

August 20, 2026

**MANALAPAN ZONING BOARD OF ADJUSTMENT
MINUTES OF THE REGULAR MEETING
Thursday, August 20, 2026
TOWNSHIP OF MANALAPAN
Manalapan, NJ 07726
Public In-Person Meeting**

Chairman Leviton called the meeting to order with the reading of the Open Public Meetings Act at 7:00 p.m., followed by the salute to the flag.

Board Secretary, Janice Moench, took the roll call of the Board.

In attendance at the meeting: Joshua Shalika, John Harrington, Stacy Klompus, Jessica Levenson, Patrick Hughes, Stephen Leviton

Absent from the meeting: Basil Mantagas, Michael Wechsler, Daniel Pochopin, Adam Weiss

Also, present

Albert Marmero, Zoning Board Attorney
Brian Boccanfuso, Zoning
Officer/Administrative Officer/PE
Jennifer Beahm, Board Planner
Jordan Rizzo, Board Engineer
Janice Moench, Recording Secretary/Asst.
Administrative Officer

MINUTES:

A Motion was made by Mr. Shalika, Seconded by Mr. Shalika, to approve the Minutes of **August 6,2026** as written.

Yes: Shalika, Klompus, Harrington, Levenson, Latilla, Leviton
 No: None
 Abstain: None
 Absent: Mantagas, Wechsler, Pochopin, Weiss,
 Not Eligible: Weiss, Hughes

August 20, 2026

RESOLUTIONS:

A Motion was made by Ms. Klompus, Seconded by Mr. Shalika to approve the Resolution of Approval to be memorialized for **Application ZBE2611, Riquito/Pracaccini:**

Yes: Shalika, Klompus, Harrington, Levenson, Leviton
No: None
Abstain: None
Absent: Mantagas, Wechsler, Pochopin, Weiss
Not Eligible: Latilla, Weiss, Hughes

PUBLIC HEARING (s):

Application No: ZBE2529

Applicant: PRC Development Co., Inc.
Proposal: Car Wash
Request: Preliminary & Major Final Major Site Plan & Use Variance
Location: 258 Monmouth Rd.~ 84.02/3.04
Zone: LB-S

Please see the attached transcript of the of the above proceedings by Rizman Rappaport Certified Court Reporters***

Chair Leviton opened the meeting to the public for questions or comments on any non-agenda items. Seeing there was none, Chair Leviton closed the public portion of the meeting.

ADJOURNMENT:

A Motion was offered by Mr. Harrington to adjourn the meeting at 9:10PM. All were in favor and none opposed.

Respectfully Submitted,

Janice Moench
Recording Secretary

RECORDING OF THE ZONING BOARD OF ADJUSTMENT IS AVAILABLE FOR REVIEW, IN THE PLANNING/ZONING BOARD OFFICE BY APPOINTMENT.

In The Matter Of:
In Re: PRC Development Co.

Transcript of Proceedings
August 20, 2026



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Min-U-Script® with Word Index

1 TOWNSHIP OF MANALAPAN
2 ZONING BOARD OF ADJUSTMENT
3 Thursday, August 20, 2026
4 Commencing at 7:01 p.m.

STENOGRAPHIC
TRANSCRIPT OF
PROCEEDINGS

5 IN THE MATTER OF:

6 Application No. ZBE2529
7 PRC Development Co., Inc.
8 258 Monmouth Road
9 Block 84.02 Lot 3.04

B E F O R E:

10 TOWNSHIP OF MANALAPAN
11 MEMBERS OF THE
12 ZONING BOARD OF ADJUSTMENT

13 Stephen Leviton - Chairman

14 Joshua Shalika - Vice Chairman

15 Stacey Klompus - Board Member

16 John Harrington - Alternate

17 Jessica Baker Levenson - Alternate

18 Temika Latilla - Alternate

19 Patrick Hughes - Alternate

20
21
22
23
24 STENOGRAPHICALLY REPORTED BY:
25 MELISSA MORMILE, CCR, RDR, License No. 30X100223800

1 (Time noted; 7:01 p.m.)

2 CHAIRMAN LEVITON: I call this
3 meeting to order and ask everyone to stand for the
4 for the flag salute.

5 (Pledge of Allegiance.)

6 CHAIRMAN LEVITON: Section 5 of the
7 Open Public Meetings Act: Notice of this meeting of
8 the Manalapan Township Zoning Board of Adjustment
9 was sent and advertised in the Asbury Park Press. A
10 copy of the notice was posted on the bulletin board
11 where public notices were displayed in the municipal
12 building. In addition, a copy of this notice is and
13 has been available to the public and is on file in
14 the office of the municipal clerk.

15 Accordingly, this meeting is in
16 compliance with the Open Public Meetings Act.

17 Roll call, please.

18 (Roll call taken.)

19 (Regular meeting continued.)

20 CHAIRMAN LEVITON: Board members,
21 thank you for coming tonight.

22 The weather is quite adverse, but I
23 appreciate everyone being here. There are a number
24 of regular board members who are absent this
25 evening.

1 All of the alternates, the applicant
2 at tonight's hearing seeks a use variance. It's a
3 decision that carries a substantial weight and
4 implications for our community. It is vital to
5 remember that in order for the variance to be
6 approved, we have to secure a minimum of five
7 affirmative votes.

8 Everyone's vote counts tonight.

9 Mr. Marmero.

10 MR. MARMERO: Yes.

11 CHAIRMAN LEVITON: Before we begin,
12 would you swear in Mr. Rizzo, the board engineer,
13 and Ms. Beahm, the board planner.

14 (BOARD ENGINEER AND BOARD PLANNER, sworn/affirmed:)

15 CHAIRMAN LEVITON: We have one
16 application tonight. It is No. 2529 PRC Development
17 Company Incorporated.

18 We call on their behalf Mr. Madrid.
19 Welcome, sir.

20 MR. MADRID: Thank you, Chairman.
21 Good evening, members of the Manalapan Township
22 Zoning Board. Thank you for joining us this evening
23 and for making it through the adverse weather.

24 My name is Daniel Madrid. I am the
25 attorney for the applicant PRD Development Co., Inc.

1 The subject property this evening is Block 84.02 Lot
2 3.04 located in the LBS Limited Business Smithburg
3 zone. The property is located at 258 Monmouth Road.

4 It's important to note that this is
5 not a permitted use in the LBS zone, therefore a use
6 variance is required under N.J.S.A. 40:55D-70(d)(1).

7 What we are proposing this evening is
8 a 4,500-square foot car wash in a modern
9 state-of-the-art building. It is a tunnel-style car
10 wash together with 24 parking spaces, 20 of which
11 are vacuum-style spaces for self-service vacuums for
12 the customers at the car wash.

13 In addition, the applicant proposes
14 two detention basins, drive aisles, landscaping, and
15 lighting.

16 As part of the application this
17 evening, I will be presenting the testimony of four
18 witnesses.

19 First I will be presenting my
20 professional engineer, Joe Holzapfel from Bohler
21 Engineering.

22 He will testify as to the site plan,
23 the site improvements, lighting, landscaping, and
24 site access, and circulation.

25 Following Mr. Holzapfel, I will be

1 presenting testimony from the traffic engineer, Paul
2 Going, who has prepared the traffic study for this
3 application.

4 I will also be presenting testimony
5 of our architect, Andy Trocchia. I do have to say
6 that Andy recently had an issue. He had a kidney
7 stone. He had to go to the emergency room. He is
8 on his way. But he is not here -- oh, he is here.

9 Finally to tie the testimony
10 together, I will be presenting testimony of
11 Christine Cofone of Cofone Consulting. She is our
12 professional planner.

13 If I could present my first witness.

14 CHAIRMAN LEVITON: You may.

15 MR. MARMERO: Do you want me to
16 swear everyone in at once; or do you want to do it
17 as they come up?

18 MR. MADRID: I think it would be
19 better to do it at once.

20 (APPLICANT'S WITNESSES, sworn/affirmed:)

21 MR. MARMERO: Go ahead.

22 DIRECT EXAMINATION

23 JOSEPH HOLZAPFEL

24 BY MR. MADRID:

25 Q. I would like to start with could

1 you tell the board about your credentials.

2 A. My name is Joe Holzapfel. I am
3 the branch manager of the Bohler Engineering Red
4 Bank office; 125 Half Mile Road - Suite 207 in Red
5 Bank, New Jersey 07701.

6 I received my Bachelor of Science
7 degree in civil engineering from NJIT. I am a
8 currently a licensed professional engineer in the
9 State of New Jersey.

10 Q. Have you previously testified
11 before other planning zoning boards in the State
12 of New Jersey?

13 A. I have.

14 Q. Are you familiar with the
15 Manalapan Township zoning ordinance?

16 A. I am.

17 Q. Were you responsible or did you
18 work under someone responsible for preparing the
19 plans that we will be speaking about this evening?

20 A. Yes.

21 MR. MADRID: I would to move to
22 have Joe accepted as an expert in civil engineering.

23 CHAIRMAN LEVITON: The board
24 accepts his credentials. We just ask: Is it
25 Mr. Cahill that he worked under?

1 THE WITNESS: Mr. Cahill is my
2 manager. Correct.

3 CHAIRMAN LEVITON: Okay. We
4 welcome you.

5 THE WITNESS: Thank you.

6 I will get right into it.

7 I do have an easel set up. I will be
8 referring to the board on the easel. Let me know if
9 anybody needs this to be reoriented at all.

10 I am going to first start with the
11 aerial exhibit here.

12 It is aerial exhibit sheet 1 of 1.
13 The date is June 18, 2026. This exhibit was
14 prepared by my office. And for reference north is
15 to the top of the page.

16 I am going to mark this A-1. Does
17 the work?

18 (Exhibit A-1 admitted into evidence.)

19 THE WITNESS: For this exhibit I am
20 going to explain some of the existing conditions.

21 As you can see, the site is circled
22 in that yellow line. It is along Monmouth Road
23 County Route 537.

24 A little bit about the site, as Mr.
25 Madrid, indicated this is 258 Monmouth Road; Block

1 84.02; Lot 3.04. The site is approximately 4.522
2 acres. It is located within the LBS Limited
3 Business Smithburg zone.

4 For some of the surrounding uses, you
5 can see generally to the north you have a lot of
6 wooded area. To the east you have some commercial
7 properties. To the west you have some more wooded
8 land. And then you also have the QuickChek and
9 Smithburg Road further. And then to the south you
10 have some farmland uses and the road.

11 The site today is currently vacant.
12 There are two existing curb cuts, we will call it,
13 along the county road, but generally vacant. There
14 are some DEP, environmentally sensitive areas at the
15 rear of the site as many of you likely know.

16 In terms of permitting, we are into
17 the DEP for flood hazard area permits as well as LOI
18 permitting. The LOI is pretty close to being done.
19 Hopefully, I will be having that very soon. The FHA
20 permitting along with the stormwater management
21 review, we currently have a permit in hand for that.

22 I am going to go to my second
23 exhibit. I will let Mr. Madrid get to it on the
24 screens.

25 CHAIRMAN LEVITON: He hasn't used

1 it yet.

2 THE WITNESS: So for the second
3 exhibit, this is entitled our overall site layout
4 plan. This is generally what was part of the
5 package sheet C-301.

6 You can see the plan has been
7 colorized. We have superimposed the landscaping on
8 top of it, but generally remains the same.

9 This exhibit is dated with today's
10 date. North again is to the top of the page for
11 reference. I will mark this into evidence as A-2.

12 (Exhibit A-2 admitted into
13 evidence.)

14 THE WITNESS: This was also
15 prepared by my office under my supervision.

16 So this plan shows essentially the
17 proposed conditions for the site. As Mr. Madrid
18 indicated, we are here for a 4,519-square foot car
19 wash, associated parking, landscaping, and other
20 features.

21 We are here for a use variance, hence
22 being at the zoning board of adjustment tonight.
23 From an access perspective, we are proposing two
24 access driveways off of the county road. The
25 eastern most driveway is a full movement ingress

1 driveway. The western driveway is a right-out-only
2 egress.

3 A couple deviations from the board
4 looking for approval tonight for those access in the
5 driveways, we are proposing a 12.9-foot offset from
6 the egress driveway to the side property line. It
7 is worth noting that that is really just for the
8 tangent point or the curb radius to the side
9 property line. The side of the actual driveway to
10 the side property line is much in exceedance of the
11 12.9 feet, but we are requesting the deviation
12 tonight.

13 We are also proposing a deviation,
14 the township code requires a maximum of 35-foot
15 depressed curb or curb cut off of the county road.
16 We are proposing a 40-foot depression for the egress
17 driveway and a 39-foot for the -- I messed those up.

18 It is a 39 -- 40 foot for the ingress
19 driveway and a 39-foot curb cut for the egress
20 driveway. We could talk about it more if anyone has
21 questions, but the main purpose of it is for the
22 truck turning maneuvers, fire trucks and all that
23 coming in and out of the site.

24 Part of some of the board
25 professional letters we received talked about the

1 easement along the front property line. That has
2 been confirmed by the county that we will be
3 requesting an easement for the site, not a
4 dedication. We do have approvals for the county for
5 the driveway configuration, some of the, you know,
6 other ancillary things they are reviewing.

7 From a circulation perspective, we
8 are proposing, generally, I will say a one-way
9 movement counterclockwise around the sides and the
10 rear of the building. And we are proposing a
11 two-way circulation or driveway or drive aisle where
12 the vacuum stalls are.

13 One of the deviations we are
14 requesting is that the township code requires
15 12-foot minimum one-way drive aisle with no parking.
16 We are proposing ten foot. However, it is pretty
17 much for a small portion, and it is really where the
18 two kiosks are trying to help channelize, get you
19 close to the kiosk. That deviation is just for the
20 two. The rest of the one-way drive aisles are at
21 least that minimum 12 foot in width.

22 There were a lot of comments from
23 board professionals about operations. I want to
24 take a minute to talk about that a little bit.

25 From a circulation perspective you

1 will enter the eastern driveway. You will be
2 traveling north essentially to the rear of the site.
3 Once you get to the rear of the site, you have three
4 lanes to choose from. Two are kiosk lanes. One of
5 those being dedicated to members. The third is a
6 bypass lane to essentially not have to go through,
7 and you can, you know, if you get stuck here and you
8 want to leave, you can use the bypass lane to simply
9 exit the site.

10 At these kiosk lanes there will be a
11 license reader RFID to help process folks through,
12 members or customers.

13 Once you do that and you pick your
14 service in this area, you will then travel south and
15 enter the tunnel from the west side of the building.
16 Once you are in the tunnel, there are approximately
17 two to three employees throughout generally. Once
18 you are in the tunnel, you are looking at about 90
19 seconds for service once you are in the tunnel to
20 leave. There is also question about do you leave
21 your car in the tunnel. You do not leave your car.
22 It is all automated. You go through. And then you
23 exit. Once you exit, you can either, you know,
24 decide to use the vacuums or exit the site. The
25 vacuums are free. And again, once you go through

1 the tunnel, you can use to use the vacuums. And
2 there are receptacles right there, so that you get
3 out of the car, use the receptacles, vacuums and you
4 can leave the site.

5 I am then going to look at the third
6 exhibit. I will probably come back to A-2, but
7 there were questions about car queuing as well. I
8 will put up an exhibit here. I am mark this into
9 evidence as A-3.

10 (Exhibit A-3 admitted into
11 evidence.)

12 THE WITNESS: This exhibit is the
13 car queuing exhibit sheet 1 of 1. It is dated June
14 18, 2026. Again, north is to the top of the page.
15 Really the purpose of this is, generally speaking,
16 right -- the car wash operator here has a site
17 similar to this -- they're anticipating no more than
18 eight vehicles to be queued at one time. We wanted
19 to show that. I will quickly go to the next exhibit
20 really for the point of saying that on Exhibit A-4
21 here we wanted to look at -- I will mark this into
22 evidence.

23 (Exhibit A-4 admitted into
24 evidence.)

25 THE WITNESS: We wanted to look at

1 what the maximum queuing could be on this site. So
2 this is called the maximum car queuing exhibit; also
3 sheet 1 of 1 dated August 18, 2026. North is again
4 is to the top of the page. Prepared by my office.

5 What you can see here is generally
6 speaking you can fit approximately eight cars in
7 each queue lane. Right? That gets you to a total
8 of 16. Then you can see a single line of cars --
9 not that we anticipate this, but until you get to
10 the right-of-way line you can fit another 13 cars.
11 That comes from the board engineer's request to
12 generally see how much queuing can be handled on the
13 site prior to essentially leaving the site or
14 exhibit the site.

15 BOARD ENGINEER: What was that
16 total number?

17 THE WITNESS: It was 29; eight in
18 each queue and 13 in the single file formation.

19 BOARD ENGINEER: Thank you.

20 THE WITNESS: I apologize for
21 flipping back and forth. I will go back to A-2 to
22 finish out my testimony.

23 Again back to A-2, the overall site
24 plan that is colorized for tonight's presentation.

25 From a parking perspective, we are

1 proposing 24 total spaces; 20 are the vacuum spaces
2 at the front of the building. Then we have an
3 additional four spaces off to the east of the
4 building.

5 There is a deviation required or
6 requested for tonight for the spaces, parking spaces
7 and loading space in the front yard, we will call it
8 -- or between the building and the right-of-way
9 line. It is worth noting that we do have you know
10 approximately 85 feet of room from the right-of-way
11 line to the parking, but we are requesting those at
12 the front of the building and manage this from an
13 operation standpoint. We have vacuums at the front
14 loading again between the building face and the
15 right-of-way line.

16 Speaking of loading, we are proposing
17 a striped loading area to the east. It has a little
18 bit of a diagonal formation, but generally clear
19 space about 22.3 feet by 56.4 feet, which meets the
20 minimum requirement.

21 From a signage perspective, I am
22 going to go through three types of signs. We will
23 condense them into three.

24 The first is the wall sign that is on
25 the front facade of the building. We are proposing

1 one compliant sign. I will have the project
2 architect talk about that a little more on
3 dimensions and how it looks on the facade. We are
4 also proposing a freestanding sign along the front.
5 It is at the southeast corner of the site. It is
6 approximately 20 feet off of the right-of-way line.
7 The reason why we set it back a little more than
8 what the town code required is because we were in
9 discussions about the easement and dedication so it
10 is set back a bit more, but it is meeting the
11 township code. And it also meets the township code
12 with regard to sign area.

13 From a perspective of, we will call
14 them directional signs, we do have several
15 directional signs kind of disbursed out meeting the
16 maximum required two-square feet, and they help to
17 understand how to get to the entrance of the car
18 wash and how to get to the vacuums and how to exit
19 the site essentially. There are several signs
20 disbursed throughout. There are six.

21 We then have two, I will call them
22 menu boards. We are putting them generally under
23 the directional sign category for purposes of the
24 ordinance. We are requesting deviations for those.
25 Those signs are 19.86 square feet. It is worth

1 noting that those menus are at the rear of the
2 building so unless you are back behind the building
3 you really wouldn't see it as you are passing by
4 from the county road out front. But we are
5 requesting that as a deviation. Again, that is
6 19.86 square feet versus the two-square foot maximum
7 that the code requires.

8 BOARD PLANNER: Can I ask for a
9 clarification. When you say six directional signs,
10 does that include the two menu board signs or is
11 that two menu boards in addition --

12 THE WITNESS: That is in addition.

13 BOARD PLANNER: So there's eight --

14 THE WITNESS: Correct.

15

16 BY MR. MADRID:

17 Q. Can you explain for the board why
18 the signs are as big as they are? The menu board
19 signs?

20 A. Yeah, the menu board signs, they
21 are fairly typical for other car washes that the
22 client has, but really it is in order to help
23 process through. There are a few options that
24 either members or not can pick from. So again,
25 just to help with more visibility being able to

1 see, pick quickly and then get into the tunnel.

2 Q. Could you just point out to the
3 board where the directional signs are and the
4 purpose of each?

5 A. Sure. There is a directional
6 sign as you enter. So this directional sign would
7 be pointing you towards the rear to say where the
8 car wash tunnel entrance is. We have a
9 directional sign, say, on the west side that helps
10 you to understand where vacuums versus car wash
11 tunnel are. We have a directional sign also on
12 the west, but pretty much in line with the vacuums
13 to allow you to know where the exit is so you
14 don't want to make right into a one-way direction.
15 You make the left out. We have a directional
16 signs -- we have three directional signs in this
17 area. One after the tunnel and two here that
18 indicate where the vacuums are and where the exits
19 are.

20 Q. Thank you.

21 A. So now I will get into the
22 stormwater management, high level. We are
23 proposing two above-ground bioretention basins.
24 They are planted. They do meet the State code
25 for, as I had indicated, we are compliant and do

1 have our permit for some of the stormwater
2 management. But we do have the basins. One is
3 located north of the development, I will call it,
4 in terms of the improved area. One is located to
5 the south along the roadway. They are meant to
6 help keep consistent drainage patterns of the site
7 as it exists today. Meaning that these basins do
8 collect a lot of the stormwater water run-off from
9 the site, then discharge everything north to the
10 environmental features at the rear similar to how
11 it is today.

12 In the rear, as I had said, we do
13 have a lot of offsets and buffers from the brook
14 that is in the back. We are complying with DEP
15 regulations in terms of the disturbances. There
16 are a few deviations that I will touch on here
17 with regard to the township code. So,
18 essentially, raising, you know, raising the grade
19 along the site, we are proposing to raise for some
20 of the stormwater implications, things like that.
21 That is a deviation.

22 We are proposing -- your code
23 requires that if you have septic on the site that
24 there is 50-foot offset. We are encroaching that,
25 however, not with the septic. That is outside of

1 the 150-foot buffer, but we are proposing
2 disturbances in that 150 feet. But everything is
3 outside of 100 feet, other than discharge points.
4 We are proposing some grading in steep slope
5 areas -- we will call it -- 15, 20 percent per
6 your code.

7 We are proposing a discharge point
8 very near the brook. Again, just more from an
9 SCD, soil conservation district perspective. The
10 discharge point has been approved by the State,
11 but that is a majority of the, I will say
12 "disturbances" that we are requesting a deviation
13 for today.

14 What else?

15 Okay. And then there was also a
16 requirement for grading of the basin being at
17 least 25 feet. We are proposing these basins in a
18 fill condition, again, to help with some of the
19 requirements from the State, but we are proposing
20 both basins to be closer. The south basin is in
21 closer proximity to the right-of-way line; and the
22 northern basin does have some grading in closer
23 proximity to the side lot line you say on the west
24 side.

25 I mentioned the septic. There was

1 a few comments about septic and what goes to that.
2 Just to make sure clarify, we had spoken with the
3 client and all of that. Really all that septic is
4 for is for the bathroom that is in the building.
5 Any of the car wash water that might be, you know,
6 happening inside the tunnel will remain inside the
7 tunnel, and there is a system that can help with
8 that. But that water will not go to the septic.

9 So there is questions about that
10 requiring, you know, more State permitting for
11 that. We do not need that because it is only that
12 bathroom.

13 From a delivery and trash pickup
14 standpoint, we do have a dumpster at the northeast
15 corner of the property following my laser there.
16 We have the trash dumpster. Pickup will be by a
17 private hauler. It will be on an as-needed basis
18 and can be shifted depending on what is needed for
19 here, put it is a private hauler, and the truck
20 will circulate as anybody else will using the
21 bypass lane.

22 From a landscape and lighting
23 perspective, you can see that there are a lot of
24 landscaping that is being added. We are proposing
25 653 total plantings; 80 of which of those will be

1 trees, a mixture of ornamental and canopy trees;
2 482 shrubs and additional kind of grasses and
3 perennials and plantings on top of that.

4 In terms of waivers for
5 landscaping, a lot of the waivers deal with more
6 of the internal plantings. So a minimum of 15
7 percent nonresidential development will be
8 reserved for plantings. We are proposing, instead
9 of 15 percent, we are proposing 3.6 percent with
10 regard to the foundation plantings. And then 35
11 percent of the parking area will be shaded. We
12 are proposing about 5.06 percent which is an
13 increase of about 4 percent of what the plan
14 originally had. Really the reason being is a lot
15 of what we were trying to is mostly on the
16 outskirts, more of the buffering and also the type
17 of use. You have a lot of activity right around
18 the building. You are also driving into the
19 building. So it is difficult to get some of the
20 plantings, foundation plantings and plantings in
21 this area here. So that is the reason for the
22 deviation request, and we are trying to supplement
23 as much as we can on the outskirts and
24 supplementing some of the wooded area at the rear
25 of the site.

1 Lastly from a lighting perspective,
2 we are proposing seven area lights on the site.
3 We are requesting deviations for the distance, so
4 the dimension from the each light. The township
5 code requires 100 feet; we are about 146 feet.
6 Really just trying to spread the lights out to
7 provide a more efficient lighting plan, a more
8 balanced lighting plan.

9 Then would he requesting also a
10 deviation for maximum foot cantles. The township
11 code requires .05. We are proposing 1.4, however,
12 that is along front property line and mainly at
13 the access point. Again, just, you know, on the
14 rest of the property generally compliant. We are
15 looking for the deviation really along the
16 entrance areas.

17 And with that said, I think I went
18 through most of my direct.

19 CHAIRMAN LEVITON: Mr. Madrid, I
20 would ask Mr. Rizzo and Ms. Beahm hold their
21 questions in abeyance. We invite you to continue
22 with your case. And then when you are finished,
23 then we will go to our professionals.

24 MR. MADRID: Thank you.

25 THE WITNESS: Perfect.

1 MR. MADRID: I would like to call
2 my next witness, Paul Going.

3 CHAIRMAN LEVITON: Welcome.

4 THE WITNESS: Good evening.

5 DIRECT EXAMINATION

6 PAUL GOING

7 BY MR. MADRID:

8 Q. We have gotten you sworn in. Can
9 you explain some of your credentials, please.

10 A. Sure. My name is Paul Going. I
11 am a 1993 graduate of the Cooper Union for the
12 advancement of science and art where I earned a
13 Bachelor of Engineering degree in civil
14 engineering.

15 Since that time I have been working
16 as a traffic and transportation engineer. I am
17 the chief engineer for traffic planning and design
18 at TPD in our Warren, New Jersey, office. That's
19 at 30 Independence Boulevard - Suite 101.

20 I am licensed professional
21 engineer. License is in good standing. I am
22 licensed in New Jersey as well as some other
23 states. And I have testified in front of 80 to 90
24 boards, land use boards in New Jersey, the closest
25 here being Freehold, Marlboro, and Matawan here in

1 Monmouth County.

2 CHAIRMAN LEVITON: Thank you. The
3 board accepts your credentials.

4 THE WITNESS: Thank you.

5 Traffic planning and design, we
6 prepared a traffic impact analysis report for the
7 project that is dated March 24, 2026.

8 I am going to try not to go over too
9 much of the stuff that Joe just went over, but the
10 site is about four-and-a-half acres.

11 It is on westbound Monmouth Road,
12 which is also known as County Route 537. It is a
13 50-mile-per-hour urban minor arterial. It carries
14 two lanes in each direction in the vicinity of the
15 site. Further to the east and west it tapers down
16 to one lane in each direction.

17 It meets Smithburg Road and Siloam
18 Road which together form County Route 527 at a
19 signalized intersection. At that intersection,
20 Monmouth Road carries left turn lanes in both
21 directions; and Smithburg Road and Siloam Road carry
22 one through lane in each direction, plus a left-turn
23 lane and a right-turn lane there at the signal.

24 Smithburg and Siloam, as County Route
25 527, that is a 45-mile-per-hour urban major

1 collector.

2 The municipal line with Freehold
3 Township runs along Monmouth Road, and the municipal
4 line with Millstone runs along Smithburg Road, which
5 is not unusual. It is often you have a county road
6 located along municipal boundaries, which simplifies
7 the jurisdiction over that road.

8 At this time the site is vacant,
9 partially wooded encumbered by sensitive areas
10 towards the rear. And the site does have two
11 existing driveways, which were full-movement
12 driveways serving the former use.

13 What is proposed at the site is a
14 4,519-square-foot tunnel-type car wash as was just
15 described by Joe in his testimony.

16 The site would circulate
17 counterclockwise around three sides of the building.
18 And then with two queue lanes provided and a
19 bail-out lane provided. Then in front of the
20 building 20 vacuum stalls are proposed when that
21 aisle would flow two-way.

22 We're essentially maintaining the two
23 existing curb cuts in approximately their existing
24 locations, but we are proposing to restrict the
25 easterly driveways to ingress only and the westerly

1 driveway to egress only to work with the onsite
2 flow. The county has also imposed an additional
3 restriction, which is the prohibition of left-turn
4 egress. So you can only turn right coming out of
5 the site.

6 Another thing the county required was
7 that we locate our driveways and curbing a little
8 bit back from the existing edge of pavement on
9 Monmouth Road. The range is from 1 to 5 feet on the
10 other side of the road.

11 In Freehold, I am sure you are aware,
12 there is a project called the Estates of Brock
13 Farms. It's a large project. They have a lot of
14 improvements that will be constructed for that
15 project along Monmouth Road. So our driveways are
16 at the location where they should be for those
17 future improvements should they come along.

18 BY MR. MADRID:

19 Q. Could you describe for the board
20 the purpose of the traffic statement you prepared?

21 A. Sure. So the purpose of the
22 report was to analyze -- well, estimate the amount
23 of traffic generated by the project, take a look
24 at the surrounding roadways, the traffic volumes
25 on them, the capacity that they provide, as well

1 as the signalized intersection. To project the
2 future amount of traffic that would be at that
3 intersection without the project. And then to
4 project the future traffic condition at the
5 location with the project. And then analyze those
6 two conditions and compare them.

7 We also took a look at the onsite
8 queuing. We did an analysis for that. The next
9 thing that we did was we calculated the amount of
10 traffic that the site would generate.

11 To do that we used data from a
12 publication of the Institute of Transportation
13 Engineers or ITE. It is called trip generation,
14 the 12th edition. It is an industry-wide standard
15 reference that provides a compilation of data
16 collected at numerous land uses, including car
17 washes.

18 From that ITE data, we can
19 calculate the site trip generation. And that is
20 67 weekday morning peak-hour trips. So just --
21 that's two-way trips. So this is 34 cars in an
22 hour. And 110 weekday evening peak-hour trips,
23 which is 55 cars. And 145 Saturday peak-hour trip
24 s, which is 73 cars.

25 Q. Paul, did you also perform

1 traffic counts?

2 A. Yes. That was the next step in
3 our analysis. We performed the data collection at
4 the signalized intersection. And at the QuickChek
5 driveways -- the QuickChek is one property down
6 from our site and is on the northeast corner at
7 the signalized intersection.

8 So we conducted those counts on
9 Friday, March 6, 2026, from 9:00 a.m. to 12:00
10 p.m.; Friday, March 6, 2026, from 3:00 p.m. to
11 6:00 p.m.; and Saturday, March 7, 2026, from 11:00
12 a.m. to 2:00 p.m.

13 Q. How did you decide upon those
14 times?

15 A. Those data collection periods
16 were determined in consultation with the proposed
17 operator of the car wash. He operates another car
18 wash. He may operate more than one car wash. The
19 closest one to this site at the Asbury Circle Car
20 Wash. So based on his experience, those were the
21 peak times for demand at a car wash. And
22 additionally, we counted on a Friday rather than
23 another weekday because Friday is the busiest day
24 of the week for the business and Saturday is the
25 busiest weekend day.

1 We determined from our counts that
2 the Friday morning peak hour occurred from 9:00 to
3 10:00 a.m. The evening peak hour occurred from
4 4:30 to 5:30 p.m. And the Saturday midday peak
5 hour occurred from 1:00 p.m. to 2:00 p.m.

6 So while we were doing those
7 counts, we also observed operations at the Asbury
8 Circle Car Wash. It is on Route 35 in Neptune.

9 We did that on Friday, March 6,
10 2026, from 3:00 p.m. to 6:00 p.m. We didn't do
11 the morning count because we were advised by the
12 operator that evenings are busier in the colder
13 months. Morning are busier in the summer months.
14 Then we also counted on Saturday, March 7th from
15 11:00 a.m. to 2:00 p.m.

16 So with the data we collected at
17 the car wash, we compared the trip generation of
18 the Asbury Circle Car Wash as a rate per 1,000
19 square feet with the ITE rates. The ITE numbers
20 for all three peak hours we were looking at were
21 higher. So we used those numbers in our analysis.

22 In terms of queuing at the existing
23 car wash, in the weekday evening, the queue -- the
24 maximum served queue was seven cars, and on
25 Saturday the maximum served queue was nine cars.

1 So once we settled on using the ITE
2 traffic volumes for our analysis -- and the
3 purpose of counting the Asbury car site was if it
4 generated more traffic, then we would have used
5 its rates. So we calculated two ways and just
6 used the higher one.

7 So we also wanted to look at other
8 uses that are permitted in the zone because this
9 is a use variance application, and how their
10 traffic compares calculated using ITE rates.

11 So we looked at a few different
12 uses. One was a 7,500-square-foot bank that would
13 generate eight more trips in the weekday morning
14 than the car wash; 48 more trips than the car wash
15 in the weekday evening; and 52 more than in the
16 car wash on Saturday.

17 We also looked at 3,000-square-foot
18 convenience store. That would generate 124 more
19 peak-hour trips just -- by the way these numbers
20 are two-way trips. So whether it is entering or
21 exiting, it's counted -- 124 a.m. trips generated
22 -- additional trips generated by the convenience
23 store in the weekday morning; 135 additional trips
24 in the weekday evening. Compared to the car wash;
25 and 29 additional trips on the Saturday.

1 And then we also looked at
2 2,500-square-foot coffee shop, which we found
3 would generate 162 additional trips in the weekday
4 morning peak hour, but fewer trips in the weekday
5 evening and Saturday peak hour.

6 Q. Just to be clear, so you were
7 doing comparisons based on the ITE projected
8 trips?

9 A. Correct.

10 Q. For other permissible uses in the
11 zone?

12 A. Correct.

13 Q. And based on that observation,
14 you determined that the permitted uses would
15 generate more traffic than both what you observed
16 as well as what the ITE projected for the car
17 wash. Correct?

18 A. Correct. With the exception of
19 the weekday evening peak hour and Saturday peak
20 hour for the coffee shop use.

21 Q. Thank you.

22 A. So then we took the traffic
23 volumes we had collected, and 2.75 percent is the
24 DOT growth rate for planning purposes that they
25 use for urban minor arterials in Monmouth County.

1 So we actually took that and we bumped it up to be
2 a little more conservative. We applied two years
3 of growth at three percent to the existing volumes
4 to come to a future without the project or
5 no-build condition.

6 Then we took the additional traffic
7 generated by the car wash per those ITE rates and
8 assigned to the network. So the entering traffic
9 divided by eastbound and westbound on Monmouth
10 Road, but existing traffic only heading south on
11 Monmouth Road. We use software called Synchro.

12 CHAIRMAN LEVITON: Excuse me. You
13 mean west as well.

14 THE WITNESS: You are correct.
15 West.

16 CHAIRMAN LEVITON: Let's make that
17 clear because I have seen it multiple ways and going
18 forward for everyone just refer to it as west. The
19 board would appreciate it.

20 THE WITNESS: Yes. And for the
21 board's clarification, that was a typo in my
22 outline. In the report and in my testimony
23 considering Monmouth to be the east/west road and
24 north being to the top of the page in the exhibit
25 that you see.

1 We use Synchro software to analyze
2 the operations at our site driveways, at the
3 QuickChek driveways and at the signalized
4 intersection. So the Synchro type of analysis, you
5 probably heard before from other traffic engineers,
6 it results in a level of service, which is a measure
7 of the operations at the location.

8 The level of service range from A to
9 F with A being the best, optimal operation, and F
10 being the worst. So when we did those analyses and
11 compared the no-build condition to the build
12 condition, we found that none of the no-build levels
13 of service were changed by the proposed project.

14 We found that the QuickChek driveways
15 were calculated to operate at the level of service
16 C. And our site driveways were calculated to
17 operate at level service B.

18 So on the basis of that analysis it
19 can be concluded that the project would not have a
20 significant adverse effect on traffic.

21 Moving from the exterior of the site
22 to the interior of the site, we also conducted an
23 analysis of onsite queuing. I mentioned earlier we
24 observed the Asbury car wash with seven to nine
25 vehicles in queue. We also knew the Asbury car wash

1 generated fewer trips than the ITE, so we wanted to
2 take a more quantitative look at the proposed
3 project.

4 And what we did was what is called a
5 stochastic analysis. This is a methodology that is
6 in an ITE publication called transportation and land
7 use -- Transportation and Land Development, the
8 first edition of that.

9 What this calculation does is it
10 provides some randomness to the arrival rate of
11 vehicles. Right? The car wash operates at the same
12 rate. When you get a lot of people arriving at
13 once, you get a queue forming. And when you get
14 fewer people arriving, the queue diminishes. And
15 based on queuing theory, this is the methodology we
16 use to look at queues. Obviously, if the actual
17 demand rate was higher than the service rate, the
18 queue would just grow infinitely. That is not the
19 case, but we don't want to just consider the average
20 demand rate to the average service rate.

21 So the car wash is 120 feet long and
22 it processes cars in 90 seconds, which is just under
23 one mile an hour.

24 We can have up to four cars in the
25 tunnel at one time, which means a car coming out

1 every 22 and a half seconds under the maximum
2 demand.

3 For my analysis, however, I use the
4 lower service rate of 30 second to be conservative.
5 That assumes three cars in the tunnel at once. So
6 using the ITE trip generation and the 30-second
7 service rate and the stochastic analysis
8 methodology, we calculated a maximum queue of eight
9 vehicles where -- per the earlier testimony from
10 Joe -- we can accommodate eight in each lane plus,
11 per his testimony, we could accommodate another 13
12 single file.

13 So we have more than enough queuing
14 available for demand at this site.

15 In terms of parking, four parking
16 stalls are provided for up to four employees; 20
17 vacuum stalls are proposed. The vacuum stalls,
18 essentially, also serve as parking stalls. Really
19 it is just the employees who will be parking in
20 those four stalls.

21 BY MR. MADRID:

22 Q. Just to summarize, there is a lot
23 of technical information provided there. I wanted
24 to highlight, touching the high points.

25 A. Sure.

1 Q. The first question is: Can the
2 surrounding roadway network, based on your
3 analysis, accommodate the traffic generated from
4 the proposed car wash?

5 A. Yes. We saw no impact at the
6 close adjacent driveways and/or at the trip
7 traffic signal.

8 Q. Will the proposed car wash
9 materially degrade the level of the service at the
10 Route 537 or the intersection?

11 A. No, it would not.

12 Q. In your professional opinion is
13 this site ingress and egress safe and adequate?

14 A. Yes. In my professional opinion,
15 it is safe and efficient.

16 Q. Is the parking supply adequate?

17 A. Yes, the parking supply is
18 adequate for the demands.

19 And as per Joe's earlier testimony,
20 the customer stays in their car as they go through
21 the car wash. At that point they still have to
22 either go to a vacuum stall or leave the site.
23 There is nothing to hang around and do other than
24 vacuum.

25 MR. MADRID: Would you like the

1 other traffic issues to be discussed now, or would
2 you reserve for later?

3 CHAIRMAN LEVITON: I prefer to hear
4 all of the testimony. And then we will
5 cross-examine witnesses as needed. I would like the
6 professionals to hear what everyone will say.

7 I do have concerns about traffic.

8 MR. MADRID: Sure. I think one
9 concern is the right-only egress.

10 THE WITNESS: Yes.

11 BY MR. MADRID:

12 Q. Did you take a look as to how a
13 person who would be interested in traveling
14 towards eastbound towards Freehold could do so
15 without making illegal maneuvers in the area?

16 A. Yes, I did.

17 Just when people visit me from
18 out-of-state, I say "welcome to New Jersey; don't
19 plan on making any left turns."

20 It is not unusual in our State to
21 have left turns prohibited. That is what Monmouth
22 County selected to do with this site for our
23 development. I believe that would be imposed on
24 any development at the site, whether it is use
25 variance or permitted use.

1 While not always being able to make
2 a left turn is annoying, it also helps keep us all
3 safe.

4 We have an exhibit we prepared --

5 MR. MADRID: It is not cooperating,
6 but I will get it to do it.

7 THE WITNESS: Before I get into the
8 exhibit, the car wash itself has some advantages
9 with respect to that restriction. Unlike other uses
10 and other uses that might be permitted in the zone,
11 a car wash is only open during daytime hours, and it
12 is closed when the weather is bad. So when it is
13 raining like it was earlier this evening, the car
14 wash is not open. When it is snowing, car washes
15 are not open.

16 The car wash is more of a convenience
17 use than a destination use, so a person who chooses
18 to patronize the site will go rather than those
19 don't always need to head into the site from the
20 Freehold.

21 People choose a car wash that works
22 for them. If this site does not work for them and
23 their routes, then they would select a different
24 site.

25 CHAIRMAN LEVITON: Mr. Going,

1 typical right-out designs usually account for any
2 intended return right path, and that is what you are
3 about to go over now? Intended return path to the
4 east --

5 THE WITNESS: This is how to get to
6 the east.

7 CHAIRMAN LEVITON: How to get to
8 the east.

9 THE WITNESS: If you make a right
10 turn out of the site.

11 CHAIRMAN LEVITON: Where is this
12 analysis in your report?

13 THE WITNESS: This analysis wasn't
14 done -- wasn't prepared. This exhibit is entitled
15 Egress Route Exhibit. It is dated August 19, 2026.

16 CHAIRMAN LEVITON: What are we
17 marking that?

18 MR. MARMERO: A-5.

19 (Exhibit A-5 admitted into
20 evidence.)

21 CHAIRMAN LEVITON: Return to east
22 is what it is. It is not really ingress or egress.
23 What are you titling this?

24 THE WITNESS: The title on the
25 exhibit is Egress Routes Exhibit.

1 CHAIRMAN LEVITON: I stand
2 corrected.

3 THE WITNESS: So to explain the
4 exhibit, north is pointing towards the upper
5 right-hand corner. Monmouth Road is horizontal on
6 the page. And the site is towards the right-hand
7 edge of the page.

8 This maybe a little difficult to see,
9 but basically on exiting the site this light green
10 color -- and we have green colors progressively
11 changing in different tones heading towards the
12 south and then blue colors returning --

13 CHAIRMAN LEVITON: To the west.

14 THE WITNESS: To the west. And the
15 blue colors are to the north. Thank you.

16 So upon exiting the site, a driver
17 would have the choice of turning left at the signal
18 on Siloam Road. From Siloam Road --

19 CHAIRMAN LEVITON: So a driver is
20 going to travel to the west 900 feet to the
21 intersection of 537 and 527.

22 THE WITNESS: Correct.

23 CHAIRMAN LEVITON: Okay. Can you
24 trace the path on the diagram for the benefit of the
25 board members who don't live in the neighborhood.

1 THE WITNESS: Sure. The site is
2 here. The QuickChek is here on the northeast
3 corner. The Wawa here is on the southwest corner.

4 So you would leave the site, travel
5 900 feet, and then take a left at the signal.

6 CHAIRMAN LEVITON: Just so, for
7 contextual purposes I want to alert my board members
8 of the fact that I had expressed concern, that when
9 customers come out of the car wash, that these
10 patrons cannot turn left. Mr. Going testified that
11 the county prohibited left-hand turns out of the
12 establishment. Therefore, patrons are obligated to
13 turn right.

14 And my concern is if customers come
15 from the east, from the Freehold area, how do they
16 get back to the Freehold area?

17 That is what they are attempting to
18 demonstrate right now. I will ask you, Mr. Going:
19 If a customer turns left on 527, as you are
20 suggesting, can they get back that way?

21 THE WITNESS: They -- so if you
22 could see the highlighted route, they would follow
23 Siloam Road to the south, Hendrickson Road to the
24 west and Ely Harmony Road to the north to return to
25 Monmouth Road and make a right turn.

1 BOARD PLANNER: Why wouldn't they
2 make a right at the light? Why do you have them
3 looping all of the way around?

4 CHAIRMAN LEVITON: Hold up. Let me
5 quantify that first before we go further.

6 How many miles is that circuitous
7 route and how much time would that take to get back
8 to the car wash?

9 THE WITNESS: I did not have those
10 numbers, but I can figure that out.

11 CHAIRMAN LEVITON: It would have
12 been helpful if you did have them and if it was
13 analyzed for the board's review prior tonight's
14 hearing. But go ahead.

15 BOARD PLANNER: I don't understand
16 the thought process. Why would somebody not go to
17 the light and make a right? It is a much quicker
18 loop around. It is not quick, put quicker than
19 that.

20 CHAIRMAN LEVITON: We don't know
21 because he didn't quantify it.

22 BOARD PLANNER: I mean, it is a
23 shorter distance.

24 CHAIRMAN LEVITON: To where? Let
25 him do the testifying.

1 THE WITNESS: If you turn to the
2 right onto Smithburg Road --

3 BOARD PLANNER: Yeah.

4 THE WITNESS: -- the route to get
5 back, unless -- instead of having east or the
6 northeast the route to get back is longer.

7 BOARD PLANNER: I don't know.

8 BOARD ENGINEER: Is that back to
9 the car wash or continuing east on Monmouth Road?
10 I am assuming we are not going back
11 to the car wash.

12 THE WITNESS: You wouldn't be going
13 back to the car wash, but if you wanted to turn --

14 BOARD PLANNER: You are telling me
15 after I finish at the car wash, I will take a
16 15-mile loop to go back to the car wash? I would
17 think I am going home or work or some place else,
18 not going back to the place I just left. I don't
19 understand that logic.

20 THE WITNESS: The logic is that you
21 can't make a left out, but you wanted to make a left
22 out. So if you want to go east, you will drive by
23 the car wash on the other side of the road.

24 BOARD PLANNER: I need you to look
25 at that loop versus make a right at the light

1 because I do not agree. So I think you should look
2 at that alternative loop-around.

3 THE WITNESS: Sure. These were the
4 shortest routes that we found.

5 MR. MADRID: I think from a
6 practical perspective we would enter into our GPS or
7 our Waze or Google Maps. It would give us a route,
8 and we would follow that route.

9 For people where that wasn't
10 convenient, they would stop using the car wash.

11 Or they would go to the car wash,
12 they will fill up gas, pick up groceries and make
13 the turnaround, which is why the location of the
14 QuickChek and Wawa actually make it complimentary
15 use.

16 CHAIRMAN LEVITON: So, Mr. Madrid,
17 PRC was here in 2017, and this board granted them a
18 use variance for the QuickChek.

19 Do they still own that QuickChek?

20 MR. MADRID: They do not.

21 CHAIRMAN LEVITON: Have you
22 approached that QuickChek for cross-access easement?

23 MR. MADRID: I have, sir.

24 CHAIRMAN LEVITON: And --

25 MR. MADRID: I haven't heard back

1 yet.

2 CHAIRMAN LEVITON: You haven't
3 heard back?

4 MR. MADRID: Not yet, no, but I
5 think it is a valid point --

6 CHAIRMAN LEVITON: Is your client
7 willing to propose a formal reported cross-access
8 agreement to allow westbound car wash patrons a
9 legal and safe turnaround?

10 MR. MADRID: What I can do is
11 exercise good faith efforts to pursue that. I can't
12 control what a third party will do.

13 I, in good faith, believe that they
14 would welcome this use because it does draw more
15 traffic to the site.

16 CHAIRMAN LEVITON: Can you check?

17 MR. MADRID: I am sorry.

18 CHAIRMAN LEVITON: Is your client
19 here? Can you check?

20 MR. MADRID: Yeah.

21 CHAIRMAN LEVITON: Go ahead.

22 Check.

23 MR. MADRID: I speak for my client
24 because I am part of the company, but I did -- sir,
25 I did approach QuickChek, and I did state we are

1 interested -- number one, that we did sell you this
2 parcel of land. Number two, that we are proposing
3 to put a car wash 900 feet to the east. Number
4 three, is that I do believe these are complimentary
5 uses. Number four, would you have an objection to
6 either entering into the license agreement or at
7 least provide us a statement of support indicating
8 you have no objections, should, should people --
9 should people decide they want to stop at the
10 QuickChek following their use of the car wash.

11 CHAIRMAN LEVITON: When did you do
12 that?

13 MR. MADRID: I am sorry. Two days
14 ago, sir. Actually, one day ago, sir.

15 CHAIRMAN LEVITON: Okay. Continue,
16 Mr. Going.

17 THE WITNESS: Sure. As a point of
18 clarification, as a point of clarification, this
19 drawing is at scale of one inch is 300 feet so four
20 inches is roughly a quarter mile, five inches. So
21 the routes are not 15 miles. It is, you know, maybe
22 four miles.

23 One can make a turn at the signal
24 onto Siloam Road. Go around via Hendrickson Road
25 and Ely Harmony Road and make a right turn to head

1 to the east.

2 CHAIRMAN LEVITON: Mr. Going, I
3 want to interrupt for a moment. And ask you, Mr.
4 Madrid, did you check with Monmouth County about
5 routing traffic through that QuickChek to see if it
6 complies with county access permits?

7 MR. MADRID: I am not sure that is
8 something Monmouth County would comment on.

9 CHAIRMAN LEVITON: I ask because
10 527 and 537 are county roads.

11 MR. MADRID: Yes, correct. We did
12 make an application to Monmouth County proposing the
13 ingress and egress we proposed, and we did receive
14 conditional approval.

15 So based upon their analysis, our
16 design is safe and they're comfortable with us
17 proceeding as designed.

18 CHAIRMAN LEVITON: So there is a
19 parcel of land that is wooded between your proposal
20 and the QuickChek. Does PRC still own that?

21 MR. MADRID: We do.

22 CHAIRMAN LEVITON: Does the
23 proposal you made to QuickChek include paving for
24 patrons to cut through that parcel from your
25 establishment to the QuickChek?

1 MR. MADRID: Mr. Leviton, it is too
2 premature. I don't know how they are going to
3 respond. I have just approached them.

4 CHAIRMAN LEVITON: You know, it's
5 premature because you only acted on it this week.

6 I would love to have my attorney
7 ensure that cross-access ingress/egress easement is
8 a formal condition of approval.

9 BOARD PLANNER: We can't force
10 QuickChek to give them an easement.

11 CHAIRMAN LEVITON: No, we can't.

12 BOARD PLANNER: They can ask. If
13 they say no, there is nothing we can do. If we make
14 it a condition, then they are stuck with a condition
15 they can comply.

16 CHAIRMAN LEVITON: Then patrons are
17 going to have to travel.

18 BOARD PLANNER: I understand that
19 part of it. I am saying --

20 CHAIRMAN LEVITON: A long period of
21 time.

22 BOARD PLANNER: Yes.

23 CHAIRMAN LEVITON: Is that route
24 going to be marked, Mr. Going --

25 MR. MADRID: We thought of that as

1 well.

2 Mr. Leviton, we understand the
3 concern.

4 I think it becomes a matter of what
5 the consumer wants. If it's not a convenient way
6 for the consumer to stop there, they will stop going
7 there. They will learn that every time I go there,
8 I can make a three mile loop to get back home. Or
9 they will plan their day so that I can stop there, I
10 can get gas and I can turn around. Or they can stop
11 there and get to work or whatever direction they are
12 going.

13 I think we can't zone or dictate
14 design based upon what some people might do
15 illegally.

16 CHAIRMAN LEVITON: I didn't suggest
17 people would do things illegally.

18 I do have a problem with the way the
19 traffic study conducted its counts. And while we
20 are talking about traffic I will bring that up.

21 Mr. Going, you talk about volume.
22 You used the ITE to generate volume, the generate
23 trips.

24 Are trips, and trips alone, is how
25 you determined your LOS and concluded from your LOS

1 that there would be no negative impact. Am I
2 correct so far?

3 THE WITNESS: It is not trips
4 alone. There is --

5 CHAIRMAN LEVITON: I am well aware.
6 But that is your conclusions are made on trips
7 alone. They don't take into account turning
8 restrictions, lack of return counts or cut-through
9 behavior. Do they?

10 THE WITNESS: They don't take that
11 into account.

12 CHAIRMAN LEVITON: Further, sir,
13 you concluded that there are only two net trips
14 additionally. Correct? That your proposal only
15 yields two additional trips.

16 BOARD ENGINEER: I think that is
17 the scenario they are comparing to the pre-existing
18 nursery that was there.

19 CHAIRMAN LEVITON: Yeah. Because
20 your baseline is predicated on a nursery that has
21 been defunct for nearly a decade. It doesn't take
22 into account current conditions.

23 Let me finish.

24 When you indicate on your report that
25 during peak hours on Saturday, you have up to 145

1 new trips, I think you qualify that as 73 cars -- I
2 can't remember exactly -- those are new trips.
3 Those are trips that weren't there today.

4 THE WITNESS: I agree. I agree.

5 CHAIRMAN LEVITON: Yes, of course,
6 you do.

7 So it is not under the ITE definition
8 of the 100 trips, no significance or negative impact
9 that is in evidence.

10 I have a problem with the way you
11 conducted the trip generation.

12 THE WITNESS: Can I address that.

13 CHAIRMAN LEVITON: Please, yes.

14 THE WITNESS: So for the purpose of
15 the report, we presented the ITE trip generation of
16 the proposed car wash. We presented the ITE trip
17 generation of the former garden center.

18 The purpose of presenting that was to
19 illustrate how many trips the proposed use generates
20 in comparison to a former use.

21 CHAIRMAN LEVITON: Yes.

22 THE WITNESS: We didn't take credit
23 for the former use.

24 CHAIRMAN LEVITON: Yes.

25 THE WITNESS: We took all of the

1 trips generated by the car wash without any
2 consideration of the former use and applied them to
3 the network. That is what we added to our network.
4 We didn't -- there is a table and statement to
5 compare them, but that is as far as it goes. It
6 didn't go further into the analysis.

7 CHAIRMAN LEVITON: Yes, well, your
8 report is extensive. I admit that I am lay and
9 don't understand all of the details, but I read your
10 conclusions. I read your narrative.

11 Again, your conclusions are
12 predicated on the analysis of a business that hasn't
13 been around for a good many years and does not
14 reflect what is currently there.

15 Had you established the baseline from
16 what is there now and then concluded that there be
17 no adverse effect, you would have more credibility
18 with me.

19 THE WITNESS: Sir, that is exactly
20 the way we did our analysis. Our baseline is based
21 on the existing traffic volumes that we collected in
22 March of 2026. We increased those volumes with two
23 years of growth at three percent. And then we added
24 all of the traffic generated by the car wash without
25 any consideration of the pre-existing use.

1 CHAIRMAN LEVITON: Mr. Rizzo, do
2 you take exception to that testimony?

3 BOARD ENGINEER: The first question
4 is: When you did the counts? You say March of
5 2026?

6 THE WITNESS: Correct.

7 BOARD ENGINEER: Was it actually
8 March of 20 26? Because you initially submitted
9 another report --

10 THE WITNESS: Correct.

11 BOARD ENGINEER: -- in 2025. So
12 the counts are part of your second report?

13 THE WITNESS: The initial report is
14 superceded completely by the current report. The
15 initial report, we didn't do any counts. The
16 initial report was a comparison of trip generation
17 only.

18 BOARD ENGINEER: Okay.

19 THE WITNESS: We did not do the
20 level --

21 BOARD ENGINEER: You obviously
22 referenced the nursery in there. That is for
23 reference, but that is not actually part of the true
24 analysis.

25 THE WITNESS: That is not part of

1 the operational Synchro analysis level of service
2 determination.

3 BOARD ENGINEER: That is how I view
4 it. But it definitely does reference the nursery,
5 which I think leads to confusion.

6 BY MR. MADRID:

7 Q. You also included references in
8 your report other permitted uses in the zone.
9 What was the purpose of adding those uses?

10 A. The purpose of presenting those
11 uses was to establish that there are uses
12 permitted in the zone that generate more traffic
13 in some cases, substantially more traffic than the
14 proposed use.

15 CHAIRMAN LEVITON: I heard that
16 testimony.

17 MR. MADRID: Okay.

18 CHAIRMAN LEVITON: I appreciated
19 it. Except he only makes his conclusion based on
20 volume. And impact is a function of movement,
21 access, and circulation patterns. All of that,
22 which are materially different than what existed in
23 the nursery or the current conditions that are on
24 site today.

25 So it demonstrated minimal trip

1 generation impact at best, but you haven't
2 demonstrated acceptable circulation functionality,
3 not in my estimation.

4 While we are talking about traffic,
5 let's talk about the other directions. Say folks
6 are coming from the west, the Great Adventure area
7 heading towards Freehold. And they cross the light
8 at 527 and 537, and then they approach the
9 establishment at 900 feet further down the road.
10 There are currently yellow lines with stripes going
11 through them in front of the business. Those yellow
12 lines function as a buffer. Do they have a special
13 name?

14 THE WITNESS: We call them gore
15 striping.

16 CHAIRMAN LEVITON: Gore striping.

17 While the county restricted or
18 prohibited the car wash from left turn out, they did
19 not do so for left turn in.

20 Is it legal to cross those yellow
21 lines of gore striping?

22 THE WITNESS: Yes.

23 CHAIRMAN LEVITON: Mr. Rizzo, do
24 you take exception to that?

25 BOARD ENGINEER: I mean, I

1 certainly wouldn't think that you legally could. It
2 is double. It is not just one set of double yellow
3 lines.

4 THE WITNESS: I understand. I
5 understand completely.

6 It is perfectly legal to cross the
7 double yellow line in the gore striping to enter a
8 driveway.

9 BOARD ENGINEER: Is it wide enough
10 for one vehicle to even, like --

11 THE WITNESS: It is wide enough for
12 one vehicle to probably queue there, but what we --
13 the county conditionally approved is the -- ingress
14 that is out modifying that striping --

15 BOARD ENGINEER: Full access
16 entrance.

17 THE WITNESS: Full -- yeah, left
18 and right turn entrance.

19 BOARD ENGINEER: That is how the
20 driveway is shown. My belief is that was shown that
21 way for future improvements in the road when the
22 eventual dual lane was constructed.

23 THE WITNESS: The future potential
24 improvement that the Brock Estates project would
25 construct would include a two-way center turn lane,

1 which would facilitate the left turn ingress to our
2 site. It could also in the future, should that be
3 constructed, and we may be able to get the left out
4 from the county.

5 BOARD PLANNER: The western
6 driveway?

7 THE WITNESS: The westerly
8 driveway.

9 BOARD PLANNER: You would have to
10 reconfigure that driveway --

11 THE WITNESS: We would have to come
12 back to the board. You know, it is not like an
13 overnight thing, but yes, with that improvement
14 constructed, that is a possibility.

15 CHAIRMAN LEVITON: I would to hold
16 that line of questioning and return. We would get
17 back to that in a moment, because I have concerns
18 there, too.

19 I don't think, Mr. Madrid, Mr. Going
20 and Mr. Rizzo see eye to eye on this matter, whether
21 or not a vehicle approaching from the west can make
22 a left turn across that striped yellow buffer onto a
23 private driveway. I am going to leave that for now,
24 but I would sit -- am I correct, Mr. Rizzo?

25 BOARD ENGINEER: I did not believe

1 that that was a legal movement. It's against county
2 jurisdiction and it is not that they approved it as
3 full movement.

4 CHAIRMAN LEVITON: So we are going
5 to leave that there, Mr. Rizzo, because whether or
6 whether or not it is legal, it is certainly
7 dangerous in my humble opinion. That is just my
8 opinion.

9 I would like to know, Mr. Going, what
10 do you call it when a traffic engineer measures or
11 analyzes the gap between --

12 THE WITNESS: We call that a gap
13 analysis.

14 CHAIRMAN LEVITON: Did you perform
15 a gap analysis for the left turn in --

16 THE WITNESS: We did not.

17 CHAIRMAN LEVITON: Then you really
18 can't testify as to how safe or adverse it is, can
19 you?

20 THE WITNESS: What I can tell you
21 is that when we collected the other data in March,
22 we put out a camera to collect the gaps. We -- when
23 we did our analysis, the analysis was very -- came
24 out very well, the levels of service at the driveway
25 would be on that basis. We didn't -- we still have

1 the video. We didn't process it to determine what
2 those gaps are.

3 CHAIRMAN LEVITON: Well, you know,
4 if you are counting on that left turn, then maybe
5 you should have.

6 MR. MADRID: Chairman, it is not
7 our intention to force a project that people feel is
8 dangerous.

9 I think if you are raising valid
10 considerations and there are things that you would
11 -- the board feel more comfortable with the project,
12 it is something we should consider.

13 CHAIRMAN LEVITON: Then I would ask
14 where would folks traveling from the west turn
15 around? Where was the next legal turn around?

16 MR. MADRID: Are you asking about
17 going towards Freehold or --

18 CHAIRMAN LEVITON: If you are
19 coming from the west, how do you go east towards
20 Freehold if you want to turn left into the car wash?

21 MR. MADRID: Okay. Thank you.

22 CHAIRMAN LEVITON: I think it is
23 illegal to make that turn. I believe those yellow
24 lines function as a buffer just as they were if they
25 were a median; and I am fairly certain that under

1 Title 39 of motor vehicle law and standard
2 engineering practice that left turn off the buffer
3 would be regarded as illegal.

4 Mr. Marmero, is there a way we can
5 check that right now?

6 MR. MARMERO: I am looking now.

7 From the brief stuff I am see right
8 now, it is clear those two double yellow lines are
9 not to be crossed for passing. Everything I am
10 seeing very quickly seems to indicate there is a bit
11 of a gray area when it comes to turning. But if it
12 is an unsafe turn you certainly can be ticketed. It
13 sounds like the intent is not to cross them.
14 Perhaps, it is more for passing, and turning is kind
15 of the gray area, but I am continuing to look at it.

16 CHAIRMAN LEVITON: So --

17 THE WITNESS: May I.

18 CHAIRMAN LEVITON: Yeah, of course.
19 But I am interested in where would cars be able to
20 turn around?

21 I can tell you now you can't get my
22 support if there is a potential for dangerous
23 situations. That is what this board is concerned
24 with.

25 THE WITNESS: Sure. Your concern

1 is where somebody would turn around if they are
2 heading east on Monmouth Road, and they want to make
3 a left into the site.

4 CHAIRMAN LEVITON: Correct.

5 THE WITNESS: They would -- they
6 can make a left into the site.

7 CHAIRMAN LEVITON: I am suggesting
8 that I don't accept that.

9 THE WITNESS: My testimony is that
10 the turning cross double yellow lines is not a gray
11 area in Title 39.

12 CHAIRMAN LEVITON: Mr. Madrid, we
13 don't see eye to eye. It is a point of contention.
14 It is dangerous at best, and he didn't analyze it.

15 THE WITNESS: We analyzed the
16 movement. We analyzed the operation. It is not
17 illegal.

18 MR. MADRID: Would a gapping
19 analysis help get over this issue? Is that
20 something --

21 CHAIRMAN LEVITON: I want absolute
22 clarification. No gray area. It is legal or it is
23 not. And a gap unless would be beneficial. Because
24 I accept that Hovnanian, according to Mr. Going's
25 traffic in his report, he cites a center-turn lane

1 that is to be built in the future by Hovnanian in
2 association Brock Farms development.

3 They also indicate that 537's --
4 Mr. Going's report indicates 537 and 527 will be
5 widened not by easement, but by right-of-way.

6 All of that should facilitate
7 left-turn-ins without a problem. But his own report
8 acknowledges that will not happen until after the
9 car wash is completed.

10 I take exception to left turns in and
11 the validity of the safety.

12 I have a problem with folks turning
13 right and not being able to come back east, and I
14 have a problem with folks coming from the west and
15 not being able to turn in with the left-hand turn.
16 Those are significant issues in my mind.

17 Also, how he conducted his conclusion
18 based on a defunct nursery and the LOS not changing
19 because of the volume generated. And to me, there
20 is a discrepancy between what was there ten years
21 ago and what was there now and he can't reconcile
22 the difference.

23 THE WITNESS: Sir, may I quote from
24 my report.

25 CHAIRMAN LEVITON: Sure.

1 THE WITNESS: This is page 11:
2 However, in order to provide a conservative
3 investigation, detailed analyses of the traffic
4 operations had been conducted at the study
5 intersections without consideration of a trip credit
6 for the former garden use, garden center use.

7 We presented it to say here is what
8 used to occurred at this site compared to here is
9 what we are proposing at the site, but in the future
10 without the project condition, we didn't include the
11 garden center. In the future without project
12 condition, the site is vacant.

13 CHAIRMAN LEVITON: Didn't your
14 traffic study model have a permanent no center turn
15 lane?

16 BY MR. MADRID:

17 Q. I think the question is related
18 to Brock Farms, the future improvements?

19 A. We did not model that. We -- I
20 am certain that it would operate even better than
21 the analysis that we conducted. I don't know how
22 much additional traffic is being added to the
23 roadway by Brock Farms, but the -- our analysis
24 which the county accepted, was of the current
25 conditions because we do anticipate that we would

1 be in the ground before them.

2 CHAIRMAN LEVITON: Mr. Madrid, mine
3 and this board's engineer, Mr. Rizzo in his report,
4 suggests that this may be an exclusively
5 right-turn-in business.

6 Mr. Rizzo, can you talk to us about
7 that.

8 BOARD ENGINEER: I agree. My
9 opinion or understanding is that the gore striping
10 would prohibit left turns in and that any analysis
11 identifying left turning would be after the dual
12 lane was striped.

13 What you are referring to...

14 CHAIRMAN LEVITON: I ask, Mr.
15 Rizzo -- because my next question is to Mr. Madrid,
16 and he speaks on behalf of his client and I am
17 willing to look on it favorably if they would agree
18 to modifying the physical design of the ingress so
19 that the concrete curves and it fully restricts a
20 left turn in.

21 MR. MADRID: I hear the suggestion.
22 That is a point I would have to discuss both with
23 the business people at my company as well as the
24 ultimate end user.

25 CHAIRMAN LEVITON: Okay. Then --

1 MR. MADRID: I don't know if that
2 is -- there are a few points we talked about this
3 evening.

4 One was the position QuickChek would
5 be taking. Two is this gapping analysis. And three
6 is what you just proposed.

7 CHAIRMAN LEVITON: Yes, because
8 planning can't be based on speculation.

9 MR. MADRID: Sure.

10 CHAIRMAN LEVITON: It is
11 third-party infrastructure you are counting on.

12 MR. MADRID: Absolutely. I agree
13 with you.

14 CHAIRMAN LEVITON: And your
15 applicant has no control over that. None.

16 MR. MADRID: Correct. Correct.

17 CHAIRMAN LEVITON: So, look, I have
18 some significant issues. I haven't even gone to my
19 board yet. We haven't heard from the rest of your
20 professionals, but you are going to need to make
21 some decisions, and you will need to consult with
22 your people as you suggest.

23 Why don't we put on the rest of your
24 testimony so that we can address these matters at a
25 later time in a smoother manner.

1 MR. MADRID: That sounds good.

2 CHAIRMAN LEVITON: Okay.

3 There was an issue in the courtroom
4 earlier today with the power. There may be some
5 flooding and custodians maybe coming in to mop it
6 up. When they do, we will take a short break, but
7 we need to hear from Ms. Cofone and also from --

8 MR. MADRID: What I would like to
9 do is continue with my architect.

10 CHAIRMAN LEVITON: Of course.

11 MR. MADRID: Great.

12 MR. MARMERO: Can we get your name
13 again.

14 THE WITNESS: Andrew
15 T-r-o-c-c-h-i-a.

16 MR. MARMERO: You are the
17 architect.

18 If you could give the board
19 background of your credentials and if there is
20 anything you need to fill in.

21 THE WITNESS: I have a bachelor's
22 of architect from NJIT. I am licensed architect
23 since 1989. My license is in good standing. My
24 firm Sonnefeld & Trocchia Architects, P.A.; has been
25 in practice for the past 35 years. We have provided

1 services for over 30 different car wash locations.
2 I have appeared before several boards. I don't
3 recall appearing before this board.

4 I have never not been accepted as an
5 expert, and I am the principal who was in charge of
6 this project.

7 CHAIRMAN LEVITON: Your streak is
8 in good standing.

9 MR. MADRID: Can we take a quick
10 recess.

11 CHAIRMAN LEVITON: Yes.
12 Absolutely. We are in recess for five minutes or
13 ten as needed.

14 (Recess taken 8:28 p.m. to
15 8:38 p.m.)

16 CHAIRMAN LEVITON: You will finish
17 up with Mr. Trocchia and have Ms. Cofone hold her
18 testimony until the next time. That's fine.

19 MR. MADRID: Thank you.

20 DIRECT EXAMINATION

21 ANDREW TROCCHIA

22 BY MR. MADRID:

23 A. Good evening. I am going to
24 refer to sheet A-1.0, which was the floor plan
25 dated March 3, 2026. It has been indicated

1 earlier, the proposed building is 5,420 square
2 feet. The interior of the building consists of
3 car wash tunnel, equipment room, a manager's
4 office, a staff break room, and lavatory.

5 BOARD PLANNER: Your other
6 witnesses have said different square feet. Is it
7 2,500 square feet or 5,000 square feet?

8 THE WITNESS: It is 4,520. Sorry.

9 Sheet A-1 floor plan is dated March
10 3, 2026. There are no interior spaces open to the
11 public. There are no retail areas within the
12 building. Even the lavatory, it is our experience,
13 it rarely gets used by the public; it is primarily a
14 staff lavatory.

15 Patrons, as has been testified
16 earlier, patrons never leave the cars. It is an
17 express car wash. They are in the car -- they are
18 out the whole process. They get out of the cars if
19 they choose to vacuum the car, but that is the only
20 time they get out. Even that we find that probably
21 30 percent of the time people do that. That is not
22 saying 30 percent of the time people vacuum. It
23 means you don't vacuum your car every time you get
24 your car washed.

25 Floor slant in the tunnels all slopes

1 to the trench that catches and recycles the water
2 and the close-loop system as was testified earlier.
3 Septic system is only for the bathroom. None of the
4 water for the car wash operations goes into the
5 septic system.

6 There are tanks, underground tanks
7 that receive the water from the trench. And there
8 are chambers within those tanks that the water flows
9 through, and the sediment all will settle to the
10 bottom. It flows through there getting the larger
11 sediment from the system. It goes into the building
12 into the equipment room where there is a
13 purification system that brings it down to the very
14 fine particulates and removes the wash detergent.

15 Filters are required to be cleaned
16 daily on that system. And there is a point in time,
17 depending upon the number of cars, depending upon
18 the season, where they have to pump out that tank.
19 It gets pumped out and removed by a licensed
20 company. And then they have to pump new fresh water
21 into those tanks. It is a totally closed-loop
22 system.

23 We will now be referring to A-2.0,
24 building elevations dated March 3, 2026. The
25 exterior of the wall will be finished with a fiber

1 cement batten -- board and batten system. There are
2 windows that provide a view into the tunnel as well
3 as out of the tunnel, which is a nice feature when
4 you are in the car. It gets a little
5 claustrophobic, so you can see the outside.

6 There a saltbox roof finished with
7 asphalt composition roof shingles. The height of
8 the building from the average grade to the roof
9 ridge is 26 feet, which is well under the height
10 allowable height of 50 feet. Channel letter signage
11 will be provided, and it will all be externally
12 illuminated. Sign area is 58 square feet. The
13 ordinance allows 10 percent of the facade area with
14 a maximum of 80 square feet for the signage. Ten
15 percent of the area of the facade is 21.20 -- is 212
16 square feet. Therefore, 80 square feet is our
17 maximum. Proposed signage is 58 square feet, which
18 is less than the maximum of 80 square feet.

19 Exterior building equipment, the wash
20 equipment is all in the equipment room. The only
21 equipment we will have outside is a small condenser
22 that will be on the westerly side of the building
23 the air conditioner the manager's office and the
24 staff lounge.

25 There are two turbines for the vacuum

1 system. There is 20 vacuums, one that handles ten;
2 on the opposite there is another turbine that
3 handles the other 10. The turbines are
4 approximately 77 feet from the closest property
5 line, which is the westerly line. Manufacturer's
6 literature indicates that the decibel rating at 50
7 feet is 65 decibels. Therefore, the distance will
8 be greater than the 50 feet indicated by the
9 manufacturer's equipment information, and it will be
10 well less than the 65 decibel maximum level allowed
11 during daytime hours.

12 The vacuums will not be operational
13 in the evening hours. As a matter of fact, when the
14 business is closed, the vacuums are no longer
15 operational.

16 We attempted to design the building
17 to have a rural appearance. That is why we did the
18 board and batten roof -- board and batten siding,
19 saltbox roof, barn red covering with white trim,
20 cupola and again, to just give it more of a feel
21 like to go along with the old Manalapan, history of
22 Manalapan and rural area atmosphere of an old barn
23 building.

24 And that is all I have. I am a
25 little confused right now I am not taking questions.

1 CHAIRMAN LEVITON: I have nothing
2 for you.

3 BOARD PLANNER: If you could show
4 the wall signage. There no details of the other
5 signs throughout the site, directional signs. The
6 signs, we need details of those. Whether that is
7 through your engineer, Mr. Madrid, or the architect.
8 It doesn't matter to me. We need them to be
9 provided.

10 MR. MADRID: Okay.

11 BOARD ENGINEER: The vacuum stops
12 at close? That means somebody could come on site
13 and put quarters in and get it to run?

14 THE WITNESS: Right.

15 BOARD ENGINEER: They essentially
16 don't work at close. Nobody can't come onto the
17 site?

18 THE WITNESS: You cannot use the
19 vacuums when the business is closed.

20 BOARD ENGINEER: Okay. Then
21 ballpark, how often do you expect a truck to come in
22 to remove the wastewater generally?

23 THE WITNESS: It is really
24 dependent on the season.

25 BOARD ENGINEER: I know it will

1 changes a lot.

2 THE WITNESS: I can't answer that.
3 That would be more of an operational question.

4 BOARD PLANNER: Maybe you could get
5 the answer for us before the next time.

6 BOARD ENGINEER: Generally
7 speaking.

8 MR. MADRID: We can look for that
9 and provide that answer next time.

10 BOARD ENGINEER: Thank you.

11 CHAIRMAN LEVITON: Thank you, Mr.
12 Trocchia.

13 THE WITNESS: That makes it kind of
14 easy.

15 MR. MADRID: What I would like to
16 propose is there are some additional submissions,
17 that I would work with your board professionals
18 identifying exactly what should be provided. I can
19 update you regarding what QuickChek, how they
20 respond to my outreach.

21 I would like Paul to submit a
22 supplemental report to clarify issues that came up
23 during testimony this evening.

24 At our next hearing, I can bring him
25 back and hopefully conclude with our planning

1 testimony and tie everything together.

2 CHAIRMAN LEVITON: If for some
3 reason your associates determine that the physical
4 changes to the ingress would be warranted, then
5 Mr. Going should include in his new analysis turn
6 radiuses to ensure trucks can get in and whatnot.

7 MR. MADRID: Understood.

8 They are in the plans. The truck
9 turns will be updated.

10 CHAIRMAN LEVITON: Do we need to
11 set up a date for the return?

12 BOARD SECRETARY: I have 10/15
13 available. I don't know if that is too soon.

14 MR. MADRID: Chairman Leviton, one
15 question from my engineer. He did ask if there are
16 any other questions that we could address between
17 now and the next meeting. I know we reserved
18 questions for engineering. If there was any other
19 issue that you reserved on that we could iron out.

20 CHAIRMAN LEVITON: I have a
21 question here.

22 VICE CHAIRMAN SHALIKAR: It should
23 be relatively simple. The menu boards, is that
24 fixed signage or removal, mobile? Digital? What is
25 the details on that?

1 MR. HOLZAPFEL: There are generally
2 fixed.

3 VICE CHAIRMAN SHALIKAR: They are
4 staying on there?

5 MR. HOLZAPFEL: They are.

6 VICE CHAIRMAN SHALIKAR: Second
7 question: Making left turn out of the property for
8 the egress, what is the plan there? I didn't hear
9 anything about that.

10 MR. HOLZAPFEL: Essentially it's
11 restricting. Left turns out? We do have --
12 typically, when we have a restricted turn, we do
13 have just the way it's designed, you do try to, you
14 know, direct -- see how the eastern driveway is more
15 -- you could tell -- it allows for both sides to
16 come in.

17 This was restricted and so it is
18 facing the exit, but you can also put a left-turn
19 sign if you need.

20 VICE CHAIRMAN SHALIKAR: I think it
21 is a great idea.

22 The last question is lighting. Is
23 there a shut-off time for when the close of
24 business, the light is going to shut off, an hour
25 after close?

1 MR. HOLZAPFEL: We could probably
2 do an hour after close. You can do an hour after
3 close, dusk till dawn, an hour after that.

4 For the signage, we have it on the
5 plans, but I can print it separately, so it is
6 more --

7 BOARD PLANNER: It doesn't have an
8 exhibit. You can email it, but make sure Janice
9 gets a copy for the file here.

10 BOARD SECRETARY: Everything has to
11 come through my office first.

12 CHAIRMAN LEVITON: Let's ask the
13 rest of the board if they have questions.

14 MS. KLOMPUS: Where is the employee
15 parking?

16 MR. HOLZAPFEL: Generally, the four
17 spaces on the east side that are not vacuum. They
18 are kind of open. To some of the testimony, there
19 is no really reason for a customer like you and I to
20 get out. There is nowhere to go. These are
21 generally for employees, these four.

22 MS. KLOMPUS: There are only four
23 employees in the whole place.

24 MR. HOLZAPFEL: A typical day is
25 two to three employees because of how automated it

1 is.

2 CHAIRMAN LEVITON: But there is
3 someone who can handle customer concerns should they
4 arise.

5 MR. HOLZAPFEL: Sure. Sure. There
6 is a couple, maybe one or two people in tunnel; one
7 or two people facilitating depending on the need.

8 MS. KLOMPUS: There are no people
9 who dry it at the end?

10 MR. HOLZAPFEL: No. Everything is
11 no automated. There are no dryers per se. It is
12 definitely not the customer.

13 VICE CHAIRMAN SHALIKAR: So those
14 spots are designated for employees only. Yes?

15 MR. HOLZAPFEL: They are not signed
16 as such.

17 VICE CHAIRMAN SHALIKAR: That is my
18 next question. Should they be signed as such?

19 MR. HOLZAPFEL: We can put signs.

20 VICE CHAIRMAN SHALIKAR: I am
21 thinking that can be an issue with the flow if
22 people are pulling in and out if they don't
23 understand what the spots are for.

24 MR. HOLZAPFEL: The way it is set
25 up it would be rare that a customer would use the

1 spaces, but we can sign them designated for
2 employees. I mean, we can do that.

3 BOARD ENGINEER: On top of that as
4 well, there are four spaces, but one is ADA.

5 MR. HOLZAPFEL: Correct. We would
6 sign the three for the employees.

7 BOARD ENGINEER: You feel
8 comfortable with three spaces essentially.

9 MR. HOLZAPFEL: Yes.

10 CHAIRMAN LEVITON: I will go out to
11 the public and see if there is anyone in attendance
12 who wants to ask Mr. Madrid or one of the expert
13 witnesses questions about testimony and enter it on
14 the record this evening.

15 MS. KLOMPUS: I had a question for
16 traffic.

17 You had traffic exam that was done in
18 March. I was curious. Is that more like winter and
19 what the conditions were on that day, it was snowy
20 or if it was clear?

21 What is it more like in the summer
22 months? Is there more traffic going to a car wash
23 in the summer versus when you did it in March?

24 MR. GOING: Well, when we did the
25 counts in March it was not long after a snow, a

1 snowfall event. I want to say within a week of when
2 we counted, it wasn't an adverse weather day. It
3 wasn't raining or snowing that day.

4 MS. KLOMPUS: But do people use the
5 car wash more in the summer months or more in the
6 winter? I could see both, but I didn't know if
7 there was really a difference more in the winter.

8 MR. MADRID: We do have the
9 operator here. I think for questions like that he
10 might be the appropriate witness.

11 MS. KLOMPUS: Okay.

12 MR. MADRID: Would you like me to
13 bring him up for a few questions?

14 BOARD ENGINEER: It would be
15 helpful.

16 CHAIRMAN LEVITON: Of course.

17 BOARD ENGINEER: For general hours
18 as well.

19 MR. GOING: Ma'am, we ultimately
20 didn't use the date. We used the data to look at
21 it. We determined that the amount of traffic at the
22 car wash that we observed was less than the amount
23 of traffic we calculated using ITE. So we analyzed
24 the ITE traffic numbers.

25 BOARD PLANNER: And you did testify

1 that if those counts at the Asbury Circle were
2 higher than the ITE you would use the higher numbers
3 in your analysis. So you took the most conservative
4 analysis in terms of trip generation.

5 MR. GOING: Correct.

6 CHAIRMAN LEVITON: Mr. Going, if
7 you will hand the mic to this gentleman.

8 Sir, you are the operator of the car
9 wash.

10 MR. NICOLETTA: Yes. Dino
11 Nicoletta, N-i-c-o-l-e-t-t-a.

12 (DINO NICOLETTA, sworn/affirmed:)

13 MS. KLOMPUS: I am curious what the
14 service is like compared winter or summer.

15 THE WITNESS: It is busier in the
16 winter; more salt.

17 MS. KLOMPUS: Which is basically
18 when you did the counts.

19 THE WITNESS: Correct.

20 MR. MADRID: I believe there are
21 other questions for the operator.

22 MS. KLOMPUS: He wanted to know the
23 hours of operation.

24 MR. NICOLETTA: Dawn to dusk
25 basically. People tend to wash their cars when they

1 could see the dirt.

2 BOARD PLANNER: It is not like
3 fixed hours. In the winter months you are closing
4 earlier. In the summer months you are closing
5 later.

6 THE WITNESS: Correct.

7 MR. HARRINGTON: The only question
8 I would have is trash removal. When would you have
9 independent trash?

10 THE WITNESS: After hours. Usually
11 in Asbury we pick up at 6:00 a.m.

12 MR. HARRINGTON: On weekends as
13 well.

14 THE WITNESS: No.

15 CHAIRMAN LEVITON: Earlier
16 testimony indicated that was on as-needed basis. In
17 Asbury, how often is that needed?

18 MR. NICOLETTA: We do it probably,
19 I don't know, every other week.

20 BOARD ENGINEER: Is that trash you
21 are referring to?

22 MR. NICOLETTA: Trash.

23 CHAIRMAN LEVITON: Generated by
24 what? Supplies?

25 MR. NICOLETTA: Asbury is a full

1 service, so we are cleaning the cars out. This is
2 an express. But people dump, you know, water
3 bottles and French fries.

4 CHAIRMAN LEVITON: Of course.

5 MR. NICOLETTA: I would guess it is
6 probably be about the same as Asbury; every other
7 week.

8 BOARD ENGINEER: Does your Asbury
9 site also have the same water recycling unit?

10 MR. NICOLETTA: No. We just built
11 one in Colts Neck that has it.

12 BOARD ENGINEER: Generally, do you
13 know how have the water taken off site?

14 MR. NICOLETTA: Depending on the
15 season, summertime you get more for algae.
16 Wintertime you have more salt. So maybe once every
17 90 days.

18 BOARD ENGINEER: I would recommend
19 a condition of approval be that the application does
20 include that system that we are referring to.

21 THE WITNESS: It would have to.
22 You can't operate without it.

23 BOARD ENGINEER: As with be your
24 Freehold health department approval, but I would
25 also defer that further review to the building

1 department, but I would to make sure that gets
2 captured.

3 CHAIRMAN LEVITON: Freehold Health
4 Department evaluates our applications for health
5 issues. We do that as part of a shared service so
6 that functions as Manalapan's Health Department in
7 this capacity.

8 Thank you, Mr. Nicoletta.

9 THE WITNESS: Sure.

10 MR. MADRID: Were there any other
11 questions from the board's professionals for our
12 professionals in terms of things we need to respond
13 to before the next meeting?

14 BOARD ENGINEER: If you don't mind,
15 Mr. Chair?

16 CHAIRMAN LEVITON: Not at all.

17 BOARD ENGINEER: We received the
18 Freehold Health approval for septic earlier this
19 week. I want to make sure you are on track to
20 receive for water for the well as well.

21 Thank you.

22 You agree to comply with all of the
23 environmental commission comments?

24 MR. MADRID: Yes. We did submit a
25 supplemental letter where we did agree to comply

1 with the requirements, and we responded to questions
2 regarding the phase one. I can share that with
3 them.

4 BOARD PLANNER: Make sure you
5 submit it through Janice.

6 BOARD ENGINEER: Will you comply
7 with all of the technical comments --

8 MR. MADRID: Correct. Yes.

9 MR. HOLZAPFEL: Yes.

10 BOARD ENGINEER: Any other outside
11 agencies you are currently tracking?

12 MR. HOLZAPFEL: Soil Conservation
13 District, we should have received our final
14 comments. Those will be resubmitted and hopefully
15 get approval in the next, say, couple months. Same
16 with the LOI, with the DEP. Those are probably the
17 two main, I will say, land-use-type permits left.

18 BOARD ENGINEER: Nothing else with
19 the DEP and LOI --

20 MR. HOLZAPFEL: No. No TWA --

21 BOARD ENGINEER: Fire. Have you
22 received a fire letter as well?

23 MR. HOLZAPFEL: We received fire
24 comments. Correct. They have no comments.

25 BOARD ENGINEER: No comments?

1 MR. HOLZAPFEL: Correct. Yup.

2 BOARD ENGINEER: I think I'm good
3 for right now.

4 I'm sorry. No EV spaces. Correct?

5 MR. HOLZAPFEL: Per State code
6 under 25 spaces one is not required under for a
7 retail establishment.

8 CHAIRMAN LEVITON: Waiting to
9 establish a date. October 15th.

10 BOARD ENGINEER: Yes.

11 BOARD PLANNER: Yes.

12 CHAIRMAN LEVITON: Mr. Madrid, are
13 your professionals available?

14 MR. MADRID: Any issues?

15 I don't see issues.

16 If you wouldn't mind, can we go
17 through the list of items. I have a list. I want
18 to check it, the board's list, to make sure we have
19 everything covered.

20 BOARD ENGINEER: Sure.

21 MR. MADRID: With regard to the
22 traffic, we want to provide an update regarding the
23 communications with QuickChek.

24 CHAIRMAN LEVITON: Yes, because in
25 the real world folks are going to cut through and it

1 is going to be a de facto loop around.

2 MR. MADRID: Second was a response
3 on whether we would agree to make this a
4 right-turn-in ingress only.

5 CHAIRMAN LEVITON: Yes because we
6 need clarification on the double yellow line with
7 stripes going through it.

8 My professional says it is illegal to
9 make that left-hand turn. That may or may not have
10 been corroborated by my attorney.

11 I believe our police department would
12 have something to say about it, but it is a county
13 road so there needs to be absolute clarification.

14 In the absence of a prohibited
15 left-hand turn, where turnarounds will be executed
16 needs to be identified and analyzed for a secondary
17 conflict points.

18 MR. MADRID: We talked about if a
19 left in-turn is prohibited physical changes to the
20 driveway, you want a turn template.

21 CHAIRMAN LEVITON: Yeah, but I am,
22 you know -- internally, business function is well
23 thought out and planned and is aesthetically
24 pleasing and I have no issues with it. But I do
25 have issues with safety. And there needs to be a

1 gap study about folks turning left into that and
2 absolute assurance that you know one hundred percent
3 that left-hand turn is legal. I don't believe it
4 is, but that issue needs to be clarified.

5 And in the absence of the right turn
6 center lane that is potentially going to be built,
7 it needs to be right turn in only, and that needs to
8 be a condition.

9 I will happily talk about time frame
10 if that center lane doesn't get turned -- get built,
11 if that center turn lane does not get constructed by
12 Hovnanian, would your client consent to paying for
13 it? And in absence of that, they need to make it a
14 dedicated right turn-in exclusively.

15 This board has to ensure for the
16 public safety of the residents. Without those
17 conditions being met, I don't see how you meet the
18 negative criteria. It is a high bar to get a use
19 variance. I would like to get on board.

20 BOARD ENGINEER: Mr. Chair, if they
21 commit to not making left turns into the site, then
22 is the gap study no longer applicable?

23 CHAIRMAN LEVITON: Yeah, but then
24 there would have to be physical changes to the
25 ingress point.

1 BOARD PLANNER: They know that.

2 BOARD ENGINEER: What about?

3 CHAIRMAN LEVITON: It would
4 eliminate where the folks are going to turn around
5 when they are heading east.

6 BOARD ENGINEER: What about signage
7 until they actually do get the center turn lane?
8 They could put the sign out --

9 CHAIRMAN LEVITON: Yeah, there
10 should be signage saying no left turn.

11 BOARD ENGINEER: In lieu of the
12 driveway reconfiguration --

13 CHAIRMAN LEVITON: No. No. See,
14 my philosophy, Mr. Rizzo, is to do no harm. And if
15 one person gets hurt there, I will regret having
16 said that I support the application.

17 It just -- they need to address it.
18 They didn't analyze it. They need to.

19 And there has to be, because
20 Mr. Shalika points out, there has to be signage
21 indicating there no left turn, absolutely at the
22 egress point. Has to be.

23 BOARD PLANNER: They said they put
24 it in.

25 BOARD ENGINEER: They have it in

1 the plan.

2 CHAIRMAN LEVITON: He is going over
3 his list of our concerns. I am saying that is a big
4 one.

5 MR. MADRID: To continue on, sign
6 details. We talked about adding a no left turn sign
7 at the egress.

8 CHAIRMAN LEVITON: Yes.

9 BOARD PLANNER: Yes.

10 BOARD ENGINEER: You have it at the
11 egress now.

12 MR. MADRID: We do have it. Okay.
13 Was there anything else?

14 BOARD ENGINEER: The frequency of
15 the truck and the water, that has been answered
16 thank you.

17 CHAIRMAN LEVITON: I am sorry. I
18 didn't understand what the point was.

19 MR. MADRID: How often they changed
20 the underground water.

21 BOARD PLANNER: I think the other
22 comment I had it, and now I lost it. It is not a
23 good day for me. I will think about it. There was
24 something else. I think it was an environmental
25 thing that they had said got submitted, and Janice

1 has not gotten a copy of it.

2 BOARD ENGINEER: Response to the
3 environmental condition.

4 MR. MADRID: I will circulate that
5 to the entire group.

6 CHAIRMAN LEVITON: Lastly, I don't
7 think there is anything you can do about this except
8 go back to square one, but I don't know about the
9 rest of our board, but I question the analysis of
10 the traffic study to begin with because of the way
11 the baseline was established.

12 BOARD PLANNER: I have to jump in.
13 He addressed that three times. It
14 was just for informational purposes.

15 CHAIRMAN LEVITON: Not to my
16 satisfaction. Let him put it in writing.

17 BOARD PLANNER: Respectfully, let
18 me finish my sentence. He said multiple times he
19 did it for informational purposes, put the baseline
20 traffic that he identified for the nursery was not
21 used in the analysis.

22 Maybe you want to make that more
23 clear in the supplement, but he did not use that in
24 the analysis. I think he said that like three
25 times.

1 So yes, he provided it. Maybe it
2 provided some confusion to people, but when he did
3 his analysis it was not used.

4 I do not think -- I would make sure
5 you clarify that in the supplemental submission, but
6 I am not concerned about it anymore because he
7 clarified the issue on the record three times. He
8 didn't use it in his analysis.

9 CHAIRMAN LEVITON: That is what we
10 pay her for, and I accept that.

11 MR. MADRID: Is there anything
12 else?

13 BOARD ZONING OFFICER: Was there a
14 desire to see the relevant distances of the
15 westbound turnaround loops?

16 MR. MADRID: Oh, yes.

17 BOARD ZONING OFFICER: The one
18 shown in the exhibit versus the one -- -

19 CHAIRMAN LEVITON: I appreciate the
20 comment.

21 It was more hyperbolic that I stated
22 it in public that those circuitous roads are silly
23 in my estimation.

24 BOARD ZONING OFFICER: That is
25 fine. We are trying to give Mr. Madrid and his team

1 a list of things to address for the next time, and
2 that was on it. I wanted to make sure they did it
3 because it is an easy exercise to do when you are
4 not in the public forum to do it on the fly and that
5 was easy.

6 CHAIRMAN LEVITON: To me the
7 problem with it is that in the real world folks
8 don't know they have to do that, and I really
9 believe that other means of turning around will be
10 executed, which is why I am glad they reached out to
11 QuickChek for the cross-access easement. That I
12 hope that they get it because without that I still
13 have issues. But I have nothing further.

14 Albert.

15 MR. MARMERO: Nothing. From a
16 legal standpoint, obviously, there is the positive
17 and negative criteria, and we will get to that
18 through the planner testimony. I think we covered a
19 lot.

20 CHAIRMAN LEVITON: Brian. Jordan.

21 BOARD ENGINEER: I am realizing we
22 didn't talk about the sidewalks. I forgot to
23 mention that.

24 MR. MADRID: That is a good point.

25 MR. HOLZAPFEL: Correct. We did

1 propose some curbing along the frontage, which was
2 one of the deviations on the sidewalk. We are going
3 to try to exercise the payment in lieu. There was
4 curbing for the sidewalk. We are not proposing it
5 and asking for that deviation. And I believe there
6 is a payment in lieu in your code, and looking for
7 the deviation because there is really no where to go
8 from a sidewalk perspective.

9 CHAIRMAN LEVITON: I have given the
10 question a little bit more thought, and I believe
11 that you should identify the return paths and then
12 -- because if that is the last sticking point and
13 your business agrees to sign off on it and take full
14 responsibility, it needs to be in writing if they
15 don't give the cross easement and folks need to take
16 the circuitous roads and you put them on the record
17 and then say whatever folks do come out of an
18 establishment is on them.

19 MR. MADRID: I think we can put
20 that on the record. One thing we talked about
21 internally is, is there a possibility to direct
22 people that, listen, this is the route you have to
23 take, it is not typically done --

24 CHAIRMAN LEVITON: No. That is
25 what I am saying.

1 You understand. Let me just ask --
2 never mind. I am good. I am good.

3 Anybody else?

4 MR. MADRID: Thank you for your
5 time this evening.

6 MR. MARMERO: Have we established a
7 date?

8 BOARD SECRETARY: 10/15.

9 CHAIRMAN LEVITON: We will see you.
10 Have a good night.

11 (Matter concluded; Board continued
12 with regular business.)

13 (Time noted 9:10 p.m.)

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1 STATE OF NEW JERSEY

2 COUNTY OF MONMOUTH

3 I hereby certify that the PUBLIC HEARING in the
4 foregoing matter was the truth, whole truth and
5 nothing but the truth, in the within-entitled cause;
6 that said PUBLIC HEARING was taken at the time and
7 place herein named; and that the TRANSCRIPT is a
8 true record of the witness' testimony as reported by
9 me to the best of my ability, a duly certified
10 shorthand reporter and a disinterested person, and
11 was thereafter transcribed into typewriting by
12 computer.

13 I further certify that I am not
14 interested in the outcome of the said action, not
15 connected with nor related to any of the parties in
16 said action, nor their respective counsel.

17
18
19 *Melissa Mormile*

20
21 /s/ Melissa A. Mormile

22 MELISSA A. MORMILE, RDR, CRR, CCR

23 CCR NO. 30X100223800
24
25

	64:8	Aerial (3)	40:1,19	applied (2)
/	acres (2)	2:14;8:11,12	amount (5)	34:2;54:2
/s/ (1)	9:2;26:10	aesthetically (1)	28:22;29:2,9;81:21,	appreciate (3)
97:21	across (1)	88:23	22	3:23;34:19;93:19
A	59:22	affirmative (1)	analyses (2)	appreciated (1)
	Act (2)	4:7	35:10;65:3	56:18
	3:7,16	again (14)	analysis (37)	approach (2)
A-1 (4)	acted (1)	10:10;13:25;14:14;	26:6;29:8;30:3;	47:25;57:8
2:14;8:16,18;70:9	50:5	15:3,23;16:14;18:5,	31:21;32:2;35:4,18,	approached (2)
A-1.0 (1)	action (2)	24:21;8,18;24:13;	23;36:5;37:3,7;38:3;	46:22;50:3
69:24	97:14,16	54:11;68:13;73:20	41:12,13;49:15;54:6,	approaching (1)
A-2 (6)	activity (1)	against (1)	12,20;55:24;56:1;	59:21
2;;10:11,12;14:6;	23:17	60:1	60:13,15,23,23;63:19;	appropriate (1)
15:21,23	actual (2)	agencies (1)	65:21,23;66:10;67:5;	81:10
A-2.0 (1)	11:9;36:16	86:11	76:5;82:3,4;92:9,21,	approval (7)
71:23	actually (6)	ago (3)	24;93:3,8	11:4;49:14;50:8;
A-3 (3)	34:1;46:14;48:14;	48:14,14;64:21	analyze (5)	84:19,24;85:18;86:15
2:15;14:9,10	55:7,23;90:7	agree (9)	28:22;29:5;35:1;	approvals (1)
A-4 (3)	ADA (1)	46:1;53:4,4;66:8,	63:14;90:18	12:4
2;;14:20,23	80:4	17;67:12;85:22,25;	analyzed (5)	approved (4)
A-5 (3)	added (4)	88:3	44:13;63:15,16;	4:6;21:10;58:13;
2:16;41:18,19	22:24;54:3,23;	agreement (2)	81:23;88:16	60:2
abeyance (1)	65:22	47:8;48:6	analyzes (1)	approximately (7)
24:21	adding (2)	agrees (1)	60:11	9:1;13:16;15:6;
ability (1)	56:9;91:6	95:13	ancillary (1)	16:10;17:6;27:23;
97:9	addition (4)	ahead (3)	12:6	73:4
able (6)	3:12;5:13;18:11,12	6:21;44:14;47:21	and/or (1)	architect (7)
18:25;40:1;59:3;	additional (11)	air (1)	38:6	6:5;17:2;68:9,17,
62:19;64:13,15	16:3;23:2;28:2;	72:23	Andrew (3)	22,22;74:7
above-ground (1)	32:22,23,25;33:3;	aisle (3)	2:21;68:14;69:21	Architects (2)
19:23	34:6;52:15;65:22;	12:11,15;27:21	Andy (2)	2;;68:24
absence (3)	75:16	aisles (2)	6:5,6	area (23)
88:14;89:5,13	additionally (2)	5:14;12:20	annoying (1)	9:6,17;13:14;16:17;
absent (1)	30:22;52:14	Albert (2)	40:2	17:12;19:17;20:4;
3:24	address (5)	2:2;94:14	answered (1)	23:11,21,24;24:2;
absolute (3)	53:12;67:24;76:16;	alert (1)	91:15	39:15;43:15,16;57:6;
63:21;88:13;89:2	90:17;94:1	43:7	anticipate (2)	62:11,15;63:11,22;
Absolutely (3)	addressed (1)	algae (1)	15:9;65:25	72:12,13,15;73:22
67:12;69:12;90:21	92:13	84:15	anticipating (1)	areas (5)
abut (1)	adequate (3)	Allegiance (1)	14:17	9:14;21:5;24:16;
11:20	38:13,16,18	3:5	anymore (1)	27:9;70:11
accept (3)	adjacent (1)	allow (2)	93:6	arise (1)
63:8,24;93:10	38:6	19:13;47:8	apologize (1)	79:4
acceptable (1)	ADJUSTMENT (4)	allowable (1)	15:20	around (16)
57:2	1,;;3:8;10:22	72:10	appearance (1)	12:9;23:17;27:17;
accepted (3)	admit (1)	allowed (1)	73:17	38:23;44:3,18;48:24;
7:22;65:24;69:4	54:8	73:10	appeared (1)	51:10;54:13;61:15,
accepts (2)	admitted (5)	allows (2)	69:2	15;62:20;63:1;88:1;
7:24;26:3	8:18;10:12;14:10,	72:13;77:15	appearing (1)	90:4;94:9
access (8)	23:41:19	alone (3)	69:3	arrival (1)
5:24;10:23,24;11:4;	advancement (1)	51:24;52:4,7	applicable (1)	36:10
24:13;49:6;56:21;	25:12	along (16)	89:22	arriving (2)
58:15	advantages (1)	8:22;9:13,20;12:1;	Applicant (5)	36:12,14
accommodate (3)	40:8	17:4;20:5,19;24:12,	2:6;4:1,25;5:13;	art (1)
37:10,11;38:3	Adventure (1)	15;27:3,4,6;28:15,17;	67:15	25:12
according (1)	57:6	73:21;95:1	APPLICANT'S (1)	arterial (1)
63:24	adverse (6)	Alternate (4)	6:20	26:13
Accordingly (1)	3:22;4:23;35:20;	1,;;,	Application (8)	arterials (1)
3:15	54:17;60:18;81:2	alternates (1)	1:5;4:16;5:16;6:3;	33:25
account (4)	advertised (1)	4:1	32:9;49:12;84:19;	Asbury (13)
41:1;52:7,11,22	3:9	alternative (1)	90:16	3:9;30:19;31:7,18;
acknowledges (1)	advised (1)	46:2	applications (1)	32:3;35:24,25;82:1;
	31:11	always (2)	85:4	83:11,17,25;84:6,8

as-needed (2) 22:17;83:16 asphalt (1) 72:7 assigned (1) 34:8 associated (1) 10:19 associates (1) 76:3 association (1) 64:2 assumes (1) 37:5 assuming (1) 45:10 assurance (1) 89:2 atmosphere (1) 73:22 attempted (1) 73:16 attempting (1) 43:17 attendance (1) 80:11 Attorney (4) 2:2;4:25;50:6; 88:10 August (3) 1:2;15:3;41:15 automated (3) 13:22;78:25;79:11 available (4) 3:13;37:14;76:13; 87:13 average (3) 36:19;20;72:8 aware (2) 28:11;52:5	balanced (1) 24:8 ballpark (1) 74:21 Bank (4) 2:5;7:4,5;32:12 bar (1) 89:18 barn (2) 73:19,22 based (11) 30:20;33:7,13; 36:15;38:2;49:15; 51:14;54:20;56:19; 64:18;67:8 baseline (5) 52:20;54:15,20; 92:11,19 basically (3) 42:9;82:17,25 basin (3) 21:16,20,22 basins (6) 5:14;19:23;20:2,7; 21:17,20 basis (4) 22:17;35:18;60:25; 83:16 bathroom (3) 22:4,12;71:3 batten (4) 72:1,1;73:18,18 Beahm (3) 2:12;4:13;24:20 becomes (1) 51:4 begin (2) 4:11;92:10 behalf (2) 4:18;66:16 behavior (1) 52:9 behind (1) 18:2 belief (1) 58:20 beneficial (1) 63:23 benefit (1) 42:24 best (4) 35:9;57:1;63:14; 97:9 better (2) 6:19;65:20 big (2) 18:18;91:3 bioretention (1) 19:23 bit (7) 8:24;12:24;16:18; 17:10;28:8;62:10; 95:10	Block (3) 1:;5:1;8:25 blue (2) 42:12,15 BOARD (136) 1:;2:2,9,10,11,12; 3:8,10,20,24;4:12,13, 14,14,22;7:1,23;8:8; 10:22;11:3,24;12:23; 15:11,15,19;18:8,10, 13,17,18,20;19:3; 26:3;28:19;34:19; 42:25;43:7;44:1,15, 22;45:3,7,8,14,24; 46:17;50:9,12,18,22; 52:16;55:3,7,11,18, 21;56:3;57:25;58:9, 15,19;59:5,9,12,25; 61:11;62:23;66:8; 67:19;68:18;69:3; 70:5;72:1;73:18,18; 74:3,11,15,20,25; 75:4,6,10,17;76:12; 78:7,10,13;80:3,7; 81:14,17,25;83:2,20; 84:8,12,18,23;85:14, 17;86:4,6,10,18,21, 25;87:2,10,11,20; 89:15,19,20;90:1,2,6, 11,23,25;91:9,10,14, 21;92:2,9,12,17; 93:13,17,24;94:21; 96:8,11 boards (7) 7:11;17:22;18:11; 25:24,24;69:2;76:23 board's (5) 34:21;44:13;66:3; 85:11;87:18 Boccanfuso (1) 2:10 Bohler (3) 2:;5:20;7:3 both (6) 21:20;26:20;33:15; 66:22;77:15;81:6 bottles (1) 84:3 bottom (1) 71:10 Boulevard (1) 25:19 boundaries (1) 27:6 branch (1) 7:3 break (2) 68:6;70:4 Brian (2) 2:10;94:20 brief (1) 62:7 bring (3)	51:20;75:24;81:13 brings (1) 71:13 Brock (5) 28:12;58:24;64:2; 65:18,23 brook (2) 20:13;21:8 buffer (5) 21:1;57:12;59:22; 61:24;62:2 buffering (1) 23:16 buffers (1) 20:13 build (1) 35:11 building (28) 3:12;5:9;12:10; 13:15;16:2,4,8,12,14, 25;18:2,2;22:4;23:18, 19;27:17,20;70:1,2, 12;71:11,24;72:8,19, 22;73:16,23;84:25 built (4) 64:1;84:10;89:6,10 bulletin (1) 3:10 bumped (1) 34:1 busier (3) 31:12,13;82:15 busiest (2) 30:23,25 Business (13) 5:2;9:3;30:24; 54:12;57:11;66:5,23; 73:14;74:19;77:24; 88:22;95:13;96:12 bypass (3) 13:6,8;22:21	came (2) 60:23;75:22 camera (1) 60:22 can (72) 8:21;9:5;10:6;13:7, 8,23;14:1,4;15:5,6,8, 10,12;18:8,17,24; 22:7,18,23;23:23; 25:8;28:4;29:18; 35:19;36:24;37:10; 38:1;42:23;43:20; 44:10;47:10,16,19; 48:23;50:12,13,15; 51:8,9,10,10,10; 53:12;59:21;60:18, 20;62:4,12,21;63:6; 66:6;67:24;68:12; 69:9;72:5;75:8,18,24; 76:6;77:18;78:2,5,8; 79:3,19,21;80:1,2; 86:2;87:16;92:7; 95:19 canopy (1) 23:1 cantles (1) 24:10 capacity (2) 28:25;85:7 captured (1) 85:2 Car (83) 2:;15:5;8,9,12; 10:18;13:21,21;14:3, 7,13,16;15:2;17:17; 18:21;19:8,10;22:5; 27:14;29:16;30:17, 17,18,19,21;31:8,17, 18,23;32:3,14,14,16, 24;33:16;34:7;35:24, 25;36:11,21,25;38:4, 8,20,21;40:8,11,13, 14,16,21;43:9;44:8; 45:9,11,13,15,16,23; 46:10,11;47:8;48:3, 10;53:16;54:1,24; 57:18;61:20;64:9; 69:1;70:3,17,17,19, 23,24;71:4;72:4; 80:22;81:5,22;82:8 carries (3) 4:3;26:13,20 carry (1) 26:21 cars (18) 15:6,8,10;29:21,23, 24;31:24,25;36:22, 24;37:5;53:1;62:19; 70:16,18;71:17; 82:25;84:1 case (2) 24:22;36:19 cases (1)
B			C	
Bachelor (2) 7:6;25:13 bachelor's (1) 68:21 back (27) 14:6;15:21,21,23; 17:7,10;18:2;20:14; 28:8;43:16,20;44:7; 45:5,6,8,10,13,16,18; 46:25;47:3;51:8; 59:12,17;64:13; 75:25;92:8 background (1) 68:19 bad (1) 40:12 bail-out (1) 27:19 Baker (1) 1:			C-301 (1) 10:5 Cahill (2) 7:25;8:1 calculate (1) 29:19 calculated (7) 29:9;32:5,10;35:15, 16;37:8;81:23 calculation (1) 36:9 call (14) 3:2,17,18;4:18; 9:12;16:7;17:13,21; 20:3;21:5;25:1;57:14; 60:10,12 called (6) 15:2;28:12;29:13; 34:11;36:4,6	

56:13 catches (1) 71:1 category (1) 17:23 cause (1) 97:5 CCR (3) 1:;97:22,23 cement (1) 72:1 center (9) 53:17;58:25;65:6, 11,14;89:6,10,11;90:7 center-turn (1) 63:25 certain (2) 61:25;65:20 certainly (3) 58:1;60:6;62:12 certified (1) 97:9 certify (2) 97:3,13 Chair (2) 85:15;89:20 Chairman (138) 1:;3:2,6,20;4:11, 15,20;6:14;7:23;8:3; 9:25;24:19;25:3;26:2; 34:12,16;39:3;40:25; 41:7,11,16,21;42:1, 13,19,23;43:6;44:4, 11,20,24;46:16,21,24; 47:2,6,16,18,21; 48:11,15;49:2,9,18, 22;50:4,11,16,20,23; 51:16;52:5,12,19; 53:5,13,21,24;54:7; 55:1;56:15,18;57:16, 23;59:15;60:4,14,17; 61:3,6,13,18,22; 62:16,18;63:4,7,12, 21;64:25;65:13;66:2, 14,25;67:7,10,14,17; 68:2,10;69:7,11,16; 74:1;75:11;76:2,10, 14,20,22;77:3,6,20; 78:12;79:2,13,17,20; 80:10;81:16;82:6; 83:15,23;84:4;85:3, 16;87:8,12,24;88:5, 21;89:23;90:3,9,13; 91:2,8,17;92:6,15; 93:9,19;94:6,20;95:9, 24;96:9 chambers (1) 71:8 changed (2) 35:13;91:19 changes (4) 75:1;76:4;88:19; 89:24	changing (2) 42:11;64:18 Channel (1) 72:10 channelize (1) 12:18 charge (1) 69:5 check (6) 47:16,19,22;49:4; 62:5;87:18 chief (1) 25:17 choice (1) 42:17 choose (3) 13:4;40:21;70:19 chooses (1) 40:17 Christine (1) 6:11 Circle (4) 30:19;31:8,18;82:1 circled (1) 8:21 circuitous (3) 44:6;93:22;95:16 circulate (3) 22:20;27:16;92:4 circulation (6) 5:24;12:7,11,25; 56:21;57:2 cites (1) 63:25 civil (3) 7:7,22;25:13 clarification (7) 18:9;34:21;48:18, 18;63:22;88:6,13 clarified (2) 89:4;93:7 clarify (3) 22:2;75:22;93:5 claustrophobic (1) 72:5 cleaned (1) 71:15 cleaning (1) 84:1 clear (6) 16:18;33:6;34:17; 62:8;80:20;92:23 clerk (1) 3:14 client (7) 18:22;22:3;47:6,18, 23;66:16;89:12 close (9) 9:18;12:19;38:6; 74:12,16;77:23,25; 78:2,3 closed (3) 40:12;73:14;74:19	closed-loop (1) 71:21 close-loop (1) 71:2 closer (3) 21:20,21,22 closest (3) 25:24;30:19;73:4 closing (2) 83:3,4 Co (2) 1:;4:25 code (14) 11:14;12:14;17:8, 11,11;18:7;19:24; 20:17,22;21:6;24:5, 11;87:5;95:6 coffee (2) 33:2,20 Cofone (4) 6:11,11;68:7;69:17 colder (1) 31:12 collect (2) 20:8;60:22 collected (5) 29:16;31:16;33:23; 54:21;60:21 collection (2) 30:3,15 collector (1) 27:1 color (1) 42:10 colorized (2) 10:7;15:24 colors (3) 42:10,12,15 Colts (1) 84:11 comfortable (3) 49:16;61:11;80:8 coming (8) 3:21;11:23;28:4; 36:25;57:6;61:19; 64:14;68:5 Commencing (1) 1: comment (3) 49:8;91:22;93:20 comments (8) 12:22;22:1;85:23; 86:7,14,24,24,25 commercial (1) 9:6 commission (1) 85:23 commit (1) 89:21 communications (1) 87:23 community (1) 4:4	COMPANIES (2) 2:;23 Company (4) 4:17;47:24;66:23; 71:20 compare (2) 29:6;54:5 compared (5) 31:17;32:24;35:11; 65:8;82:14 compares (1) 32:10 comparing (1) 52:17 comparison (2) 53:20;55:16 comparisons (1) 33:7 compilation (1) 29:15 completed (1) 64:9 completely (2) 55:14;58:5 compliance (1) 3:16 compliant (3) 17:1;19:25;24:14 complies (1) 49:6 complimentary (2) 46:14;48:4 comply (4) 50:15;85:22,25; 86:6 complying (1) 20:14 composition (1) 72:7 computer (1) 97:12 concern (5) 39:9;43:8,14;51:3; 62:25 concerned (2) 62:23;93:6 concerns (4) 39:7;59:17;79:3; 91:3 conclude (1) 75:25 concluded (5) 35:19;51:25;52:13; 54:16;96:11 conclusion (2) 56:19;64:17 conclusions (3) 52:6;54:10,11 concrete (1) 66:19 condense (1) 16:23 condenser (1)	72:21 condition (13) 21:18;29:4;34:5; 35:11,12;50:8,14,14; 65:10,12;84:19;89:8; 92:3 conditional (1) 49:14 conditionally (1) 58:13 conditioner (1) 72:23 conditions (8) 8:20;10:17;29:6; 52:22;56:23;65:25; 80:19;89:17 conducted (7) 30:8;35:22;51:19; 53:11;64:17;65:4,21 configuration (1) 12:5 confirmed (1) 12:2 conflict (1) 88:17 confused (1) 73:25 confusion (2) 56:5;93:2 connected (1) 97:15 consent (1) 89:12 conservation (2) 21:9;86:12 conservative (4) 34:2;37:4;65:2; 82:3 consider (2) 36:19;61:12 consideration (3) 54:2,25;65:5 considerations (1) 61:10 considering (1) 34:23 consistent (1) 20:6 consists (1) 70:2 construct (1) 58:25 constructed (5) 28:14;58:22;59:3, 14;89:11 consult (1) 67:21 consultation (1) 30:16 Consulting (1) 6:11 consumer (2) 51:5,6
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contention (1) 63:13	covering (1) 73:19	4:24	43:18	diagonal (1) 16:18
contextual (1) 43:7	credentials (5) 7:1,24;25:9;26:3; 68:19	data (8) 29:11,15,18;30:3, 15;31:16;60:21;81:20	demonstrated (2) 56:25;57:2	diagram (1) 42:24
continue (4) 24:21;48:15;68:9; 91:5	credibility (1) 54:17	date (6) 8:13;10:10;76:11; 81:20;87:9;96:7	DEP (5) 9:14,17;20:14; 86:16,19	dictate (1) 51:13
continued (2) 3:19;96:11	credit (2) 53:22;65:5	dated (8) 10:9;14:13;15:3; 26:7;41:15;69:25; 70:9;71:24	department (5) 84:24;85:1,4,6; 88:11	difference (2) 64:22;81:7
continuing (2) 45:9;62:15	criteria (2) 89:18;94:17	days (2) 48:13;84:17	dependent (1) 74:24	different (6) 32:11;40:23;42:11; 56:22;69:1;70:6
control (2) 47:12;67:15	cross (6) 57:7,20;58:6;62:13; 63:10;95:15	DAVID (1) 2:4	depending (5) 22:18;71:17,17; 79:7;84:14	difficult (2) 23:19;42:8
convenience (3) 32:18,22;40:16	cross-access (4) 46:22;47:7;50:7; 94:11	dawn (2) 78:3;82:24	depressed (1) 11:15	Digital (1) 76:24
convenient (2) 46:10;51:5	crossed (1) 62:9	day (9) 30:23,25;48:14; 51:9;78:24;80:19; 81:2,3;91:23	depression (1) 11:16	dimension (1) 24:4
Cooper (1) 25:11	cross-examine (1) 39:5	daytime (2) 40:11;73:11	describe (1) 28:19	dimensions (1) 17:3
cooperating (1) 40:5	CRR (1) 97:22	de (1) 88:1	described (1) 27:15	diminishes (1) 36:14
copy (4) 3:10,12;78:9;92:1	cupola (1) 73:20	deal (1) 23:5	design (6) 25:17;26:5;49:16; 51:14;66:18;73:16	Dino (3) 2;;82:10,12
corner (6) 17:5;22:15;30:6; 42:5;43:3,3	curb (6) 9:12;11:8,15,15,19; 27:23	decade (1) 52:21	designated (2) 79:14;80:1	DIRECT (6) 6:22;24:18;25:5; 69:20;77:14;95:21
corrected (1) 42:2	curbing (3) 28:7;95:1,4	decibel (2) 73:6,10	designed (2) 49:17;77:13	direction (5) 19:14;26:14,16,22; 51:11
corroborated (1) 88:10	curious (2) 80:18;82:13	decibels (1) 73:7	designs (1) 41:1	directional (12) 17:14,15,23;18:9; 19:3,5,6,9,11,15,16; 74:5
Counsel (2) 2:6;97:16	current (4) 52:22;55:14;56:23; 65:24	decide (3) 13:24;30:13;48:9	desire (1) 93:14	directions (2) 26:21;57:5
count (1) 31:11	currently (6) 7:8;9:11,21;54:14; 57:10;86:11	decision (1) 4:3	destination (1) 40:17	dirt (1) 83:1
counted (4) 30:22;31:14;32:21; 81:2	curves (1) 66:19	decisions (1) 67:21	detailed (1) 65:3	disbursed (2) 17:15,20
counterclockwise (2) 12:9;27:17	custodians (1) 68:5	dedicated (2) 13:5;89:14	details (5) 54:9;74:4,6;76:25; 91:6	discharge (4) 20:9;21:3,7,10
counting (3) 32:3;61:4;67:11	customer (6) 38:20;43:19;78:19; 79:3,12,25	dedication (2) 12:4;17:9	detention (1) 5:14	discrepancy (1) 64:20
counts (13) 4:8;30:1,8;31:1,7; 51:19;52:8;55:4,12, 15;80:25;82:1,18	customers (4) 5:12;13:12;43:9,14	defer (1) 84:25	detergent (1) 71:14	discuss (1) 66:22
County (29) 8:23;9:13;10:24; 11:15;12:2,4;18:4; 26:1,12,18,24;27:5; 28:2,6;33:25;39:22; 43:11;49:4,6,8,10,12; 57:17;58:13;59:4; 60:1;65:24;88:12; 97:2	cut (4) 11:15,19;49:24; 87:25	definitely (2) 56:4;79:12	determination (1) 56:2	discussed (1) 39:1
couple (3) 11:3;79:6;86:15	cuts (2) 9:12;27:23	definition (1) 53:7	determine (2) 61:1;76:3	discussions (1) 17:9
course (5) 53:5;62:18;68:10; 81:16;84:4	cut-through (1) 52:8	defunct (2) 52:21;64:18	determined (5) 30:16;31:1;33:14; 51:25;81:21	disinterested (1) 97:10
courtroom (1) 68:3	D	degrade (1) 38:9	Development (9) 1;;4:16,25;20:3; 23:7;36:7;39:23,24; 64:2	displayed (1) 3:11
covered (2) 87:19;94:18		degree (2) 7:7;25:13	deviation (12) 11:11,13;12:19; 16:5;18:5;20:21; 21:12;23:22;24:10, 15;95:5,7	distance (3) 24:3;44:23;73:7
	daily (1) 71:16	delivery (1) 22:13	deviations (6) 11:3;12:13;17:24; 20:16;24:3;95:2	distances (1) 93:14
	dangerous (4) 60:7;61:8;62:22; 63:14	demand (5) 30:21;36:17,20; 37:2,14		district (2) 21:9;86:13
	Daniel (1)	demands (1) 38:18		disturbances (3) 20:15;21:2,12
		demonstrate (1)		divided (1) 34:9

done (4) 9:18;41:14;80:17; 95:23	12:1,3;17:9;46:22; 50:7,10;64:5;94:11; 95:15	27:9	43:12;49:25;57:9; 87:7;95:18	15,19,25,25;42:4; 78:8;93:18
DOT (1) 33:24	east (19) 9:6;16:3,17;26:15; 41:4,6,8,21;43:15; 45:5,9,22;48:3;49:1; 61:19;63:2;64:13; 78:17;90:5	end (2) 66:24;79:9	Estates (2) 28:12;58:24	EXHIBITS (1) 2:13
double (6) 58:2,2,7;62:8; 63:10;88:6	east/west (1) 34:23	Engineer (63) 2:11;4:12,14;5:20; 6:1;7:8;15:15,19; 25:16,17,21;45:8; 52:16;55:3,7,11,18, 21;56:3;57:25;58:9, 15,19;59:25;60:10; 66:3,8;74:7,11,15,20, 25;75:6,10;76:15; 80:3,7;81:14,17; 83:20;84:8,12,18,23; 85:14,17;86:6,10,18, 21,25;87:2,10,20; 89:20;90:2,6,11,25; 91:10,14;92:2;94:21	estimate (1) 28:22	existed (1) 56:22
down (4) 26:15;30:5;57:9; 71:13	eastbound (2) 34:9;39:14	Engineering (9) 2:5;21;7:3,7,22; 25:13,14;62:2;76:18	estimation (2) 57:3;93:23	existing (10) 8:20;9:12;27:11,23, 23;28:8;31:22;34:3, 10;54:21
drainage (1) 20:6	easterly (1) 27:25	Engineers (2) 29:13;35:5	EV (1) 87:4	exists (1) 20:7
draw (1) 47:14	eastern (3) 10:25;13:1;77:14	engineer's (1) 15:11	evaluates (1) 85:4	exit (7) 13:9,23,23,24; 17:18;19:13;77:18
drawing (1) 48:19	easy (3) 75:14;94:3,5	enough (3) 37:13;58:9,11	even (5) 58:10;65:20;67:18; 70:12,20	exiting (3) 32:21;42:9,16
drive (5) 5:14;12:11,15,20; 45:22	edge (2) 28:8;42:7	ensure (3) 50:7;76:6;89:15	evening (22) 3:25;4:21,22;5:1,7, 17;7:19;25:4;29:22; 31:3,23;32:15,24; 33:5,19;40:13;67:3; 69:23;73:13;75:23; 80:14;96:5	exits (1) 19:18
driver (2) 42:16,19	edition (2) 29:14;36:8	enter (6) 13:1,15;19:6;46:6; 58:7;80:13	evenings (1) 31:12	expect (1) 74:21
driveway (22) 10:25;11:1,1,6,9,17, 19,20;12:5,11;13:1; 28:1;58:8,20;59:6,8, 10,23;60:24;77:14; 88:20;90:12	effect (2) 35:20;54:17	entering (3) 32:20;34:8;48:6	event (1) 81:1	experience (2) 30:20;70:12
driveways (13) 10:24;11:5;27:11, 12,25;28:7,15;30:5; 35:2,3,14,16;38:6	efficient (2) 24:7;38:15	entire (1) 92:5	eventual (1) 58:22	expert (3) 7:22;69:5;80:12
driving (1) 23:18	efforts (1) 47:11	entitled (2) 10:3;41:14	everyone (5) 3:3,23;6:16;34:18; 39:6	explain (4) 8:20;18:17;25:9; 42:3
dry (1) 79:9	Egress (17) 2:16;11:2,6,16,19; 28:1,4;38:13;39:9; 41:15,22,25;49:13; 77:8;90:22;91:7,11	entrance (5) 17:17;19:8;24:16; 58:16,18	Everybody's (1) 4:8	express (2) 70:17;84:2
dryers (1) 79:11	eight (7) 14:18;15:6,17; 18:13;32:13;37:8,10	environmental (4) 20:10;85:23;91:24; 92:3	event (1) 81:1	expressed (1) 43:8
dual (2) 58:22;66:11	either (4) 13:23;18:24;38:22; 48:6	environmentally (1) 9:14	eventual (1) 58:22	extensive (1) 54:8
duly (1) 97:9	elevations (1) 71:24	equipment (7) 70:3;71:12;72:19, 20,20,21;73:9	everybody (5) 3:3,23;6:16;34:18; 39:6	exterior (3) 35:21;71:25;72:19
dump (1) 84:2	eliminate (1) 90:4	Esq (1) 2:2	Everyone's (1) 4:8	externally (1) 72:11
dumpster (2) 22:14,16	else (8) 21:14;22:20;45:17; 86:18;91:13,24; 93:12;96:3	ESQUIRE (1) 2:4	evidence (9) 8:18;10:11,13;14:9, 11,22,24;41:20;53:9	eye (4) 59:20,20;63:13,13
during (4) 40:11;52:25;73:11; 75:23	Ely (2) 43:24;48:25	essentially (11) 10:16;13:2,6;15:13; 17:19;20:18;27:22; 37:18;74:15;77:10; 80:8	exactly (3) 53:2;54:19;75:18	F
dusk (2) 78:3;82:24	email (1) 78:8	establish (2) 56:11;87:9	exam (1) 80:17	
E	emergency (1) 6:7	established (3) 54:15;92:11;96:6	EXAMINATION (3) 6:22;25:5;69:20	facade (4) 16:25;17:3;72:13, 15
	employee (1) 78:14	establishment (5)	exceedance (1) 11:10	face (1) 16:14
earlier (11) 35:23;37:9;38:19; 40:13;68:4;70:1,16; 71:2;83:4,15;85:18	employees (9) 13:17;37:16,19; 78:21,23,25;79:14; 80:2,6		Except (2) 56:19;92:7	facilitate (2) 59:1;64:6
earned (1) 25:12	encroaching (1) 20:24		exception (4) 33:18;55:2;57:24; 64:10	facilitating (1) 79:7
easel (2) 8:7,8	encumbered (1)		exclusively (2) 66:4;89:14	facing (1) 77:18
easement (9)			Excuse (1) 34:12	fact (2) 43:8;73:13
			executed (2) 88:15;94:10	facto (1) 88:1
			exercise (3) 47:11;94:3;95:3	fairly (2) 18:21;61:25
			Exhibit (34) 2:14,15,16;8:11,12, 13,18,19;9:23;10:3,9, 12;14:6,8,10,12,13, 19,20,23;15:2,14; 34:24;40:4,8;41:14,	faith (2) 47:11,13
				familiar (1)

7:14 far (2) 52:2;54:5 farmland (1) 9:10 Farms (4) 28:13;64:2;65:18, 23 favorably (1) 66:17 feature (1) 72:3 features (2) 10:20;20:10 feel (4) 61:7,11;73:20;80:7 feet (36) 11:11;16:10,19,19; 17:6,16,25;18:6;21:2, 3,17;24:5,5;28:9; 31:19;36:21;42:20; 43:5;48:3,19;57:9; 70:2,6,7,7;72:9,10,12, 14,16,16,17,18;73:4, 7,8 few (6) 18:23;20:16;22:1; 32:11;67:2;81:13 fewer (3) 33:4;36:1,14 FHA (1) 9:19 fiber (1) 71:25 figure (1) 44:10 file (4) 3:13;15:18;37:12; 78:9 fill (3) 21:18;46:12;68:20 Filters (1) 71:15 final (1) 86:13 Finally (1) 6:9 find (1) 70:20 fine (3) 69:18;71:14;93:25 finish (5) 15:22;45:15;52:23; 69:16;92:18 finished (3) 24:22;71:25;72:6 fire (4) 11:22;86:21,22,23 firm (1) 68:24 First (9) 5:19;6:13;8:10; 16:24;36:8;38:1,44:5;	55:3;78:11 fit (2) 15:6,10 five (3) 4:6;48:20;69:12 fixed (3) 76:24;77:2;83:3 flag (1) 3:4 flipping (1) 15:21 flood (1) 9:17 flooding (1) 68:5 floor (3) 69:24;70:9,25 flow (3) 27:21;28:2;79:21 flows (2) 71:8,10 fly (1) 94:4 folks (11) 13:11;57:5;61:14; 64:12,14;87:25;89:1; 90:4;94:7;95:15,17 follow (2) 43:22;46:8 Following (3) 5:25;22:15;48:10 foot (7) 5:8;10:18;11:18; 12:16,21;18:6;24:10 force (2) 50:9;61:7 foregoing (1) 97:4 forgot (1) 94:22 form (1) 26:18 formal (2) 47:7;50:8 formation (2) 15:18;16:18 former (6) 27:12;53:17,20,23; 54:2;65:6 forming (1) 36:13 forth (1) 15:21 forum (1) 94:4 forward (1) 34:18 found (4) 33:2;35:12,14;46:4 foundation (2) 23:10,20 four (13) 5:17;16:3;36:24;	37:15,16,20;48:5,19, 22;78:16,21,22;80:4 four-and-a-half (1) 26:10 frame (1) 89:9 free (1) 13:25 Freehold (13) 25:25;27:2;28:11; 39:14;40:20;43:15, 16;57:7;61:17,20; 84:24;85:3,18 freestanding (1) 17:4 French (1) 84:3 frequency (1) 91:14 fresh (1) 71:20 Friday (6) 30:9,10,22,23;31:2, 9 fries (1) 84:3 Front (13) 2;12:1;16:2,7,12, 13,25;17:4;18:4; 24:12;25:23;27:19; 57:11 frontage (1) 95:1 full (6) 10:25;58:15,17; 60:3;83:25;95:13 full-movement (1) 27:11 fully (1) 66:19 function (4) 56:20;57:12;61:24; 88:22 functionality (1) 57:2 functions (1) 85:6 further (9) 9:9;26:15;44:5; 52:12;54:6;57:9; 84:25;94:13;97:13 future (11) 28:17;29:2,4;34:4; 58:21,23;59:2;64:1; 65:9,11,18	gaps (2) 60:22;61:2 garden (4) 53:17;65:6,6,11 gas (2) 46:12;51:10 general (1) 81:17 generally (18) 9:5,13;10:4,8;12:8; 13:17;14:15;15:5,12; 16:18;17:22;24:14; 74:22;75:6;77:1; 78:16,21;84:12 generate (8) 29:10;32:13,18; 33:3,15;51:22,22; 56:12 generated (11) 28:23;32:4,21,22; 34:7;36:1;38:3;54:1, 24;64:19;83:23 generates (1) 53:19 generation (10) 29:13,19;31:17; 37:6;53:11,15,17; 55:16;57:1;82:4 gentleman (1) 82:7 gets (7) 15:7;70:13;71:19; 72:4;78:9;85:1;90:15 given (1) 95:9 glad (1) 94:10 goes (4) 22:1;54:5;71:4,11 Going's (2) 63:24;64:4 Good (16) 4:21;25:4,21;47:11, 13;54:13;68:1,23; 69:8,23;87:2;91:23; 94:24;96:2,2,10 Google (1) 46:7 gore (5) 57:14,16,21;58:7; 66:9 GPS (1) 46:6 grade (2) 20:18;72:8 grading (3) 21:4,16,22 graduate (1) 25:11 granted (1) 46:17 grasses (1) 23:2	gray (4) 62:11,15;63:10,22 Great (3) 57:6;68:11;77:21 greater (1) 73:8 green (2) 42:9,10 groceries (1) 46:12 ground (1) 66:1 GROUP (3) 2;23;92:5 grow (1) 36:18 growth (3) 33:24;34:3;54:23 guess (1) 84:5
H				
				Half (2) 7:4;37:1 hand (2) 9:21;82:7 handle (1) 79:3 handled (1) 15:12 handles (2) 73:1,3 hang (1) 38:23 happen (1) 64:8 happening (1) 22:6 happily (1) 89:9 harm (1) 90:14 Harmony (2) 43:24;48:25 Harrington (3) 1;83:7,12 hauler (2) 22:17,19 hazard (1) 9:17 head (2) 40:19;48:25 heading (5) 34:10;42:11;57:7; 63:2;90:5 health (5) 84:24;85:3,4,6,18 hear (5) 39:3,6;66:21;68:7; 77:8 heard (5) 35:5;46:25;47:3;

56:15;67:19 hearing (5) 4:2;44:14;75:24; 97:3,6 height (3) 72:7,9,10 help (9) 12:18;13:11;17:16; 18:22,25;20:6;21:18; 22:7;63:19 helpful (2) 44:12;81:15 helps (2) 19:9;40:2 hence (1) 10:21 Hendrickson (2) 43:23;48:24 hereby (1) 97:3 herein (1) 97:7 high (3) 19:22;37:24;89:18 higher (5) 31:21;32:6;36:17; 82:2,2 highlight (1) 37:24 highlighted (1) 43:22 history (1) 73:21 hold (4) 24:20;44:4;59:15; 69:17 Holzapfel (25) 2:18;5:20,25;6:23; 7:2;77:1,5,10;78:1,16, 24;79:5,10,15,19,24; 80:5,9;86:9,12,20,23; 87:1,5;94:25 home (2) 45:17;51:8 hope (1) 94:12 Hopefully (3) 9:19;75:25;86:14 horizontal (1) 42:5 hour (13) 29:22;31:2,3,5; 33:4,5,19,20;36:23; 77:24;78:2,2,3 hours (9) 31:20;40:11;52:25; 73:11,13;81:17; 82:23;83:3,10 Hovnanian (3) 63:24;64:1;89:12 Hughes (1) 1: humble (1)	60:7 hundred (1) 89:2 hurt (1) 90:15 hyperbolic (1) 93:21 I idea (1) 77:21 identified (2) 88:16;92:20 identify (1) 95:11 identifying (2) 66:11;75:18 illegal (5) 39:15;61:23;62:3; 63:17;88:8 illegally (2) 51:15,17 illuminated (1) 72:12 illustrate (1) 53:19 impact (6) 26:6;38:5;52:1; 53:8;56:20;57:1 implications (2) 4:4;20:20 important (1) 5:4 imposed (2) 28:2;39:23 improved (1) 20:4 improvement (2) 58:24;59:13 improvements (5) 5:23;28:14,17; 58:21;65:18 Inc (3) 1;;2:20;4:25 inch (1) 48:19 inches (2) 48:20,20 include (6) 18:10;49:23;58:25; 65:10;76:5;84:20 included (1) 56:7 including (1) 29:16 Incorporated (1) 4:17 increase (1) 23:13 increased (1) 54:22 Independence (1)	25:19 independent (1) 83:9 indicate (4) 19:18;52:24;62:10; 64:3 indicated (6) 8:25;10:18;19:25; 69:25;73:8;83:16 indicates (2) 64:4;73:6 indicating (2) 48:7;90:21 industry-wide (1) 29:14 infinitely (1) 36:18 information (2) 37:23;73:9 informational (2) 92:14,19 infrastructure (1) 67:11 ingress (12) 10:25;11:18;27:25; 38:13;41:22;49:13; 58:13;59:1;66:18; 76:4;88:4;89:25 ingress/egress (1) 50:7 initial (3) 55:13,15,16 initially (1) 55:8 inside (2) 22:6,6 instead (2) 23:8;45:5 Institute (1) 29:12 intended (2) 41:2,3 intent (1) 62:13 intention (1) 61:7 interested (4) 39:13;48:1;62:19; 97:14 interior (3) 35:22;70:2,10 internal (1) 23:6 internally (2) 88:22;95:21 interrupt (1) 49:3 intersection (9) 26:19,19;29:1,3; 30:4,7;35:4;38:10; 42:21 intersections (1) 65:5	into (34) 8:6,18;9:16;10:11, 12;14:8,10,21,23; 16:23;19:1,14,21; 23:18;40:7,19;41:19; 46:6;48:6;52:7,11,22; 54:6;61:20;63:3,6; 71:4,11,12,21;72:2; 89:1,21;97:11 in-turn (1) 88:19 investigation (1) 65:3 invite (1) 24:21 iron (1) 76:19 issue (7) 6:6;63:19;68:3; 76:19;79:21;89:4; 93:7 issues (10) 39:1;64:16;67:18; 75:22;85:5;87:14,15; 88:24,25;94:13 ITE (19) 29:13,18;31:19,19; 32:1,10;33:7,16;34:7; 36:1,6;37:6;51:22; 53:7,15,16;81:23,24; 82:2 items (1) 87:17 J Janice (4) 2:9;78:8;86:5; 91:25 Jennifer (1) 2:12 Jersey (9) 2:5;7:5,9,12;25:18, 22,24;39:18;97:1 Jessica (1) 1: Joe (6) 5:20;7:2,22;26:9; 27:15;37:10 Joe's (1) 38:19 John (1) 1: joining (1) 4:22 Jordan (2) 2:11;94:20 Joseph (2) 2:18;6:23 Joshua (1) 1: jump (1) 92:12	June (2) 8:13;14:13 jurisdiction (2) 27:7;60:2 K keep (2) 20:6;40:2 kidney (1) 6:6 kind (5) 17:15;23:2;62:14; 75:13;78:18 kiosk (3) 12:19;13:4,10 kiosks (1) 12:18 Klompus (10) 1;;78:14,22;79:8; 80:15;81:4,11;82:13, 17,22 knew (1) 35:25 known (1) 26:12 L lack (1) 52:8 land (7) 9:8;25:24;29:16; 36:6,7;48:2;49:19 landscape (1) 22:22 landscaping (6) 5:14,23;10:7,19; 22:24;23:5 land-use-type (1) 86:17 lane (19) 13:6,8;15:7;22:21; 26:16,22,23,23;27:19; 37:10;58:22,25; 63:25;65:15;66:12; 89:6,10,11;90:7 lanes (6) 13:4,4,10;26:14,20; 27:18 large (1) 28:13 larger (1) 71:10 laser (1) 22:15 last (2) 77:22;95:12 Lastly (2) 24:1;92:6 later (3) 39:2;67:25;83:5 Latilla (1)
--	---	---	---	--

1: lavatory (3) 70:4,12,14 law (1) 62:1 lay (1) 54:8 layout (1) 10:3 LBS (3) 5:2,5;9:2 leads (1) 56:5 learn (1) 51:7 least (3) 12:21;21:17;48:7 leave (10) 13:8,20,20,21;14:4; 38:22;43:4;59:23; 60:5;70:16 leaving (1) 15:13 left (37) 19:15;26:20;39:19, 21:40;2;42:17;43:5, 10,19;45:18,21,21; 57:18,19;58:17;59:1, 3,22;60:15;61:4,20; 62:2;63:3,6;64:10; 66:10,11,20;77:7,11; 86:17;88:19;89:1,21; 90:10,21;91:6 left-hand (5) 43:11;64:15;88:9, 15;89:3 left-turn (3) 26:22;28:3;77:18 left-turn-ins (1) 64:7 legal (9) 47:9;57:20;58:6; 60:1,6;61:15;63:22; 89:3;94:16 legally (1) 58:1 less (3) 72:18;73:10;81:22 letter (3) 72:10;85:25;86:22 letters (1) 11:25 level (9) 19:22;35:6,8,15,17; 38:9;55:20;56:1; 73:10 levels (2) 35:12;60:24 Levenson (1) 1: Leviton (130) 1;3;2,6,20;4;11,15; 6:14;7:23;8:3;9:25;	24:19;25:3;26:2; 34:12,16;39:3;40:25; 41:7,11,16,21;42:1, 13,19,23;43:6;44:4, 11,20,24;46:16,21,24; 47:2,6,16,18,21; 48:11,15;49:2,9,18, 22;50:1,4,11,16,20, 23;51:2,16;52:5,12, 19;53:5,13,21,24; 54:7;55:1;56:15,18; 57:16,23;59:15;60:4, 14,17;61:3,13,18,22; 62:16,18;63:4,7,12, 21;64:25;65:13;66:2, 14,25;67:7,10,14,17; 68:2,10;69:7,11,16; 74:1;75:11;76:2,10, 14,20;78:12;79:2; 80:10;81:16;82:6; 83:15,23;84:4;85:3, 16;87:8,12,24;88:5, 21;89:23;90:3,9,13; 91:2,8,17;92:6,15; 93:9,19;94:6,20;95:9, 24;96:9 License (5) 1;13:11;25:21; 48:6;68:23 licensed (5) 7:8;25:20,22;68:22; 71:19 lieu (3) 90:11;95:3,6 light (7) 24:4;42:9;44:2,17; 45:25;57:7;77:24 lighting (7) 5:15,23;22:22;24:1, 7,8;77:22 lights (2) 24:2,6 likely (1) 9:15 Limited (2) 5:2;9:2 line (22) 8:22;11:6,9,10; 12:1;15:8,10;16:9,11, 15;17:6;19:12;21:21, 23;24:12;27:2,4;58:7; 59:16;73:5,5;88:6 lines (7) 57:10,12,21;58:3; 61:24;62:8;63:10 list (5) 87:17,17,18;91:3; 94:1 listen (1) 95:22 literature (1) 73:6 little (11)	8:24;12:24;16:17; 17:2,7;28:7;34:2; 42:8;72:4;73:25; 95:10 live (1) 42:25 loading (4) 16:7,14,16,17 locate (1) 28:7 located (6) 5:2,3;9:2;20:3,4; 27:6 location (4) 28:16;29:5;35:7; 46:13 locations (2) 27:24;69:1 logic (2) 45:19,20 LOI (4) 9:17,18;86:16,19 long (3) 36:21;50:20;80:25 longer (3) 45:6;73:14;89:22 look (16) 14:5,21,25;28:23; 29:7;32:7;36:2,16; 39:12;45:24;46:1; 62:15;66:17;67:17; 75:8;81:20 looked (3) 32:11,17;33:1 looking (6) 11:4;13:18;24:15; 31:20;62:6;95:6 looks (1) 17:3 loop (5) 44:18;45:16,25; 51:8;88:1 loop-around (1) 46:2 looping (1) 44:3 loops (1) 93:15 LOS (3) 51:25,25;64:18 lost (1) 91:22 Lot (17) 1;5;1;9:1,5;12:22; 20:8,13;21:23;22:23; 23:5,14,17;28:13; 36:12;37:22;75:1; 94:19 lounge (1) 72:24 love (1) 50:6 lower (1)	37:4 M Ma'am (1) 81:19 MADRID (88) 2:4;4:18,20,24; 6:18,24;7:21;8:25; 9:23;10:17;18:16; 24:19,24;25:1,7; 28:18;37:21;38:25; 39:8,11;40:5;46:5,16, 20,23,25;47:4,10,17, 20,23;48:13;49:4,7, 11,21;50:1,25;56:6, 17;59:19;61:6,16,21; 63:12,18;65:16;66:2, 15,21;67:1,9,12,16; 68:1,8,11;69:9,19,22; 74:7,10;75:8,15;76:7, 14;80:12;81:8,12; 82:20;85:10,24;86:8; 87:12,14,21;88:2,18; 91:5,12,19;92:4; 93:11,16,25;94:24; 95:19;96:4 main (2) 11:21;86:17 mainly (1) 24:12 maintaining (1) 27:22 major (1) 26:25 majority (1) 21:11 makes (2) 56:19;75:13 making (5) 4:23;39:15,19;77:7; 89:21 manage (1) 16:12 management (3) 9:20;19:22;20:2 manager (2) 7:3;8:2 manager's (2) 70:3;72:23 MANALAPAN (7) 1;1;3;8;4;21;7;15; 73:21,22 Manalapan's (1) 85:6 maneuvers (2) 11:22;39:15 manner (1) 67:25 Manufacturer's (2) 73:5,9 many (4) 9:15;44:6;53:19;	54:13 Maps (1) 46:7 March (16) 26:7;30:9,10,11; 31:9,14;54:22;55:4,8; 60:21;69:25;70:9; 71:24;80:18,23,25 mark (4) 8:16;10:11;14:8,21 marked (1) 50:24 marking (1) 41:17 Marlboro (1) 25:25 Marmero (12) 2:2;4:9,10;6:15,21; 41:18;62:4,6;68:12, 16;94:15;96:6 Matawan (1) 25:25 materially (2) 38:9;56:22 MATTER (7) 1:4;51:4;59:20; 73:13;74:8;96:11; 97:4 matters (1) 67:24 Maximum (15) 2;11:14;15:1,2; 17:16;18:6;24:10; 31:24,25;37:1,8; 72:14,17,18;73:10 may (9) 6:14;30:18;59:3; 62:17;64:23;66:4; 68:4;88:9,9 maybe (9) 42:8;48:21;61:4; 68:5;75:4;79:6;84:16; 92:22;93:1 mean (4) 34:13;44:22;57:25; 80:2 Meaning (1) 20:7 means (4) 36:25;70:23;74:12; 94:9 meant (1) 20:5 measure (1) 35:6 measures (1) 60:10 median (1) 61:25 meet (2) 19:24;89:17 meeting (8) 3:3,7,15,19;17:10,
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15;76:17;85:13 Meetings (2) 3:7,16 meets (3) 16:19;17:11;26:17 MELISSA (3) 1::97:21,22 Member (1) 1: MEMBERS (9) 1:9;3:20,24;4:21; 13:5,12;18:24;42:25; 43:7 mention (1) 94:23 mentioned (2) 21:25;35:23 menu (6) 17:22;18:10,11,18, 20;76:23 menus (1) 18:1 messed (1) 11:17 met (1) 89:17 methodology (3) 36:5,15;37:8 mic (1) 82:7 midday (1) 31:4 might (4) 22:5;40:10;51:14; 81:10 Mile (4) 7:4;36:23;48:20; 51:8 miles (3) 44:6;48:21,22 Millstone (1) 27:4 mind (4) 64:16;85:14;87:16; 96:2 mine (1) 66:2 minimal (1) 56:25 minimum (5) 4:6;12:15,21;16:20; 23:6 minor (2) 26:13;33:25 minute (1) 12:24 minutes (1) 69:12 mixture (1) 23:1 mobile (1) 76:24 model (2)	65:14,19 modern (1) 5:8 modifying (2) 58:14;66:18 Moench (1) 2:9 moment (2) 49:3;59:17 Monmouth (23) 1:6;5:3;8:22,25; 26:1,11,20;27:3;28:9, 15;33:25;34:9,11,23; 39:21;42:5;43:25; 45:9;49:4,8,12;63:2; 97:2 months (7) 31:13,13;80:22; 81:5;83:3,4;86:15 mop (1) 68:5 more (46) 9:7;11:20;14:17; 17:2,7,10;18:25;21:8; 22:10;23:5,16;24:7,7; 30:18;32:4,13,14,15, 18;33:15;34:2;36:2; 37:13;40:16;47:14; 54:17;56:12,13; 61:11;62:14;73:20; 75:3;77:14;78:6; 80:18,21,22;81:5,5,7; 82:16;84:15,16; 92:22;93:21;95:10 MORMILE (2) 1::97:22 Mormile_ (1) 97:21 morning (7) 29:20;31:2,11,13; 32:13,23;33:4 most (3) 10:25;24:18;82:3 mostly (1) 23:15 motor (1) 62:1 move (1) 7:21 movement (6) 10:25;12:9;56:20; 60:1,3;63:16 Moving (1) 35:21 much (9) 11:10;12:17;15:12; 19:12;23:23;26:9; 44:7,17;65:22 multiple (2) 34:17;92:18 municipal (5) 3:11,14;27:2,3,6	N name (5) 4:24;7:2;25:10; 57:13;68:12 named (1) 97:7 narrative (1) 54:10 near (1) 21:8 nearly (1) 52:21 Neck (1) 84:11 need (18) 22:11;40:19;45:24; 67:20,21;68:7,20; 74:6,8;76:10;77:19; 79:7;85:12;88:6; 89:13;90:17,18;95:15 needed (4) 22:18;39:5;69:13; 83:17 needs (8) 8:9;88:13,16,25; 89:4,7,7;95:14 negative (4) 52:1;53:8;89:18; 94:17 neighborhood (1) 42:25 Neptune (1) 31:8 net (1) 52:13 network (4) 34:8;38:2;54:3,3 New (13) 2:5;7:5,9,12;25:18, 22,24;39:18;53:1,2; 71:20;76:5;97:1 next (15) 14:19;25:2;29:8; 30:2;61:15;66:15; 69:18;75:5,9,24; 76:17;79:18;85:13; 86:15;94:1 nice (1) 72:3 Nicoletta (12) 2::82:10,11,12,24; 83:18,22,25;84:5,10, 14;85:8 N-i-c-o-l-e-t-t-a (1) 82:11 night (1) 96:10 nine (2) 31:25;35:24 NJIT (2) 7:7;68:22	NJSA (1) 5:6 Nobody (1) 74:16 no-build (3) 34:5;35:11,12 none (3) 35:12;67:15;71:3 nonresidential (1) 23:7 nor (2) 97:15,16 north (12) 8:14;9:5;10:10; 13:2;14:14;15:3;20:3, 9;34:24;42:4,15; 43:24 northeast (4) 22:14;30:6;43:2; 45:6 northern (1) 21:22 note (1) 5:4 noted (2) 3:1;96:13 Notice (3) 3:7,10,12 notices (1) 3:11 noting (3) 11:7;16:9;18:1 nowhere (1) 78:20 number (7) 3:23;15:16;48:1,2, 3,5;71:17 numbers (6) 31:19,21;32:19; 44:10;81:24;82:2 numerous (1) 29:16 nursery (7) 52:18,20;55:22; 56:4,23;64:18;92:20	October (1) 87:9 off (8) 10:24;11:15;16:3; 17:6;62:2;77:24; 84:13;95:13 office (9) 3:14;7:4;8:14; 10:15;15:4;25:18; 70:4;72:23;78:11 Officer (4) 2:10;93:13,17,24 offset (2) 11:5;20:24 offsets (1) 20:13 often (4) 27:5;74:21;83:17; 91:19 old (2) 73:21,22 once (13) 6:16,19;13:3,13,16, 17,19,23,25;32:1; 36:13;37:5;84:16 one (43) 4:15;12:13;13:4; 14:18;17:1;19:17; 20:2,4;26:16,22;30:5, 18,19;32:6,12;36:23, 25;39:8;48:1,14,19, 23;58:2,10,12;67:4; 73:1;76:14;79:6,6; 80:4,12;84:11;86:2; 87:6;89:2;90:15;91:4; 92:8;93:17,18;95:2, 20 one-way (4) 12:8,15,20;19:14 only (19) 22:11;27:25;28:1,4; 34:10;40:11;50:5; 52:13,14;55:17; 56:19;70:19;71:3; 72:20;78:22;79:14; 83:7;88:4;89:7 onsite (3) 28:1;29:7;35:23 onto (4) 45:2;48:24;59:22; 74:16 Open (7) 3:7,16;40:11,14,15; 70:10;78:18 operate (5) 30:18;35:15,17; 65:20;84:22 operates (2) 30:17;36:11 operation (4) 16:13;35:9;63:16; 82:23 operational (4)
			O	
			objection (1) 48:5 objections (1) 48:8 obligated (1) 43:12 observation (1) 33:13 observed (4) 31:7;33:15;35:24; 81:22 Obviously (3) 36:16;55:21;94:16 occurred (4) 31:2,3,5;65:8	

56:1;73:12,15;75:3 operations (6) 12:23;31:7;35:2,7; 65:4;71:4 operator (6) 14:16;30:17;31:12; 81:9;82:8,21 opinion (5) 38:12,14;60:7,8; 66:9 opposite (1) 73:2 optimal (1) 35:9 options (1) 18:23 order (4) 3:3;4:5;18:22;65:2 ordinance (3) 7:15;17:24;72:13 originally (1) 23:14 ornamental (1) 23:1 out (39) 11:23;14:3;15:22; 17:15;18:4;19:2,15; 24:6;28:4;36:25; 41:10;43:9,11;44:10; 45:21,22;57:18; 58:14;59:3;60:22,24; 70:18,18,20;71:18,19; 72:3;76:19;77:7,11; 78:20;79:22;80:10; 84:1;88:23;90:8,20; 94:10;95:17 outcome (1) 97:14 outline (1) 34:22 out-of-state (1) 39:18 outreach (1) 75:20 outside (5) 20:25;21:3;72:5,21; 86:10 outskirts (2) 23:16,23 over (8) 26:8,9;27:7;41:3; 63:19;67:15;69:1; 91:2 Overall (3) 2::10;3;15:23 overnight (1) 59:13 own (3) 46:19;49:20;64:7	2::68:24 package (1) 10:5 page (8) 8:15;10:10;14:14; 15:4;34:24;42:6,7; 65:1 parcel (3) 48:2;49:19,24 Park (1) 3:9 parking (14) 5:10;10:19;12:15; 15:25;16:6,11;23:11; 37:15,15,18,19;38:16, 17;78:15 part (9) 5:16;10:4;11:24; 47:24;50:19;55:12, 23,25;85:5 partially (1) 27:9 particulates (1) 71:14 parties (1) 97:15 party (1) 47:12 passing (3) 18:3;62:9,14 past (1) 68:25 path (3) 41:2,3;42:24 paths (1) 95:11 Patrick (1) 1: patronize (1) 40:18 patrons (7) 43:10,12;47:8; 49:24;50:16;70:15,16 patterns (2) 20:6;56:21 Paul (7) 2::6:1;25:2,6,10; 29:25;75:21 pavement (1) 28:8 paving (1) 49:23 pay (1) 93:10 paying (1) 89:12 payment (2) 95:3,6 PE (4) 2::10,11,18 peak (10) 30:21;31:2,3,4,20; 33:4,5,19,19;52:25	peak-hour (4) 29:20,22,23;32:19 people (23) 36:12,14;39:17; 40:21;46:9;48:8,9; 51:14,17;61:7;66:23; 67:22;70:21,22;79:6, 7,8,22;81:4;82:25; 84:2;93:2;95:22 per (8) 21:5;31:18;34:7; 37:9,11;38:19;79:11; 87:5 percent (15) 21:5;23:7,9,9,11,12, 13;33:23;34:3;54:23; 70:21,22;72:13,15; 89:2 perennials (1) 23:3 Perfect (1) 24:25 perfectly (1) 58:6 perform (2) 29:25;60:14 performed (1) 30:3 Perhaps (1) 62:14 period (1) 50:20 periods (1) 30:15 permanent (1) 65:14 permissible (1) 33:10 permit (2) 9:21;20:1 permits (3) 9:17;49:6;86:17 permitted (7) 5:5;32:8;33:14; 39:25;40:10;56:8,12 permitting (4) 9:16,18,20;22:10 person (4) 39:13;40:17;90:15; 97:10 perspective (11) 10:23;12:7,25; 15:25;16:21;17:13; 21:9;22:23;24:1;46:6; 95:8 phase (1) 86:2 philosophy (1) 90:14 physical (4) 66:18;76:3;88:19; 89:24 pick (5)	13:13;18:24;19:1; 46:12;83:11 pickup (2) 22:13,16 place (4) 45:17,18;78:23; 97:7 Plan (15) 2::5:22;10:4,6,16; 15:24;23:13;24:7,8; 39:19;51:9;69:24; 70:9;77:8;91:1 planned (1) 88:23 Planner (34) 2:12;4:13,14;6:12; 18:8,13;44:1,15,22; 45:3,7,14,24;50:9,12, 18,22;59:5,9;70:5; 74:3;75:4;78:7;81:25; 83:2;86:4;87:11;90:1, 23;91:9,21;92:12,17; 94:18 planning (6) 7:11;25:17;26:5; 33:24;67:8;75:25 plans (3) 7:19;76:8;78:5 planted (1) 19:24 plantings (8) 22:25;23:3,6,8,10, 20,20,20 please (3) 3:17;25:9;53:13 pleasing (1) 88:24 Pledge (1) 3:5 plus (2) 26:22;37:10 pm (15) 1::3:1;30:10,10,11, 12;31:4,5,5,10,10,15; 69:14,15;96:13 point (18) 11:8;14:20;19:2; 21:7,10;24:13;38:21; 47:5;48:17,18;63:13; 66:22;71:16;89:25; 90:22;91:18;94:24; 95:12 pointing (2) 19:7;42:4 points (5) 21:3;37:24;67:2; 88:17;90:20 police (1) 88:11 portion (1) 12:17 position (1) 67:4	positive (1) 94:16 possibility (2) 59:14;95:21 posted (1) 3:10 potential (2) 58:23;62:22 potentially (1) 89:6 power (1) 68:4 PP (1) 2:12 practical (1) 46:6 practice (2) 62:2;68:25 PRC (6) 1::2;23;4:16; 46:17;49:20 PRD (1) 4:25 predicated (2) 52:20;54:12 pre-existing (2) 52:17;54:25 prefer (1) 39:3 premature (2) 50:2,5 prepared (8) 6:2;8:14;10:15; 15:4;26:6;28:20;40:4; 41:14 preparing (1) 7:18 present (1) 6:13 presentation (1) 15:24 presented (3) 53:15,16;65:7 presenting (7) 5:17,19;6:1,4,10; 53:18;56:10 Press (1) 3:9 pretty (3) 9:18;12:16;19:12 previously (1) 7:10 primarily (1) 70:13 principal (1) 69:5 print (1) 78:5 prior (2) 15:13;44:13 private (3) 22:17,19;59:23 probably (8)
P				
PA (2)				

14:6;35:5;58:12; 70:20;78:1;83:18; 84:6;86:16 problem (6) 51:18;53:10;64:7, 12,14;94:7 proceeding (1) 49:17 PROCEEDINGS (1) 1:2 process (5) 13:11;18:23;44:16; 61:1;70:18 processes (1) 36:22 professional (8) 5:20;6:12;7:8; 11:25;25:20;38:12, 14;88:8 professionals (8) 12:23;24:23;39:6; 67:20;75:17;85:11, 12;87:13 progressively (1) 42:10 prohibit (1) 66:10 prohibited (5) 39:21;43:11;57:18; 88:14,19 prohibition (1) 28:3 project (20) 17:1;26:7;28:12,13, 15,23;29:1,3,4,5;34:4; 35:13,19;36:3;58:24; 61:7,11;65:10,11; 69:6 projected (2) 33:7,16 properties (1) 9:7 property (12) 5:1,3;11:6,9,10; 12:1;22:15;24:12,14; 30:5;73:4;77:7 proposal (3) 49:19,23;52:14 propose (3) 47:7;75:16;95:1 proposed (16) 10:17;27:13,20; 30:16;35:13;36:2; 37:17;38:4,8;49:13; 53:16,19;56:14;67:6; 70:1;72:17 proposes (1) 5:13 proposing (31) 5:7;10:23;11:5,13, 16;12:8,10,16;16:1, 16,25;17:4;19:23; 20:19,22;21:1,4,7,17,	19;22:24;23:8,9,12; 24:2,11;27:24;48:2; 49:12;65:9;95:4 provide (7) 24:7;28:25;48:7; 65:2;72:2;75:9;87:22 provided (10) 27:18,19;37:16,23; 68:25;72:11;74:9; 75:18;93:1,2 provides (2) 29:15;36:10 proximity (2) 21:21,23 Public (12) 3:7,11,13,16;70:11, 13;80:11;89:16; 93:22;94:4;97:3,6 publication (2) 29:12;36:6 pulling (1) 79:22 pump (2) 71:18,20 pumped (1) 71:19 purification (1) 71:13 purpose (10) 11:21;14:15;19:4; 28:20,21;32:3;53:14, 18;56:9,10 purposes (5) 17:23;33:24;43:7; 92:14,19 pursue (1) 47:11 put (15) 14:8;22:19;44:18; 48:3;60:22;67:23; 74:13;77:18;79:19; 90:8,23;92:16,19; 95:16,19 putting (1) 17:22	queued (1) 14:18 Queueing (2) 2:,15 queues (1) 36:16 queuing (10) 14:7,13;15:1,2,12; 29:8;31:22;35:23; 36:15;37:13 quick (2) 44:18;69:9 QuickChek (21) 9:8;30:4,5;35:3,14; 43:2;46:14,18,19,22; 47:25;48:10;49:5,20, 23,25;50:10;67:4; 75:19;87:23;94:11 quicker (2) 44:17,18 quickly (3) 14:19;19:1;62:10 quite (1) 3:22 quote (1) 64:23	13:11 real (2) 87:25;94:7 realizing (1) 94:21 really (18) 11:7;12:17;14:15, 20;18:3,22;22:3; 23:14;24:6,15;37:18; 41:22;60:17;74:23; 78:19;81:7;94:8;95:7 rear (10) 9:15;12:10;13:2,3; 18:1;19:7;20:10,12; 23:24;27:10 reason (5) 17:7;23:14,21;76:3; 78:19 recall (1) 69:3 receive (3) 49:13;71:7;85:20 received (6) 7:6;11:25;85:17; 86:13,22,23 recently (1) 6:6 receptacles (2) 14:2,3 recess (3) 69:10,12,14 recommend (1) 84:18 reconcile (1) 64:21 reconfiguration (1) 90:12 reconfigure (1) 59:10 record (5) 80:14;93:7;95:16, 20;97:8 recycles (1) 71:1 recycling (1) 84:9 Red (4) 2:5;7:3,4;73:19 refer (2) 34:18;69:24 reference (5) 8:14;10:11;29:15; 55:23;56:4 referenced (1) 55:22 references (1) 56:7 referring (5) 8:8;66:13;71:23; 83:21;84:20 reflect (1) 54:14 regard (4)	17:12;20:17;23:10; 87:21 regarded (1) 62:3 regarding (3) 75:19;86:2;87:22 regret (1) 90:15 Regular (3) 3:19,24;96:12 regulations (1) 20:15 related (2) 65:17;97:15 relatively (1) 76:23 relevant (1) 93:14 remain (1) 22:6 remains (1) 10:8 remember (2) 4:5;53:2 removal (2) 76:24;83:8 remove (1) 74:22 removed (1) 71:19 removes (1) 71:14 reoriented (1) 8:9 report (20) 26:6;28:22;34:22; 41:12;52:24;53:15; 54:8;55:9,12,13,14, 15,16;56:8;63:25; 64:4,7,24;66:3;75:22 REPORTED (3) 1:24;47:7;97:8 reporter (1) 97:10 request (2) 15:11;23:22 requested (1) 16:6 requesting (9) 11:11;12:3,14; 16:11;17:24;18:5; 21:12;24:3,9 required (7) 5:6;16:5;17:8,16; 28:6;71:15;87:6 requirement (2) 16:20;21:16 requirements (2) 21:19;86:1 requires (6) 11:14;12:14;18:7; 20:23;24:5,11 requiring (1)
	Q	R		
	qualify (1) 53:1 quantify (2) 44:5,21 quantitative (1) 36:2 quarter (1) 48:20 quarters (1) 74:13 queue (12) 15:7,18;27:18; 31:23,24,25;35:25; 36:13,14,18;37:8; 58:12	radius (1) 11:8 radiuses (1) 76:6 raining (2) 40:13;81:3 raise (1) 20:19 raising (3) 20:18,18;61:9 randomness (1) 36:10 range (2) 28:9;35:8 rare (1) 79:25 rarely (1) 70:13 rate (10) 31:18;33:24;36:10, 12,17,17,20,20;37:4,7 rates (4) 31:19;32:5,10;34:7 rather (2) 30:22;40:18 rating (1) 73:6 RDR (2) 1:,97:22 reached (1) 94:10 read (2) 54:9,10 reader (1)		

22:10	25;48:25;58:18;62:5;	27:3,4	seeks (1)	shop (2)
reserve (1)	7;64:13;73:25;74:14;	rural (2)	4:2	33:2,20
39:2	87:3;89:5,7,14	73:17,22	seems (1)	short (1)
reserved (3)	right-hand (2)		62:10	68:6
23:8;76:17,19	42:5,6	S	select (1)	shorter (1)
residents (1)	right-of-way (7)		40:23	44:23
89:16	15:10;16:8,10,15;	safe (6)	selected (1)	shortest (1)
respect (1)	17:6;21:21;64:5	38:13,15;40:3;47:9;	39:22	46:4
40:9	right-only (1)	49:16;60:18	self-service (1)	shorthand (1)
Respectfully (1)	39:9	safety (3)	5:11	97:10
92:17	right-out (1)	64:11;88:25;89:16	sell (1)	show (2)
respective (1)	41:1	salt (2)	48:1	14:19;74:3
97:16	right-out-only (1)	82:16;84:16	sensitive (2)	shown (3)
respond (3)	11:1	saltbox (2)	9:14;27:9	58:20,20;93:18
50:3;75:20;85:12	right-turn (1)	72:6;73:19	sent (1)	shows (1)
responded (1)	26:23	salute (1)	3:9	10:16
86:1	right-turn-in (2)	3:4	sentence (1)	shrubs (1)
response (2)	66:5;88:4	same (5)	92:18	23:2
88:2;92:2	Rizzo (12)	10:8;36:11;84:6,9;	separately (1)	shut (1)
responsibility (1)	2:11;4:12;24:20;	86:15	78:5	77:24
95:14	55:1;57:23;59:20,24;	satisfaction (1)	septic (9)	shut-off (1)
responsible (2)	60:5;66:3,6,15;90:14	92:16	20:23,25;21:25;	77:23
7:17,18	Road (44)	Saturday (11)	22:1,3,8;71:3,5;85:18	side (12)
rest (6)	1:6;5:3;7:4;8:22,	29:23;30:11,24;	serve (1)	11:6,8,9,10;13:15;
12:20;24:14;67:19,	25;9:9,10,13;10:24;	31:4,14,25;32:16,25;	37:18	19:9;21:23,24;28:10;
23;78:13;92:9	11:15;18:4;26:11,17,	33:5,19;52:25	served (2)	45:23;72:22;78:17
restrict (1)	18,20,21,21;27:3,4,5,	saw (1)	31:24,25	sides (3)
27:24	7;28:9,10,15;34:10,	38:5	service (17)	12:9;27:17;77:15
restricted (3)	11,23;42:5,18,18;	saying (6)	13:14,19;35:6,8,13,	sidewalk (3)
57:17;77:12,17	43:23,23,24,25;45:2,	14:20;50:19;70:22;	15,17;36:17,20;37:4,	95:2,4,8
restricting (1)	9,23;48:24,24,25;	90:10;91:3;95:25	7;38:9;56:1;60:24;	sidewalks (1)
77:11	57:9;58:21;63:2;	scale (1)	82:14;84:1;85:5	94:22
restriction (2)	88:13	48:19	services (1)	siding (1)
28:3;40:9	roads (3)	SCD (1)	69:1	73:18
restrictions (1)	49:10;93:22;95:16	21:9	serving (1)	sign (17)
52:8	roadway (3)	scenario (1)	27:12	16:24;17:1,4,12,23;
restricts (1)	20:5;38:2;65:23	52:17	set (6)	19:6,6,9,11;72:12;
66:19	roadways (1)	Science (2)	8:7;17:7,10;58:2;	77:19;80:1,6;90:8;
resubmitted (1)	28:24	7:6;25:12	76:11;79:24	91:5,6;95:13
86:14	Roll (2)	screens (1)	settle (1)	signage (10)
results (1)	3:17,18	9:24	71:9	16:21;72:10,14,17;
35:6	roof (5)	se (1)	settled (1)	74:4;76:24;78:4;90:6,
retail (2)	72:6,7,8;73:18,19	79:11	32:1	10,20
70:11;87:7	room (6)	season (3)	seven (3)	signal (5)
return (8)	6:7;16:10;70:3,4;	71:18;74:24;84:15	24:2;31:24;35:24	26:23;38:7;42:17;
41:2,3,21;43:24;	71:12;72:20	second (6)	several (3)	43:5;48:23
52:8;59:16;76:11;	roughly (1)	9:22;10:2;37:4;	17:14,19;69:2	signalized (5)
95:11	48:20	55:12;77:6;88:2	shaded (1)	26:19;29:1;30:4,7;
returning (1)	Route (16)	secondary (1)	23:11	35:3
42:12	2:16;8:23;26:12,18,	88:16	Shalika (9)	signed (2)
review (3)	24;31:8;38:10;41:15;	seconds (3)	1;76:22;77:3,6,20;	79:15,18
9:21;44:13;84:25	43:22;44:7;45:4,6;	13:19;36:22;37:1	79:13,17,20;90:20	significance (1)
reviewing (1)	46:7,8;50:23;95:22	Secretary (4)	share (1)	53:8
12:6	routes (4)	2:9;76:12;78:10;	86:2	significant (3)
RFID (1)	40:23;41:25;46:4;	96:8	shared (1)	35:20;64:16;67:18
13:11	48:21	Section (1)	85:5	signs (17)
ridge (1)	routing (1)	3:6	sheet (6)	16:22;17:14,15,19,
72:9	49:5	secure (1)	8:12;10:5;14:13;	25:18;9:10,18,19,20;
right (28)	run (1)	4:6	15:3;69:24;70:9	19:3,16,16;74:5,5,6;
8:6;14:2,16;15:7;	74:13	sediment (2)	shifted (1)	79:19
19:14;23:17;28:4;	run-off (1)	71:9,11	22:18	silly (1)
36:11;41:2,9;43:13,	20:8	seeing (1)	shingles (1)	93:22
18,25;44:2,17;45:2,	runs (2)	62:10	72:7	Siloam (7)

26:17,21,24;42:18, 18:43;23;48:24 similar (2) 14:17;20:10 simple (1) 76:23 simplifies (1) 27:6 simply (1) 13:8 single (3) 15:8,18;37:12 sit (1) 59:24 Site (77) 2;;5:22,23,24;8:21, 24:9:1,11,15;10:3,17; 11:23;12:3;13:2,3,9, 24;14:4,16;15:1,13, 13,14,23;17:5,19; 20:6,9,19,23;23:25; 24:2;26:10,15;27:8, 10,13,16;28:5;29:10, 19;30:6,19;32:3;35:2, 16,21,22;37:14;38:13, 22;39:22,24;40:18,19, 22,24;41:10;42:6,9, 16;43:1,4;47:15; 56:24;59:2;63:3,6; 65:8,9,12;74:5,12,17; 84:9,13;89:21 situations (1) 62:23 six (2) 17:20;18:9 slant (1) 70:25 slope (1) 21:4 slopes (1) 70:25 small (2) 12:17;72:21 Smithburg (8) 5:2;9:3,9;26:17,21, 24;27:4;45:2 smoother (1) 67:25 snow (1) 80:25 snowfall (1) 81:1 snowing (2) 40:14;81:3 snowy (1) 80:19 software (2) 34:11;35:1 soil (2) 21:9;86:12 somebody (3) 44:16;63:1;74:12 someone (2)	7:18;79:3 Sonnefeld (2) 2;;68:24 soon (2) 9:19;76:13 sorry (5) 47:17;48:13;70:8; 87:4;91:17 sounds (2) 62:13;68:1 south (7) 9:9;13:14;20:5; 21:20;34:10;42:12; 43:23 southeast (1) 17:5 southwest (1) 43:3 space (2) 16:7,19 spaces (14) 5:10,11;16:1,1,3,6, 6;70:10;78:17;80:1,4, 8;87:4,6 speak (1) 47:23 speaking (5) 7:19;14:15;15:6; 16:16;75:7 speaks (1) 66:16 special (1) 57:12 speculation (1) 67:8 spoken (1) 22:2 spots (2) 79:14,23 spread (1) 24:6 square (14) 17:25;18:6;31:19; 70:1,6,7,7;72:12,14, 16,16,17,18;92:8 Stacey (1) 1: staff (3) 70:4,14;72:24 stall (1) 38:22 stalls (7) 12:12;27:20;37:16, 17,17,18,20 stand (2) 3:3;42:1 standard (2) 29:14;62:1 standing (3) 25:21;68:23;69:8 standpoint (3) 16:13;22:14;94:16 start (2)	6:25;8:10 State (10) 7:9,11;19:24;21:10, 19;22:10;39:20; 47:25;87:5;97:1 stated (1) 93:21 statement (3) 28:20;48:7;54:4 state-of-the-art (1) 5:9 states (1) 25:23 staying (1) 77:4 stays (1) 38:20 steep (1) 21:4 STENOGRAPHIC (1) 1:1 STENOGRAPHICALLY (1) 1:24 step (1) 30:2 Stephen (1) 1: sticking (1) 95:12 still (5) 38:21;46:19;49:20; 60:25;94:12 stochastic (2) 36:5;37:7 stone (1) 6:7 stop (6) 46:10;48:9;51:6,6, 9,10 stops (1) 74:11 store (2) 32:18,23 stormwater (5) 9:20;19:22;20:1,8, 20 streak (1) 69:7 Street (1) 2: striped (3) 16:17;59:22;66:12 stripes (2) 57:10;88:7 striping (6) 57:15,16,21;58:7, 14;66:9 stuck (2) 13:7;50:14 study (7) 6:2;51:19;65:4,14; 89:1,22;92:10 stuff (2)	26:9;62:7 subject (1) 5:1 submission (1) 93:5 submissions (1) 75:16 submit (3) 75:21;85:24;86:5 submitted (2) 55:8;91:25 substantial (1) 4:3 substantially (1) 56:13 suggest (2) 51:16;67:22 suggesting (2) 43:20;63:7 suggestion (1) 66:21 suggests (1) 66:4 Suite (3) 2;;7:4;25:19 summarize (1) 37:22 summer (6) 31:13;80:21,23; 81:5;82:14;83:4 summertime (1) 84:15 superceded (1) 55:14 superimposed (1) 10:7 supervision (1) 10:15 supplement (2) 23:22;92:23 supplemental (3) 75:22;85:25;93:5 supplementing (1) 23:24 Supplies (1) 83:24 supply (2) 38:16,17 support (3) 48:7;62:22;90:16 Sure (25) 19:5;22:2;25:10; 28:11,21;37:25;39:8; 43:1;46:3;48:17;49:7; 62:25;64:25;67:9; 78:8;79:5,5;85:1,9, 19;86:4;87:18,20; 93:4;94:2 surrounding (3) 9:4;28:24;38:2 swear (2) 4:12;6:16 sworn (1)	25:8 sworn/affirmed (3) 4:14;6:20;82:12 Synchro (4) 34:11;35:1,4;56:1 system (11) 22:7;71:2,3,5,11,13, 16,22;72:1;73:1; 84:20
T				
table (1) 54:4 talk (8) 11:20;12:24;17:2; 51:21;57:5;66:6;89:9; 94:22 talked (5) 11:25;67:2;88:18; 91:6;95:20 talking (2) 51:20;57:4 tangent (1) 11:8 tank (1) 71:18 tanks (4) 71:6,6,8,21 tapers (1) 26:15 team (1) 93:25 technical (2) 37:23;86:7 telling (1) 45:14 Temika (1) 1: template (1) 88:20 ten (5) 12:16;64:20;69:13; 72:14;73:1 tend (1) 82:25 terms (8) 9:16;20:4,15;23:4; 31:22;37:15;82:4; 85:12 testified (5) 7:10;25:23;43:10; 70:15;71:2 testify (3) 5:22;60:18;81:25 testifying (1) 44:25 testimony (24) 5:17;6:1,4,9,10; 15:22;27:15;34:22; 37:9,11;38:19;39:4; 55:2;56:16;63:9; 67:24;69:18;75:23;				

76:1;78:18;80:13; 83:16;94:18;97:8 theory (1) 36:15 thereafter (1) 97:11 therefore (4) 5:5;43:12;72:16; 73:7 thinking (1) 79:21 third (3) 13:5;14:5;47:12 third-party (1) 67:11 thought (4) 44:16;50:25;88:23; 95:10 three (19) 13:3,17;16:22,23; 19:16;27:17;31:20; 34:3;37:5;48:4;51:8; 54:23;67:5;78:25; 80:6,8;92:13,24;93:7 throughout (3) 13:17;17:20;74:5 Thursday (1) 1:2 ticketed (1) 62:12 tie (2) 6:9;76:1 till (1) 78:3 times (6) 30:14,21;92:13,18, 25;93:7 title (3) 41:24;62:1;63:11 titling (1) 41:23 today (7) 9:11;20:7,11;21:13; 53:3;56:24;68:4 today's (1) 10:9 together (4) 5:10;6:10;26:18; 76:1 tones (1) 42:11 tonight (7) 3:21;4:8,16;10:22; 11:4,12;16:6 tonight's (3) 4:2;15:24;44:13 took (6) 29:7;33:22;34:1,6; 53:25;82:3 top (8) 8:15;10:8,10;14:14; 15:4;23:3;34:24;80:3 total (4)	15:7,16;16:1;22:25 totally (1) 71:21 touch (1) 20:16 touching (1) 37:24 towards (10) 19:7;27:10;39:14, 14;42:4,6,11;57:7; 61:17,19 town (1) 17:8 TOWNSHIP (13) 1:,1;3:8;4:21;7:15; 11:14;12:14;17:11, 11;20:17;24:4,10; 27:3 TPD (2) 2:20;25:18 trace (1) 42:24 track (1) 85:19 tracking (1) 86:11 traffic (50) 6:1,2;25:16,17; 26:5,6;28:20,23,24; 29:2,4,10;30:1;32:2,4, 10;33:15,22;34:6,8, 10;35:5,20;38:3,7; 39:1,7;47:15;49:5; 51:19,20;54:21,24; 56:12,13;57:4;60:10; 63:25;65:3,14,22; 80:16,17,22;81:21,23, 24;87:22;92:10,20 transcribed (1) 97:11 TRANSCRIPT (2) 1:,97:7 transportation (4) 25:16;29:12;36:6,7 trash (6) 22:13,16;83:8,9,20, 22 travel (4) 13:14;42:20;43:4; 50:17 traveling (3) 13:2;39:13;61:14 trees (2) 23:1,1 trench (2) 71:1,7 trim (1) 73:19 trip (13) 29:13,19,23;31:17; 37:6;38:6;53:11,15, 16;55:16;56:25;65:5; 82:4	trips (28) 29:20,21,22;32:13, 14,19,20,21,22,23,25; 33:3,4,8;36:1;51:23, 24,24;52:3,6,13,15; 53:1,2,3,8,19;54:1 Trocchia (7) 2:,21;6:5;68:24; 69:17,21;75:12 T-r-o-c-c-h-i-a (1) 68:15 truck (5) 11:22;22:19;74:21; 76:8;91:15 trucks (2) 11:22;76:6 true (2) 55:23;97:8 truth (3) 97:4,4,5 try (3) 26:8;77:13;95:3 trying (5) 12:18;23:15,22; 24:6;93:25 tunnel (18) 13:15,16,18,19,21; 14:1;19:1,8,11,17; 22:6,7;36:25;37:5; 70:3;72:2,3;79:6 tunnels (1) 70:25 tunnel-style (1) 5:9 tunnel-type (1) 27:14 turbine (1) 73:2 turbines (2) 72:25;73:3 turn (47) 26:20;28:4;40:2; 41:10;43:10,13,25; 45:1,13;48:23,25; 51:10;57:18,19; 58:18,25;59:1,22; 60:15;61:4,14,15,20, 23;62:2,12,20;63:1; 64:15,15;65:14; 66:20;76:5;77:7,12; 88:9,15,20;89:3,5,7, 11;90:4,7,10,21;91:6 turnaround (3) 46:13;47:9;93:15 turnarounds (1) 88:15 turned (1) 89:10 turn-in (1) 89:14 turning (10) 11:22;42:17;52:7; 62:11,14;63:10;	64:12;66:11;89:1; 94:9 turns (9) 39:19,21;43:11,19; 64:10;66:10;76:9; 77:11;89:21 TWA (1) 86:20 two (31) 5:14;9:12;10:23; 12:18,20;13:4,17; 17:21;18:10,11; 19:17,23;26:14; 27:10,18,22;29:6; 32:5;34:2;48:2,13; 52:13,15;54:22;62:8; 67:5;72:25;78:25; 79:6,7;86:17 two-square (2) 17:16;18:6 two-way (5) 12:11;27:21;29:21; 32:20;58:25 type (2) 23:16;35:4 types (1) 16:22 typewriting (1) 97:11 typical (3) 18:21;41:1;78:24 typically (2) 77:12;95:23 typo (1) 34:21	up (19) 6:17;8:7;11:17; 14:8;34:1;36:24; 37:16;44:4;46:12,12; 51:20;52:25;68:6; 69:17;75:22;76:11; 79:25;81:13;83:11 update (2) 75:19;87:22 updated (1) 76:9 upon (6) 30:13;42:16;49:15; 51:14;71:17,17 upper (1) 42:4 urban (3) 26:13,25;33:25 use (44) 4:2;5:5,5;10:21; 13:8,24;14:1,1,3; 23:17;25:24;27:12; 32:9;33:20,25;34:11; 35:1;36:7,16;37:3; 39:24,25;40:17,17; 46:15,18;47:14; 48:10;53:19,20,23; 54:2,25;56:14;65:6,6; 74:18;79:25;81:4,20; 82:2;89:18;92:23; 93:8 used (11) 9:25;29:11;31:21; 32:4,6;51:22;65:8; 70:13;81:20;92:21; 93:3 user (1) 66:24 uses (14) 9:4,10;29:16;32:8, 12;33:10,14;40:9,10; 48:5;56:8,9,11,11 using (6) 22:20;32:1,10;37:6; 46:10;81:23 usually (2) 41:1;83:10
		U	ultimate (1) 66:24 ultimately (1) 81:19 under (12) 5:6;7:18,25;10:15; 17:22;36:22;37:1; 53:7;61:25;72:9;87:6, 6 underground (2) 71:6;91:20 Understood (1) 76:7 Union (1) 25:11 unit (1) 84:9 unless (3) 18:2;45:5;63:23 Unlike (1) 40:9 unsafe (1) 62:12 unusual (2) 27:5;39:20	V
			vacant (4) 9:11,13;27:8;65:12 vacuum (13) 12:12;16:1;27:20; 37:17,17;38:22,24; 70:19,22,23;72:25; 74:11;78:17 vacuums (14) 5:11;13:24,25;14:1, 3;16:13;17:18;19:10, 12,18;73:1,12,14; 74:19 vacuum-style (1)	

5:11 valid (2) 47:5;61:9 validity (1) 64:11 variance (8) 4:2;5;5:6;10:21; 32:9;39:25;46:18; 89:19 vehicle (4) 58:10,12;59:21; 62:1 vehicles (4) 14:18;35:25;36:11; 37:9 versus (5) 18:6;19:10;45:25; 80:23;93:18 via (1) 48:24 Vice (8) 1;76:22;77:3,6,20; 79:13,17,20 vicinity (1) 26:14 video (1) 61:1 view (2) 56:3;72:2 visibility (1) 18:25 visit (1) 39:17 vital (1) 4:4 volume (4) 51:21,22;56:20; 64:19 volumes (6) 28:24;32:2;33:23; 34:3;54:21,22 vote (1) 4:8 votes (1) 4:7	22:5;27:14;30:17,18, 18,20,21;31:8,17,18, 23;32:14,14,16,24; 33:17;34:7;35:24,25; 36:11,21;38:4,8,21; 40:8,11,14,16,21; 43:9;44:8;45:9,11,13, 15,16,23;46:10,11; 47:8;48:3,10;53:16; 54:1,24;57:18;61:20; 64:9;69:1;70:3,17; 71:4,14;72:19;80:22; 81:5,22;82:9,25 washed (1) 70:24 washes (3) 18:21;29:17;40:14 wastewater (1) 74:22 water (14) 20:8;22:5,8;71:1,4, 7,8,20;84:2,9,13; 85:20;91:15,20 Wawa (2) 43:3;46:14 way (13) 6:8;32:19;43:20; 44:3;51:5,18;53:10; 54:20;58:21;62:4; 77:13;79:24;92:10 ways (2) 32:5;34:17 Waze (1) 46:7 weather (4) 3:22;4:23;40:12; 81:2 week (6) 30:24;50:5;81:1; 83:19;84:7;85:19 weekday (11) 29:20,22;30:23; 31:23;32:13,15,23,24; 33:3,4,19 weekend (1) 30:25 weekends (1) 83:12 weight (1) 4:3 Welcome (5) 4:19;8:4;25:3; 39:18;47:14 weren't (1) 53:3 West (19) 2;9:7;13:15;19:9, 12;21:23;26:15; 34:13,15,18;42:13,14, 20;43:24;57:6;59:21; 61:14,19;64:14 westbound (4) 26:11;34:9;47:8;	93:15 westerly (4) 27:25;59:7;72:22; 73:5 western (2) 11:1;59:5 whatnot (1) 76:6 white (1) 73:19 whole (3) 70:18;78:23;97:4 wide (2) 58:9,11 widened (1) 64:5 width (1) 12:21 willing (2) 47:7;66:17 windows (1) 72:2 winter (6) 80:18;81:6,7;82:14, 16;83:3 Wintertime (1) 84:16 within (4) 9:2;70:11;71:8; 81:1 within-entitled (1) 97:5 without (12) 29:3;34:4;39:15; 54:1,24;64:7;65:5,10, 11;84:22;89:16;94:12 witness (83) 6:13;8:1,5,19;10:2, 14;14:12,25;15:17, 20;18:12,14;24:25; 25:2,4;26:4;34:14,20; 39:10;40:7;41:5,9,13, 24;42:3,14,22;43:1, 21;44:9;45:1,4,12,20; 46:3;48:17;52:3,10; 53:4,12,14,22,25; 54:19;55:6,10,13,19, 25;57:14,22;58:4,11, 17,23;59:7,11;60:12, 16,20;62:17,25;63:5, 9,15;64:23;65:1; 68:14,21;70:8;74:14, 18,23;75:2,13;81:10; 82:15,19;83:6,10,14; 84:21;85:9 witness' (1) 97:8 witnesses (5) 5:18;6:20;39:5; 70:6;80:13 wooded (5) 9:6,7;23:24;27:9; 49:19	work (8) 7:18;8:17;28:1; 40:22;45:17;51:11; 74:16;75:17 worked (1) 7:25 working (1) 25:15 works (1) 40:21 world (2) 87:25;94:7 worst (1) 35:10 worth (3) 11:7;16:9;17:25 writing (2) 92:16;95:14	24:11 1:00 (1) 31:5 10 (3) 2;72:13;73:3 10/15 (2) 76:12;96:8 10:00 (1) 31:3 100 (3) 21:3;24:5;53:8 101 (1) 25:19 11 (1) 65:1 11:00 (2) 30:11;31:15 110 (1) 29:22 12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
W			Y	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
			Z	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
			0	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
			05 (1) 24:11 07701 (2) 2:5;7:5	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
			1	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3
			1 (7) 8:12,12;14:13,13; 15:3,3;28:9 1,000 (1) 31:18 1.4 (1)	12 (1) 12:21 12.9 (1) 11:11 12.9-foot (1) 11:5 12:00 (1) 30:9 120 (1) 36:21 124 (2) 32:18,21 125 (1) 7:4 12-foot (1) 12:15 12th (1) 29:14 13 (3) 15:10,18;37:11 135 (1) 32:23 14 (2) 2;15 141 (1) 2; 145 (2) 29:23;52:25 146 (1) 24:5 15 (4) 21:5;23:6,9;48:21 150 (1) 21:2 150-foot (1) 21:1 15-mile (1) 45:16 15th (1) 87:9 16 (1) 15:8 162 (1) 33:3

18 (3) 8:13;14:14;15:3	32:17	3:6;28:9	7th (1) 31:14	
19 (1) 41:15	3.04 (3) 1;;5:2;9:1	5,000 (1) 70:7	8	
19.86 (2) 17:25;18:6	3.6 (1) 23:9	5,420 (1) 70:1	8 (1) 2:14	
1989 (1) 68:23	3:00 (2) 30:10;31:10	5.06 (1) 23:12	8:28 (1) 69:14	
1993 (1) 25:11	30 (5) 25:19;37:4;69:1; 70:21,22	5:30 (1) 31:4	8:38 (1) 69:15	
2	300 (1) 48:19	50 (3) 72:10;73:6,8	80 (5) 22:25;25:23;72:14, 16,18	
2,500 (1) 70:7	30-second (1) 37:6	50-foot (1) 20:24	82 (1) 2:23	
2,500-square-foot (1) 33:2	30X100223800 (2) 1;;97:23	50-mile-per-hour (1) 26:13	84.02 (3) 1;;5:1;9:1	
2.75 (1) 33:23	34 (1) 29:21	52 (1) 32:15	85 (1) 16:10	
2:00 (3) 30:12;31:5,15	35 (3) 23:10;31:8;68:25	527 (7) 26:18,25;42:21; 43:19;49:10;57:8; 64:4	9	
20 (9) 1:2;5:10;16:1;17:6; 21:5;27:20;37:16; 55:8;73:1	35-foot (1) 11:14	537 (7) 8:23;26:12;38:10; 42:21;49:10;57:8; 64:4	9:00 (2) 30:9;31:2	
2017 (1) 46:17	39 (3) 11:18;62:1;63:11	537's (1) 64:3	9:10 (1) 96:13	
2025 (1) 55:11	39-foot (2) 11:17,19	55 (1) 29:23	90 (4) 13:18;25:23;36:22; 84:17	
2026 (15) 1:2;8:13;14:14; 15:3;26:7;30:9,10,11; 31:10;41:15;54:22; 55:5;69:25;70:10; 71:24	4	56.4 (1) 16:19	900 (4) 42:20;43:5;48:3; 57:9	
207 (1) 7:4	4 (1) 23:13	58 (2) 72:12,17		
21.20 (1) 72:15	4,500-square (1) 5:8	6		
212 (1) 72:15	4,519-square (1) 10:18	6 (4) 2;;30:9,10;31:9		
22 (1) 37:1	4,519-square-foot (1) 27:14	6:00 (3) 30:11;31:10;83:11		
22.3 (1) 16:19	4,520 (1) 70:8	65 (2) 73:7,10		
24 (3) 5:10;16:1;26:7	4.522 (1) 9:1	653 (1) 22:25		
25 (3) 2:20;21:17;87:6	4:30 (1) 31:4	67 (1) 29:20		
2529 (1) 4:16	40 (1) 11:18	69 (1) 2:		
258 (3) 1:6;5:3;8:25	40:55D-70d1 (1) 5:6	7		
26 (2) 55:8;72:9	40-foot (1) 11:16	7 (1) 30:11		
29 (2) 15:17;32:25	41 (1) 2:16	7,500-square-foot (1) 32:12		
3	410 (1) 2:	7:01 (2) 1;;3:1		
3 (3) 69:25;70:10;71:24	45-mile-per-hour (1) 26:25	73 (2) 29:24;53:1		
3,000-square-foot (1)	48 (1) 32:14	732-222-2000 (1) 2:		
	482 (1) 23:2	77 (1) 73:4		
	5			
	5 (2)			