18, 99:10, 106:11, justify [2] - 79:14, 98.11 86:17, 125:12 **LLC** [3] - 1:22, 2:17, 106:13, 107:9, 101:18 **Lawrence** [1] - 7:8 4.7 Lieu [3] - 59:25, 60:2, 122:6, 156:1 **LAWRENCE** [2] - 3:2, 145:9 load [2] - 56:24, Land [8] - 92:25, 3.3 K **LIEU** [11] - 3:19, 69:13 93:2, 93:17, 94:1, **Laws** [1] - 6:6 loaded [1] - 17:15 59:25, 60:7, 60:13, Kahn's [1] - 90:6 95:4, 98:11, laws [2] - 162:13, 61:1, 61:8, 61:22, loading [1] - 99:13 **KANDEL** [2] - 2:4, 150:18, 152:6 164:17 61:25, 62:6, 146:4, local [1] - 42:9 6:12 landscape [2] lawyer [1] - 121:17 146:13 located [6] - 10:17, Kandel [1] - 6:11 91:10.96:1 layout [2] - 17:11, life [3] - 71:6, 147:3, 42:2, 42:8, 52:2,

KARMAZIN [22] -

150:11, 150:17,

151:10, 151:13,

landscaping [3] -

99:8, 168:1, 168:2

lane [6] - 42:3, 99:14,

63:7

leading [5] - 12:2,

46:6, 50:11,

162:2

lift [12] - 10:19, 10:22,

16:14, 61:9, 61:13,

94:6, 115:4

location [13] - 12:9,

33:14, 52:24,

61:11, 83:2, 94:5, 135:13, 150:21, 159:22, 161:9, 161:24, 169:14, 187:8 locations [1] - 51:5 logic [2] - 67:15, 142:17 logically [1] - 67:17 look [20] - 27:4, 31:21, 39:10, 48:5, 48:22, 56:2, 56:6, 85:22, 87:5, 95:18, 97:20, 100:4, 123:13, 154:1, 154:7, 158:11, 175:4, 175:7, 181:15 looked [6] - 20:9, 29:21, 41:15, 42:1, 64:4, 97:21 looking [26] - 29:23, 33:9, 55:4, 62:19, 63:8, 64:25, 72:17, 73:6, 87:5, 87:14, 88:2, 88:3, 88:4, 91:10, 92:2, 93:21, 98:20, 99:2, 106:14, 108:25, 112:10, 122:11, 122:12, 123:1, 124:20 looks [4] - 13:6, 87:1, 162:5, 169:6 losing [1] - 146:13 **LOTS** [1] - 1:5 love [1] - 117:16 low [2] - 79:6, 108:25 lower [18] - 21:2, 21:5, 21:6, 21:11, 21:14, 21:24, 22:10, 40:1, 41:14, 41:19, 43:8, 54:5, 54:17, 54:18, 56:23, 98:20, 119:17 lying [1] - 103:16 М

## M-c-D-O-N-O-U-G-H

[1] - 84:10

Madam [1] - 6:4 Madison [8] - 9:10, 11:4, 117:7, 117:18, 148:16, 176:19, 176:20, 176:24 MAGNANI [11] - 2:20, 6:7, 6:11, 6:13, 6:15, 6:18, 6:20, 6:23, 6:25, 185:8, 186:2

magnitude [1] -

112:23

Main [5] - 5:4, 5:5, 81:19, 138:18, 146:24 MAIN [1] - 1:9 main [4] - 12:18, 66:8, 66:15, 148:16 maintain [1] - 40:4 maintainer [1] - 69:5 major [1] - 129:18 **MAJOR** [1] - 1:6 makeup [1] - 89:12 males [1] - 60:18 mandates [2] - 163:9, 164:2 Mandelbaum [1] -2:14 manner [2] - 29:18, 131:11 **Manual** [1] - 63:22 Manufacturer [1] -69:2 manufacturer [2] -7:13, 68:25 March [1] - 11:18 marked [1] - 86:25 marrying [1] - 87:15 masjid [1] - 162:3 **Masjid** [1] - 7:9 MASJID [1] - 1:4 mass [6] - 88:7, 90:15, 94:23, 94:24, 99:5, 99:9 Master [3] - 97:22, 97:23 mat [1] - 103:15 match [3] - 77:16, 79:15, 155:9 materials [1] - 18:4 math [5] - 55:4, 121:18, 121:20, 163:4, 175:13 mathematician [1] -123:8 mats [16] - 51:11, 55:7, 55:11, 55:22, 92:5, 92:9, 102:7, 103:10, 104:1, 104:25, 106:14, 107:10, 116:3, 118:17, 121:13, 129:6 maximize [1] - 167:25 maximum [1] - 123:7 MCDONOUGH [11] -160:24, 161:4, 161:8, 161:19, 161:23, 162:4, 162:8. 162:12.

165:19, 167:20,

McDonough [36] -

84:2, 84:6, 84:9,

84:10, 84:15,

4:6, 4:7, 8:5, 83:24,

167:24

85:14, 101:4, 101:6, 101:9, 102:8, 102:11, 104:11, 112:19, 113:11, 116:13, 117:5, 117:24, 119:15, 123:4, 124:15, 129:15, 133:3, 136:4, 151:8, 151:12, 151:14, 152:2, 152:7, 152:24, 162:20, 163:16, 166:16 mean [18] - 13:14, 55:24, 69:20, 108:8, 114:23, 122:22, 124:2, 134:14, 135:12, 139:1, 139:3, 140:18, 159:16, 169:5, 182:2, 183:11, 185:16, 186:8 means [3] - 27:15, 58:14, 90:11 measured [1] -168:24 mechanisms [2] -10:19, 62:24 meet [15] - 70:25, 94:9, 96:22, 97:15, 97:19, 99:17, 100:7, 101:23, 114:18, 118:9, 118:20, 125:2, 128:9, 128:24, 128:25 **MEETING** [2] - 1:3, 1:8 meeting [35] - 6:5, 7:18, 9:7, 16:15, 25:24, 26:4, 28:23, 41:25, 53:13, 55:16, 57:4, 60:3, 74:17, 82:1, 110:18, 110:19, 110:22, 111:16, 112:2, 113:3, 151:5, 153:9, 153:11, 168:21, 178:20, 180:12, 185:3, 185:6, 185:17, 186:1, 186:17, 186:19, 186:22, 186:24, 187:3 meetings [5] - 9:8, 16:16, 24:11, 34:20, 71:4 meets [1] - 19:22 member [2] - 139:19, 140:4 Member [1] - 128:13

MEMBER [76] - 6:12,

mic [3] - 138:12,

6:14, 6:17, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 32:9, 32:13, 36:24, 36:25, 37:5, 49:15, 58:20, 59:4, 67:23, 67:25, 68:5, 69:2, 69:6, 69:17, 69:21, 70:4, 70:13, 85:7, 104:6, 104:7, 105:15, 105:21, 106:3, 106:20, 107:3, 107:14, 107:21, 108:3, 108:9, 108:14, 108:23, 109:12, 109:21, 109:23, 110:3, 110:7, 110:8, 110:13, 110:20, 111:5, 111:12, 111:17, 112:25, 113:1, 113:2, 113:4, 113:6, 114:4, 125:20, 126:7, 126:18, 127:19, 127:21, 128:12, 128:23. 129:5. 129:8, 129:11, 129:12, 132:13, 138:6, 138:8, 158:6, 158:18, 187:5 members [14] - 7:8, 9:4, 14:4, 29:4, 73:4, 101:7, 107:11, 113:12, 117:15, 119:9, 123:6, 140:9, 140:13, 141:25 **MEMBERS** [3] - 2:1, 85:11, 138:10 membership [3] -113:23, 114:2, 119:22 memory [1] - 142:1 men [1] - 92:9 mention [3] - 9:17, 19:15, 53:2 mentioned [8] - 14:5, 40:20, 46:3, 53:1, 73:3, 73:5, 81:6, 82:21 mentions [1] - 52:14 messes [1] - 186:12 met [6] - 20:6, 20:7, 90:3, 99:23, 101:1, 119:16 methodologies [1] -21:19 methodology [1] -130:12 metric [1] - 121:24 **Metropolis** [1] - 3:19

145:24, 160:6 MICHAEL [35] - 2:17, 160:13, 161:2, 161:6, 161:14, 161:21, 162:1, 162:6, 162:9, 162:13, 162:25, 164:1, 164:13, 165:1, 165:12, 165:14, 165:16, 165:20, 166:11, 167:1, 167:12, 167:17, 167:23, 168:4, 168:15, 169:2, 169:17, 170:18, 171:3, 171:12, 172:5, 172:9, 172:12, 173:1, 173:13 Michael [3] - 2:17, 5:7, 160:13 MICHELLE [4] -146:23, 148:7, 149:17, 150:1 Michelle [2] - 5:5, 146:24 microphone [1] -181:4 midday [5] - 20:23, 21:7, 21:15, 43:24, 56:10 middle [3] - 23:21, 47:7, 88:7 Middlesex [7] -14:20, 18:2, 18:4, 20:2, 20:6, 166:14, 167:1 **MIDDLESEX** [1] - 1:2 might [10] - 24:4, 24:21, 67:12, 140:14, 140:16, 142:5, 144:10, 148:25, 154:11, 161:10 mile [4] - 33:3, 65:3, 176:4, 176:14 mileage [1] - 72:13 miles [2] - 14:8, 82:6 million [1] - 155:22 Millstone [1] - 1:24 mind [5] - 18:25, 93:18, 93:19, 179:8, 180:24 minimal [2] - 98:17, 100:23 minimum [2] - 62:4, 145:10 minus [1] - 123:9 minute [3] - 46:20, 60:14, 75:18 minutes [7] - 46:22, 60:16, 60:25, 75:16, 172:6, 172:18, 172:20 missed [1] - 23:13

missing [3] - 127:22, 125:13, 138:19, 188:8 117:15, 131:19, nearby [2] - 12:12, 135.7 154:21, 163:9, notice [3] - 183:7, 41:1 160:20, 172:1 **MULLER** [52] - 2:6, 163:10, 164:4, 186:20, 187:3 mission [5] - 89:7, nearly [1] - 12:24 94:4, 94:10, 95:9, 6:19, 30:18, 30:20, necessarily [5] -188:4 noticed [2] - 6:5, 146:14 30:24, 31:5, 31:10, 27:2, 32:23, 61:22, next [17] - 25:21, 127:1 31:14, 31:19, 34:4, 49:18, 67:9, 88:1, notwithstanding [1] mistake [2] - 157:9, 76:24, 144:16 34:6, 34:10, 34:16, 95:4, 109:19, 73:14 157:10 necessary [1] - 119:1 35:4, 35:12, 35:21, 109:24, 110:5, mistaken [1] - 166:10 need [56] - 24:25, November [1] - 185:3 36:19, 47:21, 112:1, 153:7, mitigate [1] - 47:20 30:22, 31:1, 31:6, nuisance [1] - 129:22 47:23, 48:1, 49:6, 153:8, 178:15, model [2] - 44:13, 51:4, 51:5, 63:14, Number [26] - 22:14, 50:17, 50:20, 185:1, 185:3, 75:2, 75:5, 78:7, 163:7 39:14, 40:18, 63:19, 63:24, 186:11, 186:24 modification [1] -78:8, 80:1, 98:1, 40:24, 41:20, 64:20, 64:24, 65:4, nice [1] - 66:14 114:21, 115:10, 42:16, 42:22, 46:11 65:16, 66:3, 66:17, 115:18, 115:21, night [3] - 129:22, 43:21, 44:4, 45:14, modifying [1] - 47:12 67:14, 80:7, 80:14, 116:1, 116:4, 148:10, 158:13 moment [1] - 18:3 46:13, 50:16, 52:7, 104:11, 104:19, nightly [2] - 84:25, 116:6, 117:2, 53:18, 53:20, 56:8, Monday [2] - 109:16, 105:11, 112:6, 119:14, 120:3, 112:16 56:9, 57:8, 76:24, 177:11 112:8, 124:13, 120:10, 121:7, **nights** [4] - 23:9, 77:24, 78:11, 81:5, month [3] - 86:1, 124:15, 124:24, 123:12, 123:16, 23:25, 29:15, 54:9 81:15, 90:4, 163:8, 86:2, 112:15 125:4, 125:9, 124:16, 130:22, nine [1] - 86:5 167:2 months [3] - 8:20, 125:16, 129:13, 130:24, 131:4, NJ [1] - 188:23 number [53] - 8:20, 25:10, 147:21 129:15, 130:20, 131:6, 131:7, **NJDOT** [2] - 40:11, 14:4, 33:6, 34:17, morning [12] - 20:21, 131:3, 131:17, 131:8, 132:8, 36:4, 48:15, 54:25, 40:12 21:1, 21:4, 21:17, 135:8, 136:2 132:11, 132:23, 55:4, 55:6, 55:7, no-build [6] - 14:23, 22:8, 22:24, 23:5, Multiparking [1] -133:4, 134:18, 15:2, 15:9, 15:12, 55:9, 55:11, 55:16, 23:20, 43:6, 43:23, 3.17 143:6, 144:14, 55:21, 56:6, 63:1, 15:17, 15:24 177:19, 177:21 multiple [9] - 54:4, 145:13, 148:13, 63:3, 63:4, 67:10, **nobody** [1] - 148:11 mosque [23] - 9:11, 87:20, 95:15, 148:14, 148:17, 77:17, 78:6, 92:9, non [9] - 70:5, 87:24, 11:1, 11:5, 12:19, 106:3, 128:17, 149:22, 156:15, 101:11, 103:6, 15:5, 22:2, 33:2, 92:12, 92:15, 172:20, 172:23, 159:9, 173:11, 104:24, 105:16, 109:1, 128:16, 33:22, 38:13, 172:24, 177:18 180:23, 182:9, 112:10, 113:12, 39:22, 54:16, 129:4, 139:14, multiplicity [1] -182:18, 184:25, 114:16, 120:11, 57:14, 65:10, 170:21 95:23 186:18 120:16, 120:25, non-coincident [1] -65:22, 93:25, multiplied [1] needed [9] - 46:4, 122:7, 122:16, 92:12 149:10, 156:20, 172:14 119:3, 135:6, 122:17, 130:8, non-Friday [1] -156:22, 156:23, multipurpose [1] -136:20, 142:7, 136:18, 136:19, 157:5, 162:3, 129:4 88:22 142:12, 142:22, 136:20, 137:2, 176:8, 178:5 non-peak [2] -143:7, 170:15 Municipal [3] - 92:25, 142:10, 142:16, mosques [8] - 33:9, 128:16, 139:14 150:18. 152:5 needing [1] - 131:14 142.18 143.6 39:20, 41:16, non-residential [1] -143:9, 143:10, needs [6] - 80:2, 66:24, 88:25, municipal [1] - 9:5 87:24 municipalities [2] -83:14, 94:9, 95:6, 144:12, 146:15, 154:21, 155:1, non-trained [1] - 70:5 13:25, 70:24 119:16, 119:21 160:25, 172:15, 155:24 non-value [1] negative [5] - 96:11, 181:6, 182:17, municipality [2] most [4] - 57:24, 170:21 184:7 52:2, 69:24 98:17, 150:24, 65:15, 100:22, non-worship [2] numbers [23] - 13:14, must [2] - 151:19, 151:2, 151:20 120:14 92:15, 109:1 neighbor [2] - 134:8, 34:18, 34:23, 36:6, 172:1 motion [5] - 85:5, none [4] - 14:3, 36:8, 36:12, 46:15, 134:9 85:7, 138:3, 138:4, 42:23, 75:11, 79:19 48:22, 50:4, 62:20, Ν neighborhood [8] -138.6 noon [1] - 11:6 42:9, 87:12, 88:3, 77:15, 78:5, 78:14, motorists [1] - 39:1 noontime [1] - 117:1 N.J.S.A [2] - 93:6, 90:22, 131:23, 78:15, 78:16, 79:4, move [4] - 22:16, north [1] - 84:25 94:20 176:21, 177:1, 79:5, 79:8, 79:15, 43:19, 106:18, Notary [2] - 188:3, **NAME** [1] - 5:2 105:8, 128:20, 177:3 142:12 188:24 name [13] - 59:23, 163:18, 165:3 neighborhoods [1] moved [2] - 33:24, note [6] - 10:15, 13:2, 68:21, 68:22, 84:8, numerical [1] - 46:16 134:5 38:20 16:11, 17:13, 29:4, 84:10, 138:12, numerous [1] - 51:5 never [6] - 51:18, movement [1] - 15:20 64:17 138:16, 138:17, 73:12, 100:4, movements [7] noted [7] - 9:20, 145:9, 146:23, 113:3, 113:4, 162:8 O 10:7, 15:15, 18:13, 13:20, 17:17, 150:11, 179:3 new [9] - 10:22, 19:9, o'clock [3] - 24:1, 21:20, 45:25, 38:19, 45:23, 65:9, narrow [1] - 93:16 27:9, 40:11, 45:22, 47:10, 47:16 75:23 117:2, 138:1 national [1] - 84:23 157:1, 157:2, moves [1] - 49:18 notes [7] - 16:17, **O9** [1] - 166:11 natural [1] - 96:4 162:14, 182:14 moving [4] - 10:24, 29:6, 35:22, 63:15, oath [6] - 8:1, 8:9, nature [3] - 24:12,

NEW [2] - 1:2, 1:9

New [16] - 1:24, 3:4,

84:19, 84:25, 91:5,

95:6, 95:7, 98:13,

80:22, 83:14, 142:2

68:18, 84:5, 115:1,

nothing [7] - 57:22,

137:24, 177:7,

8:12, 60:6, 113:21,

125:7

object [1] - 39:2

**objection** [2] - 58:2,

11:22, 17:11,

Muller [7] - 6:18,

37:2, 63:18, 80:13,

112:17

44:14, 58:23

near [1] - 49:2

navigate [1] - 133:21

				15
126.10	100.10 100.11	enele (# 100.00	E2:04 54:45	Oomen ::: 5:4
136:10	126:18, 129:11, 132:13, 158:6,	one's [1] - 129:23	53:24, 54:15, 57:18, 60:14, 61:2,	Osman [2] - 5:4, 138:17
objections [1] - 159:2	158:18, 187:5	one-hour [5] - 9:25,		
obligation [1] - 164:6 observation [1] -	off-site [6] - 79:23,	12:20, 13:4, 13:9, 20:25	72:22, 78:20, 80:5, 82:20, 145:20	otherwise [2] - 51:22, 110:8
64:21	80:1, 80:21,	one-lane-in-each-	operator [9] - 30:5,	outbound [1] - 41:3
observed [2] - 17:6,	156:15, 158:2,	direction [1] -	53:13, 59:13,	outset [4] - 88:10,
41:8	158:5	184:15	86:18, 113:21,	110:18, 111:10,
obtain [1] - 123:1	office [4] - 26:23,	one-per-three-seat	120:10, 168:12,	111:15
obviously [13] -	51:3, 86:18, 105:4	[1] - 101:11	169:24	outside [11] - 24:7,
10:12, 18:19, 23:8,	officer [1] - 135:16	one-way [1] - 20:10	operators [2] - 53:9,	38:12, 57:17,
35:2, 36:5, 37:9,	officers [1] - 171:17	ones [4] - 63:11,	61:14	70:14, 98:13,
46:25, 96:10,	offices [1] - 16:19	63:12, 76:21, 170:2	opinion [7] - 34:11,	164:11, 181:20,
96:17, 103:15,	<b>OFFICES</b> [1] - 3:2	open [17] - 24:15,	96:19, 103:1,	182:11, 182:12,
135:13, 135:18,	official [2] - 176:6,	27:23, 51:11,	103:19, 104:1,	182:18, 183:10
182:3	176:7	94:21, 95:3, 99:4,	136:18, 155:15	outstanding [2] -
occasion [1] - 184:5	officials [3] - 13:25,	99:10, 137:21,	opinions [2] - 35:25,	43:18, 135:21
occasionally [2] -	40:22, 175:1	138:3, 138:4,	65:18	outweigh [5] - 92:22,
71:5	often [1] - 115:1	159:25, 162:11,	opportunity [5] -	98:6, 129:25,
occasions [1] - 54:3	old [1] - 10:21	166:24, 167:5,	8:21, 85:15,	130:6, 131:11
occupancy [23] -	Old [8] - 13:24, 40:21,	168:18, 172:21,	143:17, 148:24,	outweighed [1] -
41:13, 41:17,	174:17, 174:25,	185:3	178:20	184:7
42:14, 102:5,	175:20, 175:21,	open-ended [1] -	opposed [3] - 34:13,	overall [8] - 88:19,
103:24, 105:18,	176:2, 176:7	168:18	51:11, 101:16	89:17, 90:14,
113:16, 114:9,	older [1] - 98:11	opened [1] - 158:22	opposite [2] - 87:25,	90:15, 155:10,
114:18, 115:6,	on-site [8] - 10:16,	opening [1] - 114:11	88:4	160:23, 162:25,
115:11, 115:22,	55:9, 58:22, 58:23,	operate [17] - 21:21,	optimal [1] - 145:11	163:14
116:3, 117:3,	71:17, 79:25,	26:17, 26:21, 27:5,	optimize [1] - 167:24 order [4] - 17:14,	<b>overflow</b> [3] - 30:9, 42:6, 134:5
118:16, 119:1, 119:17, 120:2,	80:24, 161:25	43:2, 54:1, 54:10,	118:20, 120:3,	overlap [2] - 43:6,
123:7, 124:10,	<b>once</b> [3] - 76:12, 136:4, 150:7	61:12, 70:9, 83:8, 83:13, 89:18,	150:7	177:19
138:21, 139:20	one [80] - 9:25, 12:20,	89:21, 96:21,	orderly [2] - 49:3,	overlapping [1] -
occupants [3] -	13:4, 13:9, 15:19,	102:12, 145:14,	100:22	43:7
• • • • • • • • • • • • • • • • • • • •				
49:21, 118:17,	1 20:10 20:15	170:25	ordinance [33] -	overlay [1] - 166:12
49:21, 118:17, 155:3	20:10, 20:15, 20:25, 24:11, 29:3,		ordinance [33] - 31:16, 32:2, 36:5,	overlay [1] - 166:12 overload [1] - 171:22
	20:10, 20:15, 20:25, 24:11, 29:3, 35:20, 42:1, 43:12,	170:25 operated [5] - 54:16, 79:11, 107:7,		overlay [1] - 166:12 overload [1] - 171:22 oversized [3] - 74:20,
155:3	20:25, 24:11, 29:3,	operated [5] - 54:16,	31:16, 32:2, 36:5,	overload [1] - 171:22
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12,	<b>operated</b> [5] - 54:16, 79:11, 107:7,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9,	overload [1] - 171:22 oversized [3] - 74:20,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8, 23:10, 24:13, 25:1,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5 occurrence [1] -	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10 occurring [6] - 11:25,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5 occurrence [1] - 184:10 occurring [6] - 11:25, 16:23, 21:3, 22:7,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5 occurrence [1] - 184:10 occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5 occurrence [1] - 184:10 occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20 P P.C [1] - 2:14
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7 occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5 occurrence [1] - 184:10 occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14 ordinance-based [1]	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20 P P.C [1] - 2:14 P.E [3] - 2:15, 3:15,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23, 117:1, 177:11	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20 P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] -	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20 P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23, 117:1, 177:11 October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 146:13, 146:14, 154:19, 155:23,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2 occurs [3] - 12:23, 117:1, 177:11 October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1 OF [34] - 1:1, 1:2, 1:4,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 146:13, 146:14, 154:19, 155:23, 156:19, 156:25,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 101:16, 102:21, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1, 107:4, 127:24	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23, 80:10, 111:19,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:13, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21, 160:22, 161:1,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1, 107:4, 127:24 operationally [1] -	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8, 141:6, 141:9,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15, 108:23, 110:7,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:13, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21, 160:22, 161:1, 161:7, 166:3,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 107:4, 127:24 operationally [1] - 89:16	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8, 141:6, 141:9, 141:15, 141:15,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23, 80:10, 111:19, 177:11, 177:14,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15, 108:23, 110:7, 112:25, 113:1,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21, 160:22, 161:1, 161:7, 166:3, 170:8, 171:19,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1, 107:4, 127:24 operations [17] - 89:16 operations [17] -	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8, 141:6, 141:9, 141:15, 141:15, 141:18, 141:22,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P  P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23, 80:10, 111:19, 177:11, 177:14, 183:18, 183:20,
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15, 108:23, 110:7, 112:25, 113:1, 113:2, 113:4,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 146:13, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21, 160:22, 161:1, 161:7, 166:3, 170:8, 171:19, 173:1, 173:3,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1, 107:4, 127:24 operations [17] - 89:16 operations [17] - 13:13, 16:14,	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8, 141:6, 141:9, 141:15, 141:18, 141:22, 143:23, 145:1,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23, 80:10, 111:19, 177:11, 177:14, 183:18, 183:20, 184:11, 187:11
155:3  occupied [4] - 57:13, 96:25, 97:1, 129:7  occur [14] - 23:8, 23:10, 24:13, 25:1, 38:11, 49:14, 54:4, 111:23, 111:24, 128:3, 154:1, 177:16, 177:18, 184:5  occurrence [1] - 184:10  occurring [6] - 11:25, 16:23, 21:3, 22:7, 116:5, 178:2  occurs [3] - 12:23, 117:1, 177:11  October [2] - 9:3, 19:5  OCTOBER [1] - 1:11 odd [1] - 63:1  OF [34] - 1:1, 1:2, 1:4, 1:15, 3:2, 25:2, 25:9, 25:11, 25:12, 25:23, 26:1, 26:10, 28:15, 36:24, 36:25, 37:5, 49:15, 108:23, 110:7, 112:25, 113:1,	20:25, 24:11, 29:3, 35:20, 42:1, 43:12, 45:20, 46:20, 46:21, 47:5, 47:12, 48:5, 48:6, 48:7, 49:20, 54:24, 60:14, 61:2, 61:9, 62:10, 62:16, 64:25, 65:1, 65:17, 69:14, 71:3, 76:23, 81:8, 87:2, 92:10, 101:10, 101:11, 102:21, 103:12, 104:1, 105:23, 120:25, 125:9, 125:10, 131:21, 135:15, 137:12, 140:20, 141:13, 141:15, 141:22, 142:23, 144:10, 145:8, 145:18, 146:14, 154:19, 155:23, 156:19, 156:25, 159:5, 159:8, 159:9, 160:21, 160:22, 161:1, 161:7, 166:3, 170:8, 171:19,	operated [5] - 54:16, 79:11, 107:7, 158:12, 185:11 operates [2] - 54:1, 157:24 operating [10] - 11:1, 16:4, 61:9, 61:14, 79:12, 92:10, 107:22, 107:23, 128:5, 158:17 operation [26] - 15:5, 17:14, 30:5, 30:13, 33:2, 33:23, 38:9, 39:23, 45:7, 45:21, 46:11, 54:22, 57:4, 65:21, 101:15, 107:6, 112:13, 128:1, 146:10, 153:8, 155:7, 168:5, 170:16, 178:19, 185:17, 186:11 operational [7] - 14:6, 39:12, 75:1, 106:23, 107:1, 107:4, 127:24 operations [17] - 89:16 operations [17] -	31:16, 32:2, 36:5, 56:4, 87:13, 91:9, 91:12, 91:18, 91:22, 92:7, 92:17, 96:15, 96:24, 97:9, 97:21, 98:23, 101:12, 102:25, 103:1, 103:3, 103:11, 104:2, 115:19, 116:11, 116:15, 116:17, 131:6, 136:22, 137:2, 152:19, 167:14  ordinance-based [1] - 36:5  organization [1] - 95:9  oriented [3] - 12:7, 30:14, 93:22  originally [4] - 77:10, 81:12, 158:1, 159:25  OSMAN [15] - 138:16, 138:17, 139:8, 141:6, 141:9, 141:15, 141:15, 141:18, 141:22,	overload [1] - 171:22 oversized [3] - 74:20, 146:7, 162:18 overview [1] - 148:24 owes [1] - 128:15 own [13] - 14:13, 53:15, 69:19, 119:6, 120:5, 120:6, 120:21, 121:3, 136:24, 137:4, 142:1 owner [2] - 69:25, 70:20  P  P.C [1] - 2:14 P.E [3] - 2:15, 3:15, 4:4 P.M [1] - 1:12 p.m [19] - 11:7, 11:19, 11:21, 23:11, 26:25, 39:17, 39:21, 39:25, 75:21, 75:23, 80:10, 111:19, 177:11, 177:14, 183:18, 183:20, 184:11, 187:11 P.P [4] - 2:17, 2:18,

111:13	56:19, 57:9, 57:19
packet [1] - 85:25	63:7, 63:25, 64:14
PAGE [3] - 4:2, 4:17,	68:1, 68:6, 69:19,
5:2	70:17, 71:18,
page [3] - 10:15,	71:22, 72:2, 72:19
64:17, 88:1	72:21, 72:23,
Page [9] - 10:24,	73:25, 74:15,
11:22, 16:11,	77:18, 78:5, 80:1,
19:10, 52:8, 56:8,	87:20, 89:10,
63:20, 150:18,	89:11, 91:19, 92:1
167:2	92:3, 92:23, 96:18
pages [2] - 4:19,	96:22, 97:11,
86:25	97:14, 97:18, 99:2
pairs [1] - 57:10	99:3, 99:5, 99:11, 99:13, 101:12,
paper [1] - 36:4	102:14, 104:12,
paramount [2] -	105:24, 107:22,
89:24, 94:17	112:11, 114:16,
pardon [1] - 30:23	114:21, 115:10,
parents [1] - 156:7	115:13, 115:18,
<b>Park</b> [8] - 9:10, 11:4, 117:7, 117:18,	115:21, 116:4,
148:16, 176:19,	116:19, 117:2,
176:21, 176:24	117:8, 117:12,
park [19] - 12:12,	122:15, 123:16,
53:4, 57:23, 58:5,	124:17, 124:21,
69:13, 69:22, 70:6,	126:23, 127:23,
70:14, 72:3,	127:24, 130:1,
125:18, 125:19,	130:18, 131:12,
130:3, 142:1,	131:22, 132:3,
162:17, 171:2,	133:8, 133:21, 136:6, 136:21,
176:20, 176:25,	137:3, 137:6,
181:10, 184:14	140:19, 142:6,
parked [17] - 46:1,	146:7, 148:13,
48:13, 49:2, 53:22,	148:18, 152:16,
74:12, 117:18, 165:20, 168:16,	156:16, 159:10,
169:4, 170:20,	160:16, 160:23,
171:5, 177:3,	160:25, 161:2,
181:20, 182:11,	161:4, 161:9,
182:12, 182:16,	161:18, 161:24,
183:10	161:25, 162:23,
Parking [3] - 52:7,	163:2, 163:12,
63:21, 145:9	163:14, 164:5, 164:6, 165:16,
parking [190] - 9:17,	165:25, 166:3,
9:18, 10:16, 10:17,	166:12, 167:8,
10:18, 10:20,	167:13, 167:18,
10:21, 10:22, 16:11, 16:17,	167:19, 168:1,
16:20, 16:25, 17:1,	168:4, 168:5,
17:5, 17:6, 17:7,	169:11, 169:18,
17:9, 28:25, 29:13,	169:20, 171:13,
30:22, 31:1, 31:3,	171:16, 172:12,
31:7, 31:15, 31:24,	172:25, 176:23,
32:1, 32:6, 34:12,	179:17, 180:13, 180:24, 181:14,
34:18, 35:9, 35:11,	181:22, 182:18
35:24, 36:2, 36:3,	<b>Parlin</b> [3] - 160:14,
42:6, 42:7, 42:12,	173:20, 180:10
45:19, 48:2, 48:3,	PARLIN [1] - 1:5
48:10, 48:11, 49:7, 49:19, 49:24, 50:3,	parse [1] - 41:11
50:5, 50:8, 52:9,	part [14] - 41:6,
52:14, 52:22,	65:15, 102:2,
52:24, 53:3, 53:7,	109:10, 139:9,
53:10, 54:19, 55:9,	140:1, 144:1,
55:24, 56:11,	152:3, 152:10,

```
7:9, 57:19,
                  175:21, 175:23,
:25, 64:14,
                  177:5, 177:14
                particular [15] -
                  20:15, 27:1, 65:8,
2:2, 72:19,
                  67:11, 67:12, 71:8,
                  80:6, 85:18, 89:8,
                  94:4, 94:5, 94:10,
                  122:6, 153:17
                particularly [1] -
1:19, 92:1,
                  149:2
:23, 96:18,
                particulars [1] -
                  157:23
7:18, 99:2,
                parties [3] - 86:10,
                  128:2, 188:15
                partly [1] - 48:4
                parts [1] - 112:17
                past [4] - 38:19,
                  124:3, 124:4,
                  126:24
                patrons [2] - 53:21,
                  55:20
                patterns [1] - 154:23
                paved [1] - 42:6
                peak [61] - 11:17,
                  11:19, 11:25,
                  12:20, 12:23, 13:9,
                  13:17, 15:23,
                  15:24, 16:5, 17:5,
                  19:11, 20:21,
                  20:23, 20:24, 21:1,
                  21:4, 21:8, 21:10,
                  21:15, 21:18, 22:8,
                  23:5, 23:11, 24:1,
                  26:19, 26:23,
                  26:24, 39:19, 43:3,
                  43:6, 46:14, 46:16,
                  46:20, 46:22,
                  46:25, 47:4, 47:5,
                  47:8, 52:15, 92:2,
                  92:18, 96:25, 97:1,
                  97:2, 106:13,
                  117:8, 118:14,
                  118:15, 127:14,
                  128:16, 129:4,
                  139:13, 139:14,
                  140:19, 154:7,
                  158:10, 177:20,
                  178:2
                peaks [2] - 43:10,
                  102:18
                peq [1] - 149:12
                people [49] - 36:15,
                  38:25, 39:2, 44:18,
                  44:20, 54:25, 55:8,
                  55:19, 55:20,
                  55:21, 55:23,
                  57:23, 59:7, 61:20,
                  62:4, 67:9, 67:11,
                  83:4, 101:15,
                  101:16, 102:22,
                  102:24, 103:6,
                  103:16, 112:16,
                  114:25, 128:3,
```

134:19, 136:19,

137:6, 139:11,

```
142:1, 142:6,
 145:20, 145:21,
 146:4, 147:4,
 148:8, 149:23,
 156:2, 168:6,
 169:10, 170:12,
 171:4, 171:5,
 171:21, 172:19,
 178:9, 178:10
people-to-park [1] -
 142:1
per [30] - 6:5, 32:2,
 41:13, 41:14,
 41:17, 41:18,
 42:14, 46:20,
 49:21, 54:25, 55:8,
 55:23, 72:11,
 72:12, 81:20,
 101:11, 101:15,
 101:16, 102:21,
 102:22, 102:24,
 103:24, 104:1,
 105:2, 105:4,
 105:17, 136:23,
 137:12, 172:6,
 172.11
percent [23] - 13:15,
 14:19, 14:21,
 21:13, 21:14,
 40:13, 40:14,
 40:15, 41:7, 52:23,
 121:20, 121:21,
 121:23, 122:3,
 122:7. 122:8.
 123:10, 163:9,
 163:11, 175:11,
 175:13, 175:15,
 182:14
percentage [2] - 9:13,
 9:15
performed [1] - 28:13
performing [1] -
 27:23
perhaps [3] - 32:8,
 131:20, 156:15
perimeter [2] -
 167:25
period [25] - 12:1,
 12:20, 13:9, 13:17,
 13:18, 14:21,
 20:21, 20:23,
 20:24, 21:8, 21:10,
 21:15, 24:1, 30:15,
 32:18, 32:20,
 38:13, 38:16,
 39:21, 40:4, 40:8,
 40:16, 46:6, 170:7,
 173:6
periods [6] - 21:18,
 22:8, 23:6, 43:6,
 43:24, 177:20
permits [1] - 8:3
permitted [7] - 19:21,
```

19:23, 26:15, 90:1,

90:10, 93:9, 93:13

```
person [5] - 41:18,
 59:13, 60:10,
 177:17, 183:17
personal [1] - 185:10
personnel [2] - 70:5,
 70:12
persons [8] - 41:10,
 41:14, 41:17,
 89:22, 100:14,
 105:17, 120:19,
 136:23
perspective [8] -
 24:6, 101:19,
 113:16, 114:13,
 115:10, 118:19,
 119:1, 119:13
pews [1] - 103:22
photograph [1] -
 87:21
photographs [3] -
 86:1, 86:9, 86:11
photos [1] - 158:15
physical [1] - 127:23
physically [1] -
 126:20
pick [2] - 59:21, 82:25
piece [3] - 88:11,
 115:12, 122:11
Ping [1] - 59:25
PING [12] - 3:19,
 59:25, 60:7, 60:13,
 61:1, 61:8, 61:22,
 61:25, 62:6, 146:4,
 146:13
place [16] - 16:18,
 16:25, 73:1, 78:13,
 79:23, 92:14, 94:7,
 94:11, 104:23,
 112:10, 125:18,
 133:20, 154:9,
 163:4, 184:18,
 188:12
Place [2] - 5:7, 5:10
Plan [4] - 97:22,
 97:23, 167:2
plan [51] - 7:20,
 10:21, 16:12,
 16:17, 17:2, 27:7,
 49:22, 51:1, 55:15,
 56:3, 56:5, 61:1,
 72:17, 73:6, 73:7,
 88:15, 88:21, 90:6,
 91:6, 96:15, 97:8,
 97:21, 98:1, 99:1,
 100:5, 100:19,
 100:20, 102:4,
 106:1, 106:2,
 106:21, 106:22,
 109:6, 120:18,
 120:23, 121:11,
 128:8, 128:24,
 128:25, 129:1,
 129:3, 144:6,
 147:13, 149:20,
 154:1, 163:12,
```

				1 /
100 10 100 07				
163:19, 163:25,	plenty [2] - 149:12,	potentially [3] - 21:3,	143:16, 143:21,	162:2, 164:1,
167:10, 169:13,	160:16	181:1, 182:15	151:7	175:18
182:20	<b>plus</b> [5] - 52:15,	<b>pounds</b> [1] - 180:15	presents [1] - 42:10	project's [1] - 162:14
PLAN [1] - 1:6	105:9, 128:2	power [1] - 93:4	presumes [1] - 131:7	projected [1] - 113:24
planned [7] - 107:10,	Pohlman [1] - 122:24	practicability [1] -	pretty [2] - 155:23,	projection [5] -
108:24, 109:8,	POHLMAN [24] -	98:22	162:5	44:21, 44:23, 45:6,
109:10, 122:4,	2:14, 113:9,	practical [2] - 50:7,	previous [5] - 13:20,	45:7, 78:20
149:19, 162:1	113:25, 114:6,	98:24	34:19, 111:20,	projections [4] -
PLANNER [8] - 2:17,	114:22, 116:8,	practice [10] - 88:24,	147:7, 151:5	64:11, 147:14,
71:14, 71:20,	118:12, 119:12,	92:11, 94:1, 95:10,	previously [7] - 7:25,	148:4, 149:20
71:25, 72:16, 73:2,	119:19, 119:23,	106:12, 106:25,	18:17, 54:17,	projects [7] - 175:2,
73:17, 113:15	120:12, 120:20,	109:8, 109:11,	79:21, 81:7, 81:18,	175:21, 176:2,
planner [19] - 8:5,	120:24, 121:14,	113:18, 122:5	146:6	176:3, 176:10,
75:12, 75:14,	122:9, 122:19,	prayer [50] - 9:22,	primarily [3] - 16:5,	176:14, 176:16
76:12, 83:22,	122:21, 123:18,	11:24, 12:8, 12:14,	42:3, 47:9	promised [1] - 109:18
84:11, 84:19,	124:1, 124:5,	16:24, 21:5, 23:1,	principle [1] - 94:15	promote [1] - 89:4
91:14, 108:16,	124:1, 124:0,		principle [1] - 94.13	
111:13, 113:8,	154:4, 154:8	23:4, 37:10, 43:3,		promotion [5] - 93:6,
125:13, 128:24,	· ·	44:11, 50:12,	100:21, 131:2	94:12, 95:19,
	point [27] - 24:5,	51:10, 53:25, 54:4,	problem [9] - 52:3,	149:4, 149:6
136:14, 138:25,	24:10, 28:7, 28:11,	54:14, 55:5, 55:7,	129:18, 129:20,	properly [1] - 6:5
144:14, 150:14,	52:20, 57:19,	55:11, 55:21,	136:9, 142:19,	<b>properties</b> [2] - 39:3,
151:11, 160:15	64:21, 64:25, 65:1,	55:22, 58:4, 66:10,	145:1, 185:10,	151:1
Planning [1] - 176:2	65:17, 70:1, 75:3,	78:22, 79:18,	185:11, 186:6	property [51] - 11:2,
<b>PLANNING</b> [1] - 1:1	76:20, 77:19,	80:10, 81:8, 102:6,	procedure [2] -	12:9, 14:9, 17:8,
planning [53] - 8:3,	87:14, 95:25, 98:2,	102:7, 103:10,	74:13, 75:5	17:10, 17:24,
14:1, 26:16, 85:17,	107:14, 120:25,	104:1, 105:19,	procedures [1] -	19:19, 21:22,
85:20, 94:20, 95:2,	123:12, 125:9,	109:14, 111:6,	74:10	21:23, 30:2, 30:12,
95:11, 95:14,	130:23, 143:13,	111:9, 111:18,	proceed [2] - 8:8,	34:24, 35:1, 35:8,
95:18, 98:24,	143:25, 148:10,	112:3, 116:3,	112:18	39:23, 41:8, 43:4,
99:17, 99:22,	165:10	117:4, 118:17,	proceeding [1] -	43:9, 46:5, 46:9,
100:3, 100:21,	pointed [1] - 115:12	128:17, 138:21,	188:10	50:8, 50:15, 53:17,
101:19, 106:17,	points [6] - 9:6,	139:12, 139:21,	PROCEEDINGS [1] -	57:24, 86:9, 87:4,
107:4, 107:6,	10:11, 19:8, 52:13,	151:22, 151:24,	1:15	87:6, 88:2, 88:6,
107:13, 107:15,	64:4, 79:3	177:10, 177:23	process [12] - 41:16,	88:11, 95:24,
108:22, 113:16,	police [14] - 39:5,	prayers [11] - 12:18,	57:1, 60:21, 61:4,	114:11, 115:3,
114:13, 115:9,	39:6, 47:18, 135:9,	21:25, 22:9, 23:7,	90:25, 91:1, 91:5,	115:13, 122:11,
118:19, 119:1,	135:16, 171:17,	42:24, 43:5, 43:8,	91:6, 148:11,	122:12, 126:21,
119:13, 121:2,	173:21, 173:23,	106:10, 108:2,	174:20, 178:7,	147:18, 147:19,
121:16, 121:23,	173:25, 174:1,	177:16, 177:18	174:20, 176:7,	148:15, 148:18,
125:25, 126:2,	174:3, 174:11,	predicate [2] - 92:20,	processing [1] -	148:19, 149:18,
126:3, 137:13,	174:14, 184:13	125:7		150:5, 151:4,
137:24, 139:7,	Police [1] - 132:1	prefer [1] - 36:16	172:23	152:13, 156:5,
144:15, 144:19,	polite [1] - 154:4	preference [1] -	produced [1] -	161:18, 169:10,
144:20, 147:13,	' ''		160:18	
148:2, 150:2,	pool [1] - 33:11	162:19	product [6] - 69:23,	170:10, 170:13
152:11, 152:12,	poor [1] - 121:20	preliminary [2] -	70:2, 70:3, 70:20,	proposal [1] - 170:3
162:14, 163:17,	pop [1] - 91:15	18:5, 20:3	70:21	proposed [21] - 7:14,
165:9, 175:2,	population [3] - 98:1,	PRELIMINARY [1] -	Professional [1] -	9:21, 13:11, 17:7,
1 '	107:11, 163:1	1:6	188:5	17:9, 20:4, 22:2,
176:10, 186:17,	portion [1] - 12:25	preload [1] - 169:24	professional [8] -	31:3, 39:25, 41:23,
187:2	<b>position</b> [3] - 28:6,	preparation [1] -	8:4, 84:17, 84:19,	44:16, 63:25, 65:3,
plans [19] - 18:7,	68:7, 168:25	58:22	102:25, 125:13,	66:5, 66:19,
50:4, 73:11, 77:3,	positioning [2] -	prepare [1] - 8:21	136:18, 144:3,	144:14, 144:17,
77:16, 77:25, 78:1,	90:17, 94:25	prepared [8] - 16:12,	155:15	148:12, 150:24,
78:3, 78:4, 83:15,	positive [3] - 96:5,	29:21, 30:4, 76:11,	PROFESSIONALS	159:25, 176:8
121:1, 133:10,	96:7, 98:16	76:18, 102:5,	[1] - 2:11	proposing [2] -
136:5, 142:24,	possibility [2] -	113:3, 113:5	professionals [6] -	18:11, 144:18
143:7, 143:9,	12:11, 159:20	PRESENT [3] - 2:1,	7:23, 25:5, 39:13,	prostrate [1] - 103:17
143:10, 144:4	possible [3] - 23:2,	2:11, 3:13	50:22, 73:4, 79:1	protect [2] - 152:17,
<b>Plans</b> [1] - 7:5	53:2, 73:21	present [5] - 13:12,	prohibition [1] -	152:20
<b>platform</b> [2] - 69:8	possibly [3] - 16:15,	41:10, 103:23,	18:12	protocol [1] - 174:14
platforms [1] - 69:19	41:25, 166:23	123:19, 158:24	project [12] - 40:19,	prove [1] - 98:9
<b>play</b> [1] - 33:15	posted [2] - 7:3, 9:5	presentation [1] -	66:13, 84:11,	provide [59] - 9:10,
please [1] - 132:25	postpone [1] - 110:9	56:13	85:16, 85:18,	13:4, 22:20, 24:23,
pleasure [1] - 185:23	potential [2] - 43:7,	presented [7] - 7:12,	88:16, 121:5,	25:21, 32:6, 38:7,
Pledge [1] - 6:3	81:16	16:15, 19:6, 74:17,	122:14, 150:21,	39:5, 39:10, 42:14,
	01.10		122.17, 100.21,	,,,

42:12 42:25 44:1	188:24
43:13, 43:25, 44:1,	
47:17, 50:7, 51:15,	PUBLIC [3] - 1:16,
52:2, 52:4, 53:20,	5:1, 138:14
54:12, 69:23, 70:8,	<b>public</b> [1] - 127:6
73:15, 73:21, 74:1,	published [2] - 52:9,
74:3, 80:4, 80:18,	65:11
81:18, 81:25,	<b>pull</b> [4] - 27:11,
82:13, 83:12,	27:13, 69:13, 178:7
83:15, 90:21,	pulling [1] - 95:12
94:11, 94:21, 95:5,	<b>pulls</b> [1] - 60:19
110:2, 110:9,	purpose [8] - 81:7,
110:19, 111:1,	81:9, 93:2, 96:14,
111:25, 114:16,	98:24, 148:16,
114:18, 117:13,	149:3, 166:2
122:15, 123:19,	Purpose [11] - 93:5,
141:1, 142:3,	93:6, 94:12, 94:18,
143:10, 151:19,	94:20, 95:4, 95:11,
153:10, 153:17,	95:19, 96:8, 96:9
158:25, 159:3,	
166:6, 166:7,	purposes [6] - 11:16,
168:22, 175:6	12:13, 92:25,
provided [39] - 10:16,	94:19, 128:5, 165:9
	push [1] - 103:23
10:18, 12:17,	pushed [1] - 151:22
16:20, 18:4, 22:5,	<b>put</b> [12] - 36:21, 73:1,
28:7, 32:2, 42:25,	87:17, 110:5,
43:2, 44:3, 44:6,	115:13, 119:5,
44:10, 45:18,	120:18, 121:6,
45:23, 49:13, 50:6,	134:6, 148:9,
51:3, 51:25, 53:6,	152:19, 185:18
53:12, 54:3, 54:21,	putting [2] - 135:16,
57:3, 62:23, 62:24,	147:4
92:4, 92:8, 111:2,	
111:15, 139:1,	_
	l Q
150:22, 163:19,	
150:22, 163:19, 166:9, 168:11,	quarter [1] - 137:25
150:22, 163:19, 166:9, 168:11, 168:17, 175:5,	quarter [1] - 137:25 quasi [1] - 134:17
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] -
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] -
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] -	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] -
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] -	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] -
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] -	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provisions [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provisions [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provisions [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1, 152:20, 158:22,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10, 160:12, 160:15,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1, 152:20, 158:22, 180:5, 186:15,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10, 160:12, 160:15, 160:16, 160:19,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1, 152:20, 158:22, 180:5, 186:15, 186:20, 186:24,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10, 160:12, 160:15, 160:16, 160:19, 164:9, 164:11,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1, 152:20, 158:22, 180:5, 186:20, 186:24, 186:25, 187:3	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10, 160:12, 160:15, 160:16, 160:19, 164:9, 164:11, 178:21, 179:11,
150:22, 163:19, 166:9, 168:11, 168:17, 175:5, 178:19, 186:20 provider [1] - 168:6 provides [3] - 11:15, 123:20, 154:2 providing [11] - 18:16, 36:7, 38:6, 73:3, 97:6, 97:7, 104:16, 155:11, 159:21, 166:24, 167:5 provision [1] - 19:12 provisions [1] - 9:18 proximity [2] - 139:18, 155:6 PTOE [2] - 2:18, 4:4 public [28] - 10:12, 11:3, 14:4, 25:4, 49:13, 69:18, 79:2, 89:24, 90:11, 91:2, 94:17, 96:13, 96:17, 127:8, 129:22, 137:21, 137:23, 138:3, 138:5, 143:1, 152:20, 158:22, 180:5, 186:15, 186:20, 186:24,	quarter [1] - 137:25 quasi [1] - 134:17 quasi-judicial [1] - 134:17 questioned [2] - 130:13, 169:3 questioning [5] - 101:7, 140:17, 143:22, 144:13, 158:24 questions [42] - 7:17, 10:13, 25:6, 37:17, 58:19, 63:17, 67:19, 67:22, 83:21, 101:9, 104:5, 112:19, 113:7, 127:18, 127:22, 133:12, 135:16, 136:14, 137:20, 137:22, 140:9, 141:3, 143:3, 143:15, 143:16, 143:18, 145:18, 145:25, 149:15, 149:25, 150:8, 160:10, 160:12, 160:15, 160:16, 160:19, 164:9, 164:11,

QUESTIONS/ **COMMENT** [1] - 5:1 queue [28] - 30:2, 30:12, 39:1, 60:25, 71:17, 72:1, 72:6, 72:24, 73:20, 73:22, 73:25, 82:22, 83:1, 83:4, 83:9, 165:16, 165:21, 165:25, 166:3, 166:8, 166:12, 168:4, 169:3, 169:4, 169:9, 169:21, 171:15, 171:16 queued [3] - 17:13, 74:12, 169:8 queues [2] - 38:24, 173:7 queuing [19] - 29:1, 29:2, 29:5, 30:6, 30:9, 30:16, 31:4, 38:4, 38:10, 38:18, 45:25, 71:24, 72:1, 72:5, 72:10, 74:9, 83:13, 96:18, 168:22 quibbling [1] -148:12 quick [6] - 21:16, 60:16, 60:21, 168:23, 169:1, 180:9 quiet [1] - 49:17 quite [3] - 30:1, 64:5, 172:22 **quorum** [1] - 6:25 quote [1] - 142:2 quoted [1] - 101:11 R

97:16

140:17

152:3

71:17

137:4

175:18

113:23, 121:12 reasonableness [1] -R-7 [3] - 87:12, 89:25, 98:21 100:1 received [3] - 20:3, radii [1] - 58:10 81:23 radius [2] - 176:4, recently [1] - 14:6 176:14 receptions [3] raise [3] - 51:1, 80:24, 81:11, 68:16, 84:2 154:11 raised [2] - 76:10, recess [1] - 75:21 77:2 recognizing [1] -Ramadan [7] - 79:21, 97:24 80:9, 112:15, recollection [2] -156:16, 157:25, 182:10, 184:1 158:11 recommend [1] ranch [1] - 42:10 58:1 ranch-style [1] recommendations 42:10 [2] - 8:23, 70:5 rare [1] - 44:15 recommended [2] rate [8] - 13:21, 20:12, 159:11 14:15, 14:18, reconcilable [1] -14:21, 33:7, 40:10, 98:4 40:12, 175:10 reconcile [3] rather [3] - 30:5, 101:13, 137:7,

137:18

97:13, 157:1

ratio [4] - 96:25, 97:5, reconfigured [2] -101:22, 142:1 122:14, 122:22 ration [1] - 105:2 record [16] - 39:6, ratios [2] - 97:11, 59:23, 59:24, 68:21, 84:8, 86:7, re [2] - 140:17, 141:3 89:15, 92:20, 96:20, 107:19, re-asked [1] - 141:3 113:21, 114:2, re-questioning [1] -114:7, 122:2, 125:2, 134:18 readily [1] - 88:13 recorder [1] - 11:9 reading [2] - 150:17, rectangular [1] -88:12 ready [2] - 23:15, redesigned [1] -122:14 real [6] - 36:6, 36:8, redesigning [1] -44:20, 97:4, 115:14 124:10, 137:4 real-world [2] - 97:4, redevelopment [2] -19:19, 88:16 reduce [2] - 114:18, reality [1] - 132:4 167:7 really [19] - 27:15, reduced [1] - 119:3 29:10, 37:12, reduces [1] - 57:1 43:14, 51:5, 70:7, 79:10, 99:10, reducing [2] - 40:3, 148:20 112:14, 112:24, reduction [1] - 50:1 123:13, 123:14, Reexamination [1] -129:21, 129:22, 97:22 140:7, 151:3, 153:19, 164:24, refer [2] - 58:9, 154:11 rear [1] - 90:19 reference [2] reason [14] - 67:15, 139:12, 179:16 67:18, 73:10, 93:3, referenced [1] -118:4, 133:14, 91:14 151:3, 151:6, referencing [1] - 51:2 151:16, 151:19, referred [1] - 73:16 152:9, 179:19, reflects [1] - 50:1 186:18, 186:23 regard [3] - 55:19, reasonable [4] -94:14, 162:24 98:14, 99:2, regarding [11] -31:18, 44:10, 45:17, 53:21, 56:9, 58:17, 136:7, 147:5, 163:5, 178:19, 183:7 regardless [2] - 9:24, 31:20 Registered [1] -188:5 **REGULAR** [1] - 1:3 regular [5] - 22:9, 43:5, 54:3, 74:22, 78:22 regulate [1] - 134:7 regulations [3] -70:25, 162:22, 179:7 rehash [1] - 182:9 rejected [1] - 150:23 related [5] - 22:5, 44:2, 50:7, 91:15,

159:19

relates [3] - 44:4,

47:9, 152:12

relating [1] - 179:13 relative [3] - 91:19, 188:14, 188:16 relatively [2] - 19:17, relevance [1] - 27:16 relevant [2] - 42:19, 155:16 reliability [1] - 118:8 relief [16] - 91:15, 91:18, 96:12, 99:1, 100:23, 114:24, 115:1, 115:10, 119:2, 119:3, 120:3, 120:4, 121:3, 160:24, 161:24, 162:24 religion [7] - 67:11, 94:7, 94:15, 113:19, 129:10, 157:16, 157:18 religions [4] - 88:24, 92:17, 93:23, 106:19 religious [19] - 53:5, 78:12, 88:21, 89:7, 89:24, 92:11, 94:1, 94:4, 94:10, 106:12, 106:24, 109:8, 109:10, 120:10, 120:11, 122:4, 128:16, 147:24, 177:17 reloading [1] - 57:1 relocate [1] - 138:22 rely [4] - 65:5, 65:7, 65:14, 65:18 relying [3] - 98:10, 125:14, 130:17 remain [2] - 15:25, 147.24 remaining [1] - 10:19 remains [1] - 27:13 remember [3] -139:6, 173:17, 175:13 remind [2] - 99:25, 137:25 renoticing [1] -186:24 repair [1] - 69:5 repass [1] - 154:11 repeat [2] - 51:24, 115:16 report [51] - 10:10, 10:24, 11:14, 11:15, 11:22, 12:13, 14:23, 14:25, 15:6, 15:8, 15:14, 18:22, 19:1, 19:5, 20:20, 21:9, 21:19, 22:3, 29:20, 34:7, 35:22, 40:12, 40:20, 40:25,

62:21, 63:20, 65:6, 65:9, 73:21, 76:10, 78:14, 78:15, 78:18, 79:24, 82:13, 82:15, 82:16, 82:19, 83:18, 91:13, 91:14, 98:19, 105:12, 130:10, 132:24, 161:11 **REPORTED** [1] - 2:22 Reporter [2] - 188:4, 188:5 reporter [4] - 49:11, 75:16, 76:4, 134:21 Reporters [1] - 1:23 REPORTING [1] -1:22 reports [1] - 81:18 representation [1] -11:16 representative [2] -68:25, 168:11 representatives [1] -20:7 represented [1] -154:15 represents [3] - 45:6, 52:23, 65:2 request [6] - 11:2, 19:12, 81:20, 82:24, 166:21, 168:19 requested [6] - 11:12, 18:9, 18:10, 166:14, 167:14, 168:21 requests [1] - 18:18 require [3] - 63:25, 64:14, 167:9 required [13] - 16:21, 17:20, 17:25, 18:20, 31:15, 52:16, 90:3, 92:4, 92:8, 104:17, 146:12, 164:19, 187:3 requirement [13] -16:25, 31:11, 49:20, 50:5, 92:6, 101:13, 101:22, 102:14, 104:20, 106:15, 112:11, 168:18, 181:18 requirements [3] -93:10, 136:6, 164:18 requires [3] - 101:17, 119:6, 174:14 requiring [1] - 18:6 research [1] - 35:7 reserved [2] - 93:16,

93:20

50:25, 51:5, 52:7,

residence [1] - 42:11

residences [1] -

100:14 residential [8] - 42:4, 42:9, 87:23, 87:24, 99:9, 131:22, 134:5 residents [1] - 149:8 respect [7] - 80:5, 92:23, 97:8, 110:20, 115:20, 131:12, 162:22 respects [1] - 90:18 respond [5] - 18:25, 115:25, 131:20, 143:24, 166:6 responds [1] - 91:3 response [1] - 37:15 responsibilities [1] -163:13 responsibility [1] -162:7 rest [6] - 58:8, 107:16, 128:6, 139:17, 139:22, 158:21 restates [1] - 19:6 restricted [1] - 45:20 restriction [3] - 10:7, 45:16, 46:5 result [1] - 45:2 resulting [1] - 41:2 results [2] - 15:10, 21.20 retained [1] - 23:13 reverse [1] - 83:2 review [14] - 7:23, 18:4, 19:7, 19:11, 20:17, 34:7, 38:8, 42:17, 58:9, 73:8, 110:14, 110:16, 111:12 Review [1] - 18:2 reviewed [3] - 81:23, 107:5, 143:11 revise [1] - 36:12 revised [28] - 7:22, 8:22, 8:25, 9:2, 10:3, 16:13, 18:21, 20:20, 34:7, 36:17, 39:24, 42:19, 50:4, 51:1, 51:9, 51:12, 55:14, 56:5, 73:3, 73:6, 73:7, 73:11, 78:15, 79:24, 81:8, 81:10, 83:17, 133:10 revision [3] - 29:22, 167:10, 169:13 revisions [7] - 10:4, 18:7, 40:13, 73:6, 73:15, 79:7, 144:4 Ridge [2] - 157:3, 157:4 ridiculous [1] -148:10

rigorous [1] - 168:24

ritual [20] - 24:12,

115:5, 116:2, 116:4, 116:25, 123:14, 123:21, 128:4, 128:6, 128:9, 128:10, 129:1, 133:5, 153:25, 154:8, 154:9 **RLUIPA** [1] - 2:14 **Road** [51] - 5:6, 5:8, 5:9, 11:10, 13:5, 14:11, 15:21, 18:17, 19:16, 20:1, 21:7, 26:22, 29:5, 29:17, 31:23, 32:16, 38:10, 39:16, 42:3, 43:10, 45:3, 60:10, 81:20, 124:21, 124:25, 126:17, 127:1, 129:18, 135:17, 135:20, 135:23, 147:2, 150:12, 151:21, 154:22, 155:13, 156:20, 156:23, 157:1, 157:3, 157:4, 161:16, 166:14, 166:21, 169:15, 173:20, 174:22, 176:4, 176:9, 179:4 **ROAD** [1] - 1:5 road [13] - 18:20, 20:1, 26:24, 27:3, 29:12, 42:3, 42:9, 66:23, 82:10, 107:13, 155:12, 157:2, 184:15 roadway [9] - 19:16, 19:20, 19:24, 27:11, 27:12, 27:20, 43:10, 47:11, 155:18 roadways [1] - 14:20 roll [1] - 6:10 **ROOM** [1] - 1:8 room [8] - 19:17, 26:14, 58:22, 68:2, 83:25, 100:9, 110:15, 129:19 rooms [8] - 51:6, 51:10, 77:15, 81:8, 89:12, 128:9, 128:25, 153:17 roughly [11] - 12:6, 32:15, 32:17, 33:3, 38:15, 39:25, 48:10, 48:23, 49:1, 71:19, 72:15 round [3] - 9:24, 56:17, 149:12 **RPR** [2] - 2:23, 188:23

24:15, 37:10,

92:12, 114:9,

19 run [3] - 56:1, 60:15, 158:11 runner [1] - 61:10 runners [1] - 61:13 running [1] - 178:12 rush [4] - 22:24, 23:8, 177:8, 177:14 **Ryan** [1] - 68:22 **RYAN** [12] - 3:17, 68:12, 68:19, 68:22, 68:23, 69:1, 69:4, 69:9, 69:20, 69:23, 70:7, 70:18 S S-I-A-M-W-A-L-L-A [1] - 179:4 Sachs [22] - 7:8, 18:3, 25:8, 25:17, 43:12, 59:6, 73:2, 76:1, 80:9, 80:18, 81:24, 82:13, 132:20,

136:4, 136:8, 148:5, 151:5, 153:1, 154:17, 156:18, 177:8, 178:4 **SACHS** [123] - 3:2, 3:3, 7:7, 8:7, 8:18, 18:24, 19:3, 24:9, 24:20, 25:13, 25:18, 32:7, 37:1, 37:8, 37:22, 38:1, 49:10, 51:14, 51:24, 59:2, 59:5, 59:8, 59:16, 59:22, 60:2, 63:12, 68:4, 68:8, 68:13, 68:24, 71:2. 73:9. 74:1. 75:13, 75:19, 76:2, 76:6, 76:22, 77:20, 78:9, 80:3, 80:12, 81:3, 81:14, 82:4, 83:11, 83:23, 84:15, 85:12, 101:3, 102:1, 104:21, 107:24, 108:6, 108:12, 109:20, 109:22, 110:1, 110:17, 110:23, 111:8, 111:14, 111:22, 115:25, 116:10, 116:16, 116:22, 117:11, 119:11, 122:23, 123:24, 124:2, 124:7, 124:12, 127:5, 127:9, 127:25, 131:19, 132:16, 132:18, 133:2, 133:7, 134:2, 134:6, 134:13, 134:25, 135:4, 136:10, 138:24,

				20
145:22, 153:3,	scheduling [1] - 56:9	seem [2] - 63:25,	11:25, 12:8, 12:15,	showing [5] - 41:17,
153:10, 153:15,	• • •		13:3, 13:5, 13:8,	56:22, 83:13, 88:6,
	schematic [2] -	112:13		1 ' ' '
154:18, 156:6,	11:15, 15:11	segregate [1] -	17:4, 17:20, 17:25,	102:5
156:9, 156:13,	<b>scheme</b> [1] - 97:10	139:16	21:5, 22:7, 22:12,	shown [6] - 11:14,
156:22, 157:5,	<b>School</b> [4] - 38:16,	selected [1] - 19:11	23:4, 30:16, 33:18,	14:24, 15:6, 15:11,
157:8, 157:11,	80:1, 151:21,	selection [2] - 39:15,	36:14, 36:20,	15:13, 29:25
157:15, 157:19,	183:17	152:25	38:14, 39:8, 41:2,	<b>shows</b> [12] - 14:19,
157:22, 158:3,	school [13] - 28:1,	sell [2] - 70:3, 70:21	43:3, 47:3, 47:17,	49:24, 50:10,
166:5, 166:18,	78:23, 100:8,	selling [3] - 70:19,	50:12, 53:5, 54:4,	52:15, 56:3, 73:22,
167:7, 174:4,	105:7, 156:10,	180:20, 181:7	54:6, 54:14, 56:10,	83:9, 120:23,
174:10, 174:13,	177:9, 183:23,	send [1] - 22:22	56:11, 56:14,	121:22, 122:13,
182:1, 182:6,	183:24, 183:25,	SENIOR [1] - 1:8	56:22, 57:7, 68:6,	151:20, 169:14
182:22, 183:1,	184:2, 184:3, 184:8		69:7, 78:21, 81:6,	shuttle [2] - 53:16,
183:5, 184:24,		sense [3] - 67:4, 89:4,	109:9, 111:7,	145:14
185:5, 185:20,	schools [1] - 183:18	98:21	112:4, 128:7,	
	screening [1] - 146:6	sent [1] - 81:25	128:9, 128:10,	<b>Siamwalla</b> [2] - 5:9,
185:25, 186:3,	sealed [1] - 130:10	sentiments [1] -	1	179:3
186:10, 187:4	seat [2] - 101:11,	112:9	128:17, 129:2,	SIAMWALLA [4] -
sacrificed [1] - 168:1	103:17	separate [5] - 11:24,	140:20, 140:22,	179:2, 179:15,
<b>SADAR</b> [1] - 1:4	seating [1] - 114:8	74:4, 83:12, 99:9,	140:23, 140:24,	180:1, 180:6
<b>Sadar</b> [1] - 7:9	seats [2] - 103:8,	166:7	169:18, 169:19,	sic [1] - 148:17
safe [3] - 27:5, 79:4,	103:9	separated [2] - 56:15,	169:21, 170:4,	side [14] - 12:4,
106:8	second [28] - 10:1,	170:4	171:9, 177:23,	32:21, 49:1, 83:25,
safeguards [1] -	12:3, 41:6, 46:4,	September [5] - 7:11,	181:16	87:25, 88:4, 89:20,
133:20	56:23, 75:4, 77:9,	7:20, 86:13,	serving [1] - 89:23	90:18, 96:7, 98:16,
safely [5] - 26:17,	85:8, 85:9, 128:14,	1	<b>SESSION</b> [1] - 138:14	98:17, 108:19,
26:21, 30:11,		169:22, 184:2	session [3] - 28:1,	130:11, 137:23
89:21, 96:21	132:6, 138:7,	sequence [1] - 61:16	170:22	sides [8] - 87:23,
safety [2] - 27:9, 79:9	138:8, 151:24,	<b>serve</b> [5] - 94:10,	set [7] - 13:3, 62:21,	
Saint [1] - 67:18	161:1, 170:5,	98:23, 107:10,	69:15, 112:4,	90:19, 132:11,
	170:8, 170:9,	113:22, 115:22	142:24, 184:25,	132:12, 132:21,
sale [1] - 162:15	170:15, 170:16,	serves [1] - 90:11		134:24, 143:2,
<b>sample</b> [1] - 64:6	170:19, 170:22,	<b>Service</b> [4] - 15:22,	188:12	145:3
<b>Samsel</b> [6] - 38:16,	171:5, 171:10,	15:23, 16:4, 21:21	Setback [1] - 161:2	sidewalk [7] - 166:13,
80:1, 151:21,	171:21, 171:22,	<b>service</b> [74] - 9:20,	setback [5] - 90:18,	166:21, 166:24,
151:23, 183:17,	172:4, 173:12	9:22, 10:1, 12:3,	90:19, 160:22,	167:5, 169:6,
183:24	secondly [2] - 90:12,	12:25, 13:1, 15:12,	161:3, 161:17	169:14, 169:16
sanctuary [1] -	182:24	15:19, 15:25, 16:3,	setbacks [1] - 90:18	sidewalks [4] - 99:12,
123:20	seconds [3] - 172:11,	16:24, 17:21,	seven [8] - 61:17,	159:15, 166:17,
sand [1] - 147:5	172:14	21:23, 23:1, 26:19,	61:25, 80:9, 105:7,	168:7
sat [1] - 186:8	SECRETARY [11] -	36:16, 41:6, 41:11,	105:9, 147:21,	signage [1] - 134:7
satisfied [1] - 99:23	2:20, 6:7, 6:11,	44:11, 46:4, 46:7,	178:10, 180:20	signed [4] - 27:20,
Saturday [2] - 43:24,	6:13, 6:15, 6:18,		several [3] - 20:7,	130:9, 174:2, 174:9
• • •	6:20, 6:23, 6:25,	46:13, 52:25, 53:8,	54:3, 158:4	significant [4] -
105:6		53:25, 56:23,	<b>Shah</b> [1] - 6:20	47:13, 62:12,
saw [1] - 51:9	185:8, 186:2	60:17, 60:18,	shall [2] - 150:22	· · ·
<b>Sayreville</b> [15] - 2:20,	Secretary [1] - 6:4	74:10, 75:4, 80:10,		122:10, 184:6
13:24, 20:7, 33:9,	<b>Section</b> [3] - 76:24,	82:24, 89:5, 92:12,	shape [2] - 88:12	significantly [2] -
40:21, 132:1,	77:23, 150:20	106:25, 109:1,	Sheet [1] - 29:23	46:12, 78:15
138:19, 150:18,	section [6] - 14:11,	111:9, 111:18,	sheets [2] - 73:7,	<b>similar</b> [5] <b>-</b> 39:20,
152:5, 174:3,	17:12, 49:19, 61:3,	112:15, 114:9,	86:8	48:25, 52:9, 64:8,
174:25, 175:20,	79:21, 85:2	118:15, 121:8,	shelters [1] - 100:12	155:13
175:23, 176:1,	see [21] - 26:24,	129:4, 132:6,	shifting [1] - 95:7	simplify [1] - 170:16
176:6	32:19, 48:8, 51:4,	133:23, 133:25,	<b>shop</b> [1] - 33:10	simply [2] - 35:25,
SAYREVILLE [3] -	51:6, 71:20, 82:16,	139:12, 139:22,	ShopRite [1] - 172:18	86:8
1:1, 1:8, 1:9	85:1, 87:21, 88:24,	151:24, 170:5,	shortage [1] - 160:23	single [11] - 27:14,
scale [3] - 87:17,	89:2, 93:1, 103:3,	170:6, 170:7,	shortly [1] - 73:11	95:16, 95:24,
91:8, 168:24	117:16, 122:2,	170:9, 170:14,	shout [1] - 25:4	95:25, 100:1,
	137:13, 163:18,	170:15, 170:14,	T -	100:16, 100:24,
scaling [1] - 115:14			show [12] - 17:4,	
scenarios [1] - 20:9	165:19, 166:1,	170:19, 170:20,	21:20, 35:1, 36:7,	121:8, 173:3,
<b>Schedule</b> [1] - 90:4	171:22, 185:13	171:2, 171:4,	36:8, 50:5, 50:14,	173:4, 173:5
<b>schedule</b> [9] - 12:16,	seek [1] - 115:1	171:5, 171:10,	113:2, 121:1,	single-family [3] -
22:1, 24:25, 25:1,	seeking [11] - 31:24,	171:19, 171:22,	131:24, 160:19,	27:14, 100:1,
39:24, 43:13,	91:19, 99:19,	171:23, 172:3,	168:25	100:16
43:24, 109:17,	100:24, 104:13,	172:4, 173:9,	showed [7] - 14:8,	singling [1] - 143:2
132:22	104:14, 114:24,	173:12	30:6, 40:14, 55:6,	<b>SITE</b> [1] - 1:6
scheduled [4] -	119:2, 120:2,	services [60] - 9:12,	117:8, 150:25,	site [149] - 4:19, 7:5,
42:24, 43:9, 183:24	160:21	9:21, 9:23, 11:5,	151:2	9:16, 10:16, 11:10,
72.27, 70.0. 100.27	ì		İ	i ' ' '

11.23 12.6 13.10
11:23, 12:6, 13:10, 14:8, 14:11, 15:1,
15:4, 15:5, 16:3,
16:6, 16:8, 16:9,
16:12, 16:24,
17:11, 17:23,
19:18, 20:4, 20:18,
21:2, 21:4, 21:6,
21:11, 21:14,
21:18, 21:21,
21:25, 26:23, 27:2,
27:6, 27:9, 27:13,
27:24, 28:24, 29:2,
30:7, 30:13, 31:3,
32:16, 32:19, 32:24, 33:1, 33:2,
33:5, 33:14, 33:23,
35:18, 35:20,
36:22, 38:5, 38:9,
38:11, 38:25,
39:11, 39:25, 40:4,
42:8, 43:2, 44:6,
44:14, 44:16,
44:20, 45:7, 46:12,
46:17, 46:19, 47:1,
47:10, 47:11,
50:11, 53:10,
53:15, 53:24, 54:1,
54:10, 54:16, 55:9,
56:3, 57:22, 58:9,
58:11, 58:16,
58:22, 58:23, 64:8,
65:3, 65:15, 65:20, 65:21, 65:25, 66:5,
71:17, 72:22,
74:25, 78:13,
78:21. 79:10.
78:21, 79:10, 79:12, 79:23,
79:25, 80:1, 80:21,
80:24, 82:6, 82:22,
83:10, 86:24, 87:4,
87:10, 87:15,
87:19, 88:4, 89:16,
89:17, 89:20, 90:6,
96:20, 99:16,
99:17, 117:9,
135:19, 147:24,
148:17, 149:8, 150:3, 150:20,
150.3, 150.20,
155:6, 155:7,
155:16, 156:15,
158:1, 158:2,
158:5, 161:25,
163:21, 163:25,
165:8, 170:8,
171:9, 181:12
site-generated [10] -
11:23, 15:1, 21:2,
21:6, 21:11, 21:14,
21:25, 32:19,
32:24, 46:17
sites [8] - 28:3, 41:15,
41:19, 149:13,
151:7, 151:9,

151:16, 152:10 situation [4] - 47:20, 61:9, 120:5, 172:23 situations [1] - 64:16 **six** [2] - 57:9, 184:1 size [25] - 32:11, 37:3, 37:11, 51:6, 51:10, 64:4, 64:19, 67:1, 67:2, 67:6, 77:1, 79:14, 90:13, 97:13, 100:7, 114:11, 115:8, 116:18, 118:23, 121:15, 148:20, 149:8, 154:21, 155:10, 155:18 sketch [1] - 168:23 sleds [1] - 69:12 slightly [8] - 21:12, 40:1, 40:6, 41:14, 44:25, 45:4, 62:7, 144:11 **slower** [1] - 62:7 small [4] - 42:12, 47:12, 64:10, 64:19 smaller [4] - 42:10, 72:14, 116:21, 177.22 **so..** [4] **-** 60:4, 107:23, 153:4, 183:12 social [1] - 89:5 society [1] - 134:15 Software [1] - 15:10 **sold** [3] - 163:10, 164:4, 182:15 solid [6] - 29:24, 89:15, 91:23, 92:19, 132:24, 162:5 soliloquy [1] - 114:11 solve [1] - 129:20 someone [6] - 70:14, 82:23, 86:15, 90:8, 90:12, 138:2 Somerset [2] - 41:23, 42:8 sometimes [1] -141:3 somewhat [1] - 47:13 somewhere 151 -47:6, 52:1, 72:25, 121:20, 171:17 **soon** [1] - 109:3 SORDILLO [35] -2:12, 8:11, 28:16, 28:18, 60:5, 62:15, 62:18, 63:10, 63:14, 68:10, 68:15, 68:20, 80:16, 81:4, 84:1, 84:7, 86:5, 110:10, 138:2, 140:6,

143:12, 143:24,

145:4, 149:14,

149:24, 150:6,

158:19, 160:7, 164:8, 164:15, 165:7, 179:9, 180:4, 186:14, 187:6 Sordillo [1] - 60:4 sorry [16] - 28:18, 49:6, 50:18, 71:23, 105:16, 108:20, 109:22, 110:12, 127:4, 127:11, 140:6, 141:17, 141:20, 161:21, 181:4, 187:2 sort [1] - 87:5 sounds [5] - 23:19, 137:15, 137:17, 152:2, 165:24 south [1] - 85:1 southeast [2] - 29:24, 72:5 **SP** [1] - 145:8 **space** [20] - 23:17, 37:9, 42:23, 49:21, 72:12, 92:3, 94:22, 95:3, 99:14, 103:16, 106:15, 114:12, 114:15, 119:7, 119:21, 121:7, 123:21, 144:24, 159:24 spaced [3] - 13:6, 13:10, 72:14 spaces [64] - 10:16, 10:18, 10:20, 10:22, 16:18, 16:20, 17:1, 17:5, 24:4, 30:22, 31:1, 31:7, 31:8, 31:15, 32:1, 34:12, 34:15, 48:10, 49:20, 49:25, 52:15, 52:16, 52:22, 53:6, 53:7, 53:11, 55:9, 56:19, 57:9, 57:11, 57:12, 57:17, 57:20, 57:25, 58:6, 62:23, 63:5, 63:7, 63:25, 74:24, 77:18, 78:7, 97:7, 104:16, 105:3, 105:5, 105:7, 105:17, 105:24, 106:9, 107:15, 107:22, 116:4, 116:19, 117:2, 117:4, 117:12, 124:17, 128:22, 133:8, 136:21, 169:18 spatial [1] - 87:16 SPEAKER [2] -146:18, 160:3

speaker [1] - 147:7

speaks [1] - 16:14

spec [1] - 33:20 **special** [4] - 93:14, 109:9, 109:13 specific [3] - 112:4, 135:13, 182:6 specifically [4] -14:14, 29:14, 175:7, 176:22 specified [1] - 167:14 speculation [4] -164:17, 165:6, 165:8, 180:19 speculative [2] -164:24, 165:11 spell [2] - 68:21, 84:8 spelled [1] - 138:17 spill [2] - 29:5, 29:17 **spinning** [1] - 88:5 spirit [2] - 93:19, 93:23 **split** [1] - 106:25 **splitting** [1] - 44:25 spoken [3] - 27:19, 43:22, 74:2 spot [2] - 57:23, 95:1 spots [24] - 35:16, 48:2, 48:3, 57:13, 104:13. 127:23. 128:7, 130:1, 130:22, 131:7, 131:8, 131:9, 131:14, 142:6, 142:22, 148:13, 160:23, 161:16, 161:18, 163:12, 164:6, 172:13, 182:17, 183:14 **spring** [1] - 186:13 sprinklered [1] -87:25 square [26] - 32:22, 33:7, 34:1, 34:19, 42:5, 42:12, 47:24, 49:7, 67:6, 67:7, 77:5, 77:8, 77:10, 77:11, 77:16, 79:15, 88:12, 105:5, 125:11, 147:17, 148:17, 149:11, 149:22, 154:22, 163:3 St [1] - 67:5 stack [2] - 59:10, 60:9 stacked [1] - 71:21 stacking [1] - 7:13 **STAFF** [1] - 2:11 staff [4] - 57:14, 57:20, 57:25, 62:9 staffing [2] - 145:10, 145:11 stage [1] - 17:14 stages [1] - 14:1 **staggered** [1] - 69:15

**stagnant** [1] - 66:20

stalls [1] - 169:11 **stand** [3] - 6:2, 19:8, 91:18 standard [9] - 18:6, 48:11, 98:10, 98:11, 98:12, 98:20, 103:3, 137:8, 137:13 standards [4] - 71:1, 90:5, 91:10, 99:17 standing [2] - 84:21, 84:24 standpoint [2] -99:22, 100:3 stands [1] - 35:23 start [5] - 72:5, 80:10, 92:25, 143:13, 148:24 started [1] - 136:16 **starts** [2] - 85:20, 163:8 **STATE** [1] - 1:2 state [6] - 68:21, 84:8, 85:2, 138:12, 162:21, 164:2 State [3] - 84:19, 125:13, 188:4 Statement [1] - 152:4 statement [2] -108:10, 179:12 station [2] - 33:10, 36:20 **statutory** [1] - 100:22 stay [1] - 66:19 stayed [1] - 15:15 stays [2] - 17:12, 58:23 steadily [1] - 38:20 stenographer [1] -132:24 Stenographer [1] -49:5 stenographically [1] - 188:11 **STENOGRAPHICAL LY** [1] - 2:22 step [2] - 150:15, 168:12 still [30] - 7:25, 8:9, 8:12, 26:13, 26:16, 43:17, 45:2, 45:3, 47:25, 51:1, 53:10, 60:6, 68:2, 72:22, 72:23, 74:21, 77:7, 79:18, 80:20, 82:19, 109:17, 116:23, 135:21, 136:16, 136:17, 145:20, 154:20, 181:21, 187:7 STIMMEL [30] - 4:4, 8:14, 154:25, 159:18, 166:20, 167:4, 167:9,

167:15, 168:10,

				22
400.00 400.5	470.0 477.40	440.44 440.00	10:40	440.44 440.00
168:20, 169:5,	176:8, 177:10,	143:14, 143:20,	temporary [1] - 46:10	118:14, 118:23,
170:3, 170:24,	177:24, 183:22	160:17, 167:19	ten [7] - 62:4, 75:18,	119:5, 120:5,
171:7, 171:24,	stuff [1] - 109:5	Supreme [1] - 91:4	151:1, 173:17,	120:6, 120:7,
172:8, 172:10,	style [1] - 42:10	surface [14] - 10:20,	180:20, 181:7,	120:9, 120:21,
172:15, 173:5,	Subdivision [1] - 7:6	71:22, 72:2, 72:19,	182:20	120:25, 121:3,
173:25, 174:24,	subject [14] - 4:19,	72:21, 72:23,	ten-minute [1] -	121:4, 124:18,
176:5, 176:16,	11:2, 14:9, 17:8,	74:15, 74:21,	75:18	124:23, 125:8,
176:22, 177:2,	18:18, 21:8, 30:12,	128:22, 161:22,	ten-year [1] - 182:20	125:10, 125:14,
177:15, 178:18,	39:23, 43:4, 86:9,	163:13, 168:5,	term [1] - 158:22	125:25, 126:23,
181:3, 183:23,	86:24, 87:3, 88:6,	178:9, 181:10	terms [23] - 35:9,	130:8, 130:16,
184:17	166:24	surrounding [4] -	78:22, 87:21,	133:24, 135:15,
Stimmel [28] - 4:5,	submission [1] - 7:21	87:22, 88:7, 90:22,	88:15, 88:19,	136:23, 137:3,
7:24, 8:9, 8:11,	<b>submit</b> [2] - 158:15,	96:4	89:17, 90:23,	137:10, 139:1,
8:18, 18:25, 28:13,	165:4	surroundings [1] -	91:17, 92:3, 93:14,	139:16, 140:10,
30:20, 32:8, 32:9,	submittals [1] -	86:24	93:23, 94:17,	140:14, 140:16,
34:6, 37:15, 47:23,	165:22	surrounds [1] - 4:19	94:23, 95:1, 96:5,	142:3, 142:13,
50:18, 58:12,	submitted [8] - 7:22,	<b>Susan</b> [2] - 97:22,	96:16, 97:5, 97:6,	144:10, 153:6,
58:21, 59:10,	12:17, 13:19, 22:1,	97:23	100:18, 102:14,	158:20, 158:24,
63:19, 68:1, 71:15,	40:11, 42:21,	swear [3] - 8:10,	116:25, 151:15,	164:10, 168:10,
73:5, 75:10, 76:9,	49:23, 154:25	68:16, 84:3	152:15	170:1, 171:12,
101:21, 106:6,	submitting [1] - 20:8	<b>sworn</b> [7] <b>-</b> 60:3,	<b>Terrace</b> [1] - 1:23	172:5, 172:11,
117:6, 137:16,	subsequent [1] - 9:8	68:8, 68:10, 68:14,	test [4] - 92:24, 98:5,	173:14, 178:19,
166:18	substantial [6] - 12:4,	113:21, 125:6,	161:13, 182:3	180:13, 180:14,
<b>Stimmel's</b> [3] - 48:22,	96:13, 96:14,	188:7	testified [24] - 7:25,	182:10, 183:9
101:14, 135:15	96:16, 97:10,	synagogue [3] -	8:19, 9:8, 24:21,	<b>THE</b> [148] - 9:1, 19:4,
<b>stipulated</b> [3] - 24:10,	124:19	93:25, 124:4,	29:1, 38:23, 40:20,	22:21, 23:2, 23:24,
39:6, 102:12	substantially [6] -	149:10	41:25, 62:22, 71:3,	25:2, 25:9, 25:11,
stipulation [1] -	91:11, 92:22, 98:6,	synagogues [1] -	71:16, 88:25,	25:12, 25:23, 26:1,
54:11	117:12, 128:21,	89:1	114:10, 115:2,	26:10, 27:8, 28:15,
<b>stop</b> [7] - 37:7, 72:8,	152:15	system [4] - 7:13,	124:9, 131:10,	29:19, 30:23, 31:2,
145:19, 146:10,	subsurface [2] -	63:2, 82:21, 127:24	133:3, 142:11,	31:9, 31:12, 31:17,
158:8, 158:9	74:12, 89:9		153:25, 154:10,	32:3, 32:12, 32:14,
<b>stopped</b> [1] - 39:1	sudden [1] - 153:22	Т	164:11, 165:25,	34:8, 34:14, 34:17,
stopped [1] - 39:1 story [1] - 88:17	sudden [1] - 153:22 sufficient [9] - 28:7,		164:11, 165:25, - 169:22, 177:8	35:7, 35:17, 36:3,
		table [4] - 14:18,		35:7, 35:17, 36:3, 36:24, 36:25, 37:5,
<b>story</b> [1] - 88:17	<b>sufficient</b> [9] - 28:7, 83:18, 113:17,	table [4] - 14:18, 32:22, 40:14,	169:22, 177:8	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14,
story [1] - 88:17 street [16] - 21:7,	<b>sufficient</b> [9] - 28:7, 83:18, 113:17, 114:15, 148:16,	table [4] - 14:18, 32:22, 40:14, 112:22	- 169:22, 177:8 testify [4] - 7:21,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13	- 169:22, 177:8 <b>testify</b> [4] - 7:21, 84:25, 166:17,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11,	- 169:22, 177:8 <b>testify</b> [4] - 7:21, 84:25, 166:17, 188:7	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] -	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] -	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2,	- 169:22, 177:8 testify [4] - 7:21, 84:25, 166:17, 188:7 testifying [2] - 86:2, 153:3 testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24	- 169:22, 177:8  testify [4] - 7:21,     84:25, 166:17,     188:7  testifying [2] - 86:2,     153:3  testimony [110] -     7:12, 8:3, 8:13,     22:3, 22:5, 29:16,     31:20, 34:21,     34:22, 38:5, 38:7,     42:23, 42:25, 43:3,     44:2, 45:17, 45:23,     49:13, 50:7, 53:12,     53:21, 54:2, 57:3,     65:10, 68:17,     74:16, 80:23, 84:3,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7,	- 169:22, 177:8  testify [4] - 7:21,     84:25, 166:17,     188:7  testifying [2] - 86:2,     153:3  testimony [110] -     7:12, 8:3, 8:13,     22:3, 22:5, 29:16,     31:20, 34:21,     34:22, 38:5, 38:7,     42:23, 42:25, 43:3,     44:2, 45:17, 45:23,     49:13, 50:7, 53:12,     53:21, 54:2, 57:3,     65:10, 68:17,     74:16, 80:23, 84:3,     85:23, 89:19,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] -	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12,	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:11,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19,	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:23, 107:8,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:23 sunset [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:21, 108:17,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] -	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:11, 106:23, 107:8, 107:17, 108:20, 108:23,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22, 121:6	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:11, 106:23, 107:8, 107:17, 108:20, 108:23, 108:24, 109:7,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25, 9:2, 10:3, 10:4,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 supported [1] - 120:8	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19 Tel [1] - 1:24	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25, 108:4, 108:11,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:11, 106:23, 107:8, 107:17, 108:20, 108:23, 108:24, 109:7, 110:7, 112:25,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25, 9:2, 10:3, 10:4, 10:15, 14:7, 20:8,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22, 121:6 supporting [1] -	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19 Tel [1] - 1:24 template [1] - 166:9	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25, 108:4, 108:11, 110:14, 111:1,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:21, 107:17, 108:20, 108:23, 108:24, 109:7, 110:7, 112:25, 113:1, 113:2,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 studied [1] - 15:18 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25, 9:2, 10:3, 10:4, 10:15, 14:7, 20:8, 27:16, 42:18, 82:7,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22, 121:6 supporting [1] - 144:21	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19 Tel [1] - 1:24 template [1] - 166:9 temple [2] - 93:25,	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25, 108:4, 108:11, 110:14, 111:1, 111:3, 111:15,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:21, 108:20, 108:23, 108:24, 109:7, 110:7, 112:25, 113:1, 113:2, 113:4, 113:6,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 students [1] - 38:17 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25, 9:2, 10:3, 10:4, 10:15, 14:7, 20:8, 27:16, 42:18, 82:7, 118:14, 147:1,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22, 121:6 supported [1] - 120:8 supporting [1] - 144:21 suppose [2] - 18:10,	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19 Tel [1] - 1:24 template [1] - 166:9 temple [2] - 93:25, 157:6	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25, 108:4, 108:11, 110:14, 111:1, 111:3, 111:15, 111:20, 113:20,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:21, 108:20, 108:24, 109:7, 110:7, 112:25, 113:1, 113:2, 113:4, 113:6, 113:14, 113:20,
story [1] - 88:17 street [16] - 21:7, 21:12, 21:13, 22:9, 24:2, 24:8, 40:1, 48:6, 88:5, 99:5, 124:3, 150:13, 158:12, 159:25, 171:16, 178:13 Street [7] - 5:4, 5:5, 81:19, 138:18, 146:24, 160:14, 180:10 STREET [1] - 1:9 strict [2] - 91:21, 98:22 stricter [1] - 161:13 striped [3] - 48:4, 48:7, 48:25 striping [1] - 48:8 studied [1] - 15:18 studied [1] - 15:18 studies [3] - 175:6, 175:8, 176:10 Study [1] - 66:1 study [23] - 7:22, 8:21, 8:22, 8:25, 9:2, 10:3, 10:4, 10:15, 14:7, 20:8, 27:16, 42:18, 82:7,	sufficient [9] - 28:7, 83:18, 113:17, 114:15, 148:16, 164:5, 166:2, 169:17, 183:15 summary [1] - 80:19 summer [1] - 184:3 Sunday [7] - 11:19, 11:20, 13:17, 67:9, 78:23, 105:7, 156:9 Sundays [2] - 23:22, 28:2 sunrise [1] - 111:24 Sunshine [1] - 6:5 supermarket [1] - 149:9 supply [15] - 16:11, 17:7, 17:9, 30:17, 31:3, 96:22, 97:14, 97:18, 101:22, 109:1, 115:20, 118:9, 125:2, 160:25, 163:20 support [2] - 95:22, 121:6 supporting [1] - 144:21	table [4] - 14:18, 32:22, 40:14, 112:22 tabular [1] - 15:13 talks [15] - 19:11, 39:15, 40:10, 40:18, 40:25, 41:20, 41:21, 42:17, 42:22, 44:12, 45:14, 49:19, 52:8, 79:21, 90:25 tandem [4] - 57:8, 57:9, 57:13, 58:5 tax [1] - 87:8 team [1] - 61:2 teams [3] - 61:2, 172:16, 172:24 technical [3] - 18:7, 116:6, 116:18 technically [5] - 116:1, 123:12, 143:14, 143:19, 143:20 Technologies [1] - 3:19 Tel [1] - 1:24 template [1] - 166:9 temple [2] - 93:25,	169:22, 177:8  testify [4] - 7:21, 84:25, 166:17, 188:7  testifying [2] - 86:2, 153:3  testimony [110] - 7:12, 8:3, 8:13, 22:3, 22:5, 29:16, 31:20, 34:21, 34:22, 38:5, 38:7, 42:23, 42:25, 43:3, 44:2, 45:17, 45:23, 49:13, 50:7, 53:12, 53:21, 54:2, 57:3, 65:10, 68:17, 74:16, 80:23, 84:3, 85:23, 89:19, 91:16, 91:23, 92:20, 94:9, 97:17, 98:25, 99:15, 101:14, 101:21, 102:22, 103:12, 104:16, 106:4, 107:18, 107:25, 108:4, 108:11, 110:14, 111:1, 111:3, 111:15, 111:20, 113:20, 114:1, 114:7,	35:7, 35:17, 36:3, 36:24, 36:25, 37:5, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:15, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:21, 108:20, 108:23, 108:24, 109:7, 110:7, 112:25, 113:1, 113:2, 113:4, 113:6,

					23
445 40 447 4	10	05.40.05.05.00.0	1	00 00 00 04 00 5	11
115:16, 117:1		25:16, 25:25, 26:3,	tonight [7] - 7:20,	32:20, 32:24, 33:5,	treatment [1] - 94:2
118:1, 119:18		28:17, 30:19, 34:5,	26:5, 34:22, 102:2,	38:19, 39:5, 39:6,	trend [1] - 79:7
119:20, 120:9	-	37:7, 37:19, 37:24,	137:22, 179:12,	39:10, 39:12,	Tried [1] - 87:4
120:17, 120:2		47:22, 49:16,	184:22	39:22, 39:24, 40:1,	tried [2] - 134:24,
121:10, 122:1	1,	50:19, 50:24,	took [1] - 168:24	40:3, 40:7, 41:1,	155:5
122:18, 122:2	20,	51:18, 58:18, 59:6,	top [14] - 34:2, 61:18,	42:18, 43:4, 43:10,	trigger [1] - 116:21
124:22, 125:1	1,	59:9, 59:14, 59:18,	62:1, 62:9, 62:10,	44:14, 44:25, 45:3,	triggered [1] - 92:17
125:6, 125:12	2,	60:8, 60:22, 61:6,	87:6, 90:5, 93:16,	46:17, 46:25,	triggers [1] - 116:19
125:20, 125:2	22,	61:20, 61:23, 62:3,	146:7, 171:6,	47:12, 47:18,	trip [8] - 13:18, 33:21,
126:3, 126:7,		62:14, 62:17,	181:7, 183:7,	47:19, 50:13,	40:24, 42:17, 44:4,
126:9, 126:14	4,	63:16, 67:21,	183:8, 183:11	52:10, 54:12,	44:6, 52:10, 64:13
126:18, 126:2	22,	67:24, 71:12, 74:7,	top-tier [1] - 93:16	54:18, 56:22,	trips [2] - 41:3
127:3, 127:11		75:9, 75:17, 75:25,	total [10] - 10:23,	61:18, 61:19, 62:2,	
127:13, 127:1		76:4, 76:13, 77:21,	12:5, 16:20, 17:13,	62:8, 62:9, 62:20,	trouble [1] - 82:20
128:11, 128:1		83:20, 85:5, 85:8,	50:10, 50:14,	63:17, 65:25, 66:9,	truck [3] - 166:1,
129:3, 129:6,		85:10, 86:3, 86:6,		66:15, 76:9, 76:10,	166:4, 166:9
129:9, 129:11		86:14, 86:19,	52:15, 77:6, 77:11,	76:25, 77:23,	trucks [3] - 180:22,
130:7, 131:1,		86:21, 101:8,	182:16	81:16, 81:18,	180:25, 181:6
131:16, 132:1		104:9, 105:14,	touch [4] - 10:13,	81:22, 82:12,	true [2] - 36:1, 188:10
			29:20, 86:17,		truth [9] - 68:17,
133:6, 137:9,		108:18, 108:21,	153:19	96:18, 100:11,	68:18, 84:4, 84:5,
137:17, 158:6		109:3, 112:7,	toward [3] - 10:14,	102:23, 103:13,	188:7, 188:8
158:18, 187:5		113:7, 115:23,	72:7, 88:5	111:1, 111:3,	try [3] - 59:14, 87:4,
the [3] - 58:19	, 59:1,	116:14, 116:20,	towards [5] - 30:14,	111:5, 117:7,	110:14
59:17		124:14, 125:24,	48:6, 88:3, 94:12,	118:13, 125:23,	trying [9] - 49:11,
then [1] - 104:	:10	126:5, 126:11,	95:14	127:1, 128:8,	79:14, 133:21,
theoretical [1]	- 55:10	126:16, 126:20,	town [3] - 81:17,	130:10, 130:18,	141:4, 144:3,
They've [4] - 27	7:23,	126:25, 127:7,	93:4, 133:13	131:2, 132:2,	144:11, 150:4,
27:25, 28:2, 2	28:3	127:17, 127:20,	towns [2] - 155:17,	135:10, 136:24,	158:9, 172:1
they've [4] - 27	:24,	129:14, 132:10,	175:19	137:4, 137:23,	turn [6] - 10:7, 16:8,
28:2, 28:3, 16		132:14, 132:17,	township [1] - 167:14	138:25, 139:7,	
thinking [1] - 6	2:25	132:20, 133:24,	Township [2] - 1:24,	139:9, 142:21,	16:9, 18:12, 45:16,
third [2] - 123:1		134:4, 134:12,	13:24	146:6, 147:1,	56:11
177:24	,	134:23, 135:2,		147:2, 147:5,	turning [4] - 57:15,
thirds [3] - 12:6		135:25, 136:8,	track [1] - 23:18	152:15, 154:23,	58:10, 58:17, 151:6
36:15, 170:12		136:12, 137:19,	trade [1] - 135:23	157:20, 159:13,	turns [1] - 36:14
		138:4, 138:7,	<b>Trade</b> [1] - 81:19	163:17, 164:13,	twice [1] - 67:8
THOMAS [1] - 2		138:9, 138:11,	trade-off [1] - 135:23	164:16, 165:17,	<b>Two</b> [1] - 48:19
thousands [1]	-	139:6, 141:8,	traditional [2] -	168:9, 173:24,	two [62] - 10:5, 11:24,
174:19		141:11, 141:14,	26:19, 91:25	173:25, 174:1,	12:6, 12:7, 14:8,
three [29] - 49:2		141:17, 141:20,	TRAFFIC [1] - 2:18	174:12, 174:17,	14:20, 16:16,
57:10, 57:11,		145:23, 146:3,	traffic [174] - 7:21,	175:3, 175:11,	17:14, 17:25,
60:15, 61:13,			7:22, 8:21, 8:22,		20:10, 20:22,
62:10, 87:23,		146:17, 146:20,	8:25, 9:2, 9:10,	175:14, 175:16,	20:23, 30:3, 32:20,
88:17, 92:6,		148:5, 150:9,	9:16, 10:10, 10:15,	176:8, 176:10,	36:14, 36:15,
101:11, 101:1	16,	150:16, 156:18,	10:25, 11:9, 11:13,	176:19, 177:14,	38:21, 40:15,
102:9, 102:22	2,	156:25, 157:4,	11:23, 12:2, 12:12,	177:23, 177:25,	41:15, 41:16,
104:1, 105:5,		157:7, 157:9,	12:13, 12:19,	178:9, 178:23,	41:19, 42:1, 42:3,
105:9, 105:17	7,	157:13, 157:17,	12:20, 13:21, 14:7,	179:7, 181:13,	47:3, 48:5, 48:17,
110:4, 118:5,		157:20, 160:5,	14:15, 14:22,	183:17, 183:22,	50:11, 50:15,
130:17, 136:2	23,	160:11, 165:13,	14:24, 15:1, 15:3,	184:14	52:12, 56:14,
137:12, 145:2		165:15, 173:17,	15:12, 16:6, 16:7,	Traffic [1] - 66:1	56:22, 60:15,
146:4, 146:9,		178:25, 179:20,	16:9, 17:18, 17:19,	train [1] - 70:11	61:13, 62:1, 64:4,
155:17, 171:2		180:7, 183:3,	18:10, 18:21,	trained [1] - 70:5	69:14, 72:12, 82:6,
178:9		184:21, 185:2,	19:13, 19:18,	training [1] - 145:13	
three-story [1]	_	185:9, 185:22,	19:13, 19:16,	transcript [1] -	90:2, 97:1, 101:18,
88:17		186:6, 186:11		188:10	128:1, 128:5,
throughout [4]	_	<b>Tighe</b> [1] - 6:23	20:22, 20:23,	TRANSCRIPT [1] -	137:7, 145:20,
19:18, 46:18,		to [1] - 108:13	20:25, 21:2, 21:6,	1:15	146:9, 146:14,
84:25	30.0,	<b>Today</b> [1] - 160:3	21:7, 21:11, 21:12,	translate [1] - 55:8	155:1, 160:21,
	177.10	today [5] - 22:21,	21:13, 21:15,	Transportation [1] -	161:7, 161:12,
Thursday [1] -	111.12	25:23, 106:7,	21:25, 22:3, 22:9,	65:13	164:5, 169:19,
TIA [1] - 19:12		108:16, 134:15	24:2, 24:6, 24:8,	transportation [1] -	169:21, 170:4,
tier [1] - 93:16		together [2] - 95:13,	26:21, 27:2, 27:3,	154:5	170:12, 172:6,
ties [1] - 43:22		95:24	27:10, 27:12,		175:6, 175:19,
TIGHE [131] - 2:			27:16, 27:23, 29:6,	transported [1] -	183:25, 185:18
6:4, 6:9, 6:24		tomorrow [1] -	29:12, 29:16,	156:7	two-foot [1] - 72:12
8:6, 19:2, 25:	3,	133:15	29:18, 31:22,	treated [1] - 19:23	two-hour [2] - 50:11,
1			1	1	I

125:4, 125:9,

50:15 two-lane [1] - 42:3 two-thirds [3] - 12:6, 36:15, 170:12 two-way [3] - 20:10, 20:22, 20:23 two-year [3] - 14:20, 32:20, 40:15 **type** [7] - 66:1, 71:9, 83:12, 88:23, 104:12, 144:24, 155:18 types [2] - 77:15, 88:25 typical [12] - 9:12, 21:5, 22:7, 23:11, 39:7, 44:11, 58:4, 89:2, 103:3, 103:5, 106:24, 107:9 typically [8] - 26:22, 60:14, 65:24, 69:11, 70:8, 70:10, 106:1, 137:13

## U

ultimately [3] - 20:11, 103:25, 133:18 uncontroverted [1] -96:19 Under [1] - 120:20 under [27] - 7:25, 8:9, 8:12, 11:22, 20:2, 31:16, 32:4, 44:20, 51:25, 52:7, 54:1, 60:6, 69:13, 86:20, 93:25, 94:19, 95:4, 98:4, 99:24, 113:21, 125:7, 150:19, 170:20, 172:13, 180:17, 180:25, 181:1 underground [8] -17:15, 46:1, 57:10, 61:17, 62:1, 148:18, 178:11, 182:16 underlying [2] -125:2, 125:5 underneath [5] -7:15, 62:23, 63:5, 171:2, 178:10 Understood [1] -184:9 understood [1] -78:10 UNIDENTIFIED [2] -146:18, 160:3 unified [1] - 95:13 uniform [1] - 174:1 unique [1] - 175:18 **UNISON** [2] - 85:11, 138:10 unit [3] - 70:9, 70:10,

70:11

units [4] - 68:6, 69:7, 69:15, 70:9 unloaded [1] - 171:11 unloading [3] -56:18, 56:19, 56:25 unopposed [1] - 16:8 unparking [1] - 56:18 unusual [1] - 65:10 unwavering [2] -89:19, 97:17 up [72] - 7:6, 12:2, 13:3, 35:1, 44:25, 46:6, 48:9, 50:12, 51:7, 59:17, 59:21, 60:19, 61:18, 61:24, 62:1, 62:9, 62:10, 68:7, 69:8, 69:13, 69:15, 69:22, 70:23, 71:3, 74:23, 75:12, 75:14, 77:8, 77:12, 77:19, 82:25, 83:22, 87:15, 102:9, 102:15, 103:16, 103:23, 105:8, 105:14, 113:2, 116:11, 117:5, 117:14, 131:24, 134:7, 135:23, 139:8, 140:5, 140:15, 141:12, 145:22, 145:24, 146:7, 147:3, 151:22, 152:18, 158:22, 160:5, 160:19, 170:19, 178:8, 178:9, 178:12, 178:15, 180:11, 181:24, 185:16, 185:24, 186:7, 186:12 **up..** [1] - 173:15 updated [12] - 9:17, 11:13, 14:18, 16:2, 21:19, 27:23, 28:1, 39:10, 40:13, 41:1, 49:22, 55:14 updating [1] - 40:10 Upper [1] - 183:17 usage [2] - 67:16,

uses [28] - 23:18, 43:16, 51:6, 87:24, 88:24, 89:3, 91:21, 93:24, 95:5, 95:23, 99:9, 100:1, 100:2, 100:16, 102:10, 102:12, 102:14, 104:23, 105:4, 107:19, 116:7, 116:24, 153:16,

145:19

93:17, 93:19,

93:20, 93:22,

157:14

ut [1] - 177:17 utility [1] - 52:12 utilization [1] - 56:23 utilized [3] - 39:17, 42:24, 117:4 utilizes [1] - 46:14 utilizing [1] - 15:9

vacuum [2] - 130:8, 130:16 valet [26] - 7:12, 17:14, 29:14, 30:5, 45:19, 45:21, 45:22, 46:11, 52:16, 53:9, 53:13, 57:3, 57:18, 59:12, 61:10, 71:8, 82:20, 145:14, 168:12, 178:7, 178:19, 178:22, 180:13, 182:23 valets [2] - 45:25, 57:6 valid [2] - 47:19, 143:25 value [1] - 170:21 variability [1] - 52:17 variance [46] - 16:21, 31:7, 31:12, 31:24, 78:7, 78:8, 100:24, 104:12, 104:13, 104:14, 112:23, 114:24, 114:25, 115:24, 116:2, 116:6, 116:18, 118:3, 118:4, 119:2, 119:3, 120:3, 120:4, 123:12, 123:16, 124:16, 129:25, 133:4, 144:16, 144:19, 144:21, 148:13, 148:14, 151:17, 159:9, 159:10, 159:13, 159:14, 159:15, 159:19, 161:13, 161:14, 161:15, 161:19, 161:23 variances [5] - 159:7, 159:16, 160:21, 161:7, 161:11 variety [1] - 95:5 various [4] - 20:9, 33:15, 34:18, 117:15 vary [1] - 72:13 vehicle [18] - 41:13, 41:14, 41:18, 42:15, 54:25, 72:11, 72:12, 101:15, 101:16,

102:22, 102:24,

103:24, 104:1, 118:16, 136:23, 155:4, 162:22 vehicles [73] - 12:6, 12:7, 12:21, 12:24, 12:25, 13:15, 13:16, 18:13, 20:22, 20:24, 20:25, 21:22, 21:23, 30:3, 30:11, 30:14, 42:6, 42:7, 42:13, 45:25, 46:5, 46:9, 50:10, 50:14, 53:3, 53:9, 53:15, 53:22, 56:18, 56:19, 56:24, 58:10, 61:4, 72:4, 72:14, 74:11, 74:14, 74:20, 117:9, 117:18, 117:22, 118:15, 118:24, 133:21, 135:18, 146:6, 146:7, 162:16, 162:18, 163:1, 163:10, 165:20, 180:15, 180:16, 180:20, 180:21, 180:25, 181:6, 181:7, 181:9, 181:10, 181:12, 181:16, 181:20, 182:11, 182:12, 183:8, 183:10, 183:11 vehicular [1] - 12:2 version [2] - 42:18, 144:5 versions [1] - 15:7 versus [7] - 32:17, 41:19, 55:9, 55:19, 103:9, 144:14, 145:11 vertical [1] - 94:23 vetted [1] - 90:2 via [1] - 10:19 viable [1] - 159:24 vice [1] - 185:12 **VICE** [52] - 2:6, 6:19, 30:18, 30:20, 30:24, 31:5, 31:10, 31:14, 31:19, 34:4, 34:6, 34:10, 34:16, 35:4, 35:12, 35:21, 36:19, 47:21, 47:23, 48:1, 49:6, 50:17, 50:20, 63:19, 63:24, 64:20, 64:24, 65:4, 65:16, 66:3, 66:17, 67:14, 80:7, 80:14, 104:11, 104:19, 105:11, 112:6, 112:8, 124:13,

124:15, 124:24,

125:16, 129:13, 129:15, 130:20, 131:3, 131:17, 135:8, 136:2 vice-chair [1] -185:12 VICE-CHAIRMAN [52] - 2:6, 6:19, 30:18, 30:20, 30:24, 31:5, 31:10, 31:14, 31:19, 34:4, 34:6, 34:10, 34:16, 35:4, 35:12, 35:21, 36:19, 47:21, 47:23, 48:1, 49:6, 50:17, 50:20, 63:19, 63:24, 64:20, 64:24, 65:4, 65:16, 66:3, 66:17, 67:14, 80:7, 80:14, 104:11, 104:19, 105:11, 112:6, 112:8, 124:13, 124:15, 124:24, 125:4, 125:9, 125:16, 129:13, 129:15, 130:20, 131:3, 131:17, 135:8, 136:2 vicinity [1] - 40:19 victims [1] - 100:13 **video** [1] - 38:8 view [8] - 4:19, 86:23, 87:3, 94:16, 122:2, 122:13, 149:18 View [19] - 2:19, 9:14, 11:12, 14:17, 18:23, 19:4, 19:7, 20:17, 34:9, 37:16, 37:19, 38:3, 39:14, 40:25, 42:16, 49:23, 51:3, 52:6, 63:20 Villanova [2] - 5:8, 173:20 Vincent [4] - 5:7, 5:10, 160:14, 180:10 violence [1] - 100:13 Vision [1] - 167:2 visiting [1] - 12:12 visitors [1] - 57:19 **visual** [1] - 95:19 Volosin [1] - 6:21 volume [7] - 12:23, 17:17, 20:23, 20:25, 32:15, 173:2, 181:13 volumes [20] - 10:25, 11:13, 11:23, 14:23, 14:24, 15:1, 15:3, 19:18, 21:2, 21:6, 21:11, 21:12,

21:24, 40:1, 40:3,

40:7, 47:3, 175:11 volunteer [1] - 11:4 W Wait [1] - 158:8 wait [7] - 110:14, 142:15, 158:8, 160:7, 168:6, 169:20 waiting [3] - 109:17, 146:21, 172:19 walk [2] - 83:5, 169:10 walking [1] - 168:8 walkway [1] - 18:16 wants [2] - 29:15, 140:18 warehouses [1] -157:2 warranted [1] - 101:2 Water [1] - 174:21 **website** [1] - 9:5 wedding [3] - 81:6, 81:11, 154:9 weddings [6] - 23:9, 54:8, 71:4, 78:23, 80:23, 153:20 WEDNESDAY [1] -1:11 week [8] - 105:23, 106:10, 107:6, 107:16, 108:1, 139:22, 147:21, 149:2 weekday [10] - 20:21, 20:22, 20:24, 21:10, 21:17, 22:8, 43:23 weekend [1] - 149:1 weekends [1] -109:17 weekly [1] - 52:17 weight [5] - 36:6, 96:7, 98:16, 98:17 welfare [5] - 90:11, 93:7, 94:13, 149:5, 149:6 well-attended [1] -132:7 west [2] - 45:16, 85:1 westbound [1] - 16:7 westerly [1] - 169:10 western [6] - 10:8, 18:11, 30:2, 45:24, 72:7, 72:8 whereas [1] - 16:19 whereby [3] - 91:1, 98:5, 98:22 whole [9] - 32:3, 68:18, 84:4, 92:22, 95:17, 98:6, 112:15, 125:11,

188:8

width [2] - 48:11,

90:23 William [1] - 7:24 **WILLIAM** [30] - 4:4, 8:14, 154:25, 159:18, 166:20, 167:4, 167:9, 167:15, 168:10, 168:20, 169:5, 170:3, 170:24, 171:7, 171:24, 172:8, 172:10, 172:15, 173:5, 173:25, 174:24, 176:5, 176:16, 176:22, 177:2, 177:15, 178:18, 181:3, 183:23, 184:17 Williamsburg [1] willing [1] - 143:8 window [5] - 12:5, 38:15, 50:11, 50:15, 183:19 windows [1] - 24:7 wise [1] - 89:17 wish [2] - 129:18, 132:18 withstanding [1] -99:18 WITNESS [120] - 9:1, 19:4, 22:21, 23:2, 23:24, 27:8, 29:19, 30:23, 31:2, 31:9, 31:12, 31:17, 32:3, 32:12, 32:14, 34:8, 34:14, 34:17, 35:7, 35:17, 36:3, 38:2, 43:20, 45:14, 47:25, 48:3, 48:17, 49:18, 52:6, 55:2, 55:13, 56:1, 57:21, 58:15, 58:25, 59:12, 63:4, 63:13, 63:23, 64:3, 64:23, 65:1, 65:7, 65:19, 66:7, 66:22, 71:19, 71:23, 72:4, 72:20, 74:16, 78:10, 78:19, 79:17, 82:5, 82:14, 84:18, 85:19, 86:7, 86:16, 86:20, 87:1, 101:20, 102:17, 103:2, 103:8, 103:15, 104:3, 104:15, 104:22, 105:13, 105:20, 106:1, 106:11, 106:23, 107:8, 107:17, 108:17, 108:20, 108:24, 109:7, 113:14, 113:20, 114:20,

115:16, 117:10,

118:1, 119:18, 119:20, 120:9, 120:17, 120:23, 121:10, 122:1, 122:18, 122:20, 124:22, 125:1, 125:6, 125:12, 125:22, 126:3, 126:9, 126:14, 126:22, 127:3, 127:11, 127:13, 127:15, 128:11, 128:13, 129:3, 129:6, 129:9, 130:7, 131:1, 131:16, 133:6, 137:9, 137:17 witness [5] - 91:24, 120:6, 121:5, 154:10, 164:9 **WITNESSES** [1] - 4:2 witnesses [17] - 29:1, 91:24, 97:18, 99:16, 118:9, 119:6, 125:14, 130:9, 130:17, 143:15, 143:21, 149:16, 149:25, 150:8, 179:11, 179:13, 188:7 women [1] - 92:10 word [1] - 161:15 words [1] - 24:14 Works [1] - 174:22 works [2] - 29:13, 40.14 world [5] - 36:6, 36:8, 44:20, 97:4, 137:4 worry [1] - 26:8 **WORSHIP** [1] - 1:4 worship [17] - 16:19, 17:1, 64:8, 88:18, 89:2, 92:1, 92:12, 92:15, 94:8, 94:11, 96:25, 97:1, 103:4, 103:6, 104:24, 109:1, 121:8 worshippers [2] -36:23, 118:18 wraparound [1] -72:7 wrapping [2] - 30:6, 173:7 wraps [1] - 169:9

# Υ

writing [1] - 163:18

written [1] - 25:1

yard [2] - 99:3 year [14] - 9:24, 14:20, 32:20, 40:15, 56:17, 111:21, 141:25, 147:22, 163:7, 180:21, 182:20, 184:1, 184:3 year-round [1] - 9:24 years [4] - 122:4, 164:5, 175:12, 185:18 yo [1] - 132:11 Yo [1] - 132:14 yourself [1] - 160:6 yourselves [1] -51:21

Ζ **Z-03** [1] - 29:23 Zaman [1] - 5:4 **ZAMAN** [14] - 138:16, 139:8, 141:6, 141:9, 141:12, 141:15, 141:18, 141:22, 143:23, 145:1, 145:6, 146:2, 146:11, 146:16 **zebra** [1] - 138:18 zebrowski [1] - 74:7 ZEBROWSKI [6] -2:7, 6:22, 74:5, 74:8, 75:7, 85:9 Zebrowski [1] - 6:21 zero [1] - 162:16 zero-emission [1] -162:16 Zman [1] - 138:17 zone [15] - 19:22, 87:24, 89:25, 93:4, 93:5, 96:15, 97:8, 97:10, 97:21, 100:1, 100:5, 100:11, 100:16, 100:19 zoning [8] - 13:25, 40:21, 87:12, 91:9, 152:17, 174:25, 176:5, 176:7