

**BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT**

Regular Meeting

June 11, 2024

—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Foose called the meeting to order at 7:00 pm.

2. OPEN PUBLIC MEETING ANNOUNCEMENT:

ANNOUNCEMENT; Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A.10:4-6. On January 9, 2024 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 pm. Hearing Assistance is available upon request. Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the Planning Department Secretary before the public meeting.” However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary.

3. SALUTE TO FLAG:

4. ROLL CALL

Donald Sweeney-	Present	Jeff Foose-	Present
Bruce Bongiorno-	Present	John Gayeski-	Present
James Weideli-	Present	Claudio Vescio-	Absent
Jeffrey Sicat-	Present	Andrew Fresco-	Present
Pushpavati Amin-	Present	Chris Gabbett-	Present
John Kulak	Present		

Others present: Board Attorney Rich Oller, Esq., Board Planner Katherine Sarmad, William Burr, PE, Board Engineer and Roger Dornbierer, Zoning Officer.

5. OPEN TO THE PUBLIC

Chairman Foose opened the meeting to the public. With there being members of the public wishing to speak, this portion of the meeting was closed.

6. APPROVAL OF MINUTES

There were no minutes for approval.

7. RESOLUTIONS

There were no resolutions for adoption.

8. LAND DEVELOPMENT APPLICATIONS

Application 23-014-ZB; CX Towers

Block 163, Lot 6.01; 719 Route 202

Preliminary & Major Final Site Plan with C&D Variances

This application was carried to the Tuesday July 23, 2024 Regular Meeting pending new notice.

App.#23-023-ZB – Bridgewater Realty II LLC (Starbucks)

Block 222, Lot 6.01; 1288 & 1298 Rt. 22 & Morgan Lane

Preliminary & Final Major Site Plan, Use Variance, Bulk Variances

This application was carried to the Tuesday August 27, 2024 Regular Meeting without further notice.

Application No. 23-011-ZB; 1200 Route 22 Land Investors & 1200 Route 22 LLC Holding

Block 221; Lots 1.02, 1.03, 1.04, 2 & 2.01; 1210 & 1220 Route 22

Preliminary & Final Site Plan Approval with variances

This application was carried to the Tuesday August 13, 2024 Regular Meeting without further notice.

#23-009-ZB; Chimney Rock Self Storage

Block 800, Lot 9; 1661 Route 22

Major Site Plan with Use & Bulk Variances

See attached transcripts dated 6/21/24, provided by Krystina Kornak Flora, RPR, CCR

On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to approve the application, with conditions, based on the following roll call vote:

Ayes: Mr. Weideli, Ms. Amin, Mr. Fresco, Mr. Bongiorno, Mr. Gayeski & Chairman Foose
Nays: Mr. Sweeney
Ineligible: Mr. Sicat, Mr. Kulak, Mr. Vescio & Mr. Gabbett
Abstain:
Absent:

#23-010-ZB; Bellie Holdings LLC
Block 249, Lot 40; 19-21 Mount Pleasant Ave.
Use Variance

This application was carried to the Tuesday July 25, 2024 Regular Meeting at 7 pm without further notice.

9. OTHER BOARD BUSINESS

Resolution Amending Bylaws (Supplementation of Rules & Regulations)

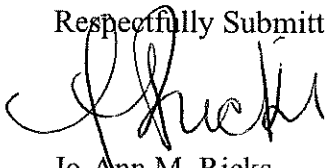
On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to adopt the minutes based on the following roll call vote:

Ayes: Mr. Weideli, Ms. Amin, Mr. Sweeney, Mr. Fresco, Mr. Bongiorno,
Mr. Gayeski & Chairman Foose
Nays:
Ineligible: Mr. Sicat, Mr. Kulak, Mr. Vescio & Mr. Gabbett
Abstain:
Absent:

10. ADJOURNMENT

The Board unanimously voted to adjourn at approximately at approximately 9:31 pm.

Respectfully Submitted,



Jo-Ann M. Ricks
Deputy Land Use Administrator/Deputy Zoning Officer

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT
TUESDAY, JUNE 11, 2023
7:00 P.M.

1

-----) LOCATION:
IN THE MATTER OF:)
)
APPLICATION NO. 23-009-2B;) BRIDGEWATER
CHIMNEY ROCK SELF STORAGE) MUNICIPAL COURTROOM
) 100 Commons Way,
) Bridgewater, New
) Jersey 08807
-----)

COURT REPORTER:
KRYSTINA KORNAK FLORA, RPR, CCR

Magna Legal Services
866-624-6221
www.MagnaLS.com



1 APPEARANCES: 1
2 GREGORY R. BOYER, ESQ. & DAVID 1
3 JEFFREY B. BOYER, ESQ. (BY BRIAN M. WESTLAKE, ESQ.) 1
4 31 Chippewa Avenue, Suite 301 1
5 Bridgewater, New Jersey 08807 1
6 731-34-1316 1
7 BY: STEVEN J. MLENAK, ESQ. 1
8
9 TESTIMONY OF BOARD MEMBER: 1
10 JEFF FOOSHE, CHAIRMAN 1
11 MICHAEL OLLER, ESQ. 1
12 BRUCE GONZALEZ 1
13 JACQUE WETZKE 1
14 KENNETH J. LANG 1
15 DONALD SWENEY 1
16 ANDREW FRESCO 1
17 JOHN KULAK 1
18 JEFFREY DEAT 1
19 JOHN GAVRETT 1
20 CHRIS QUARANTA 1
21 WILLIAM BUCK, PE 1
22
23
24
25

1 - CHIMNEY ROCK SELF STORAGE - 3
2 MR. FOOSHE: All right, moving on. We 3
3 have two applications scheduled for tonight. 3
4 First up is Chimney Rock Self Storage. We 3
5 also have scheduled Belle Holdings, LLC. 3
6 Good evening, everyone. So I'd like to 3
7 talk about the first one, Mr. Mlenak's application for 3
8 tonight, and you guys can make a decision, 3
9 because we want to accommodate everyone here 3
10 in a timely manner, but we also have an 3
11 objector to this case, Ms. Westlake. 3
12 So maybe, Mr. Mlenak, real quick you 3
13 could take us through your plan for tonight 3
14 and then Mr. Westlake you could do the same. 3
15 MR. MLENAK: Mr. Chairman, and good 3
16 evening, Members of the Board. 3
17 As the board remembers, we were last 3
18 here a couple of months ago, and at the 3
19 mention of that hearing we were just about 3
20 done with the testimony of the applicant's 3
21 planner, Mr. Ricci, seated to my right, and 3
22 we stopped there to return tonight to listen 3
23 to comments and questions -- or questions, 3
24 really, from the Board and members of the 3
25 public, including the objector.

1 - CHIMNEY ROCK SELF STORAGE - 4
2 What I'd like to do tonight is, because 4
3 two months have passed, I'd like Mr. Ricci to 4
4 just give a quick conclusion or summation of 4
5 what his testimony was last time for the 4
6 Board and public's benefit; and then we'll 4
7 open it up to the objector and public for 4
8 cross-examination of Mr. Ricci, and then turn 4
9 it over to the objector for their case. 4
10 MR. FOOSHE: Perfect, thank you. 4
11 Why don't you come on down and we'll 4
12 get it on the record on the microphones. 4
13 Thank you. 4
14 MS. WESTLAKE: After the last hearing 4
15 we sort of looked at what had been presented 4
16 that far, and I think of this point, 4
17 honestly, I think we really would just like 4
18 to make a public comment, so we will be quite 4
19 brief. Maybe at most five minutes, and, 4
20 honestly, unless Mr. Ricci has loads and 4
21 loads of new things to say I don't think I 4
22 need to worry about cross-examining him 4
23 either. 4
24 MR. MLENAK: Thank you for clarifying, 4
25 MS. WESTLAKE: Sure.

1 - CHIMNEY ROCK SELF STORAGE - 5
2 MR. MLENAK: Belle Holdings, you don't 5
3 have to let us know, it's just we wanted you 5
4 to have a full information before you made any 5
5 decision to stay or leave, and I always get 5
6 pushed by this guy to move things along, so 5
7 we try and keep it moving. All right, thank 5
8 you. 5
9 All right. Mr. Mlenak, it's all yours. 5
10 MR. SWENEY: Excuse me. Before we get 5
11 into testimony, I've got something I'd like 5
12 to spend a couple of minutes on. I think 5
13 it's something that's worthwhile for the 5
14 Board to hear, and for the Board to hear the 5
15 applicant's reaction to it, if I may. 5
16 MR. FOOSHE: Please. 5
17 MR. SWENEY: This is an article that 5
18 was in the New York Times, dated 5
19 April 26, 2024. The headline reads, 5
20 "Americans Went All in on Self-Storage. That 5
21 Demand is Suddenly Cooling." Now, I'm not 5
22 going to read all of this, but I will read a 5
23 couple of sentences from it, because I think 5
24 they're particularly pertinent. 5
25 *Self-storage, an industry that was

1 - CHIMNEY ROCK SELF STORAGE - 6
2 occurring a few years ago during the 6
3 Coronavirus pandemic upon that it has built 6
4 way to many rental units, prompting some 6
5 developers to walk away from projects 6
6 entirely. Last year 245 self-storage 6
7 construction projects were abandoned, more 6
8 than double the number from the year before. 6
9 The sector faces what Michael Elliott, an 6
10 equity analyst, characterized as significant 6
11 headwinds after years of growth." 6
12 (Do not accuse anybody about 6
13 anything; I'd just like to hear the 6
14 applicant's reaction to this. 6
15 MR. MLENAK: Well, first off, I'll give 6
16 you what the applicant's position is with 6
17 respect to the market conditions. 6
18 I'll also ask Mr. Oller to advise the 6
19 Board on whether this article could be 6
20 considered; the information that you just 6
21 read into the record could be considered. 6
22 But, you know, the applicant like all 6
23 applicants are not interested in spending 6
24 money on me, on Mr. Ricci, or anybody else 6
25 for a project that they don't think is going

1 - CHIMNEY ROCK SELF STORAGE - 8
2 this supply in this area. You know, all the 8
3 news that go to print may be talking about 8
4 California. Right? I mean, I don't know 8
5 what that's all about, which is why it's not 8
6 something that the Board should really 8
7 consider. 8
8 MR. FOOSHE: Mr. Oller, if Mr. Sweeney 8
9 wanted to use his deliberation to read moon 8
10 of this article, would that be allowable? 8
11 MR. OLLER: Well, you know, I think if 8
12 you wanted to bring up points that you think 8
13 might be pertinent to the case, as opposed to 8
14 reading the article, I mean, you could 8
15 certainly do that. If you think that there's 8
16 some issue that the Board should discuss, 8
17 because you think that it's something that 8
18 should be discussed, then you could certainly 8
19 do that. But I don't suggest reading the 8
20 article into the record. But, you know, if 8
21 it piqued something in your mind that you 8
22 want the applicant to address, I think you 8
23 could do that by questioning either the 8
24 planner or, you know, we have most of the 8
25 witnesses here and they could certainly

1 - CHIMNEY ROCK SELF STORAGE - 7
2 to be successful. They make those decisions 7
3 before coming here, and as we continue on in 7
4 the process decide whether to continue 7
5 prosecuting the application. Here, as was 7
6 testified by Mr. Lang at the first hearing, 7
7 there is sufficient analysis that was done to 7
8 corroborate a successful project if this were 7
9 approved, and they're ready to go forward and 7
10 build it. 7
11 MR. SWENEY: This analysis that you 7
12 just referenced, when was it done? 7
13 MR. MLENAK: We could go back into the 7
14 transcripts or call Mr. Lang if that's 7
15 pertinent to the Board, but, again, I would 7
16 ask Mr. Oller to weigh in on this article. 7
17 MR. OLLER: Yeah, why don't I do that 7
18 at this point. 7
19 So, Mr. Sweeney, that article is not 7
20 really to be considered evidentiary to the 7
21 Board. It can't be accepted by the Board or 7
22 whatever the Court's to say. It's not 7
23 evidence that there is or isn't a demand for 7
24 self-storage units. We heard sworn testimony 7
25 that there is such a demand, and more demand

1 - CHIMNEY ROCK SELF STORAGE - 9
2 address that if you felt like you needed to 9
3 have him go back and advise again on the 9
4 demand for self-storage units in this area, 9
5 on the East Coast area. You know, they're 9
6 probably prepared to do that as well. 9
7 MR. SWENEY: I am fine leaving it as 9
8 is. I just thought it was interesting. 9
9 MR. FOOSHE: Thank you, Mr. Sweeney, 9
10 Sir. 9
11 MR. MLENAK: Thank you. Mr. Ricci, 9
12 again, seated to my right, you understand you 9
13 remain under oath? 9
14 MR. RICCI: I do. 9
15 MR. MLENAK: Okay. And you were here 9
16 and testified on behalf of the applicant and 9
17 you're qualified as a professional planner on 9
18 this case? 9
19 MR. RICCI: That's correct, yes. 9
20 MR. MLENAK: Would you please give the 9
21 Board and the public just a brief summation 9
22 of what your testimony was last time and 9
23 conclusions with respect to the variances 9
24 being sought here? 9
25 MR. RICCI: Sure. And I'm going to do

1 - CHIMNEY ROCK SELF STORAGE - 10
2 my best to be brief here. I provided pretty 10
3 detailed testimony that time. 10
4 MR. FOOSHE: Mr. Ricci, I wanted to put 10
5 on the record, because I did go back and 10
6 watch the last hearing. I wanted to 10
7 apologize to you, because I was trying to get 10
8 you in under the 10 o'clock window. 10
9 Certainly I didn't want to de-minimize 10
10 anything you were saying, because you've been 10
11 in front of this Board many, many times, and 10
12 I personally put great stock in what you say, 10
13 and I wanted to thank you, and I'm sorry for 10
14 rushing you at the last meeting. 10
15 MR. RICCI: Not at all, and understood, 10
16 so thank you. 10
17 With that said, I mean, I provided my 10
18 testimony already, so I am going to try to be 10
19 brief and really try to hit the main points, 10
20 but there are a number of variances involved, 10
21 so the testimony did go into each one of 10
22 those variances. So some of the bulk 10
23 variances I may not spend as much time in the 10
24 summary, 10
25 But, again, just moving -- we're going

1 - CHIMNEY ROCK SELF STORAGE - 12
2 this, at one point, as an office snapshot 12
3 from Loos and Associates that indicated 12
4 Somerset County area had a 16.1 vacancy rate 12
5 in 2023, the first quarter, and JLL reported 12
6 a 25.8 percent for Northern New Jersey in 12
7 2023 in the first quarter. 12
8 And it was my opinion as a planner, a 12
9 municipal planner as well, that there's less 12
10 demand for office space in a post-COVID world 12
11 than in previous years. And part of the 12
12 rationale is if one of the principal uses of 12
13 office is not needed, I talked about 12
14 previously how at least the assisted living 12
15 facility next door was not interested in 12
16 expanding and expanding onto the site. 12
17 I think one of the important elements 12
18 of another use, potentially for the Board to 12
19 consider, is, is there a need for what the 12
20 applicant is proposing. And this is another 12
21 issue that's come up tonight with the New 12
22 York Times article, but the applicant 12
23 provided and, indeed, took his own analysis, 12
24 and it's my understanding, as a planner when 12
25 you look at these analyses, it's largely

1 - CHIMNEY ROCK SELF STORAGE - 11
2 to start in the beginning. We're in the CS 11
3 zone here in Bridgewater Township. Again, 11
4 what's interesting is only four lots. 11
5 Right? This is the only CS zone in town, and 11
6 it's the subject property, a two-single 11
7 family residential properties that are about 11
8 an acre each, underzoned lots, and the 11
9 adjacent assisted living facility. The only 11
10 CS zone in town. Permitted uses in the zone 11
11 include nursing homes, continuing care 11
12 retirement facilities, congregational care 11
13 facilities, assisted living facilities, and 11
14 senior housing. So mostly the use is geared 11
15 towards the elderly, general offices, and 11
16 medical/dental offices, and conditionally the 11
17 zone permits service stations. So it's 11
18 relatively limited in the number of uses. 11
19 I provided testimony that this area of 11
20 Route 22 sees approximately 60,000 vehicles 11
21 per day as reported by NHDOT, and that the 11
22 applicant has a building that's been ranging 11
23 from 50 to 80 percent vacant today. 11
24 I provided some demographics. I think 11
25 there was a little bit of an objection to

1 - CHIMNEY ROCK SELF STORAGE - 13
2 based upon population within a range of area. 13
3 So unless new facilities are built and the 13
4 population decreased or was eliminated, 13
5 that demand is still going to exist in the 13
6 marketplace. And the testimony that was 13
7 provided by the applicant is that there's 13
8 currently supply of approximately 721,000 13
9 square feet in the five-mile trade area; a 13
10 total of 179,000 square feet of additional 13
11 space is in approval stages, which totals 13
12 893,000 square feet. So the population and 13
13 trade areas are 143,000. So the population and 13
14 results in a demand for over a million square 13
15 feet of self-storage space. The proposed 13
16 facility would help meet the unmet demand for 13
17 the trade area we talked about. 13
18 And some of the other elements that 13
19 were also provided by Mr. Lang is that some 13
20 of the existing units, many of them are older 13
21 properties that are single-story type 13
22 facilities, lack climate control and other 13
23 amenities that these modern buildings provide 13
24 today. So the proposed service is largely 13
25 not provided in the area today that's being

Page 14

1 - CHIMNEY ROCK SELF STORAGE - 14

2 prepared by the applicant; and that it was

3 the applicant's testimony that the facility

4 would capture approximately 15 percent of the

5 needed demand. So there appears to be a lot

6 of play based upon the applicant's analysis

7 and what is needed in the marketplace today.

8 And, also, I thought it was important

9 that this is a type of business model that's

10 not looking to take away from another

11 business that provides self-storage space.

12 There appears to be a need for additional

13 space, so there's the ability for existing

14 businesses to exist successfully in addition

15 to a new business.

16 I talked about how I thought, and I

17 think I said several times, that the massive

18 nature of this use sets an excellent

19 transitionally use from a commercial area to

20 a residential area. And you heard a lot from

21 the site engineer and the architect about all

22 the design considerations; keeping the roof

23 down to the same height of the existing

24 building, designing it to look like an office

25 building where one of the principal uses.

Page 16

1 - CHIMNEY ROCK SELF STORAGE - 16

2 Encourage long-term sustainable site

3 planning; outside more flexibility in

4 development context and promote economic

5 activity in appropriate locations; offer

6 building design guidelines where appropriate.

7 We tried to be sensitive to all those

8 aspects.

9 I think the floor area ratio was

10 something that was discussed at great deal,

11 and I talked about how floor area ratio is a

12 means to control mass. It's also a means to

13 control the intensity of a site, and in that

14 intensity the number of people, population,

15 number of cars, and all those interested

16 activities. I also talked about how the

17 floor area ratio - I didn't want to call it

18 inefficiently inflated, but it is inflated as

19 a result of steep slopes on the property that

20 were manmade slopes, and a good portion of

21 the first floor of the building is

22 underground. So in that regard, while the

23 number is higher, it's not increasing the

24 visibility of mass as viewed from adjoining

25 properties.

Page 15

1 - CHIMNEY ROCK SELF STORAGE - 15

2 intended for the zone that this is not the

3 type of when self-storage facilities or

4 single-storage facilities with a lot of

5 garage spaces, the orange door, and the like.

6 This is made to look like an office building

7 that we think could harmoniously be

8 integrated into this area.

9 I talked about how the 2010 master

10 plan, which was the master plan that - it

11 was a 2010 master plan element and economic

12 element for the Route 22 corridor that

13 specifically looked at Route 22, and I talked

14 about how this application advanced numerous

15 goals of that master plan, enhanced increased

16 tax revenues, support existing economic

17 anchors - and I'm abbreviating here - adjust

18 to the contemporary needs of commerce and

19 Bridgewater residents. And that's another

20 reason that we speak to need, because clearly

21 if something is needed in the facility it

22 makes sense irrespective of other planning

23 analysis, and just law reasons, but if

24 something is needed it makes sense a lot of

25 sense on a real first-steps level.

Page 17

1 - CHIMNEY ROCK SELF STORAGE - 17

2 And I compared at some length the

3 number of parking spaces that will be

4 required for various facilities, and a

5 building of this size would require, by way

6 of example, 467 parking spaces for a medical

7 facility, 346 parking spaces for a general

8 office building, and that the existing

9 footprint would require 124 parking spaces

10 for a medical facility, and 92 spaces for a

11 general office; where we're talking between,

12 you know, 14 and 16 spaces in terms of need

13 for this use. So that speaks to its passive

14 nature.

15 And I also talked about how the

16 applicant, how they kept the scale of the

17 building lower. You heard this in a great

18 detail from the architect that the building's

19 dock line of 23.63 feet to 25.63 feet, that's

20 between 36 and 38 percent lower than the

21 35-foot height requirement; and that the

22 intent was to not change the height as viewed

23 from nearby uphill residential land uses.

24 And this is a very unique site.

25 There's not too many sites that I see that

5 (Pages 14 to 17)



Page 18

1 - CHIMNEY ROCK SELF STORAGE - 18

2 are 1,000 feet wide. Even at - I mean, I

3 think there were some concern about the size

4 of the building. This building would still

5 only occupy 33 percent, approximately, of the

6 footage along the roadway. So as you're

7 driving by, I don't believe it's going to

8 feel overly large in that character. It's a

9 very specific condition of this site. It's

10 well removed from surrounding land uses;

11 200 feet from the closest point of the

12 adjoining assisted living facility and

13 approximately 180 feet from the nearest

14 residential building measured building to

15 building.

16 We talked at great length about the

17 perimeter landscaping that's being amended,

18 and the applicant has agreed to, you know,

19 essentially fill every area that's possible

20 on the site to try to harmonize this use to

21 its greatest extent possible. And I think

22 there was significant testimony from the site

23 engineer regarding the impervious coverage;

24 how the tree impervious coverage is being

25 reduced from 44 percent to 40 percent

Page 20

1 - CHIMNEY ROCK SELF STORAGE - 20

2 upon how the setbacks are required from the

3 local regulations. And I did opine that

4 despite the need for a bulk variance relief,

5 that the application would still result in

6 sound land-use planning, as the existing

7 building would be located slightly further

8 back from Route 22. And I looked at the lot

9 as in terms of percentages, as a barometer of

10 good site planning and relationships of land

11 use.

12 The applicant was retaining the

13 existing side yard setback in the morning

14 hours; no closer.

15 In the widest portion of the lot,

16 approximately 55 percent of the lot would

17 comprise front and rear yard setbacks.

18 In the narrowest portion of the lot,

19 I'm talking about the portions where the

20 building is proposed, approximately

21 54 percent of the lot would be associated

22 with front and rear yard building setbacks.

23 So despite needing variance relief,

24 there are sound land-use proportions for

25 front and rear yards.

Page 19

1 - CHIMNEY ROCK SELF STORAGE - 19

2 overall, and there's two standards that (the

3 town has). You have a maximum improvement

4 coverage standard to allow 48 percent, where

5 the applicant - the right percent

6 associated - where 40 percent is permitted,

7 where eight percent of that improvement

8 coverage was associated with the fire road,

9 which is largely going to be a grass type of

10 appearance. So we believe we were

11 substantially consistent with the intent of

12 the zone plan in that regard.

13 And ultimately I came to the

14 conclusion, since the facility would not be

15 too large or out of scale, it was limited in

16 terms of intensity, in terms of its parking

17 needs, the population intensity on the site,

18 that it would not result in a substantial

19 departure from the zone plan.

20 Regarding the bulk variances, I

21 discussed and I reiterated some of the

22 testimony from the site engineer, is that

23 despite this lot having a conforming over

24 three-acre minimum lot area, there's no

25 developable area on this property today based

Page 21

1 - CHIMNEY ROCK SELF STORAGE - 21

2 We also talked about how, in the

3 context, the applicant was looking to keep

4 the building lower in that context and ended

5 up being slightly wider while providing the

6 same amount of square footage, rather than

7 going to the 35-foot height limit per se, but

8 keeping the building lower between 24 and

9 26 feet. And I talked about how the

10 appearance requested for the improvement

11 coverage will still have 52 percent of the

12 lot as unimproved land.

13 And, again, I mentioned that as discussed differently

14 from the improvement coverage, will be

15 reduced to 40 percent. So it was my opinion

16 that ample open space would be provided.

17 And I did note that the commercial

18 zones in Bridgewater permit lot improvement

19 coverage ranging from 40 to 70 percent; the

20 C3 district at 40 percent provides the lowest

21 improvement coverage for all zones in the

22 township in this regard.

23 And I did mention where self-storage

24 facilities are permitted, impervious coverage

6 (Pages 18 to 21)



Page 22

1 - CHIMNEY ROCK SELF STORAGE - 22

2 of 60 percent is allowed in the M1-B

3 district.

4 And for all these reasons, I opine that

5 the application serves several purposes of

6 the municipal land use law, because the site

7 is particularly well suited for the use and

8 specific purpose. As also adequate light area

9 and open space is being provided, it meets

10 purpose C; and also because of the need of

11 this facility, it met purpose G to provide

12 appropriate locations for commercial uses to

13 meet the needs of New Jersey citizens.

14 Regarding the negative criteria, the

15 variances can be granted without a

16 substantial detriment to the public good,

17 without a substantial impairment to the zone

18 plan through the enhanced quality of proof,

19 and I went through the Model criteria, which

20 I'll discuss again briefly.

21 Testimony was provided that this would

22 be extremely low traffic generator with

23 extremely low activity levels; no overnight

24 use; in terms of perimeter landscaping will

25 remain; and the applicant proposed 38 trees -

Page 24

1 - CHIMNEY ROCK SELF STORAGE - 24

2 of 60 percent is allowed in the M1-B

3 district.

4 So the granting of the variances would

5 not result in a substantial departure from

6 the zone plan.

7 Regarding Hillside Development, this

8 was discussed in your ordinance

9 Saction 126161. I talked about there were a

10 number of standards that the Board should

11 consider for approval for Hillside

12 Development, and the engineer to discuss

13 them, and the applicant essentially achieves

14 all the standards when it's appropriate to

15 develop in Hillside areas.

16 In terms of the enhanced burden of

17 proof, to reconcile the admission of this use

18 from the municipal master plan I discussed

19 how self-storage facilities are only

20 permitted in the M1-B district, and that

21 additional need exists today than when

22 self-storage facilities within the M1-B

23 district, and I talked about how that was

24 designed around 2004.

25 I talked about how self-storage

Page 23

1 - CHIMNEY ROCK SELF STORAGE - 23

2 and I think this may change somewhat based on

3 the board plan - 338 evergreen trees, 954

4 shrubs, 140 grasses, 240 perennials in ground

5 coverage, so a significant investment in

6 landscaping.

7 The project, I think it's clear, is

8 less intense than an office or medical land

9 use; would create less traffic and parking

10 needs than on the site than a permitted use;

11 would not have any impacts on community

12 facilities or schools; would not have any

13 substantial lighting impacts; a low generator

14 of noise; and in regards of the slopes, I

15 mean, there were slopes that were already

16 disturbed slopes to date that the applicant

17 is stabilizing and improving stormwater as

18 part of the process.

19 I did talk about how the intent of the

20 zone plan was created in the 2004 master plan

21 when I believe self-storage facilities were

22 more industrial in nature. Here I think the

23 proposed design appears to be like an office

24 building with sensitivity to both roadway

25 footages as part of the design, and I showed

Page 25

1 - CHIMNEY ROCK SELF STORAGE - 25

2 facilities have evolved over time. The first

3 phase facilities had, you know, multiple

4 doors, they didn't have climate control; and

5 since then, what's being proposed here, is a

6 modern building that emulate an office

7 building with minimal doorway openings,

8 climate control facility. So I think it was

9 my finding that the building is no longer

10 industrial in nature; it mimics an office

11 use. And for this reason there are changed

12 circumstances since self-storage facilities

13 were proposed to be located only in an

14 industrial district. And I think this is

15 evidence by the proposed site design.

16 That's the best I could do to summarize

17 quickly. Hope that wasn't too long.

18 MR. MLENAK: He's not a lawyer or that

19 would have been twice as long.

20 MR. FOOSB: For the record, you could

21 have had all night.

22 MR. MLENAK: We have no other questions

23 as direct.

24 MR. FOOSB: All right. Board questions

25 for Mr. Ricci on his planning testimony.

7 (Pages 22 to 25)



Page 26

1 - CHIMNEY ROCK SELF STORAGE - 26

2 MR. BONGIORNO: Just one question.

3 Were you planning on putting on any charging

4 stations in the parking lot?

5 MR. MLENAK: We could have our engineer

6 testify to that, but I believe we have

7 testified to that before.

8 MR. RICCI: Do we have one?

9 MR. OLLIER: Just identify yourself

10 please.

11 MR. WINTERS: Yes. Paul Winters,

12 Bowman Consulting, the applicant's engineer.

13 MR. OLLIER: And Mr. Winters, I'll just

14 remind you that you're still under oath.

15 MR. WINTERS: Yes, sir.

16 Yes. We have provision for one EV

17 charging space, which is consistent with the

18 current legislation for the State of New

19 Jersey, so that'll be at the front entrance

20 of the building.

21 MR. BONGIORNO: And how many handicap

22 spaces?

23 MR. WINTERS: One handicap space at the

24 front, a van accessible.

25 MR. BONGIORNO: Thank you.

Page 28

1 - CHIMNEY ROCK SELF STORAGE - 28

2 what you're proposing is more than 30 - five,

3 zero - percent great than what's allowed.

4 And the last thing I'll mention are

5 setbacks along Route 22, Donobue Road

6 parking. They're about one-fourth of what's

7 required to be as much as one-half of what's

8 required.

9 So some of these variances, when I look

10 at them, appear to be extraordinarily large.

11 and I'm having a hard time reconciling that

12 with a demonstration that this site is

13 particularly well suited to this proposed

14 use. The two seem to be pointing in opposite

15 directions. Help me. Help me understand.

16 MR. RICCI: I think your question is

17 pretty similar to your question last time as

18 well. I attempted to answer last time as

19 well. And I think to begin, we have a site

20 here that has zero development potential,

21 that nothing can be built on it today without

22 a variance. If there wasn't a building there

23 today and someone bought this lot, nothing

24 could be built on it, because the way the

25 zoning is written for this piece of property

Page 27

1 - CHIMNEY ROCK SELF STORAGE - 27

2 MR. WINTERS: Yes.

3 MR. MLENAK: Thank you, Paul.

4 MR. SWENEY: Mr. Ricci, you mentioned

5 briefly particular suitability, and that's

6 one of the requirements that you have to meet

7 in terms of showing us or demonstrating to us

8 how this site is particularly well suited for

9 the proposed use. With that in mind, I've

10 gone through the variances, I appreciate your

11 doing the same, and there's a couple that

12 jumped out at me when I'm looking for proof

13 that this site is particularly well suited to

14 this use or is not. And let me just run

15 through a couple of those variances again.

16 All right?

17 Floor area ratio, what you're proposing

18 is more than three times greater than what's

19 allowed. Not three percent, not 30 percent,

20 but three times greater than what's allowed.

21 Landscape buffer, conservation

22 easement; you're proposed half of what's

23 required.

24 Lot coverage; we talked a lot about lot

25 coverage. The bottom line, though, is what

Page 29

1 - CHIMNEY ROCK SELF STORAGE - 29

2 I think you could maybe build like one or

3 two square feet or something. There's

4 essentially no building area. With that

5 said, there is an existing building, there's

6 an existing parking lot, and the like, and

7 the applicant is really not - largely not

8 encroaching into those established yards any

9 further. What they're doing is they're

10 furthering the impervious coverage or improving

11 the stormwater management, and when I talked

12 about the FAR that's the number that comes up

13 that you're mentioning; it that three times.

14 When you don't consider slopes, which are

15 impacting mass or intensity, that number

16 comes down to .693, and that's also - that

17 .693 number also is calculating square

18 footage that's underground that's not

19 creating mass. So I believe that, yes, we

20 are seeing variances for floor area ratio. I

21 think it's realistically much lower, and I

22 talked about how this site has the ability

23 still operate at a low intensity level

24 where this zone plan calls for a moderate

25 intensity level, because it needs so little

8 (Pages 26 to 29)



Page 30

1 - CHIMNEY ROCK SELF STORAGE - 30
 2 parking.
 3 So what we're kind of, I think the
 4 Board is evaluating somewhat, is that if our
 5 impervious coverage number is going from 44
 6 to 40 percent, which is -- you know, I think
 7 we're talking about some semantics, it's
 8 essentially conforming, and that the
 9 impervious coverage of eight percent is
 10 higher, that's almost entirely associated
 11 with the five that was required of this
 12 applicant, that's going to be covered with
 13 grass, that's not going to really give the
 14 appearance of improvement, it is that because
 15 this building has such less needs than other
 16 facilities, parking and its intensity, the
 17 building ends up being a little bit larger,
 18 but within the same amount of impervious
 19 surface.
 20 You know, while this Board doesn't make
 21 decisions on financial purposes, this is an
 22 economic development area and there are some
 23 economic development benefits of having a
 24 larger building in the same area of
 25 improvement as well.

Page 32

1 - CHIMNEY ROCK SELF STORAGE - 32
 2 we're at thousand, so it's a really wide lot
 3 this is.
 4 MR. SWEENEY: Thank you.
 5 MR. MLENAK: Joe.
 6 MR. BONGIORNO: Question. So to build
 7 a building on this lot with all the various
 8 setbacks and requirements, if you were to not
 9 create various what size building could be
 10 built there.
 11 MR. RICCI: It's functionally zero. I
 12 think it may be one or two or five square
 13 feet, but essentially there's no buildable
 14 envelope.
 15 MR. BONGIORNO: Thank you.
 16 MR. FOOSE: Mr. Ricci, following up on
 17 that question. Could you kind of give the
 18 Board a quick education on what reverse
 19 condemnation is, and kind of what that
 20 planning concept is, and how that plays into
 21 a zoning board's role in providing relief to
 22 variances?
 23 MR. RICCI: Well, the concept is that
 24 every lot has to have some utility associated
 25 with it. Some use that it could be used

Page 31

1 - CHIMNEY ROCK SELF STORAGE - 31
 2 But for all those reasons, because this
 3 is such a passive low intensity use, you have a
 4 slightly larger building, but you don't have
 5 more impervious surface on this site, so the
 6 amount of green space and the like remain
 7 consistent with the zone plan.
 8 I'm kind of coming back to the same
 9 issues, but that was trying to summarize
 10 largely my argument. I think times have
 11 changed where these facilities were
 12 anticipated just as industrial areas. In
 13 2004, I talked about how these facilities, I
 14 think we all recall, there was like a manager
 15 on the site, they're single-story buildings
 16 with garages that you pulled right up to.
 17 This is a completely different type of
 18 facility. It's climate controlled, it looks
 19 like an office building, it's attractive, it
 20 mimics an office building, which the zone
 21 calls for. So it's going to look nice, it's
 22 not going to be an eyesore. It's a very
 23 long lot that could accommodate a bigger
 24 building, because the lot is approaching a
 25 quarter mile wide. 1,360 is a quarter mile,

Page 33

1 - CHIMNEY ROCK SELF STORAGE - 33
 2 for --
 3 MR. FOOSE: Explain that, because
 4 that's planner speak. I've heard it before,
 5 but we have new members. Really dive into
 6 that, because I think that's an important
 7 concept.
 8 MR. RICCI: Okay, sorry.
 9 Just like you own a single-family
 10 residential property, and you have a lot
 11 that's an existing lot of record, you have to
 12 be able to use that lot for some purpose.
 13 This is a commercial lot, so you would
 14 anticipate that there could be a commercial
 15 land use of some sort on there.
 16 Because the lot is irregular in shape,
 17 it meets the minimum lot area requirements
 18 for the zone, it's not underzoned because of
 19 its irregular shape, in the way the zoning
 20 was crafted, you can't build anything here,
 21 so the applicant has the ability to do
 22 nothing with their property by the current
 23 zoning. And now we're getting into the legal
 24 area of it, and it's arguably a matter of
 25 someone's property if they can't build upon a

Page 34

1 - CHIMNEY ROCK SELF STORAGE - 34
 2 conforming size lot.
 3 MR. FOOSE: And you're testifying as a
 4 planner, not a lawyer, but it's your
 5 interpretation that -- can you say that again
 6 please.
 7 MR. RICCI: Taking of their property
 8 that they don't -- yeah. That would be my
 9 interpretation.
 10 MR. FOOSE: All right. And following
 11 up on that, because I do think what you said
 12 is very important, in weighing that of
 13 different intensities you mentioned a few
 14 that were approved. This lot in particular,
 15 and your application in particular, can you
 16 put that against other approved uses? Let's
 17 start with a gas station. What's the
 18 intensity makeup versus a gas station of this
 19 application?
 20 MR. RICCI: Well, I mean, a gas station
 21 is clearly going to be having truck deliveries,
 22 most gas stations are of least going to have
 23 today low fuel or low volume diesel. So
 24 you're going to have diesel and gas vehicles
 25 on site, and, you know, that's a type of

Page 36

1 - CHIMNEY ROCK SELF STORAGE - 36
 2 takes a number of months, you have to talk to
 3 the applicant how long that usually occurs,
 4 but once they're filled there's very little
 5 activity that occurs, and that's why I
 6 believe it's a great transitional land use
 7 to residential, because they're passive.
 8 The building also has a value in that
 9 it acts as a noise wall to residential use
 10 well. So if you're going to have a use next
 11 to a residential area, there's really not a
 12 use that's commercial that's more passive
 13 than this, and that's why it's a great fit.
 14 MR. FOOSE: Of all the approved uses
 15 for this property, it's your testimony that
 16 this is the least intensive use?
 17 MR. RICCI: Yes.
 18 MR. FOOSE: How about versus something
 19 like an apartment building, and, you know,
 20 you could kind of fill in how many units
 21 would be approved there, but it's a quarter
 22 mile long, the lot. What's your opinion of
 23 how many 1,000 square foot apartments could
 24 fit on a site like this.
 25 MR. RICCI: Well, I didn't really do

Page 35

1 - CHIMNEY ROCK SELF STORAGE - 35
 2 facility that's going to generate on Route 22
 3 that over 60,000 cars a day, tremendous
 4 amount of activity in and out of those
 5 facilities. Historically you don't see many
 6 auto repair shops today, so you usually see a
 7 convenience store with a gas station, so
 8 you're going to have a retail use with people
 9 coming out. There would be a lot more
 10 traffic going in and out of a property than a
 11 self-storage facility.
 12 And I testified the first time, is that
 13 at least -- I've been a part of several of
 14 these applications and I've also been on
 15 these facilities as a board member in
 16 visiting properties where I reviewed being
 17 expanded, and I also testified that I've been
 18 on a property in Morristown that was built,
 19 where I was out there doing a drone test for
 20 a cell tower. So I was on the property on
 21 and off for about two hours, and I don't
 22 recall seeing a car. I saw maybe one come
 23 onto the facility, because once the
 24 facility got filled there's very little
 25 activity that occurs. There's a period, it

Page 37

1 - CHIMNEY ROCK SELF STORAGE - 37
 2 that type of analysis to give a number, but
 3 we know that residential use creates less
 4 traffic than a commercial land use, but it's
 5 still going to generate activity, more
 6 activity than would occur from a self-storage
 7 facility.
 8 MR. MLENAK: It would have different
 9 impacts, such as to the school district and
 10 otherwise.
 11 MR. RICCI: Oh, if it was a fiscal
 12 impact report, if that's what you're
 13 discussing, obviously when we look at cost to
 14 a municipality, you know, the largest cost
 15 that a municipality has is their school
 16 districts, usually around 60 percent. A town
 17 like Bridgewater likely pays over 15,000 a
 18 child, so if you had 100 units here, one or
 19 two bedroom homes you could mitigate you're
 20 going to have, I don't know, probably less
 21 than ten children, a single-family home with
 22 three bedrooms or more you could mitigate
 23 over a child a home generally speaking, so
 24 there would be significantly more costs.
 25 Your master plan, I mean, we don't --



Page 38

1 - CHIMNEY ROCK SELF STORAGE - 38
 2 the zoning board doesn't make decisions on
 3 fiscal purposes, but when you plan and you
 4 plan for zoning it's appropriate to plan for
 5 economic development. That's why you have
 6 areas of gross centers and the like, and
 7 that's why I talked about the 2010 master
 8 plan that discusses as, you know, an economic
 9 development corridor for the township.
 10 So based on that, you know, a slightly
 11 larger building would provide a greater
 12 economic development instead of a smaller
 13 building, so I said there are some positives.
 14 If it works in the scale and it fits
 15 onto the site there are benefits, at least
 16 fiscally, from that.
 17 MR. FOOSE: Okay. I want to ask you a
 18 question on the FAR and the steep slopes for
 19 Bridgewater. I'm kind of fond of the steep
 20 slope ordinance, and I view it just as a
 21 zoning board member as something is to
 22 inhibit development of raw property or
 23 hillside type property, and we've gone to
 24 court with this and we've had success with
 25 it.

Page 40

1 - CHIMNEY ROCK SELF STORAGE - 40
 2 calculation.
 3 MR. FOOSE: Approximately?
 4 MR. RICCI: But it's about a third of
 5 the base floor.
 6 Are the floors equal though?
 7 If you're basing the calculation -- I'm
 8 going to do some rough math here on the fly,
 9 if you're basing the calculation on the
 10 one-step slope area of .693, that amounts to
 11 about 231 per floor. If you take about a
 12 third of that, minus -- it brings it closer
 13 to about .61. That's --
 14 MR. FOOSE: When you pull out the steep
 15 slopes?
 16 MR. RICCI: When you pull out the steep
 17 slopes, and you don't consider the portion of
 18 the building that's underground. That's a
 19 rough approximation.
 20 MR. FOOSE: Is this project impacting
 21 the slopes on the property?
 22 MR. RICCI: We would bring the slight
 23 engineer, but I don't believe it is. If
 24 anything, the slopes are being stabilized and
 25 through the stormwater management that's

Page 39

1 - CHIMNEY ROCK SELF STORAGE - 39
 2 In your opinion, in the spirit -- and I
 3 know you've read the steep slopes ordinance.
 4 The spirit of that, in your opinion, does it
 5 play more to developed land or land that has
 6 not been developed, and how does that
 7 difference interplay here with this
 8 application?
 9 MR. RICCI: That ordinance speaks more
 10 to undeveloped land, and you have specific
 11 standards discussed in Section 126765 that
 12 discusses, you know, if you're going to build
 13 in these areas when it's appropriate, and the
 14 site engineer went through those seven
 15 points. It's control velocity and rate of
 16 water runoff. I could go through each and
 17 every one of them. One wasn't applicable,
 18 and we provided testimony that we achieve all
 19 those points of the ordinance.
 20 MR. FOOSE: And can you reiterate to
 21 the Board what the FAR level is when you
 22 remove that basement, that sub-basement off
 23 of the calculation, take it out of the
 24 denominator?
 25 MR. RICCI: I don't have that exact

Page 41

1 - CHIMNEY ROCK SELF STORAGE - 41
 2 advancing -- I think it's improving off site
 3 conditions. Engineers, I mean, that's what
 4 they do. They're going to stabilize this
 5 property, improve it from a stormwater
 6 perspective. So there's not going to be a
 7 harmful detriment to the slopes of this
 8 property, if that's your question.
 9 MR. FOOSE: Thank you, Mr. Ricci.
 10 Other Board questions please.
 11 MR. WEIDEL: Yeah, I have a question
 12 for you. For either self-storage facilities,
 13 I assume you've done several of them. Is
 14 this about the average size of the ones that
 15 you do? I know this is a small piece of
 16 property.
 17 MR. RICCI: I'm really not the best
 18 person to answer that. I've been a part
 19 probably like 4 or 5. The closest one was --
 20 I guess it would be North Plainfield on
 21 Route 22, close to like going past the
 22 Walmart Center there on the right coming
 23 westbound on 22. That was a four-story
 24 facility that there was good amount of
 25 concern about. But it was an area that was

Page 42

1 - CHIMNEY ROCK SELF STORAGE - 42
 2 like tucked between tree lines and, you know,
 3 I said I don't -- the Board's concern was
 4 that it was going to appear very large and
 5 out of scale, and I gave reasons why I didn't
 6 think that would be the case based on the
 7 context.
 8 MR. WEIDEL: Is North Plainfield on
 9 22?
 10 MR. RICCI: Yeah, four stories it was.
 11 So if you're coming on 22, you go past the
 12 old furniture store if it's still there, then
 13 you go past the Home Depot, the Walmart.
 14 Right past there on the right.
 15 MR. WEIDEL: It's down in Watchung
 16 really.
 17 MR. RICCI: It's technically -- I
 18 believe that's North Plainfield.
 19 MR. WEIDEL: That place that's on the
 20 westbound side. I passed it yesterday.
 21 MR. RICCI: I think it ends up being
 22 North Plainfield. I mean, that was a
 23 four-story facility.
 24 MR. WEIDEL: How big is that piece of
 25 property?

Page 44

1 - CHIMNEY ROCK SELF STORAGE - 44
 2 on a percentage wise that you would be able
 3 to construct on a similar size elsewhere.
 4 MR. WEIDEL: Thank you.
 5 MR. FOOSE: Anybody else?
 6 Rick, you good?
 7 MR. GILBRE: Yes.
 8 MR. FOOSE: Board professionals,
 9 questions for Mr. Ricci.
 10 MS. SARMA: I just has one question
 11 or one clarification matter. Can you just
 12 repeat what you mentioned about the FAR for
 13 the zone in relation to other zones?
 14 MR. RICCI: I mean, in other zones I
 15 think it was -- I mentioned -- I talked about
 16 the impervious coverage when I think there's
 17 a little bit of a disconnect where -- in the
 18 M-1-B where self-storage facilities are
 19 permitted. They're permitted at an FAR of
 20 .35, but they have an improvement coverage of
 21 60 percent, and I think, if anything, the
 22 Board recognizes from this application that
 23 these facilities have a low need for parking
 24 and the like. So unless you're going to
 25 allow them to park a lot of boats and

Page 43

1 - CHIMNEY ROCK SELF STORAGE - 43
 2 MR. RICCI: I don't recall those
 3 details. I would have to look at my file.
 4 MR. WEIDEL: It's on a big piece of
 5 property there.
 6 MR. RICCI: I don't want to -- I don't
 7 know. It's been a few years there. That's
 8 the closest one, that's why I mentioned it.
 9 But, you know, I'm a planner in several towns
 10 and, you know, sometimes it's tough to scale
 11 the facility, because some of the other
 12 facilities may be one story and take up large
 13 areas, but they may not have a lot of square
 14 footage. So you probably have to really
 15 bring this applicant up, the provider --
 16 MR. MLENAK: I want to try to help,
 17 because this question was asked by both -- to
 18 both Mr. Lang as the applicant or operator,
 19 and Mr. Nicola as the architect, and the
 20 testimony was that this is generally in line
 21 with the average size, but what is unique
 22 here is that because of the shape of the
 23 property, a rectangular square, whatever,
 24 could not be developed, so the usable space
 25 of this footprint is smaller than it would be

Page 45

1 - CHIMNEY ROCK SELF STORAGE - 45
 2 trailers out there, a self-storage facility
 3 does not have that need. I think there's
 4 some benefit, maybe from a visual perspective
 5 in this environment, not to encourage boats
 6 and things of that nature, but to have more
 7 building area and having an enclosed
 8 building. So the FAR that was mentioned last
 9 time in the M-1-B is .35 where this use is
 10 permitted.
 11 MS. SARMA: Thank you. And then just
 12 one other thing. I'd hate for you to do math
 13 again, but if this proposed use and structure
 14 were to be compliant as proposed with the
 15 footprint proposal, how many stories could
 16 the building be?
 17 MR. RICCI: Well, it would be low or --
 18 well, it depends how I answer that, because,
 19 I mean, it could spread on a larger
 20 percentage of the lot as well, so I'm not
 21 sure if I could really answer that on the
 22 fly.
 23 MS. SARMA: And it wasn't meant to be
 24 a trick question.
 25 MR. MLENAK: I just want to understand

Page 46

1 - CHIMNEY ROCK SELF STORAGE - 46
 2 your questions. When you said "compliant,"
 3 you just meant with respect to that variance?
 4 MS. SARMA: To the FAR. Because the
 5 hypotheticals that have been kind of swirling
 6 around were if you took out the basement
 7 story, if you did that, if you did that, and
 8 in particular what jumps out to me is that
 9 .25 FAR relates to a number for this site
 10 without the steep slopes and things, they're
 11 about 37,000. The building footprint is
 12 about 35,000, so it would have to be a
 13 single-story. No basement, no second floor.
 14 It would be one story at the footprint
 15 proposed. So just a consideration as we're
 16 talking about the hypotheticals and thinking
 17 through how FAR relates to the way the site
 18 is --
 19 MR. FOOSE: When you bring in the other
 20 bulk variances that blows up.
 21 MS. SARMA: No. No. As proposed. So
 22 with all the variances, as the footprint is
 23 proposed, that's the square footage you have
 24 for the footprint, and it would be one story.
 25 Like he said, no basement structure, no

Page 48

1 - CHIMNEY ROCK SELF STORAGE - 48
 2 provided testimony, I think, on 13 variances
 3 total. There were two Ds and then I think 11
 4 C or bulk variances. Does that number still
 5 hold true tonight?
 6 MR. RICCI: That's what we have, yes.
 7 MR. BURR: Okay. So nothing has
 8 changed since the last meeting. Very good,
 9 thank you.
 10 MR. FOOSE: All right. We're going to
 11 open this up to the members of the public
 12 that have questions on Mr. Ricci's testimony,
 13 come on down.
 14 All right, seeing none.
 15 Ms. Westlake, would you like to ask
 16 some questions on cross? You're good for
 17 now?
 18 MS. WESTLAKE: No, I'm okay.
 19 MR. FOOSE: All right, thank you.
 20 Mr. Mlenak.
 21 MR. MLENAK: At this point,
 22 Mr. Chairman, we will open it up to the
 23 public reserving our right to give a
 24 summation following the comment.
 25 MR. FOOSE: We could do that, sure.

Page 47

1 - CHIMNEY ROCK SELF STORAGE - 47
 2 second story, just one story.
 3 MR. FOOSE: That's a really point. So
 4 let's go back to your contention that you
 5 know, on the revenue consideration question.
 6 Can this property be built in that
 7 configuration that is economically viable and
 8 doesn't need a variance.
 9 MR. RICCI: Well, I mean, we heard from
 10 Mr. Lang and, I mean, the testimony he
 11 provided, they're not going to build a
 12 building of that size. It's just too small;
 13 it's not going to work for them. Right.
 14 MR. FOOSE: But it can be done?
 15 MR. RICCI: Excuse me?
 16 MR. FOOSE: But it can be done, just
 17 not economically --
 18 MR. RICCI: It could be done, yes.
 19 Anything could be built smaller for sure.
 20 MS. SARMA: The other -- that's all I
 21 have for now. Thank you.
 22 MR. FOOSE: Mr. Burr.
 23 MR. BURR: I just have one quick
 24 question.
 25 First, at the last hearing in April you

Page 49

1 - CHIMNEY ROCK SELF STORAGE - 49
 2 At this point I'd like to open it up to
 3 the members of the public that would like to
 4 speak for or against this application. I'll
 5 give you as much time as you want at the
 6 microphone, you could talk about this case.
 7 This is your time.
 8 MS. WESTLAKE: Okay. I didn't know if
 9 you wanted other members first.
 10 MR. FOOSE: If we could just get your
 11 name for the record again please.
 12 MS. WESTLAKE: Good evening, everyone.
 13 My name is Rosalind Westlake, and I'm
 14 here on behalf of Anbar's Self Storage,
 15 objecting to the application.
 16 MR. FOOSE: Can we get the address for
 17 Anbar's Self Storage?
 18 MS. WESTLAKE: Green Brook.
 19 MR. FOOSE: It's Green Brook, New
 20 Jersey?
 21 MS. WESTLAKE: Yes.
 22 MR. FOOSE: Thank you.
 23 MS. WESTLAKE: Generally speaking, it
 24 seems clear that the driving force behind the
 25 proposed development is to construct a



Page 50

1 - CHIMNEY ROCK SELF STORAGE - 50
 2 building that is economically feasible for
 3 the applicant. It is not to construct a
 4 building that can be accommodated by this
 5 particular lot. And as you know, economic
 6 feasibility is not the standard to be applied
 7 by this Board. I would concede that the lot
 8 is absolutely oddly shaped and it presents a
 9 challenge for development, but there is an
 10 existing building on the lot that could very
 11 easily be adaptively reused. It could be a
 12 medical office; it could be -- it would
 13 complement the adjacent existing existing
 14 living facility next door to the west. This
 15 site, as conceded by Mr. Ricci, could in fact
 16 be developed with a 30 to 40,000 square foot
 17 building, where it would meet the FAR, and I
 18 would certainly suggest that a large number
 19 of the bulk variances could absolutely be met
 20 at that point in time. And in the event that
 21 most of the bulk variances could be met, I
 22 think the idea of a possible use variance
 23 certainly would be much more palatable in
 24 that context, but again, it's not that it's
 25 an absolutely un-developable lot. It has

Page 52

1 - CHIMNEY ROCK SELF STORAGE - 52
 2 front, people backing into a lane of traffic,
 3 K turns in the parking area, and so on,
 4 which I would suggest are not the top
 5 approach to safety for site circulation or
 6 site ingress and egress.
 7 From a planning perspective, I will,
 8 just for purposes of the record, challenge
 9 the testimony or the opinion, rather, of the
 10 professional planner relating to the need for
 11 office space. There was no testimony
 12 provided by a real estate professional
 13 relating to the need or lack thereof of
 14 office space in Bridgewater Township on
 15 Route 22. So I would argue that that was a
 16 net opinion. Obviously attorneys will
 17 disagree on that issue, but just for the
 18 record, that would be my position, that that
 19 is a net opinion.
 20 Additionally, I was not able to locate
 21 anywhere in the testimony provided,
 22 technically speaking, what operational
 23 testimony was provided to support the
 24 variance for two loading spaces. Four
 25 loading spaces are required for that

Page 51

1 - CHIMNEY ROCK SELF STORAGE - 51
 2 been developed; it could be adaptively
 3 reused; and it is feasible to develop it in
 4 some other fashion with a building that would
 5 largely comply.
 6 All of the variances, or nearly all of
 7 the variances here, are self-created
 8 variances, which is, again, not the standard
 9 by which this Board should be considering
 10 whether this is a good use or an appropriate
 11 use for this particular lot. The requested
 12 FAR is more than three times the maximum of
 13 what this town allows -- for the zone, my
 14 application. It's .25 in this case. They are
 15 seeking .90. That's an awfully significant
 16 change in what is requested. There are, of
 17 course, also substantial safety concerns that
 18 were raised during the cross-examination of
 19 the engineer relating to the ingress and
 20 egress to this site. Because there have been
 21 no changes, the site itself currently has old
 22 standards for highway access that no longer
 23 comply with NJDOT standards. There are also
 24 safe parking, safe site circling issues
 25 relating to having the loading spaces in the

Page 53

1 - CHIMNEY ROCK SELF STORAGE - 53
 2 particular location, and there was no actual
 3 factual testimony to support a planner's
 4 opinion that that, in fact, would be an
 5 appropriate variance. So, again, just sort
 6 of for the record.
 7 Finally --
 8 MR. WEIDEL: I don't mean to interrupt
 9 you. So you're saying four are required and
 10 they're only proposing two?
 11 MS. WESTLAKE: Correct. That's what I
 12 saw in the application, and I'm sure
 13 Mr. Mlenak will correct me if I'm wrong, I
 14 did not hear any testimony from the
 15 applicant's director as to how two would
 16 suffice for the location.
 17 MR. WEIDEL: Where did you get your
 18 four required from?
 19 MS. WESTLAKE: From the ordinance and
 20 also from your planner.
 21 Finally, I would argue that the planner
 22 has failed to address probably the most
 23 significant policy statements made in your
 24 2022 master plan. He did rely heavily on
 25 statements in the 2010 and 2004 master plan



Page 54

1 - CHIMNEY ROCK SELF STORAGE - 54
 2 relating to self-storage and enhancing
 3 economic benefits along Route 22, and so on,
 4 and I understand enhancing the tax base
 5 however, I would also say that your 2022
 6 master plan specifically looked into the
 7 issue of warehouses, specifically determined
 8 where it wanted self-storage, and it
 9 specifically did not change or recommend that
 10 self-storage or warehouses be along Route 22.
 11 I think Mr. Ricci made an incredibly
 12 eloquent argument in favor of changing your
 13 master plan, however, your own township
 14 passed on a master plan less than three years
 15 ago in 2022 that says we don't want this type
 16 of use; we don't want this type of style
 17 building; we don't want them on Route 22;
 18 and, accordingly, I would say that life in an
 19 inappropriate use of this property.
 20 In sum, the plan is an excessive
 21 overdevelopment of the existing lot, and if
 22 allowed it would give this applicant and this
 23 property owner an unfair competitive
 24 advantage relative to every other property
 25 owner along Route 22, and I respectfully

Page 56

1 - CHIMNEY ROCK SELF STORAGE - 56
 2 issues; your master plan has spoken to those
 3 issues. Permitted uses are office and
 4 medical. The building itself is physically,
 5 structurally capable of being adaptively
 6 reused as a medical office building. If your
 7 master plan stated otherwise, I would
 8 probably not be up here arguing with you, but
 9 because your master plan in 2022 specifically
 10 evaluated this whole issue and made a
 11 decision, that's what I would want to defer
 12 to.
 13 MR. FOOSE: Do you recall if the 2022
 14 master plan was a reevaluation or was it a
 15 pass of a master plan, because right now the
 16 administration is working on the master plan
 17 and one is up for adoption relatively soon.
 18 Maybe, Katherine, you could speak to...
 19 In 2022 we did not pass a master plan, that
 20 was a reexamination.
 21 MS. SARMA: It was a reexamination
 22 report, which is -- essentially there's like
 23 five statutorily required sections of a
 24 master plan reexamination, and it looks at
 25 the present -- the goals from the last master

Page 55

1 - CHIMNEY ROCK SELF STORAGE - 55
 2 request this Board to deny the application.
 3 Thank you very much for your time.
 4 MR. BONGIORNO: Can I ask you a
 5 question?
 6 MS. WESTLAKE: Certainly.
 7 MR. BONGIORNO: I guess you're a
 8 lawyer?
 9 MS. WESTLAKE: Yes, I am.
 10 MR. BONGIORNO: Would you happen to
 11 know what the office space vacancy is in
 12 Somerset County or New Jersey.
 13 MS. WESTLAKE: No, I don't. I would
 14 have to call a real estate professional and
 15 ask them to provide testimony on that issue.
 16 MR. BONGIORNO: Well, as I drive around
 17 I see a lot of empty store fronts and a lot
 18 of empty buildings. I think you started your
 19 dialogue by saying that this space could be
 20 developed for office space, and I'm saying
 21 I'm not sure the climate right now warrants
 22 developing office space.
 23 MS. WESTLAKE: And that's absolutely
 24 your opinion, and I would just say that your
 25 ordinance has spoken specifically to those

Page 57

1 - CHIMNEY ROCK SELF STORAGE - 57
 2 plan; looks at any kind of changes, and
 3 assumptions, or policies that have happened
 4 locally, regionally, statewide; and there also
 5 makes additional recommendations. Generally,
 6 the purpose of a reexamination report is much
 7 more limited than a comprehensive --
 8 MR. FOOSE: When was the last master
 9 plan that was passed by the planning board
 10 and township council of Bridgewater? I have
 11 2015 in my notes here.
 12 MS. SARMA: I think it might have
 13 been --
 14 MR. FOOSE: '16.
 15 MS. SARMA: Not the full master plan,
 16 no. It might have been 2005. There's many
 17 amendments and --
 18 MR. FOOSE: Reexamination.
 19 MS. SARMA: -- reports that were done
 20 over time. The 2022 master plan reexam
 21 report actually did make the recommendation
 22 to do a full master plan, because it hasn't
 23 been done in so long.
 24 MR. FOOSE: Ms. Westlake, I just wanted
 25 to make sure that the Board had the proper



Page 58

1 - CHIMNEY ROCK SELF STORAGE - 58
 2 information. It was reexamination, but very
 3 solid point. Thank you. It wasn't a full
 4 master plan in 2022.
 5 MS. WESTLAKE: I understand. I lit in
 6 your seat in my own town and we just did our
 7 recess, so I get it.
 8 MR. FOOSE: Thank you very much.
 9 MS. WESTLAKE: Again, I thank all of
 10 you very much for your time.
 11 And thank you, Steve, I appreciate your
 12 courtesy.
 13 MR. MLENAK: Thank you, Ms. Westlake.
 14 Mr. Chairman, would you like me to
 15 respond to that now or wait for all public
 16 comment?
 17 MR. FOOSE: It's your application.
 18 MR. MLENAK: I'll be very brief.
 19 There's a couple of things that need to be on
 20 the record in response to the comments of
 21 Ms. Westlake.
 22 First, Ms. Westlake identified economic
 23 feasibility as a standard that this Board
 24 cannot use in determining whether to grant a
 25 variance and I would agree with that.

Page 60

1 - CHIMNEY ROCK SELF STORAGE - 60
 2 self-created. I don't think there's any
 3 evidence at all that these are self-created.
 4 Usually that is a phrase that we use to
 5 describe variances that come after a property
 6 owner has either subdivided a property into a
 7 condition that it now creates variances where
 8 it didn't before, and it came to those
 9 variances. That's not the case here.
 10 There's no evidence that the applicant in
 11 this case did. In fact, it's bordered by
 12 municipal roads to three sides of it. So
 13 they're not self-created variances.
 14 She suggested that the Board should
 15 deny the variance because there are open
 16 issues regarding parking and circulation
 17 issues, and she addressed what I wrote down
 18 quickly, there may have been others, loading
 19 issues and K turns without identifying what
 20 those issues are or why they're violations of
 21 your ordinance.
 22 And, finally, we do contend that all 13
 23 variances that are currently being offered
 24 were properly testified to with substantial
 25 credible evidence, including the two loading

Page 59

1 - CHIMNEY ROCK SELF STORAGE - 59
 2 What I would also suggest, though, that
 3 there is no commercial applicant that would
 4 be before this Board if their motivation was
 5 not economic feasibility. That should be
 6 distinguished, though, from the necessary
 7 proof that have to be made in order to
 8 warrant a variance being granted. So while
 9 the applicant's motivation is, of course,
 10 business and economic incentives for them,
 11 that doesn't mean that that is what they're
 12 suggesting be the reason for why the
 13 variances should be granted.
 14 Mr. Ricci testified at the last hearing
 15 and tonight extensively about the positive
 16 criteria that will come from this
 17 development, and we suggest that those are
 18 the reasons for why the variance should be
 19 granted; not economic feasibility.
 20 She also suggested that the building be
 21 adaptively reused, but she, herself, did not
 22 present any testimony about the conditions of
 23 that building or whether or not it can be
 24 engineered to be adaptively reused.
 25 She identified the variances are

Page 61

1 - CHIMNEY ROCK SELF STORAGE - 61
 2 variances that have been identified.
 3 I will point out that initially
 4 Ms. Davis in her initial review letter did
 5 not identify this as a variance. It was
 6 subsequently identified as a variance and
 7 testified to that the requirement in the
 8 ordinance, that requires that number of
 9 loading spaces. That's also in a section,
 10 which does not contemplate self-storage, and
 11 the testimony from the applicant, both the
 12 architect as well as the operator, was that
 13 the demand for those loading spaces and the
 14 low traffic here does not warrant more than
 15 the two that's being proposed. So that's
 16 the response I'll provide.
 17 MR. FOOSE: Thank you.
 18 MR. OLLER: Any other members of the
 19 public?
 20 MR. FOOSE: Any other members of the
 21 public like to speak for or against this
 22 application.
 23 All right, seeing none.
 24 MR. MLENAK: If not, I'd just like to
 25 quickly thank the Board for its patience and



Page 62

1 -CHIMNEY ROCK SELF STORAGE - 62
 2 attention over these many hearings.
 3 As the Board will recall and I hope
 4 will agree with me in saying that this
 5 applicant has done a good job in listening to
 6 what was said and modifying the plans on
 7 several occasions to go from what was once 25
 8 or 16 variances, now down to 13, and of those
 9 13 many of them have been mitigated through a
 10 much reduced floor area.
 11 The applicant here has owned this
 12 property in Bridgewater for many decades, and
 13 the application here is intended to keep that
 14 case for many more years to come with a
 15 very experienced and successful operator in
 16 SnapBot.
 17 It is agreed that if this application
 18 were to be approved to several specific
 19 conditions, including limitations on the use
 20 to ensure that the units do not be used for
 21 warehouse spaces, annual certification of the
 22 maintenance of the detention basin,
 23 landscaping improvements working with the
 24 township professionals, a required that the
 25 lease prohibits hazardous materials, and of

Page 63

1 -CHIMNEY ROCK SELF STORAGE - 63
 2 course, most importantly, that the applicant
 3 will install stormwater mitigation techniques
 4 far above what is required by state and
 5 municipal requirements.
 6 We contend that the applicant has met
 7 its burden of proof on all the variances, and
 8 that with these conditions of approval, this
 9 is an opportunity for this property to be
 10 redeveloped in a way that is a well-situated
 11 parking use, low traffic densities, serves the
 12 community need, meets the master plan's goal
 13 of economic development for this area, and
 14 again, most importantly, greatly improves the
 15 stormwater conditions of this area in town,
 16 and we ask that the Board approve it.
 17 Thank you.
 18 MR. FOOSE: Thank you, Mr. Mlenak.
 19 Somebody mentioned storage outside, and I
 20 just wanted to clarify with you. Do we have
 21 a stipulation that they'll be no storage
 22 outside for a boat or a trailer.
 23 MR. MLENAK: We are proposing no
 24 outdoor storage.
 25 MR. FOOSE: Can we just put that as a

Page 64

1 -CHIMNEY ROCK SELF STORAGE - 64
 2 stipulation?
 3 MR. MLENAK: We're fine with that.
 4 MR. FOOSE: Thank you.
 5 And Rich, if you could take us through
 6 the other stipulations, to the Board has that
 7 information going into deliberation.
 8 MR. OLLER: Sure. If this Board were
 9 inclined to vote in favor of this
 10 application, these are and would be
 11 reversed - I have 24 conditions that were
 12 discussed and we could discuss further.
 13 One was that there would be a deed
 14 restriction indicating that the property
 15 owner would maintain the detention basin.
 16 Some of these conditions are rather
 17 minor and some of them may have been
 18 addressed already, but you would include a
 19 street number on the sign detail.
 20 Hours for customer access would be
 21 6:00 a.m. to 9:00 p.m., 7 days per week;
 22 office hours 9:00 a.m. to 4:00 p.m., Monday
 23 through Friday; and 10:00 a.m. to 2:00 p.m.
 24 on Saturdays.
 25 Add no parking signs along the lotter

Page 65

1 -CHIMNEY ROCK SELF STORAGE - 65
 2 roadway. Comply with other agency comments,
 3 such as sewerability. Again, some of these
 4 are standard conditions as well.
 5 Comply with the township professional
 6 planner, township engineer's conditions in
 7 their reports. Change the zoning to be
 8 back alignment zones, not a chain link.
 9 Reduce lighting intensity to the
 10 township engineer's satisfaction. There
 11 would be no open-end parking. No trucks
 12 would be used on the site. Cannot alter the
 13 site designs to combine units.
 14 All deliveries from carriers may only
 15 be delivered to the office and not be
 16 directly delivered to or picked up from the
 17 storage unit.
 18 Signage as indicated shall be installed
 19 in locations and acceptable to the township
 20 planner and township engineer. Units shall
 21 be used for self-storage only by the unit
 22 lessee and shall not be used as a
 23 distribution or warehouse facility.
 24 Unit leases may not have any employees
 25 working from or within the self-storage unit.

17 (Pages 62 to 65)

Page 66

1 -CHIMNEY ROCK SELF STORAGE - 66
 2 Update sign package in show current
 3 signs and that each are compliant.
 4 With respect to landscaping, please
 5 shrubs height shall be at least three feet,
 6 and tree height at least 12 to 15 feet, and
 7 revised landscaping plan shall be forwarded
 8 to the township professional planner and
 9 would meet their satisfaction. Spacing of
 10 landscaping would also be compliant.
 11 The EV space shall be a public access
 12 charging station.
 13 You'd modify the type of evergreen
 14 trees through the township planner's
 15 satisfaction.
 16 The building lights along the southerly
 17 and westerly sides of the building shall be
 18 on motion sensors.
 19 The DOT, you have to obtain DOT
 20 approval or a letter of no interest. Along
 21 the southerly elevation, which is along
 22 Donohoe Road, no windows shall pass in light.
 23 All windows along that elevation shall be a
 24 flux window or frosted to avoid light
 25 spillage.

Page 67

1 -CHIMNEY ROCK SELF STORAGE - 67
 2 There will be no hazardous material
 3 storage - I'm sorry. No hazardous materials
 4 storage shall be permitted.
 5 Hallway lights shall be timed off
 6 within 30 minutes after a customer's access
 7 has ended.
 8 You'll address additional stormwater
 9 mitigation at the west side of the site by
 10 adding additional dry wells or a rain garden
 11 or similar to the township engineer's
 12 satisfaction.
 13 And there will be no outdoor storage.
 14 MR. MLENAK: Only two comments to two
 15 of those. One, I believe what you said is
 16 the EV space to be public access. I think the
 17 agreement was that we didn't want public
 18 access; we wanted to limited it to our
 19 customers.
 20 MR. OLLER: Okay, correct.
 21 MR. MLENAK: And then on the west side,
 22 on the stormwater. We were committed to
 23 investigating whatever we could do with those
 24 dry wells, and to the extent we can we will
 25 do that.

Page 68

1 -CHIMNEY ROCK SELF STORAGE - 68
 2 MR. FOOSE: You're going to work with
 3 the township engineer, Mr. Burr, on that.
 4 MR. MLENAK: Correct.
 5 MR. OLLER: Yes.
 6 MR. MLENAK: Otherwise, all good with
 7 us.
 8 MR. FOOSE: All right. Mr. Mlenak, if
 9 you're done we're going to open this up to
 10 board deliberations, and we'll take it from
 11 there.
 12 MR. MLENAK: Thank you.
 13 MR. FOOSE: All right, thank you.
 14 Mr. Weidell, how me you, sir?
 15 MR. WEIDELL: I'm doing good, I'm glad
 16 we're finally coming to an end to this long
 17 application. I'm only going to talk for a
 18 minute or so, because this has been going on.
 19 We started this many months ago. I
 20 don't remember when, because we had several
 21 applications, and I pass the property
 22 probably between 15 and 20 times a week. So
 23 over since we started I take this vision of
 24 what's going to go there.
 25 So when you first came and gave your

Page 69

1 -CHIMNEY ROCK SELF STORAGE - 69
 2 first application to us a while ago I
 3 couldn't even imagine this whole big project
 4 that you're trying to do, because you have a
 5 small office area, you have the retention
 6 basin, and everything, and it's an odd piece
 7 of property, which we all recognize.
 8 So as our great Board does, and I've
 9 been on this Board for probably over the
 10 years now, I've lost track, we often ask and
 11 the applicant does listen to us and correct
 12 back, several times in this case, and looks
 13 at what we're trying to get to as an
 14 acceptable modification to what your original
 15 application is. And in my opinion in this
 16 case, you went above and beyond what we asked
 17 for. You shrank it down a little, even more
 18 than I - you came down to where I really
 19 wanted it to be. And you put the shrubbery,
 20 you changed everything. So just in summary,
 21 I commend you for that, and I will support
 22 the application.
 23 MR. MLENAK: Thank you.
 24 MR. FOOSE: Yeah, I'm going to be quick
 25 as well. Just in my notes, Mr. Rice's

18 (Pages 66 to 69)



Page 70

1 -CHIMNEY ROCK SELF STORAGE - 70
 2 testimony held a lot of weight. The massive
 3 decrease in trip volume, that's noticeable,
 4 and it really - I joke around sometimes with
 5 the Board Members and I say, you know, what's
 6 the least sticky diaper, and sometimes what
 7 you want and what you get are two different
 8 things. Not to take this application as a
 9 sticky diaper, but just in retrospect you're
 10 looking for the most beneficial use of the
 11 property that checks all the boxes, and for
 12 us what protects the neighborhood the most.
 13 And I think this application only does
 14 protect the neighborhood. In fact, I think
 15 it does it better than the original building
 16 did. You're going to go - and I have 1,300
 17 plus plantings, and, frankly, when you look
 18 at the planting array on the plan you can't
 19 find a single piece of area that doesn't have
 20 a planting on it. That's substantial.
 21 My biggest concern in terms of the
 22 intent on the township master plan and the
 23 township, you know, the code is no
 24 warehousing. The township council has made
 25 it very clear with their interpretation and

Page 72

1 -CHIMNEY ROCK SELF STORAGE - 72
 2 This is already a disturbed piece of
 3 property. Mr. Rice and Mr. Winters both
 4 testified that the existing slopes will not
 5 be impacted. And when you pull back the
 6 basement, the sublevel, the third level
 7 that's only minimally envisioned on the western
 8 side of the property, it really takes that
 9 FAR down substantially. I have it down as
 10 .501. I'm not nearly an expert, but that's a
 11 50 percent differential amount to what's
 12 being proposed on the .905.
 13 In terms of the parking spaces,
 14 Mr. Rice's, quite, 467 parking spots for a
 15 medical facility. That's an improved use.
 16 That trip differential and that parking
 17 differential is massive.
 18 So jumping just to the DI criteria and
 19 you go right to the negative criteria, you
 20 know, is this a substantial detriment to the
 21 public good? If anything, with the drainage
 22 and the calculations on the improvement of
 23 the stormwater, it's inverse to that. It's
 24 actually a huge improvement to the public

Page 71

1 -CHIMNEY ROCK SELF STORAGE - 71
 2 recent passing of ordinances that prohibit
 3 warehousing, and you've stipulated that there
 4 would be no firehills, no distribution, and
 5 no outside storage.
 6 The existing building is dilapidated.
 7 I'm not an expert in building conditions, but
 8 you drive by it, it's dilapidated. Literally
 9 there's concrete, and concrete, and masonry
 10 coming off the building. The building is
 11 dangerous and needs to be replaced.
 12 In terms of the FAR, I spoke to that
 13 with Mr. Rice, and I believe that the steep
 14 slopes ordinance, which Mr. Sweeney raises a
 15 very good point, and, you know, I think it's
 16 something that the Board needs to take very
 17 seriously, and I think with each vote I think
 18 you need to consider this FAR calculation and
 19 what the intent is. What the intent, in
 20 terms of my vote, is we're trying to protect
 21 the greenery and the mountain tops, and the
 22 development that exists at the higher
 23 elevations in Bridgewater Township to a
 24 degree where you look up and there's tall
 25 trees there.

Page 73

1 -CHIMNEY ROCK SELF STORAGE - 73
 2 good. Hopefully, Vanseller Avenue will no
 3 longer flood from this. I think Mr. Burr's
 4 testimony was the fact that he felt it would
 5 be substantially improved and would be safer.
 6 Is there substantial impairment to the
 7 intent and the purpose of the zone plan? And
 8 that's going to come down to each Board
 9 Member, and I think they have to ask
 10 themselves, and that FAR calculation, and
 11 specifically the steep slopes, what is the
 12 spirit of that. And I've been on this Board
 13 for a long time. I believe that that spirit
 14 and the intent and where we've used it, and
 15 where it's been tested in the appellate court
 16 has been to bludge developers from building
 17 large homes on steep slopes.
 18 So with all those points that I've
 19 made, I'm going to vote in favor of this
 20 project.
 21 I'm going to call it down to Mr. Kulak.
 22 MR. KULAK: Thank you very much.
 23 I want to start on the premise that
 24 this lot by itself, and when it was described
 25 by the planner, is essentially un-developable

19 (Pages 70 to 73)

Page 74

1 -CHIMNEY ROCK SELF STORAGE - 74
 2 in that there's one area, if you adhere to
 3 all the setbacks, that's the size of
 4 approximately a porta-potty where something
 5 could be constructed. So the building that
 6 exists today and serves a purpose as an
 7 office building is already noncompliant.
 8 They're faced with a lot that is so unacceptably
 9 shaped, it provides a handicap by itself.
 10 Then the question is how can we build
 11 something there, which certainly the owner of
 12 the property has the right to develop it, and
 13 maintains that right, how can it be developed
 14 in a way that benefits the township, benefits
 15 the community. We didn't hear much from the
 16 public tonight, but we heard from them in the
 17 past and their single biggest concern was
 18 stormwater management and drainage. And we
 19 know from the testimony of the applicant that
 20 this is going to be a substantially improved
 21 beyond the standards that they would be
 22 required to adhere to at the minimum level.
 23 So they're doing much more than that. And
 24 that's a step up and something that will
 25 protect the public.

Page 76

1 -CHIMNEY ROCK SELF STORAGE - 76
 2 neighborhoods. Thank you.
 3 MR. FOOSE: Thank you, Mr. Kulak.
 4 Mr. Gilbert, good evening.
 5 MR. GABBETT: I'm going to echo that I
 6 think the stormwater runoff, the factor is
 7 important. To your point, it's an
 8 improvement. And you also brought up the
 9 dilapidation of the current building, and,
 10 yeah, it's not in great shape. Again, being
 11 the new kid on the block, some of this is a
 12 little bit of a learning experience for me as
 13 well. My only big concern would be - again,
 14 the shape of the lot is weird, and that makes
 15 it difficult to - I'm trying to think how to
 16 phrase this. Makes it difficult to get
 17 something that's going to be compliant like the
 18 porta-potty reference. So it's kind of what
 19 can you do with it.
 20 MR. FOOSE: Would you be inclined to
 21 vote in favor or against it?
 22 MR. GABBETT: I would lean in favor.
 23 MR. FOOSE: That's all I need to know.
 24 Mr. Slat, good evening.
 25 MR. SLAT: I'm sympathetic to the you

Page 77

1 -CHIMNEY ROCK SELF STORAGE - 77
 2 know, current lot and the way it is, and I
 3 appreciate the level of improvements that are
 4 going to be undertaken by the applicant as
 5 proposed, and I don't feel the intensity of
 6 use for self-storage building is as high as
 7 some of the other things. So I have a
 8 tendency to support the application.
 9 MR. FOOSE: Thank you.
 10 Gayski?
 11 MR. GAYSEKI: Yeah, I would agree with
 12 everyone's statements. I do think that it's
 13 the low intensity nature of the use, which
 14 really makes a lot of sense for that zone.
 15 All the improvements that are being made to
 16 the stormwater management in that area, the
 17 fact that we saw fewer and fewer members of
 18 the township here as you were working with
 19 them to make sure it was something that was
 20 more aesthetically pleasing for them, and the
 21 improvements that are going to be made to
 22 that area I think justifies voting in favor
 23 for this application.
 24 MR. FOOSE: Mr. Bongiorno, good
 25 evening.

20 (Pages 74 to 77)

Page 78

1 - CHIMNEY ROCK SELF STORAGE - 78
 2 MR. BONGIORNO: I think my fellow Board
 3 Members have pretty much covered all the
 4 areas that were of concern to me, and I'm in
 5 favor of the applicant.
 6 MR. FOOSE: Thank you.
 7 Mrs. Amin.
 8 MS. AMIN: Based on the comments
 9 Mr. Gayeski made, and the 24 conditions that
 10 are on this application.
 11 MR. FOOSE: I don't think we ever had
 12 an application with more.
 13 MS. AMIN: So having combined all of
 14 these things, I'm in favor.
 15 MR. FOOSE: Thank you.
 16 Mr. Sweeney.
 17 MR. SWENEY: I think the -- well, I
 18 don't think. Other Board Members have spoken
 19 frequently about the positive aspects of this
 20 development or proposed development, and I
 21 think most of those comments are right on. I
 22 think it's certainly a less intense use than
 23 some of the other options, and I like that.
 24 But where I come out on this is despite the
 25 changes that have been made since we saw the

Page 79

1 - CHIMNEY ROCK SELF STORAGE - 79
 2 original proposal, the project is still too
 3 big. I mean, it's considerably -- according
 4 to the testimony we heard, it would be
 5 considerably larger than the smaller
 6 operations that this operator currently has
 7 in the self-storage space, which to me says
 8 that they could make a buck on this even if
 9 it were smaller, and that's the only problem
 10 I have with this application. It's too big.
 11 It's too big. If they were to come back with
 12 something that satisfied five owners, I
 13 would look at this very, very differently.
 14 And I understand that you can't put
 15 anything on this property that meets all of
 16 the guidelines, because it would make the
 17 property un-developable, and I'm not looking
 18 to do that, but I do think there's a lot of
 19 room to bring this proposal more closely in
 20 line with what the ordinances allow.
 21 So I will vote no on this application.
 22 MR. FOOSE: Thank you, Mr. Sweeney.
 23 Mr. Fresco.
 24 MR. FRESKO: Substantial stormwater
 25 improvements; ten percent reduction in

Page 80

1 - CHIMNEY ROCK SELF STORAGE - 80
 2 impervious; you preserve trees; the final
 3 design improvements require less variances;
 4 the planner testimony highlighted the
 5 benefits over other possibilities. I think
 6 the design improvements were fantastic. I
 7 think you really -- I honestly would not be
 8 in favor with this with that original design.
 9 You came back; you made it look more like an
 10 office building; you sold the idea that you
 11 made the height lower; and I'm convinced that
 12 there really are limited uses there. And
 13 that, you know, obviously as a business owner
 14 and investor myself, you know, it needs to be
 15 this big for you to make money, and I
 16 think -- and I'm really one to compliment the
 17 attorneys on these things, but I really do
 18 think you guys listened carefully and you
 19 responded. And, you know, we don't take this
 20 stuff lightly. We have neighbors that are
 21 there, the residents that were here, and I
 22 actually think it's going to be a nice -- I
 23 think it's going to be a nice looking site.
 24 I really do. Yeah, it is big, and, honestly,
 25 I really do.

Page 81

1 - CHIMNEY ROCK SELF STORAGE - 81
 2 I'm not crazy about the parking. I think you
 3 could have secured a few more spots in there,
 4 but I think that there's enough positives
 5 here, that the guy that owns the land has a
 6 right to develop it, and this looks like a
 7 great business owner, answered everything,
 8 was honest and straightforward. So I feel
 9 like you guys did a good job, and you earned
 10 our support. So good luck.
 11 MR. FOOSE: Thank you, Mr. Fresco.
 12 All right, Rich, I heard 24 conditions
 13 slash stipulations, and 13 bulk and two uses?
 14 MR. OLLER: Two use -- two Ds and 11
 15 Cs.
 16 MR. MLENAK: That's correct.
 17 MR. FOOSE: 13 set. Based on
 18 deliberations of this board, I would obtain a
 19 motion to approve.
 20 MR. WEIDELL: Move.
 21 MR. FOOSE: That was Mr. Weidell.
 22 Do I have a second motion to approve?
 23 MR. BONGIORNO: Second.
 24 MR. FOOSE: Mr. Bongiorno, thank you.
 25 Katherine, can we get a vote on that

Page 82

1 - CHIMNEY ROCK SELF STORAGE - 82
 2 please.
 3 MS. SARMAD: Chairman Foose.
 4 MR. FOOSE: Yes.
 5 MS. SARMAD: Vice Chair Weidell.
 6 MR. WEIDELL: Yes.
 7 MS. SARMAD: Ms. Amin.
 8 MS. AMIN: Yes.
 9 MS. SARMAD: Mr. Sweeney.
 10 MR. SWENEY: No.
 11 MS. SARMAD: Mr. Fresco.
 12 MR. FRESKO: Yes.
 13 MS. SARMAD: Mr. Bongiorno.
 14 MR. BONGIORNO: Yes.
 15 MS. SARMAD: Mr. Gayeski.
 16 MR. GAYESKI: Yes.
 17 MS. SARMAD: Motion passed.
 18 MR. MLENAK: Thank you very much.
 19 Appreciate it.
 20 MR. FOOSE: Good luck, thank you.
 21 (The matter was concluded.)
 22 (Time noted: 8:17 p.m.)
 23
 24
 25

Page 83

1 CERTIFICATION 83
 2 STATE OF NEW JERSEY)
 3) ss:
 4 COUNTY OF SOMERSET)
 5
 6 I, KRYSZYNA KORNAK FLORA, a Notary
 7 Public within and for the State of New Jersey, do
 8 hereby certify:
 9 That the testimony(s) that is/are
 10 heretofore set forth, is/are a true and accurate
 11 record of the testimony given by such witness(es).
 12 I further certify that I am not
 13 related to any of the parties to the action by blood
 14 or marriage; and that I am in no way interested in
 15 the outcome of this matter.
 16 IN WITNESS WHEREOF, I have hereunto
 17 set my hand this 21st day of June, 2024.
 18
 19 KRYSZYNA KORNAK FLORA
 20
 21
 22
 23
 24
 25



Page 1

A	actual	6:18 9:3	analysis
a.m	53:2	aesthetically	12:25
64:21,22,23	adaptively	77:20	analysis
abandoned	50:11 51:2 56:5	affirmative	7:7,11 12:23 14:6
67	59:21,24	75:22	15:23 37:2
abbreviating	Add	agency	analyst
15:17	64:25	65:2	6:10
ability	adding	ago	anchors
14:13 29:22 33:21	67:10	3:18 6:2 54:15 68:19	15:17
able	addition	69:2	ANDREW
33:12 44:2 52:20	14:14	agree	2:14
absolutely	additional	58:25 62:4 77:11	annual
50:8,19,25 55:23	13:10 14:12 24:21	agreed	62:21
acceptable	57:5 67:8,10	18:18 62:17	answer
65:19 69:14	Additionally	agreement	28:18 41:18 45:18,21
accepted	52:20	67:17	answered
7:21	address	19:4 44:25	81:7
access	8:22 9:2 49:16 53:22	67:8	anticipate
51:22 64:20 66:11	67:8	addressed	33:14 37:19,22
67:6,16,18	addressed	60:17 64:18	anticipated
accessible	60:17 64:18	adequate	31:12
26:24	adequate	22:2 27:19,20 28:3	anybody
accommodate	22:8	54:22	6:12,24
3:9 31:23	adhere	allow	apartment
accommodated	74:2,22	51:13 79:20	36:19
50:4	adjacent	65:8	apartments
accurate	11:9 50:13	alter	36:23
83:9	adjoining	65:12	apologies
accusing	16:24 18:12	amended	51:14
6:12	adjust	18:17	apologize
achieve	15:17	amendments	10:7
39:18	ADJUSTMENT	57:17	appear
achieves	i:l	28:10 42:4 75:20	28:10 42:4 75:20
24:13	administration	appearance	19:10 30:14
acre	56:16	13:23	appears
11:8	admission	Americans	14:5,12 23:23
action	24:17	5:20	appellate
83:12	adoption	Amin	73:15
activities	56:17	2:12 78:7,8,13 82:7,8	applicable
16:16	advanced	amount	39:17
activity	15:14 24:2	21:6 30:18 31:6 35:4	applicant
16:5 22:23 35:4,25	41:2	amounts	6:22 8:22 9:16 11:22
36:5 37:5,6	advancing	40:10	12:20,22 13:7 14:2
acts	41:2	ample	17:16 18:18 19:5
14:18 36:9	advantage	21:17	20:12 21:3 22:25
	54:24		
	advise		

Page 2

23:16 24:13 29:7	18:5,13 20:16,20	16:8 78:19	13:2 14:6 19:25 23:2
30:12 33:21 36:3	40:3 74:4	assistant	38:10 42:6 75:13
43:15,18 50:3 54:22	approximation	11:13	78:8 81:17
59:3 60:10 61:11	40:19	assisted	basement
62:5,11 63:2,6	April	11:9 12:14 18:12	39:22 46:6,13,25
69:11 74:19 77:4	5:19 47:25	50:13	72:6
78:5	architect	associated	basin
applicant's	14:21 17:18 43:19	19:6,8 20:21 30:10	62:22 64:15 69:6
3:20 5:15 6:14,16	61:12	32:24	basing
14:3,6 26:12 39:9	area	Associates	40:7,9
applicants	8:2 9:4 11:19 12:4	12:3	bedroom
6:23	13:2,9,17,25 14:19	assume	37:19
application	14:20 15:8 16:9,11	41:13	bedrooms
1:5 7:5 15:14 20:5	16:17 18:19 19:24	assumptions	37:22
22:5 34:15,19 39:8	19:25 22:8 27:17	57:5	beginning
44:22 49:4,15 53:12	29:4,20 30:22,24	attempted	11:2
55:2 58:17 61:22	33:17,24 36:11	28:18	half
62:13,17 64:10	40:10 41:25 45:7	attention	9:16 49:14
68:17 69:2,15,22	62:10 63:13,15 69:5	62:2	believe
70:8,13 77:8,23	70:19 74:2 77:16,22	attorneys	18:7 19:10 23:21
78:10,12 79:10,21	areas	2:3 52:16 80:17	26:6 29:19 36:6
applications	13:13 24:15 31:12	attractive	40:23 42:18 67:15
3:3 35:14 68:21	38:6 39:13 43:13	31:19	71:13 73:13
applied	52:3 78:4	auto	Belle
50:6	arguably	35:6	3:5 5:2
appreciate	33:24	Avenue	beneficial
27:10 58:11 77:3	argue	2:3 73:2	70:10
82:19	52:15 53:21 75:20	average	benefit
approach	arguing	41:14 43:21	4:6 45:4 59:5
52:5	56:8	avoid	benefits
approaching	argument	66:24	30:23 38:15 54:3
31:24	31:10 54:12	awfully	74:14,14 80:5
appropriate	array	51:15	best
16:5 6 22:12 24:14	70:18		10:2 25:16 41:5
38:4 39:13 51:10	Arthur's		80:15
53:5	49:14,17		better
approval	5:17 6:19 7:16,19		69:16 74:21
13:11 24:11 63:8	8:10,14,20 12:22		big
66:20	artificially		42:24 43:4 69:3
approve	16:18		76:13 79:3,10,11
63:16 75:22 81:19,22	asked		80:15,25
7:9 34:14,16 36:14	43:17 69:16		bigger
36:21 62:18 75:11	aspect		31:23
approximately	35:7		biggest
11:20 13:8,13 14:4	aspects		70:21 74:17

bit 11:25 30:17 44:17 76:12	70:11 Bridgewater 1:1,5,7 11:3 15:19 21:19 37:17 38:19 52:14 57:10 62:12 71:23 brief 4:19 9:21 10:2,19 58:18 briefly 22:20 27:5 bring 8:12 40:22 43:15 46:19 79:19 brings 40:12 Brook 49:18,19 brought 75:3 76:8 BRUCE 2:10 buck 79:8 buffer 27:21 build 7:10 29:2 32:6 33:20 33:25 39:12 47:11 74:10 buildable 32:13 Building 11:22 14:24,25 15:6 16:6,21 17:5,8,17 18:4,14,14,15 20:7,20,22 21:4,8 23:24 25:6,7,9 26:20 28:22 29:4,5 30:15,17,24 31:4,19 31:20,24 32:7,9 36:8,19 38:11,13 40:18 45:7,8,16 46:11 47:12 50:2,4 50:10,17 51:4 54:17 56:4,6 59:20,23	66:16,17 70:15 71:6 71:7,10,10 73:16 74:5,7 76:9 77:6 80:10 building's 17:18 buildings 13:23 31:15 55:18 buillt 6:3 13:3 28:21,24 32:10 35:18 47:6,19 bulk 10:22 19:20 20:4 46:20 48:4 50:19,21 bulks 81:13 burden 24:16 63:7 Burr 2:20 47:22,23 48:7 68:3 Burr's 73:3 business 14:9,11,15 59:10 80:13 81:7 businesses 14:14	calls 29:24 31:21 capable 54:9 65:7 capture 14:4 car 35:22 care 11:11,12 carefully 54:12 character 18:8 characterized 6:10 charging 26:3 66:12 checks 3:11 4:9 8:13 9:18 42:6 49:6 60:9,11 62:14 69:12,16 CCR 1:19 cell 35:20 cement 71:9 Center 41:22 centers 38:6 certainly 8:15,18,25 10:9 50:18,23 55:6 74:11 78:22 certification 62:21 83:1 certify 83:7,11 chain 65:8 Chair 82:5 Chairman 2:8 3:15 48:22 58:14 82:3 challenge
-----------------------------------	---	---	--

50:9 52:8 change 17:22 23:2 51:16 54:9 65:7 changed 25:11 31:11 48:8 69:20 changes 51:21 57:2 78:25 changing 54:12 character 18:8 characterized 6:10 charging 26:3 66:12 checks 3:11 4:9 8:13 9:18 42:6 49:6 60:9,11 62:14 69:12,16 CCR 1:19 cell 35:20 cement 71:9 Center 41:22 centers 38:6 certainly 8:15,18,25 10:9 50:18,23 55:6 74:11 78:22 certification 62:21 83:1 certify 83:7,11 chain 65:8 Chair 82:5 Chairman 2:8 3:15 48:22 58:14 82:3 challenge	CHRIS 2:18 cicling 51:24 circulation 52:5 60:16 circumstances 25:12 citizens 22:13 clarification 44:11 clarify 63:20 clarifying 4:24 clear 23:7 49:24 70:25 clearly 15:20 34:21 climate 13:22 25:4,8 31:18 55:21 close 41:21 closely 79:19 closer 20:14 40:12 closest 18:11 41:19 43:8 Coast 9:5 code 70:23 combine 65:13 combined 78:13 come 4:11 12:21 35:22 48:13 59:16 60:5 62:14 73:8 78:24 79:11 comes 29:12,16 69:11	coming 7:3 31:8 35:9 41:22 42:11 68:16 71:10 commend 69:21 comment 4:18 48:24 58:16 comments 3:23 58:20 65:2 67:14 78:8,21 commerce 15:18 commercial 14:19 21:18 22:12 33:13,14 36:12 37:4 59:3 committed 67:22 Commons 1:6 conditions 6:17 41:3 59:22 62:19 63:8,15 64:11 64:16 65:4,6 71:7 78:9 81:12 competitive 54:23 completely 31:17 compliant 45:14 46:2 66:3,10 76:17 commitment 50:13 80:16 comply 51:5,23 65:2,5 comprehensive 57:7 conprise 20:17 concede 30:7 conceded 50:15 concept 32:20,23 33:7 concern	18:3 41:25 42:3 70:21 74:17 76:13 78:4 concerns 51:17 concluded 82:21 conclusion 3:19 4:4 19:14 conclusions 9:23 concrete 71:9 conderation 32:19 47:5 condition 18:9 60:7 conditionally 11:16 conditions 6:17 41:3 59:22 62:19 63:8,15 64:11 64:16 65:4,6 71:7 78:9 81:12 configuradion 47:7 conforming 19:23 30:8 34:2 congregata 11:12 conservation 27:21 consider 8:7 12:19 24:11 29:14 40:17 71:18 considerably 79:3,5 consideration 46:15 considerations 14:22 considered 6:20,21 7:20 considering 51:9 consistent
---	--	--	--



19:11 26:17 31:7 construct 44:3 49:25 50:3 constructed 74:5 construction 6:7 Consulting 26:12 contemplate 61:10 contemporary 15:18 contend 60:22 63:6 contention 47:4 context 16:4 21:3,4 50:24 continue 73:4 continuing 11:11 control 13:22 16:12,13 25:4 25:8 39:15 controlled 31:18 convenience 35:7 convinced 80:11 Cooling 5:21 Coronavirus 6:3 correct 9:19 53:11,13 67:20 68:4 81:16 corridor 15:12 38:9 corroborata 7:8 cost 37:13,14 costs	37:24 council 57:10 70:24 counted 75:8 County 12:4 55:12 83:3 couple 3:18 5:12,23 27:11 27:15 58:19 course 51:17 59:9 63:2 court 1:18 38:24 73:15 Court's 7:22 courtesies 58:12 COURTROOM 1:6 coverage 18:23,24 19:4,8 21:11,14,15,22,25 23:5 27:24,25 29:10 30:5,9 44:16,20 coverages 21:20 covered 30:12 75:5 78:3 crafted 33:20 crazy 81:2 create 23:9 37:3 created 23:20 creates 60:7 creating 29:19 credible 60:25 criteria 22:14,19 59:16 72:19 72:20	cross 48:16 cross-examination 4:8 51:18 cross-examining 4:22 Cs 81:15 current 26:18 33:22 66:2 76:9 77:2 currently 13:8 51:21 60:23 79:6 customer 64:20 customer's 67:6 customers 67:19	decisions 7:2 30:21 38:2 deck 17:19 decrease 70:3 decreased 13:4 deed 64:13 defer 56:11 degree 71:24 deliberation 8:9 64:7 deliberations 68:10 81:18 delivered 65:15,16 deliveries 65:14 dellvers 34:21 demand 5:21 7:23,25,25 9:4 12:10 13:5,14,16 14:5 61:13 demands 63:11 demographics 11:24 demonstrating 27:7 demonstration 28:12 denominator 19:24 deny 55:2 60:15 departure 19:19 24:5 depends 45:18 Depot 42:13
--	--	--	--

describe 60:5 75:15 described 73:24 design 14:22 16:6 23:23,25 25:15 80:3,6,8 designed 24:24 designing 14:24 designs 65:13 despite 19:23 20:4,23 78:24 detail 17:18 64:19 detailed 10:3 details 43:3 detention 62:22 64:15 determined 54:7 determining 58:24 detritment 22:16 41:7 72:21 develop 24:15 51:3 74:12 81:6 developable 19:25 developed 39:5,6 43:24 50:16 51:2 55:20 74:13 developers 6:5 73:16 developing 55:22 development 16:4 24:7,12 28:20 30:22,23 38:5,9,12 38:22 49:25 50:9 59:17 63:13 71:22	78:20,20 dialogue 55:19 diapor 70:6,9 diesel 34:23,24 difference 39:7 different 31:17 34:13 37:8 70:7 differential 72:11,17,18 differently 21:14 75:12 79:13 difficult 76:15,16 dilatated 71:6,8 dilatation 76:9 direct 25:23 directions 28:15 directly 65:16 director 53:15 dirt 75:5 disagree 52:17 disconnect 44:17 discuss 8:16 22:20 24:12 64:12 discussed 8:18 16:10 19:21 21:14 24:8,18 39:11 64:12 discusses 38:8 39:12 discussing	37:13 distinguished 59:6 distribution 65:23 71:4 district 21:21 22:3 24:20,23 25:14 37:9,16 disturbed 23:16 72:2 dive 33:5 doing 27:11 29:9 35:19 68:15 74:23 DONALD 2:13 Donohoe 28:5 66:22 door 12:15 50:14 doors 15:5 25:4 doorway 25:7 DOT 66:19,19 double 6:8 Doyle 61:4 drainage 72:22 74:18 drive 55:16 71:8 driving 18:7 49:24 drone 35:19 dry 67:10,24 Ds 48:3 81:14	2:1,1 earned 81:9 essement 27:22 asily 50:11 East 9:5 echo 76:5 economic 15:11,16 16:4 30:22 30:23 38:5,8,12 50:5 54:3 58:22 59:5,10,19 63:13 economically 47:7,17 50:2 education 32:18 egress 51:20 52:6 eight 19:5,7 30:9 either 4:23 8:23 60:6 elderly 11:15 element 15:11,12 elements 12:17 13:18 elevation 66:21,23 elevations 71:23 eliminated 13:4 Elliot 6:9 eloquent 34:12 eloquently 78:19 employees 65:24
--	---	---	---

empty 55:17,18 emulates 25:6 enable 16:3 enclosed 45:7 encourage 16:2 45:5 encroaching 29:8 ended 21:4 67:7 ends 30:17 42:21 engineer 14:21 18:23 19:22 24:12 26:5,12 39:14 40:23 51:19 65:20 68:3 engineer's 65:6,10 67:11 engineered 59:24 Engineers 41:3 enhanced 15:15 22:18 24:16 enhancing 54:2,4 ensure 62:20 entirely 6:6 30:10 entrance 26:19 envelope 32:14 environment 45:5 envisioned 72:7 equal 40:6 equity	6:10 ESQ 2:5,9 essentially 18:19 24:13 29:4 30:8 32:13 56:22 73:25 established 29:8 estate 52:12 55:14 EV 26:16 66:11 67:16 evaluated 56:10 evaluating 30:4 evening 3:6,16 49:12 76:4,24 77:25 event 50:20 evergreen 23:3 66:13 everyone's 77:12 evidence 7:23 25:15 60:3,10 60:25 evidentiary 7:20 evolved 25:2 exact 39:25 example 17:6 excellent 14:18 excesses 79:12 excessive 54:20 Excuse 5:10 47:15 exist	13:5 14:14 existing 13:20 14:13,23 15:16 17:8 20:6,13 29:5,6 33:11 50:10,13 54:21 71:6 72:4 exists 24:21 71:22 74:6 expanded 35:17 expanding 12:16 experience 76:12 experienced 62:15 expert 71:7 72:10 Explain 33:3 exposed 75:6 extensively 59:15 extent 18:21 67:24 extraordinarily 28:10 extremely 22:22,23 eye 31:22	facility 11:9 12:15 13:16 14:3 15:21 17:10 18:12 19:14 22:11 25:8 31:18 35:2,11 35:23 37:7 41:24 42:23 43:11 45:2 50:14 65:23 72:16 fact 50:15 53:4 60:11 70:14 73:4 75:18 77:17 factor 76:6 factual 53:3 failed 53:22 family 11:7 fantastic 80:6,18 far 4:16 29:12 38:18 39:21 44:12,19 45:8 46:4,9,17 50:17 51:12 63:4 71:12,18 72:9 73:10 75:2,14 fashion 51:4 fax 66:24 favor 54:12 64:9 73:19 76:21,22 77:22 78:5 78:14 80:8 feasibility 50:6 58:23 59:19 feasible 50:2 51:3 feel 18:8 77:5 81:8 feet 13:9,10,12,15 17:19 17:19 18:2,11,13 21:9 29:3 32:13
---	---	--	--

66:5,6 fellow 78:2 felt 9:2 73:4 fence 65:8 fencing 65:7 fewer 77:17,17 file 43:3 fill 18:19 36:20 filled 35:24 36:4 final 80:2 finally 53:7,21 60:22 68:16 financial 30:21 find 6:3 70:19 finding 25:9 fine 9:7 64:3 fire 19:8 30:11 first 3:4 6:15 12:5,7 16:21 25:2 35:12 49:9 58:22 68:25 69:2 first-start 15:25 fiscal 37:11 38:3 fiscally 38:16 fit 7:6 fit 36:13,24 fits	38:14 five 4:19 28:2 32:12 56:23 five-mile 13:9 flexibility 16:3 flood 73:3 floor 16:9,11,17,21 27:17 29:20 40:5,11 46:13 62:10 75:4 floors 40:6 FLORA 1:19 83:5,19 fly 40:8 45:22 following 32:16 34:10 48:24 fond 38:19 Foote 2:8 3:2 4:10 5:16 8:8 9:9 10:4 25:20,24 32:16 33:3 34:3,10 36:14,18 38:17 39:20 40:3,14,20 41:9 44:5,8 46:19 47:3,14,16,22 48:10 48:19,25 49:10,16 49:19,22 56:13 57:8 57:14,18,24 58:8,17 61:17,20 63:18,25 64:4 68:2,8,13 69:24 76:3,20,23 77:9,24 78:6,11,15 79:22 81:11,17,21 81:24 82:3,4,20 foot 36:23 50:16 footage 21:6 29:18 43:14 46:23	footprint 17:9 43:25 45:15 46:11,14,22,24 force 49:24 forklifts 65:11 71:4 forth 83:9 forward 7:9 forwarded 66:7 four 11:4 42:10 52:24 53:9,18 four-story 41:23 42:23 frankly 70:17 Fresco 2:14 79:23,24 81:11 82:11,12 Friday 64:23 front 10:11 20:17,22,25 26:19,24 52:2 frontage 18:6 frontages 23:25 fronts 55:17 frosted 66:24 fuel 34:23 full 5:4 57:15,22 58:3 functionally 32:11 furniture 42:12 further 20:7 29:9 64:12	83:11 G G 2:5 22:11 Gabbett 2:18 76:4,5,22 game 3:7 garage 15:5 garages 31:16 garden 67:10 gas 34:17,18,20,22,24 35:7 Gayeshi 2:17 77:10,11 78:9 82:15,16 geared 11:14 general 11:15 17:7,11 generally 37:23 43:20 49:23 37:5 generate 35:2 37:5 generator 22:22 23:13 getting 33:23 give 4:4 6:15 9:20 30:13 32:17 37:2 48:23 49:5 54:22 given 83:10 glad 68:15 go 7:9,13 8:3 9:3 10:5 10:21 39:16 42:11 42:13 47:4 62:7
--	--	---	---



68:24 70:16 72:20 goal 63:12 goals 15:15 56:25 going 5:22 6:25 9:25 10:18 10:25 13:5 18:7 19:9 21:7 30:5,12 30:13 31:21,22 34:21,22,24 35:2,8 35:10 36:10 37:5,20 39:12 40:8 41:4,6 41:21 42:4 44:24 47:11,13 48:10 64:7 68:2,9,17,18,24 69:24 70:16 73:8,19 73:21 74:20 75:18 76:5,17 77:4,21 80:23,24 good 3:6,15 16:20 20:10 22:16 41:24 44:6 48:8,16 49:12 51:10 62:5 68:6,15 71:15 72:22 73:2 76:4,24 77:24 81:9,10 82:20 grading 75:7 grant 58:24 granted 22:15 59:8,13,19 granting 24:4 grass 19:9 30:13 grasses 23:4 great 10:12 16:10 17:17 18:16 28:3 36:6,13 69:8 76:10 81:7 greater 27:18 20 38:11 greatest	18:21 greatly 63:14 green 31:6 49:18,19 GREENBAUM 2:2 greenery 71:21 gross 38:6 ground 23:4 75:4 growth 6:11 guess 41:20 55:7 guidelines 16:6 79:16 guy 5:6 81:5 guys 3:8 80:19 81:9	18:20 HARTZ 2:3 hate 45:12 hazardous 62:25 67:2,3 headline 5:19 headwinds 6:11 hear 5:14,14 6:13 53:14 74:15 heard 7:24 14:20 17:17 33:4 47:9 74:16 75:16 79:4 81:12 hearing 3:19 4:14 7:6 10:6 47:25 59:14 hearings 62:2 heavily 53:24 height 14:23 17:21,22 21:7 66:5,6 80:11 held 70:2 hand 83:16 handicap 26:21,23 happen 55:10 happened 57:3 hard 77:6 higher 16:23 30:10 71:22 highlighted 80:4 highway 51:22 Hillside 24:7,11,15 38:23	hinder 73:16 Historically 35:5 hit 10:19 hold 48:5 Holdings 3:5 5:2 home 20:14 37:21,23 42:13 homes 11:11 37:19 73:17 honest 81:8 honestly 41:7,20 80:7,25 hope 25:17 62:3 Hopefully 73:2 hours 35:21 64:20,22 housing 11:14 huge 72:25 hypotheticals 46:5,16
--	--	--	--

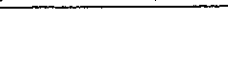
impacting 29:15 40:20 impacts 23:11,13 37:9 impairment 22:17 73:6 impervious 18:23,24 21:14,22,25 29:10 30:5,18 31:5 44:16 80:2 important 12:17 14:8 33:6 34:12 76:7 importantly 63:2,14 improve 41:5 improved 72:16 73:5 74:20 improvement 19:3,7 21:10,15,19 30:9,14,25 44:20 72:23,25 75:24 76:8 improvements 62:23 77:3,15,21 79:25 80:3,6 improves 63:14 improving 23:17 29:10 41:2 inappropriate 54:19 incentives 59:10 inclined 64:9 76:20 include 11:11 64:18 75:9 including 3:25 60:25 62:19 75:10 increased 15:15 increasing 16:23 incredibly	54:11 indicated 12:3 65:18 indicating 64:14 industrial 23:22 25:10,14 31:12 INDUSTRIES 2:3 industry 5:25 inflated 16:18,18 information 5:4 6:20 58:2 64:7 ingress 51:19 52:6 inhibit 38:22 initial 61:4 initially 61:3 install 63:3 installed 65:18 integrated 15:8 intended 15:2 62:13 intense 23:8 31:3 78:22 intensifies 34:13 intensity 16:13,14 19:16,17 29:15,23,25 30:16 34:18 65:9 75:15,18 77:5,13 intensive 36:16 intent 17:22 19:11 23:19 70:22 71:19,19 73:7 73:14	interest 66:20 interested 6:23 12:15 83:13 interesting 9:8 11:4 interior 64:25 interplay 39:7 interpretation 34:5,9 70:25 interrelated 16:15 interrupt 53:8 inverse 72:24 investigating 67:23 investment 23:5 investor 80:14 involved 10:20 irregular 33:16,19 irrespective 15:22 is(are) 83:8,9 issue 8:16 12:21 52:17 54:7 55:15 56:10 issues 31:9 51:24 56:2,3 60:16,17,19,20	Jersey 1:7 2:4 12:6 22:13 26:19 49:20 55:12 83:2,6 JLL 12:5 job 62:5 80:18 81:9 Joe 32:5 JOHN 2:15,17 joke 70:4 judge 75:17 jumped 27:12 jumping 72:19 jumps 46:8 June 1:2 83:16 justifies 77:22 K K 52:3 60:19 Katherine 2:19 56:18 81:25 keep 5:7 21:3 62:13 keeping 14:22 21:8 kept 17:16 kid 76:11 kind 3:7 30:3 31:8 32:17 32:19 36:20 38:19 46:5 57:2 76:18 know 5:3 6:22 8:2,4,11,20
--	---	---	---



8:24 9:5 17:12 18:18 25:3 30:6,20 34:25 36:19 37:3,14 37:20 38:8,10 39:3 39:12 41:15 42:2 43:7,9,10 47:5 49:8 50:5 55:11 70:5,23 71:15 72:21 74:19 75:14 76:23 77:2 80:13,14,20	45:19 79:5 largest 37:14 law 15:23 22:6 lawyer 25:18 34:4 55:8 leau 76:22 learning 76:12 Jease 62:25 leave 5:3 leaving 9:7 Lee 12:3 legal 1:22 33:23 legislation 26:18 length 17:2 18:16 lessee 63:22 lessee 63:24 let's 34:16 47:4 letter 61:4 66:20 level 1:5,25 29:23,25 39:21 72:6 74:22 77:3 levels 22:23 light 22:8 66:22,24 lighting 23:13 65:9 lightly 80:21 lights 66:16 67:5	limit 21:7 limitations 62:19 limited 11:18 19:15 57:7 67:18 80:12 line 17:19 27:25 43:20 79:20 lines 42:2 link 65:8 listen 3:22 69:11 listened 80:19 listening 62:5 literally 71:8 little 11:25 29:25 30:17 35:24 36:4 44:17 69:17 76:12 living 11:9,13 12:14 18:12 50:14 Livingston 2:5 LLC 3:5 loading 51:25 52:34,25 60:18 60:25 61:9,13 loads 4:20,21 local 20:3 locally 57:4 locate 52:20 located 20:7 25:13	location 1:4 53:2,16 locations 16:5 22:12 65:19 long 25:17,19 31:23 36:3 36:22 57:23 68:16 73:13 long-term 16:2 louger 25:9 51:22 73:3 lunk 12:25 14:24 15:6 28:9 31:21 37:13 43:3 70:17 71:24 75:2,12,23 79:13 80:9 looked 4:15 15:13 20:8 54:6 looking 14:10 21:3 27:13 70:10 79:17 80:24 looks 31:18 56:24 57:2 69:12 81:6 lost 69:10 lot 14:5,20 15:4,24 19:23,24 20:8,15,16 20:18,21 21:12,19 26:4 27:24,24,24 28:23 29:6 31:23,24 32:2,7,24 33:10,11 33:12,13,16,17 34:2 34:14 35:9 36:22 43:13 44:25 45:20 50:5,7,10,25 51:11 54:21 55:17,17 70:2 73:24 74:8 76:14 77:2,14 79:18
--	---	--	--



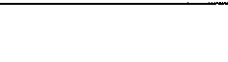
motivation 59:9 motivations 59:4 mountain 2:3 71:21 move 5:6 81:20 moving 3:2 5:7 10:25 multiple 25:3 municipal 1:6 12:9 22:6 24:18 60:12 63:5 municipality 37:14,15	needing 20:23 needs 15:18 19:17 22:13 23:10 29:25 30:15 71:11,16 80:14 negative 22:14 72:20 neighborhood 70:12,14 neighborhoods 76:2 neighbors 80:21 net 52:16,19 81:17 new 1:7 2:4 4:21 5:18 12:6,21 13:3 14:15 22:13 26:18 33:5 49:19 55:12 76:11 83:2,6 news 8:3 nice 31:21 80:23,24 night 25:21 NJDOT 11:21 51:23 Nocella 43:19 noise 23:14 36:9 non-steep 40:10 noncompliant 74:7 North 41:20 42:8,18,22 northerly 66:21 Northern 12:6 Notary 83:5	note 21:18 noted 82:22 notes 57:11 69:25 noticeable 70:3 number 6:8 10:20 11:18 16:14,15,23 17:3 24:10 29:12,15,17 30:5 36:2 37:2 46:9 48:4 50:18 61:8 64:19 numerous 15:14 nursing 11:11 20:13	50:8 offer 16:5 offered 60:23 office 12:2,10,13 14:24 15:6 17:8,11 23:8 23:23 25:6,10 31:19 31:20 50:12 52:11 52:14 55:11,20,22 56:3,6 64:22 65:15 69:5 74:7 80:10 offices 11:15,16 Oh 37:11 okay 9:15 33:8 38:17 48:7 48:18 49:8 67:20 old 42:12 51:21 older 13:20 43:11 Other 2:9 6:18 7:16,17 8:8 8:11 26:9,13 44:7 61:18 64:8 67:20 68:5 81:14 once 35:23 36:4 62:7 one-fourth 28:6 one-half 28:7 ones 41:14 open 4:7 21:17 22:9 48:11 48:22 49:2 60:15 37:6 occurs 35:25 36:3,5 odd 69:6 oddly
--	--	---	--



31:3 34:23,23 44:23 45:17 61:14 63:11 77:13 lower 17:17,20 21:4,8 29:21 80:11 lowering 29:10 lowest 21:21 luck 81:10 82:20	mass 16:12,24 29:15,19 75:16 masses 75:19 massive 70:2 72:18 master 15:9,10,11,15 23:20 24:3,18 37:25 38:7 33:24,25 54:6,13,14 56:2,7,9,14,15,16 56:19,24,25 57:8,15 57:20,22 58:4 63:12 70:22 material 67:2 materials 62:25 67:3 math 40:8 45:12 matter 1:4 82:21 83:14 maximum 19:3 51:12 mean 8:4,14 10:17 18:2 23:15 34:20 37:25 41:3 42:22 44:14 45:19 47:9,10 53:8 59:11 79:3 means 16:12,12 meant 45:23 46:3 75:14 measured 18:14 medical 17:6,10 23:8 50:12 56:4,6 72:16 medical/dental 11:16 Medict 23:19 meat 13:16 22:13 27:6	50:17 66:9 meeting 10:14 48:8 meets 22:8,9 33:17 63:12 79:15 member 38:21 73:9 members 2:7 3:16,24 33:5 48:11 49:3,9 61:18 61:20 70:5 77:17 78:3,18 mention 21:24 28:4 mentioned 21:13 27:4 34:13 43:8 44:12,15 45:8 63:19 mentioning 29:13 met 22:11 50:19,21 63:6 Michael 6:9 microphone 4:12 49:6 migrating 12:16 mile 31:25,25 36:22 million 13:14 13:14 25:10 31:20 8:21 27:9 minimal 25:7 minimized 79:12 minimum 19:24 33:17 74:22 minor 64:17 minority	72:7 minus 40:12 minute 68:18 minutes 4:19 5:12 67:6 mitigated 62:9 mitigation 63:3 67:9 Mlenak 2:5 3:12,15 4:24 5:2 5:9 6:15 7:13 9:11 9:15,20 25:18,22 26:5 27:3 32:5 37:8 43:16 45:25 48:20 48:21 53:13 58:13 58:18 61:24 63:18 63:23 64:3 67:14,21 68:4,6,8,12 69:23 81:16 82:18 Mlenak's 3:7 model 14:9 moderate 29:24 modern 13:23 25:6 modification 69:14 modify 66:13 modifying 62:6 Monday 64:22 money 6:24 80:15 months 3:18 4:3 36:2 68:19 Morristown 35:18 motion 66:18 81:19,22 82:17
---	---	--	---



29:23 operation's 53:15 operational 52:22 operations 79:6 operator 43:18 61:12 62:15 79:6 opine 20:3 22:4 opinion 12:8 21:16 36:22 39:2,4 52:9,16,19 53:4 55:24 69:15 opportunity 63:9 opposed 8:13 75:5 opposite 28:14 optians 78:23 orange 15:5 order 59:7 ordinance 24:8 38:20 39:3,9,19 53:19 55:25 60:21 61:8 71:14 79:20 ordinances 71:2 original 69:14 70:15 79:2 80:8 outcome 83:14 outdoor 63:24 67:13 outside 63:19,22 71:5 overall 19:2 overdevelopment	54:21 overly 18:8 overnight 22:23 owned 62:11 owner 54:23,25 60:6 64:15 74:11 80:13 81:7 owns 81:5 P 2:1,1 p.n.u 1:2 64:21,22,23 82:22 package 66:2 palatable 50:23 pandemic 6:3 park 44:25 parking 17:3,6,7,9 19:16 23:9 26:4,17 28:6 29:6 30:2,16 44:23 51:24 52:3 60:16 64:25 65:11 72:14,15,17 81:2 part 12:11 23:18,25 35:13 41:18 particular 27:5 34:14,15 46:8 50:5 51:11 53:2 particularly 5:24 22:7 27:8,13 28:13 parties 83:12 parts	75:6 pass 56:15,19 66:22 68:21 passed 4:3 42:20 54:14 57:9 67:4 person 41:18 personality 10:12 perspective 41:6 45:4 52:7 pertinent 5:24 7:15 8:13 phase 25:3 phrase 60:4 76:16 physically 56:4 picked 65:16 piece 28:25 41:15 42:24 43:4 69:6 70:19 72:2 piqued 8:21 place 42:19 Plainfield 41:20 42:8,18,22 plan 3:7,13 15:10,10,11 15:15 19:12,19 22:18 23:20,20 24:3 24:6,18 29:24 31:7 33:24,25 54:6,13,14 54:20 56:2,7,9,14 56:15,16,19,24 57:2 57:9,15,20,22 58:4 66:7 70:18,22 73:7 plan's 63:12 planner 3:21 8:24 9:17 12:8,9
---	---	---



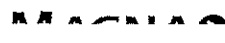
12:24 23:3 33:4	porta-potty	8:3	42:25 43:5,23 47:6
34:4 35:15 43:9	74:4 76:18	probably	54:19,23,24 60:5,6
52:10 53:20,21 65:6	portion	9:6 37:20 41:19	62:12 63:9 64:14
65:20 73:25 80:4	16:20 20:15,18 46:17	43:14 53:22 56:8	68:21 69:7 70:11
planner's	portions	65:5 66:8	72:3,8 74:12 79:15
53:3 66:14	20:19	problem	79:17
planners	position	79:9	proportions
66:8 75:14	6:16 52:18	process	20:24
planning	positive	74 23:18	proposal
15:22 16:3 20:6,10	59:15 78:19	professional	79:2,19
25:25 26:3 32:20	positives	9:17 52:10,12 55:14	proposed
52:7 57:9	38:13 81:4	65:5 66:8	13:15,24 14:2 20:20
plans	possibilities	professionals	22:25 23:23 25:5,13
62:6	80:5	44:8 62:24	25:15 27:9,22 28:13
planting	possible	prohibit	45:13,14,15 46:15
66:4 70:18,20	18:19,21 30:22	71:2	46:21,23 49:25
plantings	post-COVID	prohibits	61:15 72:12 77:5
70:17	12:10	62:25	78:20
play	potential	project	proposing
14:6 39:5	28:20	6:25 7:8 23:7 40:20	12:20 27:17 28:2
plays	potentially	69:3 73:20 75:23	53:10 63:23
32:20	12:18	79:2	prosecuting
please	PP	projects	7:5
5:16 9:20 26:10 34:6	2:19	6:5,7	protect
41:10 49:11 82:2	premise	promote	70:14 71:20 74:25
pleasing	73:23	16:4	75:25
77:20	prepared	prompting	protects
plus	9:6	6:4	70:12
70:17	present	proof	provide
point	56:25 59:22	22:18 24:17 27:12	13:23 22:11 38:11
4:16 7:18 12:2 18:11	presented	63:7	55:15 61:16
47:3 48:21 49:2	4:15	proofs	provided
50:20 58:3 61:3	present	59:7	10:2,17 11:19,24
71:15 76:7	50:8	proper	12:23 13:7,19,25
pointing	preserve	57:25	21:17 22:9,21 39:18
28:14	80:2	properly	47:11 48:2 52:12,21
points	10:2 28:17 72:13	60:24	52:23
8:12 10:19 39:15,19	78:3	properties	provider
73:18	previous	11:7 13:21 16:25	43:15
policies	12:11	35:16	provides
57:3	previously	property	14:11 21:21 74:9
policy	12:14	11:6 16:19 19:25	providing
53:23	principal	28:25 33:10,22,25	21:5 32:21
population	12:12 14:25	34:7 35:10,18,20	provision
13:2,4,12 16:14	19:17	36:15 38:22,23	26:16
		40:21 41:5,8,16	public



3:25 4:7,18 9:21	questions	5:19	43:23
22:16 48:11,23 49:3	3:23,23 25:22,24	ready	redeveloped
58:15 61:19,21	41:10 44:9 48:12,16	7:9	63:10
66:11 67:16,17	quetc	real	Reduce
72:22,25 74:16,25	3:12 4:4 32:18 47:23	3:12 15:25 52:12	65:9
75:25 83:6	69:24	55:14	reduced
public's	quickly	realistically	18:25 21:16 62:10
4:6	25:17 60:18 61:25	29:21	reducing
pull	quite	really	75:18,19
40:14,16 72:5	4:18	3:24 4:17 7:20 8:6	reduction
pulled	quote	10:19 29:7 30:13	79:25
31:16	72:15	32:2 33:5 36:11,25	reevaluation
purpose		41:17 42:16 43:14	56:14
22:8,10,11 33:12		45:21 47:3 69:18	77:20 58:7
73:7 74:6		70:4 72:8 77:14	reevaluation
purposes		80:7,12,17,18,25	56:20,31,24 57:6,18
22:5 24:2 30:21 38:3			58:2
52:8			reference
purview			76:18
57:6			referenced
pushed			7:12
5:6			regard
PUSHPAVATI			16:22 19:12 21:23
2:12			regarding
put			18:23 19:20 22:14
10:4,12 34:16 63:25			24:7 60:16
69:19 79:14			regards
putting			23:14
26:3			regionally
			57:4
			regulations
			20:3
			reiterate
			39:20
			reiterated
			19:21
			related
			83:12
			relates
			46:9,17
			reloading
			51:19,25 52:10,13
			54:2
			relation
			44:13



relationships	28:8 30:11 52:25	roused	Rock
20:10	53:9,18 56:23 62:24	50:11 51:3 56:6	1:6 3:1,4 4:1 5:1 6:1
relative	63:4 74:22	59:21,24	7:1 8:1 9:1 10:1
54:24	requirement	reverse	11:1 12:1 13:1 14:1
relatively	17:21 61:7	32:18 47:5	15:1 16:1 17:1 18:1
13:18 56:17	requirements	review	19:1 20:1 21:1 22:1
relief	27:6 32:8 33:17 63:5	61:4	23:1 24:1 25:1 26:1
20:4,23 32:21	requres	reviewed	27:1 28:1 29:1 30:1
rely	61:8	35:16	31:1 32:1 33:1 34:1
53:24	reserving	revised	35:1 36:1 37:1 38:1
remains	48:23	66:7	39:1 40:1 41:1 42:1
9:13 22:25 31:6	residential	Ricci	43:1 44:1 45:1 46:1
remember	11:7 14:20 17:23	3:21 4:3,8,20 6:24	47:1 48:1 49:1 50:1
68:20	18:14 33:10 36:7,9	9:11,14,19,25 10:4	51:1 52:1 53:1 54:1
remembers	36:11 37:3	10:15 25:25 26:8	55:1 56:1 57:1 58:1
3:17	residents	27:4 28:16 32:11,16	59:1 60:1 61:1 62:1
remind	15:19 80:22	32:23 33:8 34:7,20	63:1 64:1 65:1 66:1
26:14	respect	36:17,25 37:11 39:9	67:1 68:1 69:1 70:1
remove	6:17 9:23 46:3 66:4	39:25 40:4,16,22	71:1 72:1 73:1 74:1
39:22	respectfully	41:9,17 42:10,17,21	75:1 76:1 77:1 78:1
removed	54:25	43:2,6 44:9,14	79:1 80:1 81:1 82:1
18:10	respond	45:17 47:9,15,18	
rental	58:15	48:6 50:15 54:11	role
6:4	responded	59:14 71:13 72:3	32:21
repair	80:20	Ricci's	roof
35:5	response	48:12 69:25 72:15	14:22
repeat	58:20 61:16	Rich	room
44:12	restriction	44:6 64:5 81:12	79:19
replaced	64:14	RICHARD	Rosalind
71:11	result	2:9	49:13
report	16:19 19:18 20:5	right	Roseland
37:12 56:22 57:6,21	24:5	3:2,21 5:7,9 8:4 9:12	2:4
reported	13:14	11:5 25:24 27:16	rough
11:21 12:5	REPORTER	31:16 34:10 41:22	40:8,19
reports	1:18	42:14,14 47:13	Route
57:19 65:7	request	48:10,14,19,23	11:20 15:12,13 20:8
55:2	20:12	55:21 56:15 61:23	24:3 28:5 35:2
requested	retention	68:8,13 72:20 74:12	41:21 52:15 54:3,10
21:10 51:11,16	69:5	74:13 78:21 81:6,12	54:17,25
require	retirement	road	ROWE
17:5,9 80:3	11:12	19:8 28:5 30:11	2:2
required	retrospect	66:22	ROXBURY
17:4 20:2 27:23 28:7	70:9	roads	2:7
	return	60:12	RPR
	3:22	roadway	1:19
		18:6 23:24 65:2	run
			27:14



runoff	second	21:24 23:21 24:19	show
39:16 76:6	46:13 47:2 81:22,23	24:22,25 25:12	66:2
rushing	section	35:11 37:6 41:12	showed
10:14	24:9 39:11 61:9	44:18 45:2 54:2,8	23:25
	sections	54:10 61:10 65:21	showing
	56:23	65:25 77:6 79:7	27:7
	sector	semantics	shrubbery
	6:9	30:7	69:19
	secured	senior	shrubs
	81:3	11:14	23:4 66:5
	see	sense	shruak
	73:5	15:22,24,25 77:14	69:17
	safety	sensitive	Sleat
	51:17 52:5	16:7	2:16 76:24,25
	SARMAD	sensitivity	side
	2:19 44:10 45:11,23	23:24	20:13 42:20 67:9,21
	46:4,21 47:20 56:21	sensors	72:8
	57:12,15,19 82:3,5	66:18	sides
	82:7,9,11,13,15,17	sentences	60:12 66:17
	satisfaction	5:23	sight
	65:10 66:9,15 67:12	seriously	40:22
	Saturdays	71:17	sign
	64:24	serves	64:19 66:2
	saw	22:5 63:11 74:6	Signage
	35:22 53:12 77:17	service	65:18
	78:25	11:17 13:24	significant
	saying	Services	6:10 18:22 23:5
	10:10 53:9 55:19,20	1:22	51:15 53:23
	62:4	set	significantly
	saye	83:9,16	37:24
	54:15 79:7	setback	signs
	scale	20:13 42:7	64:25 66:3
	17:16 19:15 38:14	setbacks	similar
	42:5 43:10	20:2,17,22 28:5 32:8	28:17 44:3 67:11
	scheduled	74:3	staple
	33:5	seven	70:19 74:17
	school	39:14	single-family
	37:9,15	sewer/utility	33:9 37:21
	schools	65:3	single-storage
	23:12	shape	15:4
	so	33:16,19 43:22 76:10	single-story
	21:7	76:14	13:21 31:15 46:13
	seat	shaped	str
	58:6	self-storage	9:10 26:15 68:14
	seated	5:20,25 6:6 7:24 9:4	sit
	3:21 9:12	13:15 14:11 15:3	58:5



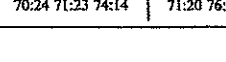
site	63:19	spend	53:23,25 77:12
12:16 14:21 16:2,13	someone's	5:12 10:23	statewide
17:24 18:9,20,22	33:25	spending	57:4
19:17,22 20:10 22:6	Somerset	6:23	station
23:10 25:15 27:8,13	12:4 55:12 83:3	spillage	34:17,18,20 35:7
28:12,19 29:22 31:5	somewhat	66:25	66:12
31:15 34:25 36:24	23:2 30:4 75:12	spirit	stations
38:15 39:14 41:2	soon	39:2,4 73:12,13 75:8	11:17 26:4 34:22
46:9,17 50:15 51:20	56:17	spoke	statutorily
51:21,24 52:5,6	sore	71:12	56:23
65:12 67:9 73:19	31:22	spoken	stay
80:24	sorry	55:25 56:2 78:18	5:5
sites	10:13 33:8 67:3	spots	steep
17:25	sort	26:22 72:15 81:3	16:19 38:18,19 39:3
size	4:15 33:15 53:5	spread	40:14,16 46:10
17:5 18:3 32:9 34:2	sought	45:19	71:13 73:11,17
41:14 43:21 44:3	9:24	square	step
47:12 74:3	sound	13:9,10,12,14 21:6	74:24
slash	20:6,24	29:3,17 32:12 36:23	Steve
81:13	southerly	43:13,23 46:23	58:11
slightly	66:16	50:16	STEVEN
20:7 21:5 31:4 38:10	space	as	2:5
slope	12:10 13:11,15 14:11	83:2	sidely
38:20 40:10	14:13 15:5 21:17	stabilize	70:6,9
slopes	22:9 26:17,23 31:6	41:4	stipulated
16:19,20 23:14,15,16	43:24 52:11,14	stabilized	71:3
29:14 38:18 39:3	55:11,19,20,22	40:24	stipulation
40:15,17,21,24 41:7	66:11 79:7	stabilizing	63:21 64:2
46:10 71:14 72:4	spaces	23:17	stipulations
73:11,17	17:3,6,7,9,10,12	stages	64:6 81:13
small	51:25 52:24,25 61:9	13:11	stock
41:15 47:12 69:5	61:13 62:21 72:14	standard	10:12
smaller	Spacing	19:4 50:6 51:8 58:23	stopped
38:12 43:25 47:19	66:9	63:4	3:22
79:5,9	speak	standards	storage
SMITH	15:20 33:4 49:4	19:2 24:10,14 39:11	1:6 3:1,4 4:1 5:1 6:1
2:2	56:18 61:21	51:22,23 74:21	7:1 8:1 9:1 10:1
SnapBox	speaking	11:1 12:1 13:1 14:1	11:1 12:1 13:1 14:1
62:16	37:23 49:23 52:22	11:2 34:17 73:23	15:1 16:1 17:1 18:1
snapshot	speaks	19:1 20:1 21:1 22:1	19:1 20:1 21:1 22:1
12:2	17:13 39:9	55:18 68:19,23	23:1 24:1 25:1 26:1
sold	specific	state	27:1 28:1 29:1 30:1
80:10	18:9 39:10 62:18	26:18 63:4 83:2,6	31:1 32:1 33:1 34:1
soild	specifically	stated	35:1 36:1 37:1 38:1
58:3	15:13 54:6,7,9 55:25	56:7	39:1 40:1 41:1 42:1
Somebody	56:9 73:11	statements	43:1 44:1 45:1 46:1



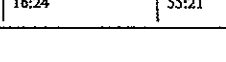
47:1 48:1 49:1,14	substantial	sure	technically
49:17 50:1 51:1	19:18 22:16,17 23:13	4:25 9:25 45:21	42:17 52:22 75:10
52:1 53:1 54:1 55:1	24:5 51:17 60:24	47:19 48:25 53:32	techniques
56:1 57:1 58:1 59:1	70:20 72:21 73:6	55:21 57:25 64:8	63:3
60:1 61:1 62:1 63:1	79:24	77:19	tan
63:19,21,24 64:1	substantially	surface	37:21 69:9 79:25
65:1,17 66:1 67:1,3	19:11 72:9 73:5	30:19 31:5	tendency
67:4,13 68:1 69:1	74:20	surrounding	77:8
70:1 71:1,5 72:1	success	18:10	terms
73:1 74:1 75:1 76:1	38:24	sustainable	17:12 19:16,16 20:9
77:1 78:1 79:1 80:1	successful	16:2	22:24 24:16 27:7
81:1 82:1	7:2,8 62:15	Sweeney	70:21 71:12,20
store	successfully	2:13 5:10,17 7:11,19	72:14
42:12 55:17	14:14	8:8 9:7,9 27:4 32:4	test
stories	Suddenly	71:14 78:16,17	35:19
42:10 45:15	5:21	79:22 82:9,10	teated
stormwater	suffice	swirling	73:15
23:17 29:11 40:25	53:16	46:5	testified
41:5 63:3,15 67:8	sufficient	sworn	7:6 9:16 26:7 35:12
67:22 72:24 74:18	7:7	7:24	35:17 39:14 60:24
76:6 77:16 79:24	suggest	sympathetic	61:7 72:4
story	8:19 50:18 52:4 59:2	76:25	testify
43:12 46:7,14,24	59:17	T	26:6
47:2,2	suggested	take	fastifying
straightforward	59:20 60:14	3:13 14:10 39:23	34:3
81:8	suggesting	40:11 43:12 64:5	testimony
street	59:12	68:10,23 70:8 71:16	3:20 4:5 5:11 7:24
64:19	suitability	80:20	9:22 10:3,18,21
structurally	27:5	takes	11:19 13:6 14:3
56:5	Suite	18:22 19:22 22:21	18:22 19:22 22:21
structure	2:3	25:25 36:15 39:18	25:25 36:15 39:18
45:13 46:25	talked	talk	43:20 47:10 48:2,12
stuff	23:19 36:2 49:6	68:17	52:9,11,21,23 53:3
80:21	sum	12:13 13:17 14:16	53:14 55:15 59:22
style	54:20	15:9,13 16:11,16	61:11 70:2 73:4
54:16	summarize	17:15 18:16 21:2,9	74:19 75:13,16 79:4
sub-basement	25:16 31:9	24:9,23,25 27:24	80:4 83:10
39:22	summary	29:11,22 31:13 38:7	testimony(6)
subdivided	10:24 69:20	44:15	83:8
60:6	summaton	4:4 15	thank
subject	4:4 9:21 48:24	supply	4:10,13,24 5:7 9:9,11
11:6	8:2 13:8	8:2 13:8	10:13,16 26:25 27:3
sublevel	72:6	support	32:4,15 41:9 44:4
72:6	subsequently	15:16 52:23 53:3	45:11 47:21 48:9,19
61:6	61:6	69:21 77:8 81:10	49:22 55:3 58:3,8,9
			58:11,13 61:17,25



63:17,18 64:4 68:12	19:24	77:18	tucked
68:13 69:23 73:22	time	42:2	42:2
76:2,3 77:9 78:6,15	4:5 9:22 10:3,23 25:2	TUESDAY	TUESDAY
79:22 81:11,24	28:11,17,18 35:12	1:2	1:2
82:18,20	45:9 49:5,7 50:20	turn	turn
thereof	55:3 57:20 58:10	4:8	4:8
52:13	73:13 82:22	turned	67:5
thing	timely	67:5	turns
28:4 45:12	3:10	turns	52:3 60:19
things	times	twice	25:19
4:21 5:6 45:6 46:10	5:18 10:11 12:22	two	3:3 4:3 19:2 28:14
58:19 70:8 78:14	14:17 27:18,20	two-single	29:3 32:12 35:21
80:17	29:13 31:10 51:12	11:6	37:19 48:3 52:24
think	68:22 69:12	type	53:10,15 60:25
4:16,17,21 5:12,23	63:11	urge	61:15 67:14,14 70:7
6:25 8:11,12,15,17	trailer	twice	75:5 81:13,14,14
8:22 11:24 12:17	63:22	two	twice
14:17 15:7 16:9	trailers	3:3 4:3 19:2 28:14	twice
18:3,21 23:2,7,22	45:2	29:3 32:12 35:21	twice
25:8,14 28:16,19	transcripts	37:19 48:3 52:24	twice
29:2,21 30:3,6	7:14	53:10,15 60:25	twice
31:10,14 32:12 33:6	transitionally	61:15 67:14,14 70:7	twice
34:11 41:2 42:6,21	74:6	75:5 81:13,14,14	twice
44:15,16,21 45:3	tonight	twice	twice
48:2,3 50:22 54:11	3:3,8,13,22 4:2 12:21	twice	twice
55:18 57:12 60:2	48:5 59:15 74:16	twice	twice
67:16 70:13,14	top	twice	twice
71:15,17,17 72:13	52:4	twice	twice
73:3,9 75:8 76:6,15	tops	twice	twice
77:7,12,22 78:2,11	71:21	twice	twice
78:17,18,21,22	total	twice	twice
79:18 80:5,7,16,18	13:10 48:3	twice	twice
80:19,23,24 81:2,4	totals	twice	twice
thinking	13:11	twice	twice
46:16	78:17,18,21,22	twice	twice
third	79:18 80:5,7,16,18	twice	twice
40:4,12 72:6	80:19,23,24 81:2,4	twice	twice
thought	thinkng	twice	twice
9:8 14:8,16	46:16	twice	twice
thousand	third	twice	twice
32:2	40:4,12 72:6	twice	twice
three	thought	twice	twice
27:18,19,20 29:13	9:8 14:8,16	twice	twice
37:22 51:12 54:14	thousand	twice	twice
60:12 66:5	32:2	twice	twice
three-acre	three	twice	twice



39:10	utility	vision	wasn't
unfair	32:24	68:23	25:17 28:22 39:17
54:23		visiting	45:23 58:3
unimproved	V	35:16	watch
21:12	vacaney	visual	10:6
unlike	12:4 55:11	45:4	Watchng
unnt	vacant	volume	42:15
unit	11:23	34:23 70:3	water
65:13,17,21,24,25	value	Vosseller	39:16
units	36:8	73:2	way
6:4 7:24 9:4 13:20	van	vote	1:6 6:4 17:5 28:24
36:20 37:18 62:20	26:24	64:9 71:17,20 73:19	33:19 46:17 63:10
65:13,20	variance	75:21 76:21 79:21	74:14 75:15 77:2
unmet	20:4,23 28:22 29:20	81:25	83:13
13:16	46:3 47:8 50:22	visiting	we'll
unusually	52:24 53:5 58:25	77:22	4:6,11 68:10
74:8	59:8,18 61:5,6	W	we're
Update	variances	9:23 10:20,22,23	10:25 11:2 17:11
66:2	9:23 10:20,22,23	19:20 21:10 22:15	30:3,7 32:2 33:23
uphill	19:20 21:10 22:15	24:4 27:10,15 28:9	46:15 48:10 64:3
17:23	32:9,22 46:20,22	48:2,4 50:19,21	68:9,16 69:13 71:20
75:21	51:6,7,8 59:13,25	60:5,7,9,13,15,23	75:11
ussible	61:2 62:8 63:7 80:3	61:2 62:8 63:7 80:3	we've
43:24	use	8:9 11:14 12:18	10:25 11:2 17:11
use	8:9 11:14 12:18	14:18,19 17:13	30:3,7 32:2 33:23
14:18,19 17:13	18:20 20:11 22:6,7	22:24 23:10 24:17	42:19 24:43 44:4
25:11 27:9,14 28:14	31:3 32:25 33:12,15	35:8 36:6,10,12,16	49:5 54:15,16,17
37:4 45:9,13 50:22	37:4 45:9,13 50:22	51:10,11 54:16,19	81:20,21 82:5,6
58:24 60:4 62:19	63:11 70:10 72:16	75:15 77:6,13 78:22	weigh
81:13,14	uses	11:10,18 12:12 14:25	7:16
understanding	11:10,18 12:12 14:25	17:23 18:10 22:12	weighing
10:15	understood	23:9 34:12,16 36:14	34:12
undertaken	77:4	37:3 56:3 80:12	weight
undeveloped	undeveloped	35:6 36:3 37:16 60:4	70:2



west 50:14 67:9,21 westbound 41:23 42:20 westerly 66:17 western 72:7 Westlake 3:11,14 4:14,25 48:15,18 49:8,12,13 49:18,21,23 53:11 53:19 55:6,9,13,23 57:24 58:5,9,13,21 58:22	38:14 world 12:10 worry 4:22 worthwhile 5:13 wouldn't 75:7 written 28:25 wrong 53:13 wrote 60:17 www.MagnaLS.com 1:23	31:7,20 33:18 44:13 51:13,14 73:7 77:14 zones 21:19,22 44:13,14 zoning 1:1 28:25 32:21 33:19,23 38:2,4,21	15 14:4 15:1 66:6 68:22 15,000 37:17 16 16:1 17:12 57:14 16.1 12:4 17 17:1 170,000 13:10 18 18:1 180 18:13 19 19:1
WEHEREOF 83:15 wide 18:2 31:25 32:2 wider 21:5 widest 20:15 WILLIAM 2:20 window 10:8 66:24 windows 66:22,23 winners 26:11,11,13,15,23 27:2 72:3 wise 44:2 WITNESS 83:15 witness(es) 83:10 witnesses 8:25 work 47:13 68:2 working 56:16 62:23 65:25 77:18 works	www.MagnaLS.com 1:23 X Y yard 20:13,17,22 yards 20:25 29:8 yeah 7:17 34:8 41:11 42:10 69:24 76:10 77:11 80:25 year 6:6,8 years 6:2,11 12:11 43:7 54:14 62:14 69:10 yesterday 42:20 York 5:18 12:22 Z zero 28:3,20 32:11 zone 11:3,5,10,10,17 15:2 19:12,19 22:17 23:20 24:6 29:24	0 07068 2:4 08807 1:7 1 1:1 1,000 18:2 36:23 1,300 70:16 1,360 31:25 10 10:1,8 10:00 64:23 100 1:6 37:18 11 12 12:1 66:6 124 17:9 126265 24:9 39:11 13 13:1 48:2 60:22 62:8 62:9 81:13,17 14 14:1 17:12 140 23:4 143,000 13:13	1 14:4 15:1 66:6 68:22 37:17 16 16:1 17:12 57:14 16.1 12:4 17 17:1 170,000 13:10 18 18:1 180 18:13 19 19:1 Z 2 2:1 2:00 64:23 20 20:1 68:22 20:4 23:20 24:24 31:13 53:25 2005 57:16 2010 [5:9,11 38:7 53:25 2015 57:11 2022 53:24 54:5,15 56:9 56:13,19 57:20 58:4 2023 1:2 12:5,7 2024 5:19 83:16 21 21:1 21st 83:16

22 11:20 15:12,13 20:8 22:1 24:3 28:5 35:2 41:21,23 42:9,11 52:15 54:3,10,17,25	2:3 31 31:1 32 32:1 33 18:5 33:1 34 34:1 346 17:19 231 40:11 236 23:3 24 21:8 24:1 64:11 78:9 81:12 240 23:4 245 245 6:6 46:11 25:1 46:9 51:14 62:7 25:63 17:19 25:8 12:6 26 2005 5:19 21:9 26:1 62:8 27 27:1 28 28:1 29 29:1 290 18:11	46 46:1 467 17:6 72:15 47 47:1 48 19:4 48:1 49 49:1 5 35:1 44:20 45:9 35-foot 17:21 21:7 35,000 46:12 36 17:20 36:1 37 37:1 37,400 46:11 38 33:1 17:20 22:25 38:1 39 39:1 4 4:1 41:19 40 18:25 19:6 21:16,20 21:21 30:6 40:1 40,000 30:16 41 41:1 42 42:1 43 43:1 44 18:25 30:5 44:1 45 45:1	60,000 11:20 35:3 61 40:13 61:1 62 62:1 63 63:1 64 64:1 65 65:1 66 66:1 67 67:1 68 68:1 69 69:1 693 29:16,17 40:10 7 7:1 64:21 7:00 1:2 70 21:20 70:1 71 71:1 72 72:1 723,000 13:8 73 73:1 732-476-2526 74 74:1 75 2:3 75:1 76 76:1
23 23:1 23-009-ZB 1:5 23.63 17:19 231 40:11 236 23:3 24 21:8 24:1 64:11 78:9 81:12 240 23:4 245 245 6:6 46:11 25:1 46:9 51:14 62:7 25:63 17:19 25:8 12:6 26 2005 5:19 21:9 26:1 62:8 27 27:1 28 28:1 29 29:1 290 18:11	3 3:1 30 27:19 30:1 50:16 67:6 301	4 4:1 41:19 40 18:25 19:6 21:16,20 21:21 30:6 40:1 40,000 30:16 41 41:1 42 42:1 43 43:1 44 18:25 30:5 44:1 45 45:1	5 5:1 41:19 50 11:23 28:2 50:1 72:11 501 72:10 51 51:1 52 21:11 52:1 53 53:1 54 20:21 54:1 55 20:16 55:1 56 56:1 57 57:1 58 58:1 59 59:1 6 6:1 6:00 64:21,22 60 22:2 37:16 44:21 60:1



77 77:1 78 78:1 79 79:1			
8			
8:1 8:17 82:22 80 11:23 80:1 81 81:1 82 82:1 83 83:1 866-624-6221 1:23 893,000 13:12			
9			
9:1 9:00 64:21,22 90 51:15 905 72:12 92 17:10 954 23:3			

