

Minutes
REGULAR MEETING OF THE MONTVALE PLANNING BOARD

Tuesday, August 20, 2019-7:30pm

Municipal Complex, 12 Mercedes Drive in Council Chambers

Please note: A curfew of 11:15 PM is strictly adhered to by the Board. No new matter involving an applicant will be started after 10:30 PM. At 10PM the Chairman will make a determination and advise applicants whether they will be heard. If an applicant cannot be heard because of the lateness of the hour, the matter will be carried over to the next regularly scheduled meeting.

ROLL CALL:

Present: Mr. Culhane, Mr. Fette, Mr. Lintner, Mr. Stefanelli, Mr. Teagno, Mr. Zitelli, and Chairman DePinto

Also Present: Ms. Green, Borough Planner; Mr. Dour, Acting Engineer, Mr. Regan, Board Attorney; Ms. Hutter Land Use Administrator

Absent: Councilmember Curry, Ms. O'Neill, and Mr. D'Agostino

MISC.MATTERS RAISED BY BOARD MEMBERS/BOARD ATTORNEY/BOROUGH

ENGINEER: none

ZONING REPORT: Mr. Fette gave his report. Plans were dropped off for 110 Summit Avenue for review and they have received their approval from the DCA. Ms. Hutter stated that no permits should be issued as they have not complied with the Developer's Agreement as of yet and the Agreement hasn't been signed. Mr. Fette stated he was aware and no permits will be issued.

ENVIRONMENTAL COMMISSION LIAISON REPORT: Mr. Zitelli stated that they discussed plastic bags and their drop off places. The trail around Memorial will be done by next year along with the dredging of Huff Pond.

SITE PLAN COMMITTEE REPORT: Mr. Stefanelli gave his report. 3 Flintlock came in for an outdoor kitchen. It was deemed as a di minimus change and can go through the building department. Mr. and Mrs. Very of 54 Woodland is looking to build a new house. They will need a height variance. They want to live in the old house until the new house is built and a bond will be needed to be posted. They will make their changes and come file an application. The third applicant was Waypoint, 127 Summit for an adult community. They will be moving forward at a later date. Wegmans came in for signs. It was deemed di minimus and it can be done through the building department. Benjamin

Moore came in for outdoor solar panels and they are going to come back before the board after taking another look at the plan as the committee was not totally in favor.

CORRESPONDENCE: on the back table

APPROVAL OF MINUTES: May 7, 2019: A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane. A roll call vote was taken with all present voting aye.

June 18, 2019: A motion to approve was made by Mr. Stefanelli and seconded by Mr. Lintner. A roll call vote was taken with all present voting aye.

July 2, 2019: A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. A roll call vote was taken with Mr. Teagno and Mr. Zitelli abstaining and all others voting aye.

July 16, 2019: A motion to introduce was made by Mr. Lintner and seconded by Mr. Teagno. A roll call vote was taken with Mr. Zitelli abstaining and all others.

DISCUSSION: none

USE PERMITS:

1. **Block 1102 Lot 1-Master Roofing & Siding, Inc. -1 Paragon Drive, Suite 122 (3,259 sq. ft.)** Mr. Mancinelli came forward representing the applicant, Aron Weinberger. Chairman read the application into the record. Signatures were identified. Mr. Weinberger is the operation manager. They are currently located in Monsey. They are expanding and take this office space for general office space. They will not store any materials and no customers will be coming to the site. Parking of vehicles will not be permitted and was discussed. They will have people for sales, accounting, billing and proposals. A CCO inspection will be needed. A motion to approve was made by Mr. Stefanelli. A roll call vote was taken with all present voting ayes.
2. **Block 2002 Lot 2 PKA Technologies, Inc. c/o Red Realty LLC-3 Paragon Drive-(3,282 Sq. Ft.)-** Mr. Mancinelli came forward representing the applicant Ms. Felise Katz. Chairman read the application into the record. Applicant will be applying for a sign for the outside monument sign. Signatures were identified. MS. Katz gave an overview. She is moving from Suffern Company and they are an IT company. Back office type of environment of accounting and sales. They will be having clients and customers approximately 2. No parking of vehicles. A CCO inspection will be needed. They are full time employees. A motion to approve was made by Mr. Teagno and seconded by Mr. Culhane. A roll call vote was taken with all present voting ayes.

PUBLIC HEARINGS (CONT):

1. **Block 3201 Lot 4-Ridgecrest Realty Associates, Inc.-21 Philips Parkway-** Application for Conditional Use and Variance Approval, Major Soil Moving Permit Approval, Bulk Variance Approval, EIS Approval and Site Plan Waiver-**at the applicant's request carried to September 3, 2019**

PUBLIC HEARINGS (NEW):

1. **Block 603, Lots 34,35 and 36-The Metropolitan Home Development at Weirmus, LLC -55-61 Magnolia Avenue-Preliminary and Final Major Subdivision Application, and Soil Movement Application-** See transcript. Carried to September 3rd.
2. **Block 301, Lots 2 and 3-** 160 Spring Valley Road, LLC and 47th Street, LLC - 160 Spring Valley Road-Amended Site Plan –**Due to the lateness of the hour this Application will be carried to September 17**

RESOLUTIONS:

1. **Block 3302 Lot 1 and Block 204 Lot 2(Woodcliff Lake)-Hornrock Properties MPR, LLC-1 Sony Drive-**Applicant is amending its application to request a variance pursuant to NJSA 40:55D-70C(2)-Amended Site Plan Application – Mr. Wolfson came forward along with Mr. Elliot Hornblass and Mr. David Hornblass. Chairman read by title only. A motion to introduce was made by Mr. Lintner and seconded by Mr. Teagno. Mr. Regan went over the changes. –**See Transcript**. A roll call vote was taken with all present voting ayes.
2. **Block 2903 Lot 4-Dionysios & Victoria Visassopoulos-354 West Grand Avenue-Soil Movement Application-** Chairman read the application into the record by title only. A motion to introduce was made by Mr. Stefanelli and seconded by Mr. Culhane. No changes. A roll call vote was taken with all present voting ayes.

Other Business-Sports courts were discussed with Darlene Green. It was the The board as not receptive of doing anything for any lot smaller than 40,000 sq. ft.

OR4 was discussed

**Open Meeting to the Public-
Adjournment- a motion to adjourn was made by Mr. Stefanelli and seconded by**

. Mr. Lintner.

Next Regular Scheduled Meeting: September 3, 2019 AT 7:30PM

PLANNING BOARD
BOROUGH OF MONTVALE
COUNTY OF BERGEN

-----X
BLOCK 3302, LOT 1 AND BLOCK 204:
LOT 2, (Woodcliff Lake) - :
HORNROCK PROPERTIES MPR, LLC -:
1 Sony Drive. Applicant is :
Amending its application to :
Request a variance pursuant to:
NJSA 40:55D-70C(2) - Amended :
Site Plan Application :
-----X

Tuesday, August 20, 2019
Council Chambers
12 Mercedes Drive
Montvale, New Jersey
Commencing 7:30 p.m.

B E F O R E:

JOHN DePINTO, CHAIRMAN
FRANK STEFANELLI, VICE CHAIRMAN
JOHN CULHANE
JIMMY D'AGOSTINO
WILLIAM LINTNER
MAGGIE O'NEILL
DANTE TEAGNO
ROBERT ZITELLI

ROBERT REGAN, ESQ., BOARD ATTORNEY
LORRAINE HUTTER, BOARD SECRETARY
CHRISTOPHER DOUR P.E., P.P.

Maser Consulting P.A. Project Manager
JEFFREY FETTE, CONSTRUCTION CODE OFFICIAL
DARLENE GREEN, PLANNER

A P P E A R A N C E S:

DAY PITNEY, LLP
BY: PETER J. WOLFSON, ESQ.
One Jefferson Road
Parsippany, New Jersey 07054
(973) 966-6300
Attorneys for the Applicant

HUDSON COURT REPORTING & VIDEO

1-800-310-1769

1 CHAIRMAN DePINTO: Good evening, Mr.
2 Wolfson.

3 Have you had an opportunity to review with your
4 clients the book that Mr. Regan wrote often referred
5 to as a resolution?

6 MR. WOLFSON: We did.

7 And we're excited to see the movie come out
8 soon.

9 CHAIRMAN DePINTO: Did you communicate
10 with him any requests for changes?

11 MR. WOLFSON: We did.

12 CHAIRMAN DePINTO: And, Mr. Regan, have
13 you completed those changes?

14 MR. REGAN: The ones that I found
15 acceptable, yes.

16 CHAIRMAN DePINTO: And are there any other
17 changes or corrections that were brought to your
18 attention?

19 MR. REGAN: Yes, by one Board Member.

20 CHAIRMAN DePINTO: Okay. So with that
21 said, first I'm going to call for a motion to
22 introduce the resolution and then we'll go over the
23 changes that are necessary.

24 I'll read by title, the resolution is entitled
25 Borough of Montvale Planning Board resolution granting

1 preliminary and final site plan approval, variance
2 relief and waivers to Hornrock Properties MPR, LLC for
3 premises designated as Block 3302, Lot 1.

4 Anyone care to make a motion to introduce.

5 MR. LINTNER: So move.

6 CHAIRMAN DePINTO: Mr. Lintner.

7 Is there a second?

8 MR. TEAGNO: So move.

9 CHAIRMAN DePINTO: Mr. Teagno.

10 Is there anyone from the public that is here --

11 MR. REGAN: Park Ridge legal counsel?

12 CHAIRMAN DePINTO: Or Park Ridge legal
13 counsel.

14 MS. HUTTER: Mr. Alampi is away.

15 CHAIRMAN DePINTO: Mr. Alampi is away.

16 And Mr. O'Sullivan?

17 (Off the record.)

18 CHAIRMAN DePINTO: Well, it is what it is.

19 With that said, Mr. Regan, changes and
20 corrections.

21 MR. REGAN: Okay. We begin on Page 2.

22 CHAIRMAN DePINTO: We've a long evening.

23 MR. REGAN: A long way.

24 Paragraph 1, just a clarification, the last
25 sentence of Paragraph 1 where it says the property is

1 currently vacant, with the exception of parking and
2 related improvements as noted.

3 I'll do that again, with the exception of
4 parking and related improvements as noted above comma.

5 On Page 5, in the middle of the page is a
6 reference to the Sony campus as 37.7 acres. It would
7 be changed to 37.2.

8 CHAIRMAN DePINTO: Hold on one second.
9 I'm sorry, page?

10 MR. REGAN: In the middle, Page 5 in the
11 middle.

12 CHAIRMAN DePINTO: 37.7 changed to --

13 MR. REGAN: 37.2.

14 All right. Page 6, Paragraph 6, four lines up
15 from the end of that paragraph references twenty-two
16 (22) three bedroom units in parenthesis. It should be
17 corrected to reflect that.

18 Page 9, Paragraph 15, fourth sentence, strike
19 that sentence as written and change it to read as
20 follows. The use of the fence on the west side of the
21 detention basin may prove difficult due to the
22 existing grade. I'll repeat that again. Use of a
23 fence on the west side of the detention basin may
24 prove difficult due to the existing grade.

25 Page 14, just after the middle of that page

1 where it says Mr. Minno confirmed that there would be
2 a total of 172 employee parking spaces. The
3 clarification put a Footnote 3 after the word spaces
4 and then the footnote would read, as previously noted
5 the final plan provides for 171 podium parking spaces.
6 The reference is see Footnote 2 at Page 6, supra.
7 I'll do that again. Footnote 3 would read as
8 previously noted the final plan provides for 171
9 podium parking spaces. See Footnote 2, Page 6, supra.

10 On the next page, Page 15, the last line, next
11 to the last line on that page, the reference should be
12 to Mr. Skapinetz and not Mr. Minno, he's not the
13 architect.

14 On Page 17, Paragraph 32, fifth line, where it
15 says the plans RSIS compliance just insert the word
16 being so it would read the plans being RSIS compliant.

17 On Page 19 about the 8th line the reference is
18 to March 19th which should be 2019.

19 On Page 21 the top of the page, first line,
20 there's a reference to Footnote 3 and as you recall we
21 added Footnote 3 so that should be Footnote 4.

22 Page 30, paragraph 57, third line delete the
23 period that could be eliminated.

24 Page 35, Paragraph 67, in the middle of the
25 page, the sentence begins the main entrance drive

1 which previously traversed, insert the word back into
2 Park Ridge. Insert the word back before into Park
3 Ridge will now be entirely within Montvale comma, then
4 insert the word once the road crosses the municipal
5 boundary line for Park Ridge. So after Montvale,
6 insert once the road crosses the municipal boundary
7 line for Park Ridge.

8 Page 44, again you have the same change and
9 condition, Condition No. 5, conclusion No. 5, insert
10 the word traversed, insert the word back into Park
11 Ridge, and I'll read it, now entirely in Montvale,
12 once the road crosses a municipal boundary line for
13 Park Ridge. That's the same change of the preceding
14 one.

15 Page 52, this is Condition 6, at the end of
16 Condition 6 add the following, at such time an
17 application is filed for a soil permit the applicants
18 will seek approval of an Environmental Impact
19 Statement for a waiver pursuant to Section 128-17.10.
20 I'll read that again. At such time an application is
21 filed for a soil permit the applicant shall seek
22 approval of an Environmental Impact Statement or a
23 waiver pursuant to Section 128-17.10.

24 Now I think the last change is on top of Page
25 53, Condition 8, which reads installation of a fire

1 pump, insert the words and generator if determined to
2 be necessary by the Fire Department.

3 Those are all the changes.

4 CHAIRMAN DePINTO: Those are the changes
5 that you made.

6 Are there any question of the changes proposed
7 by the applicant or has everything been addressed?

8 MR. REGAN: I think we have agreed.

9 CHAIRMAN DePINTO: On what you had to do?

10 MR. REGAN: Yes.

11 CHAIRMAN DePINTO: Members of the Board,
12 any other changes or corrections to the resolution as
13 proposed?

14 Hearing none, Mr. Wolfson, any changes that were
15 not addressed in this resolution?

16 MR. WOLFSON: No. I would like to thank
17 Mr. Regan for taking the time to go through all those.
18 We appreciate it and we appreciate the Board
19 considering them as well.

20 MR. REGAN: Again, as the Board is aware,
21 we have incorporated the conditions of Mr. Hipolit's
22 letter and Ms. Green's letter, Exhibits A, B and C.

23 CHAIRMAN DePINTO: The applicant is here
24 this evening now it's your opportunity to say
25 something nice about us.

1 MR. HORNBLASS: Elliott Hornblass.

2 I don't want the Planning Board to get too big
3 headed but I will take this opportunity to, I guess,
4 summarize our experience over the last couple years
5 not just dealing with Mayor Ghassali but Mr. Regan,
6 Chairman DePinto and the entire Planning Board and
7 other players, Mrs. Green, et cetera, just in terms of
8 our experience as being very collaborative and very
9 helpful and understands this was a very complex issue
10 that obviously had implications on the affordable
11 housing front as well as just the normal complexities
12 of a large development.

13 And I just really wanted to take this
14 opportunity to thank everyone who is involved,
15 especially Chairman DePinto, whose leadership I think
16 was exemplary in many respects.

17 As you know we deal with a lot of different
18 towns and our experiences, a lot of these type of
19 developments our experiences are different in every
20 town.

21 I can certainly say for the record that our
22 experience with Montvale has been really second to
23 none. So I thank you all very much for dealing with
24 us on what was a very comprehensive issue.

25 CHAIRMAN DePINTO: Thank you.

1 MR. WOLFSON: And I would like to add my
2 thanks to the Board and its professionals for its
3 spirit of cooperation throughout, collaboration. I
4 think the plan was improved in many ways from when it
5 was first submitted.

6 And I thank the Board and its professionals.
7 Thank you very much.

8 CHAIRMAN DePINTO: Thank you for choosing
9 Montvale.

10 A motion has been made, it has been seconded.
11 Any further discussion from Board Members?

12 Hearing none, roll call vote, please.

13 MS. HUTTER: Mr. Culhane.

14 MR. CULHANE: Yes.

15 MS. HUTTER: Mr. Fette.

16 MR. FETTE: Yes.

17 MS. HUTTER: Mr. Lintner.

18 MR. LINTNER: Yes.

19 MS. HUTTER: Mr. Stefanelli.

20 MR. STEFANELLI: Yes.

21 MS. HUTTER: Mr. Teagno.

22 MR. TEAGNO: Yes.

23 MS. HUTTER: Mr. Zitelli.

24 MR. ZITELLI: Yes.

25 MS. HUTTER: Chairman DePinto.

1 CHAIRMAN DePINTO: Yes.

2 Okay. Thank you.

3 MR. WOLFSON: Thank you. Enjoy the rest
4 of your summer.

5 (The hearing concludes 8:25 p.m.)

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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date herein before set forth.

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

DONNA LYNN J. ARNOLD, C.C.R.
LICENSE NO. XI00991
MY COMMISSION EXPIRES 08/04/2024

A	4:23 bedroom 4:16 begins 5:25 BERGEN 1:2 big 8:2 Block 1:3,3 3:3 Board 1:1,16 1:17 2:19 2:25 7:11 7:18,20 8:2,6 9:2 9:6,11 book 2:4 Borough 1:1 2:25 boundary 6:5 6:6,12 brought 2:17	2:13,17,23 3:19 7:3,4 7:6,12,14 choosing 9:8 CHRISTOPHER 1:17 clarific... 3:24 5:3 clients 2:4 CODE 1:18 collabor... 9:3 collabor... 8:8 come 2:7 comma 4:4 6:3 Commencing 1:10 COMMISSION 11:18 communicate 2:9 completed 2:13 complex 8:9 complexi... 8:11 compliance 5:15 compliant 5:16 comprehe... 8:24 concludes 10:5 conclusion 6:9 condition 6:9,9,15 6:16,25 conditions 7:21 confirmed 5:1 considering 7:19 CONSTRUC... 1:18 Consulting	1:18 cooperation 9:3 corrected 4:17 corrections 2:17 3:20 7:12 Council 1:9 counsel 3:11 3:13 11:7 11:9 COUNTY 1:2 couple 8:4 COURT 1:25 crosses 6:4 6:6,12 Culhane 1:13 9:13,14 currently 4:1	7:1 development 8:12 developm... 8:19 different 8:17,19 difficult 4:21,24 discussion 9:11 DONNA 11:17 DOUR 1:17 drive 1:5,9 5:25 due 4:21,24
	C		D	E
	C 1:20 7:22 11:1,1 C.C.R 11:17 call 2:21 9:12 campus 4:6 care 3:4 certainly 8:21 CERTIFY 11:2 11:6 cetera 8:7 Chairman 1:12,12 2:1,9,12 2:16,20 3:6,9,12 3:15,18,22 4:8,12 7:4 7:9,11,23 8:6,15,25 9:8,25 10:1 Chambers 1:9 change 4:19 6:8,13,24 changed 4:7 4:12 changes 2:10		D 'AGOSTINO 1:13 DANTE 1:15 DARLENE 1:19 date 11:5 DAY 1:21 deal 8:17 dealing 8:5 8:23 delete 5:22 Department 7:2 DePINTO 1:12 2:1,9,12 2:16,20 3:6,9,12 3:15,18,22 4:8,12 7:4 7:9,11,23 8:6,15,25 9:8,25 10:1 designated 3:3 detention 4:21,23 determined	E 1:11,11,20 1:20 11:1 11:1 eliminated 5:23 Elliott 8:1 employee 5:2 11:7,9 Enjoy 10:3 entire 8:6 entirely 6:3 6:11 entitled 2:24 entrance 5:25 Environm... 6:18,22 especially 8:15 ESQ 1:16,21 et 8:7 evening 2:1 3:22 7:24 exception 4:1,3 excited 2:7 exemplary 8:16 Exhibits 7:22 existing
B				
B 1:11 7:22 back 6:1,2 6:10 basin 4:21				

4:22,24 experience 8:4,8,22 experiences 8:18,19 EXPIRES 11:18	4:24 granting 2:25 Green 1:19 8:7 Green's 7:22 guess 8:3	J 1:21 11:17 Jefferson 1:22 JEFFREY 1:18 Jersey 1:10 1:22 JIMMY 1:13 JOHN 1:12,13	Mercedes 1:9 middle 4:5 4:10,11,25 5:24 Minno 5:1,12 Montvale 1:1 1:10 2:25 6:3,5,11 8:22 9:9 motion 2:21 3:4 9:10 move 3:5,8 movie 2:7 MPR 1:4 3:2 municipal 6:4,6,12	P.A 1:18 P.E 1:17 p.m 1:10 10:5 P.P 1:17 page 3:21 4:5,5,9,10 4:14,18,25 4:25 5:6,9 5:10,10,11 5:14,17,19 5:19,22,24 5:25 6:8 6:15,24 paragraph 3:24,25 4:14,15,18 5:14,22,24 parenthesis 4:16 Park 3:11,12 6:2,2,5,7 6:10,13 parking 4:1 4:4 5:2,5 5:9 Parsippany 1:22 parties 11:8 period 5:23 permit 6:17 6:21 PETER 1:21 PITNEY 1:21 place 11:4 plan 1:7 3:1 5:5,8 9:4 PLANNER 1:19 Planning 1:1 2:25 8:2,6 plans 5:15 5:16 players 8:7 please 9:12 podium 5:5,9 preceding 6:13 preliminary 3:1 premises 3:3	
F	H	K	N	O	
F 1:11 11:1 fence 4:20 4:23 Fette 1:18 9:15,16 fifth 5:14 filed 6:17 6:21 final 3:1 5:5,8 financially 11:10 fire 6:25 7:2 first 2:21 5:19 9:5 following 6:16 follows 4:20 footnote 5:3 5:4,6,7,9 5:20,21,21 foregoing 11:2 forth 11:5 found 2:14 four 4:14 fourth 4:18 FRANK 1:12 front 8:11 further 9:11 11:6	headed 8:3 hearing 7:14 9:12 10:5 helpful 8:9 Hipolit's 7:21 Hold 4:8 Hornblass 8:1,1 Hornrock 1:4 3:2 housing 8:11 HUDSON 1:25 HUTTER 1:17 3:14 9:13 9:15,17,19 9:21,23,25	know 8:17	L Lake 1:4 large 8:12 leadership 8:15 legal 3:11 3:12 letter 7:22 7:22 LICENSE 11:18 line 5:10,11 5:14,17,19 5:22 6:5,7 6:12 lines 4:14 Lintner 1:14 3:5,6 9:17 9:18 LLC 1:4 3:2 LLP 1:21 long 3:22,23 LORRAINE 1:17 lot 1:4 3:3 8:17,18 LYNN 11:17	N 1:20 necessary 2:23 7:2 neither 11:6 11:8 New 1:10,22 nice 7:25 NJSA 1:6 normal 8:11 noted 4:2,4 5:4,8	O 1:11 O'NEILL 1:14 O'Sullivan 3:16 obviously 8:10 OFFICIAL 1:18 Okay 2:20 3:21 10:2 once 6:4,6 6:12 ones 2:14 opportunity 2:3 7:24 8:3,14
G	I	M	P	P	
generator 7:1 Ghassali 8:5 go 2:22 7:17 going 2:21 Good 2:1 grade 4:22	Impact 6:18 6:22 implicat... 8:10 improved 9:4 improvem... 4:2,4 incorpor... 7:21 insert 5:15 6:1,2,4,6 6:9,10 7:1 installa... 6:25 interested 11:10 introduce 2:22 3:4 involved 8:14 issue 8:9,24	MAGGIE 1:14 main 5:25 Manager 1:18 March 5:18 Maser 1:18 Mayor 8:5 Member 2:19 Members 7:11 9:11	P 1:20,20		
	J				

previously 5:4,8 6:1	4:10,13 7:8,10,17	seek 6:18,21	time 6:16,20 7:17 11:4	word 5:3,15 6:1,2,4,10 6:10
proceedings 11:3	7:20 8:5	sentence 3:25 4:18	title 2:24	words 7:1
professi... 9:2,6	related 4:2 4:4	4:19 5:25	top 5:19 6:24	written 4:19
Project 1:18	relative 11:7,9	set 11:5	total 5:2	wrote 2:4
Properties 1:4 3:2	relief 3:2	side 4:20,23	town 8:20	<hr/> X <hr/>
property 3:25	repeat 4:22	site 1:7 3:1	towns 8:18	X1 3:7
proposed 7:6 7:13	reported 11:4	Skapinetz 5:12	transcript 11:3	XI00991 11:18
prove 4:21 4:24	REPORTING 1:25	soil 6:17,21	traversed 6:1,10	<hr/> Y <hr/>
provides 5:5 5:8	Request 1:6	Sony 1:5 4:6	true 11:2	years 8:4
public 3:10	requests 2:10	soon 2:8	Tuesday 1:8	<hr/> Z <hr/>
pump 7:1	resolution 2:5,22,24 2:25 7:12	sorry 4:9	twenty-two 4:15	Zitelli 1:15 9:23,24
pursuant 1:6 6:19,23	7:15	spaces 5:2,3 5:5,9	type 8:18	<hr/> 0 <hr/>
put 5:3	respects 8:16	spirit 9:3	<hr/> U <hr/>	07054 1:22
<hr/> Q <hr/>	rest 10:3	Statement 6:19,22	understands 8:9	08/04/2024 11:18
question 7:6	review 2:3	Stefanelli 1:12 9:19 9:20	units 4:16	<hr/> 1 <hr/>
<hr/> R <hr/>	Ridge 3:11 3:12 6:2,3 6:5,7,11 6:13	strike 4:18	use 4:20,22	1 1:3,5 3:3 3:24,25
R 1:11,20 11:1	6:13	submitted 9:5	<hr/> V <hr/>	1-800-31... 1:25
read 2:24 4:19 5:4,7 5:16 6:11 6:20	right 4:14	summarize 8:4	vacant 4:1	12 1:9
reads 6:25	road 1:22 6:4,6,12	summer 10:4	variance 1:6 3:1	128-17.10 6:19,23
really 8:13 8:22	ROBERT 1:15 1:16	supra 5:6,9	VICE 1:12	14 4:25
recall 5:20	roll 9:12	<hr/> T <hr/>	VIDEO 1:25	15 4:18 5:10
record 3:17 8:21	RSIS 5:15,16	T 11:1,1	vote 9:12	17 5:14
reference 4:6 5:6,11 5:17,20	<hr/> S <hr/>	take 8:3,13	<hr/> W <hr/>	171 5:5,8
references 4:15	S 1:20	Teagno 1:15 3:8,9 9:21 9:22	waiver 6:19 6:23	172 5:2
referred 2:4	says 3:25 5:1,15	9:22	waivers 3:2	19 5:17
reflect 4:17	second 3:7 4:8 8:22	terms 8:7	want 8:2	19th 5:18
Regan 1:16 2:4,12,14 2:19 3:11 3:19,21,23	seconded 9:10	testimony 11:3	wanted 8:13	<hr/> 2 <hr/>
	SECRETARY 1:17	thank 7:16 8:14,23,25 9:6,7,8 10:2,3	way 3:23	2 1:4 3:21 5:6,9
	Section 6:19 6:23	thanks 9:2	ways 9:4	20 1:8
	see 2:7 5:6 5:9	think 6:24 7:8 8:15 9:4	we'll 2:22	2019 1:8 5:18
		third 5:22	we're 2:7	204 1:3
		three 4:16	We've 3:22	21 5:19
			west 4:20,23	22 4:16
			WILLIAM 1:14	<hr/> 3 <hr/>
			Wolfson 1:21 2:2,6,11 7:14,16 9:1 10:3	
			Woodcliff 1:4	

<p> 3 5:3, 7, 20 5:21 30 5:22 32 5:14 3302 3:3 3302, LOT 1:3 35 5:24 37.2 4:7, 13 37.7 4:6, 12 <hr/> 4 <hr/> 4 5:21 40:55D-7... 1:6 44 6:8 <hr/> 5 <hr/> 5 4:5, 10 6:9 6:9 52 6:15 53 6:25 57 5:22 <hr/> 6 <hr/> 6 4:14, 14 5:6, 9 6:15 6:16 67 5:24 <hr/> 7 <hr/> 7:30 1:10 <hr/> 8 <hr/> 8 6:25 8:25 10:5 8th 5:17 <hr/> 9 <hr/> 9 4:18 966-6300 1:23 973 1:23 </p>				
--	--	--	--	--