

**In The Matter Of:**  
*CITY OF CAMDEN*  
*ZONING BOARD*

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*TRANSCRIPT OF MEETING*  
*September 9, 2024*

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ZONING BOARD  
CITY OF CAMDEN

- - - -

Monday, September 9, 2024

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Transcript of proceedings of the Zoning Board of Adjustment taken in City Council Chambers, 2nd floor City Hall, 520 Market Street, Camden, New Jersey 08101, commencing at 5:35 p.m.

B O A R D M E M B E R S P R E S E N T

- DARNELL HANCE, CHAIRMAN
- CHARLES COOPER, VICE-CHAIRMAN
- KAREN MERRICKS
- MARITZA ALSTON
- YSABEL NUNEZ
- GUY STILL
- TAMEEKA MASON

A-P-P-E-A-R-A-N-C-E-S

- KYLE F. EINGORN, ESQUIRE, ATTORNEY FOR THE BOARD
- DEMBO, BROWN & BURNS, LLP
- EVITA MUHAMMAD, ZONING BOARD SECRETARY
- DENA MOORE JOHNSON, P.E., C.M.E.
- REMINGTON & VERNICK ENGINEERS

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| I N D E X             |   |      |
|-----------------------|---|------|
| CASES HEARD:          |   | PAGE |
| 1)                    | ADOPTION OF MEETING MINUTES<br>AUGUST 2024  | 5    |
| 2)                    | 1060 BERGEN AVENUE, LLC<br>1060 Bergen Avenue<br>(Dismissed Without Prejudice)              | 7    |
| 3)                    | VISION CAPITAL MANAGEMENT, LLC<br>505 Rand Street<br>(Heard & Adjourned to October 7, 2024) | 9    |
| 4)                    | LYUBOMIR KMET<br>459 Atlantic Avenue  | 17   |
| 5)                    | CANNABISTA, LLC<br>2035 Admiral Wilson Blvd.  | 23   |
| 6)                    | M&S BROADWAY<br>617 Broadway  | 103  |
| 7)                    | MACEDONIA BAPTIST CHURCH<br>812-814 Kaighns Avenue<br>(Adjourned to November 4, 2024)       | 163  |
| 8)                    | CAMDEN COMMUNITY GROWTH, LLC<br>3300 Federal Street   | 164  |
| 9)                    | ABRAHAM ITUAH<br>400 Jackson Street   | 186  |
| 10)                   | YORDYS PERALTA<br>1575 Louis Street   | 209  |
| (Continued on Page 3) |   |      |

## I N D E X

| CASES HEARD:   | PAGE |
|--|------|
| 11) ARELIS MARERO<br>661 Grant Street                      | 215  |
| 12) DEV. GHANSHYAM, LLC<br>14 S. 35th Street               | 220  |
| 13) PHILADELPHIA 76ERS, LP<br>3 Banner Way/9 Lengends Lane | 241  |
| 14) JOSE C. ORITZ MORALES<br>1428 Carl Miller              | 232  |
| 15) EMMETT TAYLOR<br>408 Stevens Street                    | 197  |
| 16) 2907 Cramer Street<br>(Deficient Notice; Not Heard)    | 9    |
| 17) ADOPTION OF RESOLUTIONS                                | 258  |

1                   CHAIRMAN HANCE: Good evening ladies and  
2 gentlemen. Welcome to the City of Camden Zoning  
3 Board of Adjustment regular scheduled meeting of  
4 September 9, 2024. Reading of the Sunshine Law: In  
5 conformance with the Sunshine Law of New Jersey,  
6 notice of the meeting was posted in the Municipal  
7 Clerk's office on Wednesday, September 4, 2024. Roll  
8 call.

9                   MR. EINGORN: Chairman Hance.

10                  CHAIRMAN HANCE: Here

11                  MR. EINGORN: Vice-Chairman Cooper.  
12 Presently absent.

13                  MR. EINGORN: Karen Merricks. Presently  
14 absent. Marizta Alston.

15                  MS. ALSTON: Here.

16                  MR. EINGORN: Ysbal Nunez.

17                  MS. NUNEZ: Here.

18                  MR. EINGORN: Guy Still.

19                  MR. STILL: Here.

20                  MR. EINGORN: Tameeka Mason.

21                  MS. MASON: Here.

22                  MR. EINGORN: Good evening, everyone.  
23 Welcome to the Zoning Board of Adjustment. A  
24 reminder that everybody should silence their cell  
25 phones and take any conversations into the hallway.

1 It is difficult sometimes for the Board and the  
2 public to hear, especially for the public when the  
3 applicant's are speaking this way. The more quiet  
4 the audience can be, the better off everybody else  
5 will be so we can all hear and get out of here  
6 expeditiously with 13-ish items on the agenda  
7 tonight.

8 Let's start with a motion to adopt the  
9 minutes for August 2024. Do I have a motion?

10 CHAIRMAN HANCE: I make a motion to  
11 adopt.

12 MR. EINGORN: Do we have a second?

13 MR. STILL: Second.

14 MR. EINGORN: I'll take a roll-call vote.  
15 Chairman Hance.

16 CHAIRMAN HANCE: Yes.

17 MR. EINGORN: Ms. Alston.

18 MS. ALSTON: Yes.

19 MR. EINGORN: Ms. Nunez.

20 MS. NUNEZ: Yes.

21 MR. EINGORN: Mr. Still.

22 MR. STILL: Yes.

23 MR. EINGORN: Ms. Mason.

24 MS. MASON: Yes.

25 MR. EINGORN: All right. Motion passes.

1 I'm going to read the list. If you hear  
2 your application, just raise your hand and give a  
3 holler and let us know you're here. The first  
4 matter, 1060 Bergen Avenue, LLC. Not present.

5 The first matter of New Business, Vision  
6 Capital Management, LLC, 505 Rand Street.

7 MR. WILTSEY: Here.

8 MR. EINGORN: Good evening. I'm going to  
9 butcher this name and I apologize in advance,  
10 Lyubomir Kmet.

11 MR. KMET: Here.

12 MR. EINGORN: Cannabista, LLC, 2035  
13 Admiral Wilson Boulevard.

14 MR. LARIO: We're still waiting for them.

15 MR. EINGORN: No worries. We're waiting  
16 on two more also.

17 Next is M&S Broadway, 617 Broadway.

18 MR. RUSH: Here.

19 MR. EINGORN: Macedonia Baptist Church,  
20 812-814 Kaighns Avenue.

21 MR. PLATT: We are ready.

22 MR. EINGORN: Camden Community Growth,  
23 LLC, 3300 Federal Street.

24 MR. PLATT: Ready.

25 MR. EINGORN: Abraham Ituah, 400 Jackson

1 Street.

2 MR. ITUAH: Ready.

3 MR. EINGORN: Yordys Peralta, 1575 Louis  
4 Street.

5 MR. IZZO: Ready.

6 MR. EINGORN: Arelis Marero, 661 Grant  
7 Street.

8 MR. IZZO: Ready.

9 MR. EINGORN: Dev. Ghanshyam, LLC, 14 S.  
10 35th Street.

11 MR. GHANSHYAM: Ready.

12 MR. EINGORN: Philadelphia 76ers, L.P.,  
13 3 Banner Way/9 Legends Lane.

14 MR. FLOYD: Present.

15 MR. EINGORN: Jose C. Ortiz Morales.

16 MR. MORALES: Here.

17 MR. EINGORN: Emmett Taylor.

18 MR. TAYLOR: Here.

19 MR. EINGORN: Just a reminder, silence  
20 all cell phones, please. So right now we do have  
21 five Board members. If you require a use variance,  
22 you will require a unanimous vote of the Board. We  
23 do potentially expect one or two more Board members  
24 tonight. We know at least one is running late.

25 We will call the first matter tonight,



1 1060 Bergen Avenue, LLC. Is anybody here for that  
2 matter? This is Old Business. We addressed this  
3 with Mr. Calzaretto's partner last month. This is  
4 the third time that he has missed without saying  
5 anything. That would be my recommendation at this  
6 time for the Board to vote to deny this application  
7 without prejudice for failure to prosecute. Let the  
8 record reflect that Mr. Cooper is now present.

9 (At which time, Charles Cooper arrives to  
10 the meeting at 5:40 p.m.)

11 CHAIRMAN HANCE: I make a motion that we  
12 deny without prejudice.

13 MR. EINGORN: We have a motion to deny  
14 without prejudice. Do we have a second?

15 MS. ALSTON: Second.

16 MR. EINGORN: I'll take a roll-call vote.  
17 Chairman Hance.

18 CHAIRMAN HANCE: Yes.

19 MR. EINGORN: Vice-Chairman Cooper.

20 VICE-CHAIRMAN COOPER: Yes.

21 MR. EINGORN: Ms. Alston.

22 MS. ALSTON: Yes.

23 MR. EINGORN: Ms. Nunez.

24 MS. NUNEZ: Yes.

25 MR. EINGORN: Mr. Still.

1 MR. STILL: Yes.

2 MR. EINGORN: Ms. Mason.

3 MS. MASON: Yes.

4 MR. EINGORN: All in favor. So the  
5 motion passes. That application has been denied  
6 without prejudice.

7 The first item on New Business, Vision  
8 Capital Management, LLC -- oh, before we do that, is  
9 anybody here tonight for 2907 Cramer Street. That  
10 notice was deficient for the record. It won't be  
11 heard tonight in case anybody did show up.

12 Now we'll take Vision Capital Management,  
13 LLC, 505 Rand Street.

14 MR. WILTSEY: Good evening everyone.  
15 Brett Wiltsey from Obermayer here on behalf of the  
16 applicant. This property is located at 505 Rand  
17 Street, Block 1254, Lot 163. We are asking for  
18 several variances. One is a use variance and some  
19 bulk variances, lot depth and width from those. We  
20 are not changing the building size. I think the  
21 majority of our presentation will be focused on the  
22 bulk area and use variance.

23 I do have several witnesses. I don't  
24 know if I'm going to need all of them to testify  
25 but I'd like to swear them all in, if that's okay

1 with you, Mr. Solicitor.

2 MR. EINGORN: Yes, I think that's great.  
3 You want to swear them all now and then?

4 MR. WILTSEY: And we can testify.

5 MR. EINGORN: Would you raise your right  
6 hand, please?

7 - - -

8 MATTHEW WANAMAKER, P.P.; GREGORY SNEAD,  
9 LAMONT GILMORE, having first been duly  
10 sworn/affirmed, was examined and testified as  
11 follows:

12 - - -

13 MR. EINGORN: Please state your names and  
14 addresses for the record.

15 MR. SNEAD: My name is Gregory Snead,  
16 1237 Patrick Henry Place, Philadelphia, PA 19122.

17 MR. GILMORE: My name is Lamont Gilmore,  
18 1257 Sheridan Street, Camden, New Jersey.

19 MR. EINGORN: Gentlemen, you're just  
20 going to have to speak a little louder so we can all  
21 hear you.

22 MR. WANAMAKER: Matthew Wanamaker, 2937  
23 Cambridge Street, Philadelphia.

24 MR. WILTSEY: The last witness is  
25 Matthew Wanamaker and he's from Pennoni. He has

1 previously testified as an expert in Camden before.

2           So a little background. What we have  
3 currently is a duplex. There's two 2-bedroom  
4 apartments that exist in this building. My client  
5 wishes to add a third unit. That would be a  
6 1-bedroom unit in the basement. There is no parking  
7 at the site at all existing currently, so we would be  
8 adding that 1-bedroom.

9           I do have clients that are willing to  
10 testify. I can proffer that the reason why they  
11 decided to go for the third unit is because there's  
12 lots of parking in this area so parking, they don't  
13 believe is an issue. They think parking will be fine  
14 and that's why we decided to add another unit here.

15           I'm going to turn it over to our expert  
16 planner to talk about how the Municipal Land Use Law  
17 applies to this application and his expert opinion as  
18 to whether or not we've satisfied our obligations to  
19 improve Positive and Negative Criteria. His  
20 testimony will be very brief. And then I would open  
21 up any questions the Board may have. Matt Wanamaker.

22           MR. WANAMAKER: Good afternoon. So this  
23 property is located in the R-2 Zone which is a  
24 residential zone where a single-family detached  
25 dwelling, semi-detached dwelling, duplex dwellings

1 and townhouse dwellings are permitted but not  
2 triplexes specifically. However, this particular  
3 property is suitable for this use. There won't be  
4 major changes to the exterior. It's vacant property  
5 so it will be returning a structure into productive  
6 use.

7           The increase in density is appropriate  
8 for the site. There are currently a mix of  
9 typologies on the block, a use of densities  
10 throughout the block in that neighborhood. So  
11 overall, it won't be detrimental to the block or  
12 detrimental to the neighborhood and it will renovate  
13 an underutilized abandoned home and bring it back to  
14 the community. Any questions?

15           MR. EINGORN: You said the property is  
16 now vacant?

17           MR. WANAMAKER: Yes. That's correct.

18           MR. WILTSEY: The client is in the  
19 process of renovating all the units. That's the two  
20 2-bedrooms upstairs as well as if we get approval for  
21 the third unit in the basement.

22           VICE-CHAIRMAN COOPER: That's the  
23 property there?

24           MR. WILTSEY: That's correct.

25           MR. EINGORN: Other than this one

1 photograph, do we have anything else to show the  
2 parking as it is on the street or anything that's  
3 available?

4 MR. WILTSEY: Just our testimony.

5 MR. EINGORN: It looks like there's --  
6 I don't know if you're moving for everything at  
7 once. There's bulk variances requested. This is a  
8 townhome in the middle of the block?

9 MR. WILTSEY: Yes.

10 MR. EINGORN: So it shares party walls on  
11 both sides?

12 MR. WILTSEY: That's correct.

13 MR. EINGORN: So then the side yards  
14 would be deficient on both sides but that would be a  
15 conforming --

16 MR. WILTSEY: Correct.

17 MR. EINGORN: -- preexisting  
18 nonconformity?

19 MR. WILTSEY: Yes. That's what I  
20 mentioned on the bulk variances. We're not changing  
21 the footprint of the building at all.

22 MR. EINGORN: Is there exterior access to  
23 the basement? How would that work?

24 MR. WILTSEY: So I have a general  
25 contractor to answer any questions. You can see in

1 the picture that you have there in front of you, that  
2 you all have in front of you, there's the red steps  
3 that seem to go into the unit. They're currently  
4 removed. There's going to be an entranceway there  
5 for the first floor. To the right side, there's an  
6 entranceway going into the second floor.

7 Access to the basement will be, and you  
8 see this little foyer, that little foyer is going to  
9 be cut in half and it'll be about five or six feet  
10 into the yard and the steps will go down and there  
11 will be railings around it. And that's how they'll  
12 get their own private access to the basement  
13 apartment.

14 CHAIRMAN HANCE: This is going to be the  
15 front entrance?

16 MR. WILTSEY: That's the front entrance,  
17 yes.

18 CHAIRMAN HANCE: So where is the rear?

19 MR. WILTSEY: I don't have any pictures  
20 of the rear.

21 MR. EINGORN: I hate to do this to you  
22 guys but it's really hard to make a determination  
23 from this one picture. We're going to need a lot  
24 more photographs for the Board to make a  
25 determination as to whether or not it's appropriate

1 under the circumstances. I think it protects you and  
2 us.

3 MR. WILTSEY: Okay.

4 MR. EINGORN: So I think we need rear  
5 photos, exterior photos, street photos, maybe an  
6 aerial; something where the Board can at least make a  
7 determination of what's around the area and see what  
8 the parking looks like at the very least. I hate to  
9 do it to you but it's really hard just with this one  
10 photo.

11 CHAIRMAN HANCE: I did go past there  
12 today. I'm seeing what you're showing me here.

13 MR. WILTSEY: Understood.

14 VICE-CHAIRMAN COOPER: Does your gas go  
15 into the front of this house or to the rear of it,  
16 your gas meters?

17 MR. WILTSEY: Access currently, is there  
18 any access to the rear of the home.

19 MR. GILMORE: Yeah, a trap door in the  
20 back in the rear.

21 MR. EINGORN: So like the Bilco-type  
22 doors; the kind that open up like a butterfly?

23 MR. GILMORE: Yeah.

24 MR. EINGORN: Just quickly. I'm trying  
25 to get as much in the record as possible so that they



1 can just back with the pictures. What about the  
2 utilities, the water heaters, electrical panels,  
3 where are they located?

4 MR. GILMORE: The electrical panels are  
5 going to be individual in each apartment.

6 MR. EINGORN: In each unit.

7 MR. GILMORE: And the gas in the front,  
8 the meter as well as electric meters.

9 MR. EINGORN: About what the water  
10 heaters?

11 MR. GILMORE: The water heaters are going  
12 to be electric heaters. New units.

13 MR. EINGORN: So there won't be a need  
14 for like a separate utility room?

15 MR. GILMORE: Yeah, there will be a  
16 separate utility room feeding to that, to each one.

17 MR. EINGORN: And where will that be; in  
18 the basement?

19 MR. GILMORE: The basement.

20 MR. EINGORN: Maybe a floor plan of the  
21 layout of the basement will be helpful too.

22 MR. WILTSEY: Yes.

23 MR. EINGORN: Mr. Still?

24 MR. STILL: On the aerial of the rear two  
25 blocks over, there are trap doors so there's an

1 entryway to the home but there's alleyway to the back  
2 so there needs to be pictures to show that there's  
3 access not only to the home but to the yard space as  
4 well.

5 MR. EINGORN: Maybe something from Google  
6 Maps where you zoom in. That would be helpful.  
7 Sorry to adjourn you.

8 MR. WILTSEY: I understand.

9 MR. EINGORN: So the next meeting is  
10 October the 7th at 5:30 p.m.

11 So for everybody in the public, this  
12 matter, Vision Capital Investment, 505 Rand Street is  
13 going to be heard on October 7th, the continuation of  
14 this meeting. If you're here for that tonight,  
15 public portion will be heard at that time. There is  
16 no further notice. This is the notice of that  
17 adjournment. Thank you, Counsel.

18 MR. WILTSEY: I appreciate it.

19 MR. EINGORN: The next matter is Lyubomir  
20 Kmet, 459 Atlantic Avenue.

21 MR. EINGORN: Would you raise your right  
22 hand, please.

23 - - -

24 LYUBOMIR KMET, having first been duly  
25 sworn/affirmed, was examined and testified as

1 follows:

2 - - -

3 MR. EINGORN: Please state your name and  
4 address for the record.

5 MR. KMET: My name is Lyubomir Kmet, 1302  
6 Blakeslee Drive, Philadelphia 19116.

7 MR. EINGORN: The applicant is Lyubomir  
8 Kmet, 459 Atlantic Avenue, Camden, New Jersey. The  
9 property is located at 459 Atlantic Avenue in the  
10 LI-1 Zoning District. The lot has a frontage of  
11 1,338 feet and a depth of 75 feet. There's one  
12 building on the lot; two stories tall. It's a  
13 single-family and the applicant is proposing  
14 a rehab. The applicant is requesting a Certificate  
15 of Nonconforming Use. Is this a preexisting  
16 single-family home?

17 MR. KMET: Correct.

18 MR. EINGORN: And do you know when it was  
19 built?

20 MR. KMET: 1900.

21 MR. EINGORN: 1900. And what are you  
22 planning on doing to the house?

23 MR. KMET: My original plan is to move  
24 here once it's done.

25 MR. EINGORN: So you're fixing up the

1 house for your own use?

2 MR. KMET: Correct.

3 MR. EINGORN: Got it. And you've  
4 submitted to the Board, looks like a permit  
5 application, some photographs. Did you take these  
6 photographs?

7 MR. KMET: Correct. Yes.

8 MR. EINGORN: And that's the condition  
9 that house is currently in?

10 MR. KMET: It's cleaned up a little bit.

11 MR. EINGORN: Cleaned up a little bit.  
12 Are you doing the work yourself or you have a  
13 contractor?

14 MR. KMET: I'm doing the work myself.

15 MR. EINGORN: Doing the work yourself.

16 MR. KMET: And there's water already  
17 installed at the property.

18 MR. EINGORN: Water has been installed.  
19 Got it.

20 MR. EINGORN: And you said the property  
21 was constructed in 1900?

22 MR. KMET: Correct.

23 MR. EINGORN: Does the Board have  
24 questions regarding this request for a Certificate of  
25 Nonconforming Use? It's a single-family home built

1 in 1900.

2 VICE-CHAIRMAN COOPER: Yes, I've been by  
3 the property and it's an attached rowhome. There's  
4 properties both sides, correct?

5 MR. KMET: Just on the one side. On the  
6 left is the church.

7 VICE-CHAIRMAN COOPER: Right. Okay. And  
8 you're going to rehab it to move into it so...

9 CHAIRMAN HANCE: That's the Zion Church  
10 next to the property?

11 VICE-CHAIRMAN COOPER: Yes.

12 MS. MASON: I just have a question. I  
13 know a lot of times when folks are rehabbing, they  
14 have some type of disposal. I don't know what it's  
15 actually called.

16 MR. EINGORN: Like a dumpster.

17 MS. MASON: Yeah, like a dumpster or  
18 container. Are you using that to --

19 MR. KMET: I do have a container back  
20 there and I hauled the trash and it's basically  
21 cleared out of the property. It's empty. I've  
22 already done that.

23 MR. EINGORN: That would be a code  
24 enforcement issue anyway.

25 CHAIRMAN HANCE: So basically, he needs a

1 CO to go in and do the work, correct?

2 MR. EINGORN: You're trying to get a  
3 permit to do the work?

4 MR. KMET: Yes.

5 MR. EINGORN: Any other questions? No.  
6 Open to the public. Anybody here in the public  
7 tonight that like to be heard on 459 Atlantic  
8 Avenue, the applicant's request for a Certificate of  
9 Nonconforming Use? Hearing none, we'll close the  
10 public portion.

11 It's the Board's time to do a quick  
12 discussion and make a determination as to whether or  
13 not this house, constructed in the 1900's as a  
14 single-family house, is applicable for a Certificate  
15 of Nonconforming Use. It would be my professional  
16 opinion that it does appear to be appropriate in this  
17 instance. So a quick discussion and then a motion.

18 VICE-CHAIRMAN COOPER: I think it's a  
19 good thing that he's willing to come back into the  
20 City and rehab one of our vacant homes here. The  
21 houses that are on that block that's vacant, maybe  
22 you can acquire those somehow.

23 MR. EINGORN: Let's get him into the City  
24 before we start pushing more properties on him.

25 VICE-CHAIRMAN COOPER: Yeah. But still,

1 you know, I think it's a good thing, him trying to  
2 rehab the area there.

3 CHAIRMAN HANCE: I'm going to piggyback  
4 on you and say that there's a lot of new construction  
5 in Camden also and it's already a home. Mine is 200  
6 years old, okay, and I'm living in it. I think it's  
7 a smart move to rehab. It's right beside the church.  
8 And I'm sure they'd be happy to see it rehabbed. And  
9 it'll keep the homeless out of there and less fires  
10 in Camden. So I think it's a great idea.

11 MR. KMET: Thank you.

12 MR. EINGORN: Motion.

13 VICE-CHAIRMAN COOPER: Motion to  
14 accept.

15 MR. EINGORN: Do we have a second?

16 MS. MASON: Second.

17 MR. EINGORN: I'll take a roll-call vote.  
18 Chairman Hance.

19 CHAIRMAN HANCE: Yes.

20 MR. EINGORN: Vice-Chairman Cooper.

21 VICE-CHAIRMAN COOPER: Yes.

22 MS. ALSTON: Yes.

23 MR. EINGORN: Ms. Nunez.

24 MS. NUNEZ: Yes.

25 MR. EINGORN: Mr. Still.

1 MR. STILL: Yes.

2 MR. EINGORN: Ms. Mason.

3 MS. MASON: Yes.

4 MR. EINGORN: Having six in favor and  
5 none opposed, the motion passes. Congratulations.

6 MR. KMET: Thank you.

7 MR. EINGORN: Have a nice night.

8 The next matter is Cannabista, LLC, are  
9 you guys ready to go?

10 MR. LARIO: Yes.

11 Good evening, Mr. Chairman and members of  
12 the Board. My name is Michael Lario. I'm an  
13 attorney at the firm of Nehmad, Davis & Goldstein.  
14 I'm here this evening on behalf of Cannabista, LLC.  
15 This is an application concerning property at Block  
16 1221, Lot 3. It's 2035 Admiral Wilson Blvd. It's an  
17 application for use variance belief, conditional use  
18 variance relief, preliminary and final major site  
19 plan approval and all variance relief in connection  
20 with the construction establishment and maintenance  
21 of a new Class 5 Cannabis retail dispensary at the  
22 subject site.

23 This sight currently is improved with the  
24 Golden Pearl Takeout Restaurant. It's been on the  
25 site for many years. The applicant, Cannabista, LLC,



1 through its principal, Mr. Jose Brito, they own this  
2 site. He's the proposed operator of this Class 5  
3 facility. And what Cannabista -- what Mr. Brito is  
4 proposing here, is to go in and to construct a new  
5 approximately 3,400-square foot Class 5 retail  
6 dispensary at the subject site, in addition to that  
7 existing approximately 800-square foot takeout  
8 restaurant.

9 The site right now, again, it would  
10 allow its permitted use, that takeout restaurant, the  
11 site is actually zoned to permit a Class 5 as a  
12 conditional permitted use, but it's zoned to permit  
13 a Class 5 retail Cannabis dispensary. When you  
14 combine the two principal uses in separate buildings  
15 on the same lot, it triggers the need for use  
16 variance relief under the "d(1)" Criteria.

17 We're also seeking "d(3)" variance relief  
18 as I stated. Retail dispensaries are a conditional  
19 use. There's a long list of conditions within your  
20 ordinance. We do not meet a number of those  
21 conditions, many of which are attributed to the fact  
22 that it is a slightly undersized lot. In order to be  
23 a permitted conditional use, you have to satisfy all  
24 the bulk standards in the zone which we do not and,  
25 therefore, we require that "d(3)" variance relief.

1           I would note that, again, the site has  
2 been zoned to allow this type of use, this classified  
3 use. An application was made to the City of Camden's  
4 Cannabis Committee for review. They recommended it  
5 to City Council that a Resolution of Support be  
6 adopted. It was. We have -- that resolution was  
7 included as part of our application package. And,  
8 again, just briefly, that application entails a  
9 review by the City of the applicant principal,  
10 financial wear-with-all, the plans themselves to  
11 determine whether or not it is a feasible project for  
12 it. Obviously, it still requires this Board to  
13 review it and adjudicate whether or not it can go  
14 forward but it's that preliminary step in the  
15 process.

16           Additionally, an application has been  
17 filed with the state. I mentioned in classified and  
18 you'll hear a lot of testimony as to a classified  
19 facility. That's the license number that we are  
20 proposing. That's the retail dispensary. That  
21 application has been filed with the New Jersey  
22 Cannabis Regulatory Commission. The application has  
23 been deemed complete and we're waiting to be put on  
24 an agenda, as you heard, as to the state license.  
25 And, obviously, that state license will be a

1 requirement in order to operate this classified  
2 facility at the subject site.

3           The building itself, I mentioned the  
4 classified retail dispensary. It's a three-story  
5 building is what's being proposed and second and  
6 third story are open leasable areas in the future.  
7 Mr. Brito, the applicant, they actually don't have a  
8 tenant for those spaces now. So what we'd like to  
9 propose is, that we are allowed to construct that  
10 three-story building and when, hopefully soon, a  
11 tenant is found, we would come back to this Board and  
12 present what that tenant is, the demands of that use.  
13 Because obviously, there's an unknown aspect here  
14 that I think it would be unfair to require this Board  
15 and ask this Board to adjudicate a use that is not  
16 known at this time.

17           So, again, we would agree it's a  
18 condition to come back once that second and third  
19 story tenants were found. Again, you'll hear  
20 testimony from our planner that, obviously, we  
21 believe there are compatible uses to that second and  
22 third story as well. That's, again, a very broad  
23 overview of the application for you tonight. We with  
24 I have the principal of Cannabista, LLC, Mr. Jose  
25 Brito. I have Sean Brown. He's a consultant who has

1 been hired by Cannabista to process the application  
2 both to the City and to the state. I have Mr. Daniel  
3 Patterson, the applicant's engineer. I have  
4 Mr. El Donaldo, Vid Al, the applicant's architect. I  
5 have Mr. Mark Remsa, the applicant's planner to  
6 provide professional planning testimony.

7 If the Board would like to swear them all  
8 at once, that may be easier. Thank you, Mr.  
9 Chairman.

10 MR. EINGORN: I'll swear in Dena Moore  
11 Johnson first. Would you raise your right hand,  
12 please.

13 - - -

14 DENA MOORE JOHNSON, PE., CME, having  
15 first been duly sworn/affirmed, was examined and  
16 testified as follows:

17 - - -

18 MR. EINGORN: If the applicant's  
19 witnesses would please stand and be sworn. Please  
20 raise your right hand.

21 - - -

22 DANIEL PATTERSON, PE.; MARK REMSA, PP,  
23 LLA, AICP, ASLA; EL DONALDO F. VID, AL, AIA.; SEAN  
24 BROWN; JOSE BRITO, having first been duly  
25 sworn/affirmed, was examined and testified as

1 follows:

2 - - -

3 MR. EINGORN: Maybe we'll just get names  
4 and addresses as they come up. Does that work?

5 MR. LARIO: Yes. I'll call up the  
6 applicant for some quick questions. If you could,  
7 could you please give your name and address to the  
8 Board.

9 MR. BRITO: Jose M. Brito. I live at  
10 1120 N. 23rd Street, Camden, New Jersey 08105.

11 MR. LARIO: As I stated, you're the  
12 principal of Cannabista, LLC, the applicant?

13 MR. BRITO: Yes.

14 MR. LARIO: And you also own and control  
15 the site as well?

16 MR. BRITO: Yes.

17 MR. LARIO: And you've been working  
18 through the application process with the state for  
19 Cannabista and obviously the City in order to  
20 establish this use at the subject site?

21 MR. BRITO: Yes.

22 MR. LARIO: You have been working with  
23 Mr. Brown, as your consultant, through that  
24 application process?

25 MR. BRITO: Yes.

1           MR. LARIO: Those are all the questions I  
2 have for Mr. Brito.

3           MR. EINGORN: Great. Thank you.

4           MR. LARIO: Next, I'm going to ask for  
5 Mr. Brown.

6           MR. EINGORN: Mr. Brown, can you state  
7 your name and address for the record, please?

8           MR. BROWN: My name is Sean Brown, 412 N.  
9 40th Street, Camden, New Jersey.

10          MR. LARIO: Mr. Brown, before we begin  
11 about this specific application, can you just give  
12 the Board a little idea as to some of your experience  
13 in processing these types of applications?

14          MR. BROWN: Sure. In 2021 and 2022, I  
15 was the Borough Administrator for the Borough of  
16 Penns Grove where we were open to receiving all  
17 application Classes 1 through 6. And I was in the  
18 position of working with our attorneys, our engineers  
19 and others to receive those applications and issue  
20 Letters of Support. In that process I was able to go  
21 to training with the New Jersey Cannabis Regulatory  
22 Commission, and the business associations as well.

23          When I left that position, I went back to  
24 running my company and supported applicants who were  
25 submitting their applications and going through the

1 regulatory process here in the City of Camden and a  
2 few other municipalities as well.

3 MR. LARIO: So you're familiar with the  
4 application process both at the state and the local  
5 level?

6 MR. BROWN: Yes.

7 MR. LARIO: So let's start with the  
8 state. I mentioned an application has been filed  
9 with the New Jersey Cannabis Regulatory Commission.  
10 Can you give the Board a little bit of an update as  
11 to where that stands right now?

12 MR. BROWN: Sure. So the CRC is  
13 notoriously takes a long time to process these  
14 applications, and no fault of anybody in this room.  
15 But it's a very thorough application of what they ask  
16 for, including security plans, other standard  
17 operating procedures for their expectations, how the  
18 verification that the place will be used as state  
19 regulations require. And the application that has  
20 been submitted is under review and we actually expect  
21 a decision from the CRC to come in the next new  
22 months.

23 MS. MOORE: I have a question as to when  
24 the application was submitted?

25 MR. BROWN: The application was submitted

1 December of 2023.

2 MR. LARIO: Right now I'm handing out the  
3 Resolution of Support. And as I mentioned, an  
4 application has also been filed to the City. This is  
5 the memorialization of that Resolution of Support  
6 that was adopted by the City.

7 MR. EINGORN: A-1?

8 MR. LARIO: A-1, yes. So, again, just  
9 obviously as the Board members are looking at it now,  
10 can you just speak a little bit as to the local  
11 licensing application process?

12 MR. BROWN: Yes. So really the first and  
13 most important step that any applicant that wants to  
14 get a license has to do is get approval, from right  
15 in this room, from City Council. So the mayor and  
16 the business administrator have a process first where  
17 we have to submit a whole bunch of answers to  
18 questions about who Mr. Brito is as a leader; what is  
19 his experiences are in running businesses; what the  
20 business will be; where it would be; how it will  
21 operate.

22 It's not that different that the state's  
23 process. And then Mr. Brito's application was able  
24 to get through that first process given a Letter of  
25 Support from -- excuse me -- first to be approved by



1 the Cannabis Committee that the City has. And then  
2 it was approved by Council which allowed us to now to  
3 go through approval from the state.

4 MR. LARIO: Let's turn to the operations  
5 of this proposed use because, obviously, the state  
6 regulations and both local regulations will dictate  
7 those day-to-day operations greatly. Can you speak a  
8 little bit as to the typical hours of operation; the  
9 number of employees; the kind of day-to-day  
10 operational aspect of the proposed use?

11 MR. BROWN: Sure. So I notice this is  
12 not your first dispensary that you voted on so I will  
13 spare you some of the details. But I will tell you  
14 that, as you know, the regulations from the state are  
15 very strict and what's expected and so are the  
16 regulations from the City. I would argue it's  
17 probably the most regulated industry that exists  
18 right now in any type of business at all. So the  
19 hours of operation fit within the City's  
20 regulations. The amount of employees we expect would  
21 hover somewhere around ten.

22 MR. LARIO: Just to go back, the hours of  
23 operation I believe is eight to nine.

24 MR. BROWN: Yeah, it's different. It's  
25 not necessarily the same Sunday through Saturday.

1                   MR. LARIO:   And Sunday, I think, it's  
2 shorter?

3                   MR. BROWN:   Yes.

4                   But one of the things is, just as any  
5 other retail location, this is a thing where people,  
6 and this is right off of Admiral Wilson Boulevard,  
7 you drive in; you go in and get your product; you're  
8 probably there for less than 20 minutes; and you  
9 drive right back out. And we would anticipate a flow  
10 of traffic going on throughout the day. And then  
11 when the restaurant or the other establishment opens,  
12 then they would be also sharing the space in that as  
13 well with all the regulations that are required from  
14 the state and from the city.

15                  MR. LARIO:   Let's talk number of  
16 employees. I believe there's somewhere around 15  
17 total employees. And then each shift you're looking  
18 to do six, seven and that's including both staff and  
19 security?

20                  MR. BROWN:   Right. So we're required to  
21 have armed security which we would have at all hours  
22 of operation. There's back-of-house so those are the  
23 people that accept deliveries from that are being  
24 brought in. And then there's front-of-house so  
25 that's people that are doing sales; that are doing

1 the retail part of it, people that are cleaning up.  
2 And we are going to do our best to hire residents  
3 from the City of Camden and to pay them a living wage  
4 and to bring -- as we submit it to the City as part  
5 of our original application tonight.

6 MR. LARIO: I was going to say, we're  
7 actually as part of our submission, we indicated we  
8 would hire, I think three is the number at least --

9 MR. BROWN: At least, yes.

10 MR. LARIO: -- local residents.

11 So let's talk about security. You  
12 mentioned the armed security personnel. Can you  
13 speak a little bit as to what security measures will  
14 be in place?

15 MR. BROWN: So let me first say that the  
16 Camden County Metro has already reached out to us to  
17 go over our security plan. That was part of the  
18 City's process. So we were able to walk them through  
19 some of the things that you'll see and others will  
20 present tonight on exactly how security looks; where  
21 the delivery occurs; where the armed security is; the  
22 exit -- the entrance and exit, where that's located  
23 and things like that.

24 I personally had a conversation with  
25 Captain Kersey, who some of you may know,

1 specifically about the details of security because we  
2 want to make sure that this is a place that Mr. Brito  
3 wants to operate it safer than we found that place to  
4 be to secure the safety of the customers to come, the  
5 staff to come and overall community and business  
6 owners there in East Camden.

7 MR. LARIO: Again, those security  
8 measures, alarms on all the doors and windows?

9 MR. BROWN: Yes. So it's a lot of  
10 regulations there. So there are alarms. The most  
11 important thing is, there's a camera feed that goes  
12 both to the state CRC and also to the City police.  
13 And these are regulations that are required to be  
14 followed. And that technology is in place or is in  
15 motion to be in place in order to have the highest  
16 security requirements possible.

17 MR. LARIO: You submit that plan to the  
18 state. If you deviate at any point from what you  
19 promise to do, you obviously risk losing your license  
20 with the state?

21 MR. BROWN: Correct.

22 MR. LARIO: Let's talk about deliveries.  
23 You mentioned that. Can you speak a little bit as to  
24 the anticipated number and how deliveries would work  
25 on the site?

1           MR. BROWN: Yes. As most modern  
2 companies do, a lot of the delivery information is  
3 processed online. There could be potentially a  
4 company that comes outside of Cannabista on the  
5 premises, think of it as Grub-Hub, that comes to get  
6 the order and then deliver it to whoever it goes.

7           There's also a potential for Cannabista  
8 to eventually have its own delivery system as well  
9 where it's taking its product and delivering it to  
10 its customers and filing through with all the  
11 regulations. And the door and, again, you'll see  
12 this later, the door that would lead from, would be a  
13 secured door with cameras to make sure that it's safe  
14 for the delivery driver.

15          MR. LARIO: And that's in an unmarked  
16 usually sprinter van that is used sometimes between  
17 to one to three deliveries a day at most?

18          MR. BROWN: Yes. And that's a -- this is  
19 still somewhat of a new market. And this area where  
20 Cannabista would be, is actually -- once it opens, it  
21 would be the first dispensary in the East Camden  
22 area. The other dispensaries are more of where we  
23 are now, closer to downtown. But, yes, it could be  
24 one; it could be five. And that's what we anticipate  
25 on a daily basis.

1                   MR. LARIO: Moving on to trash and waste,  
2 I think it's important to start with actual Cannabis  
3 product waste. Can you speak a little bit as to how  
4 to that's differentiated between your normal waste?

5                   MR. BROWN: So for one thing to keep in  
6 mind is that every single product that comes into the  
7 dispensary from the cultivator, from the  
8 manufacturers who make these products has a serial  
9 number on it. And that items is tracked actually  
10 from the time it's grown to the time it's packaged;  
11 to the time it gets to the dispensary until the time  
12 that it's sold. So every single thing is tracked.  
13 This is a heavy regulation. It's part of the state  
14 system known as metric where that information is  
15 tracked. What was the other part of your question?  
16 Did I answer it?

17                   MR. LARIO: When it's tracked, when you  
18 go to take it out, the waste, --

19                   MR. BROWN: Oh, yeah, the waste.

20                   MR. LARIO: -- it doesn't go in the  
21 normal trash?

22                   MR. BROWN: Right. There's two different  
23 types of trash, your regular trash and Cannabis  
24 waste. What the state is saying is, they don't want  
25 to staff throwing away a bad bottle and then somebody

1 get's it from the trash and is able to use the  
2 product. So everything is tracked.

3 So there's a standard operating procedure  
4 specifically on waste disposal. And then there's a  
5 company that Mr. Brito, through Cannabista, would  
6 contract with that would collect that waste that we  
7 get paid a fee in order to do what needs to be done  
8 with it.

9 MR. LARIO: But we're also obviously  
10 proposing your more standard trash hauling. There's  
11 a trash enclosure outside just for your typical  
12 business waste?

13 MR. BROWN: Yes. That's correct.

14 MR. LARIO: Landscaping. There's certain  
15 landscaping that's proposed as part of this plan.  
16 Our engineer will speak to it a little more.  
17 Obviously, that will all be maintained, snow plow,  
18 et cetera. The site will be brought into -- will be  
19 modernized for this use, correct?

20 MR. BROWN: Yes. I think Mr. Brito had  
21 me myself I was out there one day to clear some of  
22 the stuff. So, yeah, we'll make sure that it will  
23 look great. It will look better than it does today.  
24 It will be. As you'll see in the pictures, this is  
25 really a state-of-the-art place. Think about this,

1 you know, you live in Cherry Hill; maybe you live in  
2 Philly and you're driving out to Admiral Wilson  
3 Boulevard. This would be the place to go to get your  
4 product on the way there, on the way back. And  
5 because it's the City of Camden, we want to make sure  
6 that it's bright, it's clean, it's safe, so that the  
7 customers have confidence that they can have a good  
8 place to buy their product from.

9 MR. LARIO: Now, there is that existing  
10 takeout restaurant located on the site. We're not  
11 proposing any changes to that and will continue to  
12 operate; again, approximately 800 square feet of  
13 takout-only so that will continue operations,  
14 correct?

15 MR. BROWN: Yes.

16 MR. LARIO: Mr. Chairman, --

17 MS. MOORE: Any questions that are in the  
18 review letter, I do have to go through the underlined  
19 items in the review letter.

20 MR. LARIO: If it's all right, could we  
21 have our engineer and I think he's going to answer a  
22 lot of questions that you have. And if there's  
23 anything else, we'll obviously --

24 MS. MOORE: I mean, just before you go  
25 into question and answer with him, if we can just go



1 through the letter.

2 MR. EINGORN: Because you're answering a  
3 lot of the questions that are in the letter and we  
4 got to go through the letter anyway. Right?

5 MR. LARIO: Okay.

6 MR. EINGORN: So sometimes if we just run  
7 through the letter, it answers all kinds of conflicts  
8 that we have to get to.

9 MR. LARIO: Okay.

10 MS. MOORE: Do you have any other  
11 testimony you want to put on record?

12 MR. LARIO: Mr. Brown, unless there's any  
13 questions that any of the Board members have, but I'm  
14 happy to go to our engineer.

15 MS. ALSTON: I have. You mentioned the  
16 delivery. I just want to be clear that delivery of  
17 the product, you're not delivering to customers  
18 because that would be a separate application; am I  
19 correct?

20 MR. BROWN: Yes. So at one point I  
21 talked about deliveries, I'm talking about the  
22 product that's coming into Cannabista to be sold.  
23 And then in another context, I'm talking about  
24 deliveries. And you're correct. There's a Class 6  
25 License if Cannabista is doing the deliveries.

1 Cannabista itself doesn't need a license to have  
2 another delivery company get the product from  
3 Cannabista to deliver to it.

4 MS. ALSTON: Okay.

5 MR. LARIO: Someone else can get a Class  
6 License and then utilize the delivery services,  
7 correct?

8 MS. ALSTON: And then I had one more  
9 thing. It's always good intentions when we have  
10 these businesses come up. But you mentioned local  
11 hiring. So when I find that sometimes we don't have  
12 that local talent here, would there be any  
13 instructional or new training so that if you see  
14 potential in a, one, a person that would you hire  
15 them and sort of train of them through the process?

16 MR. BROWN: That's a great question. I'm  
17 personally glad that you ask that but also as a  
18 representative here. So we're a member of the New  
19 Jersey Cannabis Business Association. And they have  
20 retraining models specifically for Budtenders which  
21 is what the retail people are known as, to have that  
22 training. There's also several opportunities that we  
23 have to work with other local unions and other  
24 people. Sometimes people who work in this industry,  
25 they might have an issue working at one dispensary,

1 but they really like the work because they know the  
2 product and they're looking for opportunities in  
3 others. So we have several opportunities, leads and  
4 list for how to do that.

5 You can also imagine us having an open  
6 house event right on the premises to recruit people  
7 who want to learn more about the industry, be able to  
8 educate themselves on the safety issues that come  
9 with it. Because we want to pay people a living  
10 wage. We want to make sure that absolutely that  
11 people are trained to be at work.

12 MS. ALSTON: Very good. Thank you.

13 MR. LARIO: Any further questions? Okay.  
14 Let's move to our engineer, Mr. Patterson.

15 MR. EINGORN: Thank you.

16 MR. LARIO: Mr. Patterson, can you first  
17 introduce yourself to the Board and provide with your  
18 qualifications.

19 MR. PATTERSON: My name is Daniel  
20 Patterson. I'm a licensed professional engineer and  
21 land surveyor in the State of New Jersey. I have a  
22 degree from Rutgers University in civil engineering  
23 and I have a degree from the New Jersey Institute of  
24 Technology and Land Surveying. I've been licensed in  
25 New Jersey as a surveyor since 2012 and as an

1 engineer since 2013. I currently own and operate my  
2 own engineering practice out of Medford, New Jersey.

3 MR. LARIO: And you were here before  
4 Boards like this?

5 MR. PATTERSON: I have not appeared  
6 before this Board but I've appeared before numerous  
7 planning boards throughout Camden County, Burlington  
8 County and Gloucester County.

9 MR. LARIO: I offer Mr. Patterson as an  
10 expert in professional engineering.

11 MR. EINGORN: The Board will accept  
12 Mr. Patterson.

13 MR. LARIO: Thank you. I think,  
14 Mr. Patterson, based upon the Board engineer's  
15 comments, the review letter is probably the best way  
16 to start instead of doing scatter-shots.

17 MR. PATTERSON: That's fine.

18 MS. MOORE: Mr. Chairman, I'm referring  
19 to Remington & Vernick's letter dated July 25th,  
20 2024. Just beginning with your architectural plans,  
21 they should be submitted with a sheet size of 24  
22 inches by 36 inches. That will be revised?

23 MR. VID AL: Yes. That's not a problem.

24 MR. EINGORN: Welcome. We'll accept  
25 Mr. Vid Al. He's here every month.

1 MR. VID AL: Thank you.

2 MS. MOORE: Moving on to page 2. The  
3 zoning requirements use, the applicant's proposed  
4 retail Cannabis on the first floor as a conditionally  
5 permitted use in the C-4 Zone under Section 870-38.Q  
6 provided the conditions outlined in Section 870-38 is  
7 satisfied; the conditions are satisfied, see below,  
8 which I will point out because I need you to let me  
9 know which ones you don't satisfy.

10 MR. LARIO: Correct.

11 MS. MOORE: The specific type of proposed  
12 commercial uses on the second and third floor should  
13 be provided. That's unknown at this time from your  
14 testimony?

15 MR. PATTERSON: Correct.

16 MS. MOORE: Though it appears to be a  
17 retail or office use based on the parking calculation  
18 provided, both uses are permitted principal uses in  
19 the C-4 zone under Section 870-77. Furthermore, as  
20 not more than one principal building is permitted in  
21 one lot under Section 870-23, the applicant seeks a  
22 use "d-1" use variance.

23 Now, in the letter I go through the  
24 burden of proof that need "Special Reasons" and all  
25 that. You'll get to that?

1 MR. LARIO: Yes. Our planner will  
2 provide all that testimony.

3 MS. MOORE: That's the Positive and  
4 Negative Criteria. Moving on to page 3, as for the  
5 conditionally permitted Cannabis retail use in the  
6 C-4 Zone, the applicant must present evidence that it  
7 satisfies all of the conditions and requirements  
8 under Section 870-38, which includes the following  
9 summarized conditions/requirements:

10 Compliance with state and local  
11 licensing, including application approval with the  
12 Cannabis Committee, Section 870-38.A to F.

13 MR. LARIO: Yes, we will comply.

14 MS. MOORE: Is that pending?

15 MR. LARIO: It is pending. So it would  
16 be a condition of any approval but we'll be unable to  
17 operate this unless we obtain that necessary license.

18 MS. MOORE: Compliance with site plan  
19 review requirements, that's "G." It's this.  
20 Compliance with signage and display of products  
21 requirements.

22 MR. LARIO: Yes.

23 MS. MOORE: Compliance with distance  
24 requirements to public or nonpublic schools, licensed  
25 childcare facility, park or playground, behavioral

1 health facility; existing church or house of worship;  
2 and or other retail Cannabis businesses.

3 Are you within certain, the required  
4 distance from each of those items?

5 MR. LARIO: We are. Yes.

6 MS. MOORE: You are. Okay.

7 Compliance with no on-site sales of  
8 alcohol or tobacco products, and no on-site  
9 consumption of food, alcohol, tobacco, or Cannabis by  
10 patrons.

11 MR. LARIO: So this one and I know there  
12 was a comment in the review memo because there is  
13 that existing restaurant. But I think that the  
14 purpose of this is obviously people dining on-site.  
15 What's existing there, we're proposing to continue as  
16 a takeout restaurant. Really, we hope people don't  
17 stay there and eat. They're certainly not going to  
18 advocate for it. There's really not tables for them.  
19 We can't stop people, I guess, eating in their car  
20 but certainly that's not part of this proposal is  
21 that dining on-site.

22 MS. MOORE: Right. I can see that.

23 MR. LARIO: I hate eating in my car.

24 MS. MOORE: Compliance with no outside  
25 storage; around-the-clock video surveillance system,

1 365 days a year; video surveillance; providing Camden  
2 County Police Department Metro Division with access  
3 to security footage immediately upon request by the  
4 Department; at least one licensed security guard or  
5 more, if required by the state, during all times the  
6 facility is open to the public. We heard testimony  
7 you're good with that.

8 MR. LARIO: Yes.

9 MS. MOORE: Compliance with no light  
10 spillover into residential neighborhoods and to the  
11 fullest extent possible, adequate buffering as  
12 otherwise required by the City of Camden Ordinance.

13 MR. LARIO: Yes.

14 MS. MOORE: Compliance with conducting  
15 all business and operations indoors.

16 MR. LARIO: Yes.

17 MS. MOORE: Compliance with the  
18 additional requirements per Section 870-38J(2)(a):  
19 Hours of operation between 9:00 a.m. to 8:00 p.m.  
20 Monday through Saturday and between the hours of  
21 10:00 a.m. and 5:00 p.m. on Sunday.

22 MR. LARIO: Yes.

23 MS. MOORE: No more than one ounce of  
24 Cannabis or Cannabis product may be sold to a  
25 specific customer at a given time.



1 MR. LARIO: Yes.

2 MS. MOORE: Use or consumption of  
3 Cannabis or Cannabis products in any manner shall not  
4 be permitted within and outside the facility.

5 MR. LARIO: Yes.

6 MS. MOORE: Cannabis consumption areas  
7 are not permitted.

8 MR. LARIO: Yes.

9 MS. MOORE: Retail facilities are to be  
10 enclosed in heated or air-conditioned permanent  
11 buildings, not trailers, outdoors, movable kiosks,  
12 etc.

13 MR. LARIO: Yes.

14 MS. MOORE: Shall only have one primary  
15 public access point, which shall be directly adjacent  
16 to the right-of-way or parking area of the building.  
17 Access should not be through common entrances with  
18 other uses.

19 MR. LARIO: And that is the access point  
20 along Admiral Wilson is the only access point we're  
21 proposing.

22 MS. MOORE: Driveway facilities are not  
23 permitted.

24 MR. LARIO: Correct.

25 MS. MOORE: All Cannabis retailers shall

1 be secured in accordance with the State of New Jersey  
2 statutes and regulations; shall have a  
3 round-the-clock video surveillance system 365 days a  
4 year. You responded 'yes' to that.

5 Once again, at least one licensed  
6 security guard shall be on-site at all times during  
7 hours of operation. All patrons must be screened by  
8 said security employee and patrons must demonstrate  
9 proof of minimum age of 21 years old.

10 MR. LARIO: Yes.

11 MS. MOORE: Interiors shall provide a  
12 secure location for storage of products with minimum  
13 products in any customer service area.

14 MR. LARIO: Yes.

15 MS. MOORE: People shall not be permitted  
16 to congregate outside, loiter or wait in line to  
17 access the Cannabis retailer. The facility shall  
18 have a plan in place if interior capacity is  
19 exceeded. For example, numbers are given and  
20 customers wait in their vehicles until called.

21 MR. LARIO: Yes.

22 MS. MOORE: Compliance with odor  
23 mitigation/smoking per Section 870-38.L.

24 MR. LARIO: Yes.

25 MS. MOORE: Compliance with noise

1 mitigation.

2 MR. LARIO: Yes.

3 MS. MOORE: Compliance with capacity  
4 which is a maximum of 10 patrons per 250 square feet  
5 of gross floor area shall be permitted in any retail  
6 Cannabis business establishment. By way of  
7 clarification, floor area which is not accessible to  
8 customers, i.e., storage, shall not be included in  
9 the gross floor area for purposes of this  
10 calculation. The business's security employees shall  
11 monitor patron capacity and restrict entry, if  
12 necessary.

13 MR. LARIO: Yes.

14 MS. MOORE: Compliance with consumption,  
15 possession, nuisance and unregulated sale.

16 MR. LARIO: Yes.

17 MS. MOORE: Compliance with area and bulk  
18 requirements.

19 MR. LARIO: No.

20 MS. MOORE: That's the one.

21 MR. LARIO: That's the one.

22 MS. MOORE: Okay. So then that's why  
23 you're requesting a "d-3" variance for that one  
24 final --

25 MR. LARIO: Yes.

1 MS. MOORE: So the Area and Bulk  
2 Requirements, we have quite a few that are  
3 preexisting conditions and I'll go through those  
4 because they should also be listed for variances and  
5 waivers. You'll ask for them again. Okay.

6 I'll just go through the list as is: Lot  
7 Area, what's required is 1,000 square feet to 40,000  
8 square feet. And you're proposing 23,443 square feet.  
9 That's preexisting condition. The Lot Width,  
10 required is 200 feet. 105.77 feet, that's  
11 preexisting condition. The Building Coverage, you're  
12 in conformance. Impervious Coverage, required is 80  
13 percent. You're slightly over with 80.4 percent so  
14 you would request a variance.

15 MR. PATTERSON: We can probably -- that's  
16 just a small amount. We probably could get into  
17 compliance.

18 MR. LARIO: We'll comply with the 80  
19 percent requirement.

20 MR. PATTERSON: It's existing at 88 so  
21 we're actually proposing a reduction.

22 MR. LARIO: But we'll bring it down below  
23 that 80 percent requirement.

24 MS. MOORE: Okay.

25 MR. EINGORN: So we'll remove impervious

1 coverage?

2 MS. MOORE: Minimum Building Height, two  
3 stories, 30 feet. One story less than 30 feet is the  
4 existing building. That's preexisting condition.  
5 The maximum building height, you're in conformance.  
6 The principal building setback for front yard,  
7 required is 25 feet. The existing building is zero.  
8 The new building is 50 feet. You are in conformance  
9 with the new building but the existing building is in  
10 preexisting condition.

11 Rear yard, you're in conformance. The  
12 combined side yard, you're in conformance. But the  
13 one side yard, required is 20 feet. Proposed is  
14 10.7 feet and you're requesting a variance.

15 MR. PATTERSON: Yes.

16 MR. LARIO: Yes.

17 MS. MOORE: The accessory building  
18 setback, front yard you're in conformance. Rear  
19 yard, required is 3 feet. You're proposing 2.9 feet.  
20 That's a preexisting condition.

21 MR. EINGORN: Is there an accessory  
22 building? So isn't this two principal buildings?

23 MR. LARIO: So there's a maintenance shed  
24 in the back here that's preexisting.

25 MR. EINGORN: Got it.

1           MR. LARIO: The plan is to utilize this  
2 as storage but we're not proposing any changes to the  
3 building itself.

4           MR. EINGORN: Understood.

5           MS. MOORE: Your side yard and your  
6 accessory maximum area, those are both in  
7 conformance. Your accessory maximum height, required  
8 is 10 feet. You're proposing 11.3 feet. That's a  
9 variance. Requesting a variance.

10          MR. PATTERSON: Yes. We can change that.

11          MS. MOORE: You're going to change that  
12 also?

13          MR. PATTERSON: No, we're not going to  
14 change that. We're going to keep that variance.

15          MS. MOORE: Your parking. We listed  
16 for -- we have TBD (To Be Determined) on that and  
17 that's because the applicant should provide the  
18 specific type of commercial use being proposed on the  
19 second and third floors. So the parking is a  
20 question mark because we're not sure about the second  
21 and third floor but you did make an assumption, I'm  
22 assuming? Are you making an assumption for the  
23 parking or no?

24          MR. LARIO: So we're not because we're  
25 going to have to come back once we know what it is.

1 And at that point, the additional relief that will be  
2 required, we'll know specifically what the demand is  
3 going to be. And, obviously -- I mean, we know now  
4 how many parking spots there are but we won't have to  
5 assume when we come back before this Board. We'll  
6 know exactly what that number is.

7 MS. MOORE: So for the first floor, are  
8 you requesting a waiver? Do you need a waiver for  
9 the first floor?

10 MR. LARIO: I believe we do and our  
11 planner can speak a little more. I think when you  
12 combine the restaurant demand and the proposed  
13 dispensary demand, it's over the 28 spaces that's  
14 there now.

15 MS. MOORE: Okay. I already went through  
16 those. So I have additional notes regarding that on  
17 page 6. The use variance, can you provide the  
18 comments regarding use variance? I just need to make  
19 sure that you respond to the items here listed on  
20 pages 6 and 7. I'm going to jump in to the site plan  
21 portion on page 7.

22 A road opening permit from the New Jersey  
23 Department of Transportation would be required for a  
24 road opening on Admiral Wilson Boulevard. You  
25 acknowledge?

1 MR. PATTERSON: Yes.

2 MS. MOORE: A road opening permit from  
3 the Camden County Highway Department would be  
4 required for a road opening on Baird Boulevard.

5 MR. PATTERSON: Yes.

6 MS. MOORE: The applicant is to provide  
7 clarification whether the second and third floor are  
8 for retail or office. That's unknown at this time.

9 Electric charging facilities should be  
10 provided in accordance with the Municipal Land Use  
11 Law requirements and the DCA model ordinance  
12 requirements.

13 MR. LARIO: We ask the Board to allow us  
14 to amend the plans to include those. And, again,  
15 they will be provided if we're able to obtain  
16 approval and a resolution and compliance set those  
17 make-ready parking spaces.

18 MS. MOORE: Okay. So you'll add those on  
19 any type of revised plans?

20 MR. LARIO: Correct.

21 MR. EINGORN: So your 28 spaces, does  
22 that include credits for electric parking or no?

23 MR. LARIO: It does not.

24 MR. EINGORN: So those are the existing  
25 spaces?



1           MR. LARIO: Yes. So likely that number  
2 would go up given the credits for any of these  
3 spaces.

4           MR. EINGORN: That's why I asked.  
5 Thanks.

6           MS. MOORE: Per Section 870-241.C,  
7 sidewalks shall be at least five feet wide and  
8 located as approved by the Board. The applicant has  
9 proposed a 4-foot wide sidewalk. Plans should be  
10 revised or a variance is required.

11           MR. LARIO: Mr. Patterson, can you speak  
12 a little bit as to the existing sidewalk and what the  
13 applicant is proposing?

14           MR. PATTERSON: The existing -- is that  
15 regarding the existing sidewalk along Admiral Wilson  
16 Boulevard?

17           MS. MOORE: Yes.

18           MR. PATTERSON: So that sidewalk seems to  
19 be in fairly good condition. We'd just like to  
20 maintain it as much as we can. There may be a few  
21 locations where it would have to be disturbed for  
22 running the underground electric from the utility  
23 pole out front for some of the utility connections.  
24 Aside from that, we'd like to just maintain that if  
25 it would be okay with the Board.

1 MS. MOORE: What you're proposing 4-foot  
2 wide, is there a reason why you didn't go with 5-foot  
3 wide?

4 MR. LARIO: There's sidewalk out there  
5 right now. I think the existing sidewalk --

6 MR. PATTERSON: Yes, it's the existing.

7 MR. LARIO: So the existing sidewalk is  
8 four so we're asking just and I've been to the site.  
9 There's some landscaping, some weeds that are coming  
10 up through the cracks but overall, it seems to be in  
11 decent condition. So we would just ask that the  
12 existing 4-foot sidewalk and curbing be allowed to  
13 remain.

14 MS. MOORE: So you would be requesting a  
15 variance for that?

16 MR. LARIO: Correct. Yes.

17 MS. MOORE: And that's within the  
18 right-of-way of Admiral Wilson. So the state, if the  
19 state decides if they want a wider sidewalk --

20 MR. PATTERSON: If they make us do it,  
21 then we'll have to comply.

22 MS. MOORE: But at this point, I noted  
23 that you're requesting a variance.

24 MR. PATTERSON: Right.

25 MS. MOORE: The applicant should replace

1 the sidewalk and curb along all street frontages.

2 So that --

3 MR. PATTERSON: Same thing.

4 MS. MOORE: -- is what you're responding  
5 to. Oh, no. We would want you to -- if it's a new  
6 building, we would want you to replace the curb and  
7 sidewalk even if it's in fair condition, because most  
8 likely no one will come back in that area for another  
9 20, 30 years. At that point, it wouldn't be in fair  
10 condition. It would be in worse condition. So we  
11 looked at it and we determined that it should be  
12 replaced, the sidewalk and curb.

13 MR. EINGORN: So I guess the question  
14 then is, if you're replacing it then can you go to  
15 five feet?

16 MS. MOORE: Well, no. That would be  
17 determined by the state. So if the state decides --  
18 I don't recall what the other projects along Admiral  
19 Wilson right now, what they're doing, because this  
20 isn't the first one. But the state has approved the  
21 other projects so it might still be four feet if I  
22 can recall the other two. But if not, you would --

23 MR. LARIO: They're going to dictate  
24 whatever the --

25 MS. MOORE: Because they have to get a

1 state permit.

2 MR. EINGORN: Right.

3 MS. MOORE: They have to get that access  
4 permit so we would know. Before the plans are  
5 signed, we would know exactly how wide that sidewalk  
6 would be.

7 MR. EINGORN: Sounds good.

8 MR. PATTERSON: So we'll comply.

9 MS. MOORE: Thank you.

10 In addition to the vehicle parking  
11 requirements, bicycle facilities shall be provided.

12 Per Section 870-230.Z, the number of said  
13 bicycle spaces shall not be less than 10 percent of  
14 the first 100 required parking spaces as specified in  
15 the ordinance and shall further comply with Section  
16 870-234.

17 Bicycle parking facilities shall be of  
18 such type and quantity so as to encourage and  
19 facilitate the use of bicycle as a means of  
20 transportation by the employees and customers of the  
21 land or building. No bicycle facilities have been  
22 provided. The plans should be revised or a variance  
23 requested.

24 MR. LARIO: We agree.

25 MR. PATTERSON: We'll revise.

1 MS. MOORE: So you will not need a  
2 variance for bicycle.

3 The Stormwater Collection and Management  
4 System. The first two are just notes to add to the  
5 plan. You'll add those notes?

6 MR. LARIO: Yes.

7 MR. PATTERSON: Yes.

8 MS. MOORE: The applicant should provide  
9 testimony regarding how the building's roof will  
10 drain. The existing and proposed contours should be  
11 provided. The pre- and post-development impervious  
12 and green areas should also be shown on the plan.

13 MR. LARIO: Mr. Vid Al, do you want to  
14 speak a little bit as to the roof, the drain-off of  
15 the water?

16 MR. VID AL: Yes. Basically the roof is  
17 going to follow the same pattern that is existing  
18 right now, because everything is paved right now.

19 MS. MOORE: Okay. So just regular roof  
20 drains?

21 MR. VID AL: Yes.

22 MS. MOORE: So if you can show them, you  
23 can see them on the plans?

24 MR. VID AL: Sure.

25 MS. MOORE: The applicant should

1 determine if the project is considered a major  
2 development for stormwater management purposes in  
3 reference to the limit of disturbance and the  
4 increase in impervious coverage and motor vehicle  
5 service area.

6 MR. PATTERSON: I believe it is not but I  
7 can add that information to the plan.

8 MS. MOORE: Okay.

9 Stormwater quantity, stormwater quality  
10 and groundwater recharge may need to be addressed  
11 utilizing green infrastructure.

12 So that comment is the reason why I asked  
13 for the pre and post just so you can take a look  
14 because you know if it's major, you have the other  
15 criteria.

16 MR. PATTERSON: I believe we'll be  
17 providing a reduction albeit, very slight.

18 MR. LARIO: That's based on reduction --

19 MR. PATTERSON: Based on the fact --

20 MS. MOORE: Impervious coverage --

21 MR. PATTERSON: -- that the entire site is  
22 already impervious and we're reducing that, that  
23 coverage and it should have a very minimal reduction.

24 MS. MOORE: Okay. That's good.

25 The post-development peak runoff cannot

1 exceed the pre-development peak runoff for the  
2 25-year storm event possible.

3           So confirming calculations should be  
4 provided for review. And so when looking at that  
5 too, you have to note in accordance with the Camden  
6 Ordinance that when the pre-development you have to  
7 use fair. It has to be in fair condition, I'm sorry,  
8 for post. So when you're comparing, it's not  
9 apples-to-apples. The pre-development is in good  
10 condition. The post-development since it's  
11 non-residential, is in fair condition. So that's  
12 where it'll help if you are, if you do have that  
13 reduction. Otherwise, you just have to make sure  
14 that the 25-year post does not exceed the 25-year  
15 peak pre.

16           MR. PATTERSON: Right.

17           MS. MOORE: And that's because of the  
18 combined systems in the City. That's a special  
19 agreement between CCMUA.

20           MS. MOORE: A Stormwater fee is to be  
21 calculated for the site as outlined in Appendix XVIII  
22 of the City Ordinance. The calculations will be  
23 reviewed by our office. This fee must be paid by the  
24 applicant prior to final signature of the plans.

25           MR. PATTERSON: Yes.

1 MR. LARIO: Yes.

2 MS. MOORE: Grading: The horizontal  
3 datum should be stated. The vertical datum is stated  
4 as 1988 NAVD. A conversion factor must be provided  
5 for the 1929 NGVD. A signed and sealed copy of the  
6 survey referenced on the plans should be provided for  
7 review.

8 MR. PATTERSON: Yes.

9 MS. MOORE: The applicant must provide  
10 spot elevations at all building access points and  
11 corners. Spot elevations should be shown at the  
12 dumpster corners and the edges of all paved areas.

13 MR. LARIO: 1, 2, 3, 4, we're all in  
14 agreement with.

15 MS. MOORE: Utilities: The first one is  
16 a note. The other two existing and proposed potable  
17 water and sanitary sewer utilities should be shown.  
18 Cleanouts should be provided for the sanitary sewer.

19 MR. LARIO: Yes.

20 MS. MOORE: The project must be approved  
21 by both the City Engineer and the City Fire Chief.

22 MR. PATTERSON: Yes.

23 MR. LARIO: Yes.

24 MS. MOORE: At this time, there is an  
25 Acting City Engineer Team. So if you can -- that's a



1 long-lead item so both of those you can provide the  
2 information should you receive approval tonight.

3 MR. LARIO: Thank you.

4 MS. MOORE: A CCTV inspection of the  
5 sewer (combined, sanitary and storm) system must be  
6 performed and reviewed by the City Engineer prior to  
7 construction. The applicant would be responsible for  
8 any improvements to the existing infrastructure  
9 required for the connection of the proposed project.

10 MR. LARIO: Yes.

11 MS. MOORE: All developers and applicants  
12 should note that due to a City Ordinance, a Capacity  
13 Fee may be applicable to the proposed development.  
14 The applicant shall contact the City Engineer for all  
15 costs related to the same.

16 MR. PATTERSON: Yes.

17 MR. LARIO: "F" we're good with in its  
18 entirety, the Construction Details.

19 MS. MOORE: Thank you.

20 Planting Design: Per Section 870-244.B,  
21 a landscape plan is required. Plans should be  
22 revised or a waiver is required.

23 MR. LARIO: We'll provide a landscaping  
24 plan.

25 MS. MOORE: You will. Okay. And if

1 possible, just add all the landscaping planting and  
2 maintenance notes on that plan.

3 Testimony should be provided if any of  
4 the existing trees on-site will be removed. Trees to  
5 be removed shall be identified on the site plan.

6 MR. PATTERSON: Yes.

7 MR. EINGORN: Wait. I need testimony.  
8 Are there existing trees on-site or anything  
9 removed?

10 MR. LARIO: If there are any existing  
11 trees that are removed as part of this, we'll make  
12 sure to identify them on the plans.

13 MS. MOORE: Okay. And also, I'm not sure  
14 when the City's Tree Ordinance became active but  
15 everybody -- all the towns in New Jersey had to adopt  
16 a new tree ordinance.

17 MR. LARIO: I think that was --

18 MR. EINGORN: It's hard to grant a  
19 variance for something we don't what it is. That's  
20 the problem.

21 MS. MOORE: Right. But I don't know when  
22 they adopted theirs. They could have adopted it  
23 after this.

24 MR. EINGORN: Right.

25 MS. MOORE: But that's just something to

1 keep in mind if you can find out when Camden adopted  
2 their Tree Ordinance. I think we had to do it by  
3 July but they could have done it before.

4 MR. LARIO: I think the application was  
5 submitted in June so it might -- got in right before  
6 the deadline for when that Tree Ordinance went into  
7 affect.

8 MS. MOORE: Okay. You can check that,  
9 otherwise, that has to be considered.

10 MR. VID AL: Are you referring to removal  
11 of plantings, the ordinance?

12 MS. MOORE: The ordinance, the Tree  
13 Ordinance, it's a removal. You can't -- it's all the  
14 regulations in the State of New Jersey, every town.

15 MR. EINGORN: They're trying to preserve  
16 trees.

17 MR. VID AL: Yeah, every town has one.

18 MS. MOORE: It just depends on when the  
19 towns adopted them. That's all.

20 Lighting: Per Section 870-243.A(10), all  
21 outdoor lighting systems shall be designed and  
22 operated so that the area 10 feet beyond the property  
23 line of the premises receives no less an 0.25 which  
24 is one quarter of a footcandle of light from the  
25 premises' lighting system. It appears 0.5 of a

1 footcandle exceeds past 10 feet beyond the lot.

2 Testimony should be provided.

3 MR. PATTERSON: We can shield those  
4 lights and direct them in a manner that will  
5 alleviate that problem.

6 MS. MOORE: Okay. Did you need it for  
7 security purposes?

8 MR. LARIO: That's only, in an abundance  
9 of caution, because I know the state regulates the  
10 lighting of the parking lot. So I hate to see where  
11 we couldn't meet the ordinance provisions, but we do  
12 satisfy the state.

13 MS. MOORE: This is a typical one that  
14 people ask for a variance. That's why I'm asking.

15 MR. LARIO: I think in an abundance of  
16 caution, we probably should ask for it and we'll do  
17 our best to comply with what the City requires.

18 MS. MOORE: Okay.

19 MR. EINGORN: It also looks like from at  
20 least a zoning plan, that any spillage might be  
21 mitigated by landscaping anyway?

22 MR. LARIO: Correct. And there's one  
23 commercial property located immediately next door.  
24 Other than that, there's really no adjacent  
25 properties that this light spillage is going to have.

1                   MR. EINGORN: So we're going to put that  
2 down for a variance?

3                   MR. LARIO: Yes.

4                   MS. MOORE: That's the first comment,  
5 right?

6                   MR. LARIO: Correct.

7                   MS. MOORE: It's already noted in my  
8 letter for a variance.

9                   Per Section 870-243.A(15)(b), the maximum  
10 mounting height of exterior lighting shall be 25  
11 feet. Testimony should be provided to confirm the  
12 proposed light pole height.

13                   MR. PATTERSON: It's not to exceed 25  
14 feet.

15                   MS. MOORE: Okay. So less than 25 feet.  
16 So you're in compliance. It's the applicant's  
17 responsibility to contact PSE&G concerning  
18 modifications required to make the proposed or  
19 install lighting fixtures within the City's  
20 rights-of-way tamper resistant. No dedication will  
21 be accepted by the City without the required  
22 modification.

23                   MR. LARIO: Correct.

24                   MR. PATTERSON: Yes.

25                   MS. MOORE: Proposed lighting should

1 specify the light shields. You'll add that?

2 MR. LARIO: Yes.

3 MR. PATTERSON: Yes.

4 MS. MOORE: The applicant is to provide a  
5 traffic impact assessment in accordance with Section  
6 870-274.

7 MR. LARIO: We can agree to provide that,  
8 yes.

9 MS. MOORE: The applicant is to provide  
10 testimony regarding any and all environmental  
11 concerns, studies and remediation pertaining to the  
12 site. Are there any that you're aware?

13 MR. LARIO: Dan, can you speak to  
14 that?

15 MR. PATTERSON: I mean, as far as we  
16 know, we're not aware of any existing adverse  
17 environmental --

18 MS. MOORE: No Phase 1 that have to be  
19 performed or anything like that?

20 MR. PATTERSON: No.

21 MS. MOORE: Trash Enclosures: Per  
22 Section 870-255.A(2)(a), all outdoor enclosures shall  
23 be no more than 6 feet in height. Details for the  
24 trash enclosure must provided to confirm compliance.  
25 A Waiver may be necessary if height exceeds 6 feet.

1 MR. LARIO: We will comply.

2 MS. MOORE: All enclosures shall be of  
3 masonry construction and have an exterior appearance  
4 that is compatible with that of the principal  
5 structure on the lot on which the enclosure is  
6 situated. Testimony should be provided. You're  
7 going to do that?

8 MR. PATTERSON: Yes.

9 MR. VID AL: It will match the materials  
10 that we're going to use on the principal building  
11 that we are going to use there.

12 MS. MOORE: Per Section 870-255.A(2)f., a  
13 year-round buffer shall be provided around the trash  
14 enclosure through the provision of evergreen trees  
15 and shrubs. Plans should be revised or a waiver  
16 requested.

17 Are you able to do your year-round  
18 screening?

19 MR. LARIO: Do you want to speak a little  
20 to that on the plans? I think this is something --

21 MR. PATTERSON: Yes. This is actually  
22 interesting because there's an area where we're  
23 providing plantings behind it as you look from this  
24 point of view to the right side. We didn't just  
25 because there's a really substantial change in

1 grade. I didn't know if it would be necessary.

2 MS. MOORE: So if you're not able to  
3 provide evergreens around the whole thing then you  
4 would need a waiver.

5 MR. PATTERSON: Yes:

6 MS. MOORE: So then you would request a  
7 waiver?

8 MR. LARIO: We'll request a waiver, yes.

9 MS. MOORE: And that's something that is  
10 typical.

11 MR. VID AL: You can barely see that. I  
12 mean, you see it when you are in the parking because  
13 this is a high point. Unless you are on Baird  
14 Boulevard trying to peak through the side, you would  
15 not be able to see that; to see anything.

16 MS. MOORE: Okay.

17 For signage: Per Section  
18 870-253.0(12)(b), the gross surface area of a wall  
19 sign shall not exceed 5 percent of the area of the  
20 building wall, including doors and windows, to which  
21 the sign is to be affixed for 25 square feet,  
22 whichever is smaller. The applicant has not measured  
23 to the border. The dimensions of the wall sign may  
24 need to be condensed or a variance will be required.

25 MR. LARIO: We'll agree to comply with



1 the 24 feet.

2 MR. VID AL: Because we have 174. That's  
3 the 5 percent. So we will comply with 24.

4 MR. LARIO: Jumping to No. 2, the 100  
5 square feet for the freestanding sign, we'll agree to  
6 comply with that as well.

7 MS. MOORE: So the first one, you will  
8 not need a --

9 MR. LARIO: We'll comply with both the  
10 building-mounted and the freestanding identification  
11 sign.

12 MS. MOORE: Okay. So you won't need a  
13 variance.

14 The color and material details should be  
15 provided for the proposed signage.

16 MR. LARIO: Yes, we'll provide that.

17 MS. MOORE: Testimony should be provided  
18 if any sign illumination is proposed. And it needs  
19 to conform with Section 870-253.L.

20 MR. LARIO: It is proposed but it'll  
21 conform with what the ordinance requires.

22 MS. MOORE: And the freestanding sign was  
23 the one that you said you will conform with?

24 MS. MOORE: We will conform as to the  
25 size of the area. We will require a variance for the

1 proximity to the freestanding sign to the access  
2 point. I believe the ordinance -- it's 15 feet.  
3 We're proposing I think it's 6 1/2, yes, 6.5 feet.  
4 And the reason for it, it's just because an  
5 undersized lot. The frontage is on the smaller  
6 size. So to being able to have the existing access  
7 with the proposed freestanding sign there, triggers  
8 the need for the variance.

9 MS. MOORE: That's the setback. So you  
10 are keeping the setback --

11 MR. LARIO: Correct.

12 MS. MOORE: -- the freestanding sign  
13 setback?

14 Fences: Per Section 870-197.F, a fence  
15 not more than 6 feet in height is permitted along the  
16 rear lot and along the side lot line to the front  
17 building line. A fence not more than 4 feet tall is  
18 permitted along the side lot line from the front  
19 building line to the front lot line and along the  
20 front lot line.

21 The applicant has proposed an 8-foot high  
22 chain-link fence along the front, side and rear yard.  
23 Plans should be revised or a variance will be  
24 required. So is that fence height required for...

25 MR. LARIO: I think what we'd like to do

1 is to the lowest extent possible. I mean obviously I  
2 think --

3 MR. EINGORN: I would just request the  
4 variance.

5 MR. LARIO: Okay. For the eight feet?

6 MR. EINGORN: Yeah, because I mean -- I  
7 don't know what the requirements are going to be for  
8 the state or whatever you have. And this is an area  
9 where I don't think a need for a fence is really that  
10 big of a deal and this is a sensitive use. I mean,  
11 the Board has granted fences of this nature for other  
12 sensitive uses in the past. And I think as a  
13 security measure, it's probably a better use. That  
14 would be my recommendation, request the variance.

15 MS. MOORE: Okay. So I'm keeping the  
16 variance for the fence height?

17 MR. LARIO: Yes.

18 MS. MOORE: Per Section 870-197.H, fences  
19 shall be required to complement the structural style,  
20 color and design of the principal building.  
21 Testimony should be provided.

22 MR. LARIO: Mr. Vid Al. The fence will  
23 be consistent with the design?

24 MS. MOORE: I mean, it's chain-link.

25 MR. VID AL: Yes, it's chain-link. It

1 has to be black.

2 MS. MOORE: So it's going to be coated or  
3 something?

4 MR. VID AL: Most are coated chain,  
5 chainlink.

6 VICE-CHAIRMAN COOPER: The vinyl  
7 chain-link fence?

8 MR. LARIO: A black chainlink fence.

9 VICE-CHAIRMAN COOPER: Yeah, but it's  
10 like vinyl, though, right?

11 MR. LARIO: So you'll still be able to  
12 see through it.

13 VICE-CHAIRMAN COOPER: Yes. But the  
14 chain-link is coated with the vinyl film on it.

15 MS. MOORE: Okay.

16 MR. LARIO: Our position would be, the  
17 black vinyl coating on the chain-link fence would not  
18 only look nice but I think complement the overall  
19 building there.

20 MS. MOORE: Okay. Can we see what that  
21 is going to be?

22 MR. LARIO: It will be added to the plan,  
23 the details showing what that will look like.

24 VICE-CHAIRMAN COOPER: We can't use our  
25 phones to see.

1 MS. MOORE: No. What were you thinking  
2 of, the black ornamental fence?

3 VICE-CHAIRMAN COOPER: Yes. Just for  
4 more security, you know, it's more of a --

5 MR. EINGORN: Mr. Cooper, can you speak  
6 louder we can't hear on the end here.

7 VICE-CHAIRMAN COOPER: Just more of  
8 cosmetics, you would say, because you're on Admiral  
9 Wilson Boulevard or whatever, the chain-link fence  
10 it's okay. But if you use the slats -- how can I put  
11 it. It's like vinyl fence or a metal fence.

12 MR. PATTERSON: They are privacy slats  
13 that are in between --

14 VICE-CHAIRMAN COOPER: No.

15 MS. MOORE: You mean the ornamental?

16 VICE-CHAIRMAN COOPER: Ornamental, yes.

17 MS. MOORE: Right. So that's something  
18 that's typical especially since you're on Admiral  
19 Wilson Boulevard, most projects do the black  
20 ornamental fence.

21 MR. LARIO: Okay.

22 MS. MOORE: You almost lose it going down  
23 so it's just a cleaner, nicer look.

24 MR. LARIO: If it's all right with the  
25 Board, could we put that along the frontage there of

1 Admiral Wilson and then do the black chain-link in  
2 the --

3 CHAIRMAN HANCE: Yes.

4 MR. EINGORN: Yes.

5 MR. LARIO: We agree to that.

6 MS. MOORE: Okay. So the chain-link  
7 will be -- on Admiral Wilson, it's the ornamental.

8 VICE-CHAIRMAN COOPER: Yes.

9 MS. MOORE: And is the chain-link with  
10 the black slats that are -- I mean, you said it's a  
11 coating?

12 MR. LARIO: Yeah, vinyl coating.

13 MS. MOORE: Black though?

14 MR. LARIO: Yes. Correct.

15 MS. MOORE: And then if you can just add  
16 the details to the plans.

17 Testimony should be provided as to how  
18 the proposed sliding gate is accessed and whether it  
19 is only open during the hours of operation. Vehicles  
20 should not be queuing at the gate.

21 MR. PATTERSON: So it's going to be  
22 electrical, mechanically-operated gate that's going  
23 to be open during the hours of operation and closed  
24 when the business is closed. It won't be opening and  
25 closing.

1                   CHAIRMAN HANCE: Yes, cause they're  
2 coming off the highway anyway so there will be a  
3 little wait there.

4                   MR. LARIO: The businesses are open then  
5 the gate will be.

6                   MR. VID AL: You can have like one or two  
7 cars. But if you have a line, that's a problem.

8                   CHAIRMAN HANCE: That's true.

9                   MS. MOORE: The square footage for the  
10 new building depicted on the Building Addition Zoning  
11 Plan and the Preliminary & Final Major Site Plan, are  
12 not consistent. One plan depicts 3,374 square foot  
13 and the other 3,475 square feet. The correct total  
14 area should be provided.

15                  MR. VID AL: We will consolidate that.

16                  MS. MOORE: Which is it?

17                  MR. PATTERSON: I believe it's the larger  
18 one.

19                  MS. MOORE: Okay.

20                         You provided the testimony regarding the  
21 hours of operation, number of employees. You kind of  
22 answered that next question.

23                         Testimony should also be provided  
24 regarding the other commercial use proposed. All  
25 right. That's at a later time for the other uses.

1           All Cannabis businesses, in all classes,  
2 must be adhere to the requirements in Section 870-38.  
3 That testimony was already provided.

4           The signature block should be revised to  
5 state the signature for the Planning Board Engineer  
6 and not the Municipal Engineer and the Zoning  
7 Officer/Administrative Officer and not the  
8 Zoning/Administrative Officer.

9           MR. EINGORN: Should this be the Zoning  
10 Board Engineer?

11           MS. MOORE: I'm sorry. Yes, Zoning  
12 Board. Sorry.

13           MR. EINGORN: All good.

14           MR. LARIO: Yes, we'll make those  
15 changes.

16           MS. MOORE: And then Zoning Officer-  
17 Administrative Officer, can you just adjust that?

18           MR. LARIO: Yes.

19           MS. MOORE: That second officer makes a  
20 difference.

21           MR. LARIO: Three and four we'll  
22 agree.

23           MS. MOORE: To add the note on the  
24 plan -- add both notes on the plan?

25           MR. LARIO: Correct.



1 MS. MOORE: So going through the Summary  
2 of Variances and Waivers, just make sure that I'm  
3 correct with what I crossed out. I didn't add  
4 anything but I crossed out.

5 MR. EINGORN: I thought we did add for  
6 parking on the waivers, 230.F.

7 MS. MOORE: Well, parking is never a  
8 waiver. It's a variance. So I think that's --

9 MR. EINGORN: Is that in there?

10 MS. MOORE: Yes. It says waiver.

11 MR. EINGORN: Oh, I see it. I missed it.

12 MS. MOORE: I didn't catch that. It's a  
13 variance.

14 MR. EINGORN: Okay. Got it.

15 MS. MOORE: So variances, we have the  
16 use; number of parking spaces. Use is the "d-1".

17 MR. LARIO: Then we also need the  
18 "d-3" as well.

19 MS. MOORE: And "d-3" I'll add that for  
20 use on both "d-1" and "d-3". Number of parking  
21 spaces; side yard setback. I removed impervious  
22 coverage. We have maximum accessory height; fence  
23 height; number of parking spaces. I removed the  
24 bicycle facilities; sidewalks; footcandle beyond 10  
25 feet of property line; and freestanding sign setback.

1 MR. LARIO: Yes.

2 MS. MOORE: Waivers, I removed the  
3 landscape plan and the trash enclosure height. And  
4 the only waiver than that was the year-round screen.

5 MR. LARIO: Correct.

6 MS. MOORE: Are you aware of the Approval  
7 Process as listed on page 12 and 13?

8 MR. LARIO: We are.

9 MS. MOORE: If you have any questions,  
10 you can contact my office.

11 And the Outside Agency Approvals, I have  
12 the Camden County Planning Board, Camden County Soil  
13 Conservation District, the MUA, New Jersey Department  
14 of Transportation. Are there any others that I'm  
15 missing?

16 MR. LARIO: Not that we're aware of,  
17 no.

18 MS. MOORE: Mr. Chairman, that concludes  
19 my review.

20 CHAIRMAN HANCE: Thank you so much.

21 MR. LARIO: Unless there's any other  
22 questions for our engineer, we'd like to go to the  
23 planner to provide the planning testimony.

24 CHAIRMAN HANCE: Yes.

25 MR. LARIO: Mr. Remsa, if you could, can

1 you introduce yourself to the Board and apply your  
2 qualifications.

3 MR. REMSA: Yes. My name is Mark A.  
4 Remsa. I'm a licensed professional planner and  
5 landscape architect. Both my licenses are in good  
6 standing. I've been in the planning field for over  
7 44 years. I have appeared before numerous Planning  
8 Boards and Zoning Boards, including this Board a few  
9 times.

10 MR. EINGORN: Recently, I think.

11 MR. REMSA: Thank you.

12 MR. EINGORN: We'll accept Mr. Remsa as a  
13 professional planner.

14 MR. REMSA: The proposal tonight is for  
15 the two mixed uses. That is the "d(1)" variance and  
16 also the noncompliance with the lot area and other  
17 area requirements. That's the triggering the "d(3)"  
18 variance. Then Mr. Johnson did a wonderful job  
19 summarizing all of the bulk variances.

20 I'm going to talk about the bulk  
21 variances first. They're essentially all preexisting  
22 conditions. And so it's a smaller lot. It has the  
23 narrow lot width. It also has the existing building  
24 setback that highlights the front yard requirement.

25 So then the other variances that are

1 associated such as like fencing and the lighting,  
2 those are really for security purposes. That's for  
3 the, considered the "c(2)" variance. And the "c(2)"  
4 variance is the flexible "c." In other words, the  
5 result of granting those variances, is there better  
6 zoning? Well, in this case, we have a Cannabis  
7 dispensary. And we want to maintain security as  
8 best as possible. And, so, those types of variances  
9 speak to that enhanced zoning result. I am going to  
10 get into the use variance aspect.

11 But first what I'd like to do is describe  
12 to you the surrounding neighborhood because I think  
13 Ms. Johnson's letter, she wanted us to describe how  
14 this will affect surrounding neighborhood. So  
15 essentially to the north of the property, there's a  
16 stormwater management basin within the DOT  
17 right-of-way. That's that jug-handle or the ramp  
18 that goes around the property to the north. And to  
19 the east is the overpass, and part of that jug-handle  
20 system.

21 To the south is Admiral Wilson Boulevard.  
22 And further south across the highway is essentially  
23 open space. The only real neighbor we have is the  
24 commercial use that's next door to the west and  
25 that's the liquor store. So the neighborhood will

1 actually be enhanced by renovating this property;  
2 fixing up the existing small restaurant building and  
3 putting a new modern building on the property.

4           So let's move to the use variance  
5 proofs. And also I'm going to refer to Ms. Johnson's  
6 letter. She asks some questions about the proposed  
7 use and that's on page six, Roman Numeral III and I'm  
8 going to paraphrase the points she raises. She  
9 asked: Is this proposed use compatible with the  
10 neighboring commercial use? I would you say yes. As  
11 a matter of fact, it's going to enhance that. As a  
12 matter of fact, with the extra lighting going across  
13 the property, would enhance any lighting security for  
14 that liquor store as well. So I don't see any  
15 substantial detriment caused by this proposal and  
16 affecting any of the surrounding uses.

17           So No. 2 in her under Roman Numeral III  
18 she says: Will this use injure or detract from the  
19 neighboring uses? So, again, I would say absolutely  
20 not. We think it's only going to enhance that. And  
21 would it detract from the character of the  
22 neighborhood? While the proposal is to upgrade and  
23 improve this property, so it would enhance the  
24 neighborhood. Is the property suitable for the  
25 intended use? Well, the zoning speaks to commercial

1 uses and also speaks to Cannabis retail in the zone.  
2 So I would say that it does.

3           And I have to go and talk about the  
4 parking. You heard that the upper floor commercial  
5 uses are going to be deferred to another application.  
6 So let's take a look at what the parking requirement  
7 is for the Cannabis retail. Based on the square  
8 footage of the Cannabis retail, it would require 12  
9 parking spaces. We're proposing 28. And we're also,  
10 under this application, proposing to renovate the  
11 takeout restaurant. So the way the ordinance is  
12 written, it talks about one parking space required  
13 for every 40 square feet dedicated to patron eating.  
14 This is a takeout. It's very small, a 790-square  
15 foot building. So that requirement would be  
16 unnecessary.

17           But then it also talks about one space  
18 per three employees. This is a very small space.  
19 And so we would have at least three employees. So  
20 that means, we would be required to have one  
21 additional parking space. So 12 for the dispensary,  
22 one for the restaurant, that totals 13. So as we  
23 have today, we're proposing 28 parking spaces. So as  
24 it stands, what's proposed before you today, would be  
25 more than satisfactory to satisfy that.

1           MR. LARIO: Just because I think that's  
2 an important point. You're saying that under a  
3 literal reading of the ordinance, we don't meet  
4 what's required but when you actually look at the  
5 restaurant itself and the anticipated the demands, --

6           MR. REMSA: Yes.

7           MR. LARIO: -- we are likely far in excess  
8 of the realities of what's going --

9           MR. REMSA: Yes. The ordinance is  
10 written really for the sit-down. So with the 28  
11 spaces that are proposed, we have the 12 for the  
12 Cannabis and then we have the surplus of spaces which  
13 should be more than enough to satisfy any patrons  
14 that would come in and park and patronize the takeout  
15 restaurant. So as that stands, I find that to be  
16 satisfactory which would speak to the suitability of  
17 the site to support that.

18           So I have to get to the Positive and  
19 Negative Criteria for you. As you know, the first  
20 prong is the Positive Criteria. And does this  
21 proposal promote the intent and purpose of the  
22 Municipal Land Use Law? And I'm going to refer to  
23 N.J.S.A. 40:55D-2 and I'm going to talk about each  
24 subparagraph and I'm going to talk about the little  
25 letters that are associated with that.

1           So the first one would be "G" and that's,  
2 promotes sufficient appropriate space in appropriate  
3 locations for a variety of uses. In this case, this  
4 is a commercial use. And the C-4 Zone permits  
5 commercial uses and also permits the retail Cannabis  
6 dispensary. The proposal here is to promote the  
7 intent and purpose of that zone. Also, "H" and that  
8 is -- I'm sorry -- "I" is to promote a desirable,  
9 visual environment. Well, you heard that we're going  
10 to be reducing the impervious cover. We're going to  
11 be fixing up the little small takeout restaurant  
12 building. We're going to be adding a modern  
13 building. Where we can, we're going to add  
14 landscaping to the site.

15           Also, we're going to be putting the  
16 ornamental black fence along Admiral Wilson Boulevard  
17 which will be an enhancement. And the black  
18 chain-link, vinyl-coated chain-link fence around the  
19 sides, not only for security, but black fencing  
20 starts to blend into the landscape and you don't  
21 really see it. So I think with all those  
22 enhancements, it certainly is going to promote a  
23 desirable visual environment.

24           The next one is "J." That's to prevent  
25 urban sprawl. So here we have an existing property



1 that was built many years ago; almost entirely paved.  
2 And so utilities served the property. So here we're  
3 reusing the property. And so instead of going out  
4 and developing what's often referred to as a Green  
5 Field, a field that's not been developed, we're  
6 completely avoiding that. We're actually going to be  
7 reworking an existing developed property.

8           And the next one "M," which is really  
9 related to that prior one and that is, to promote the  
10 more efficient use of land. And so here we have a  
11 property that's served Admiral Wilson Boulevard  
12 previously developed; served with utilities. In my  
13 mind, that speaks to the efficient use of land.

14           So then I always come back to "A." Once  
15 I look at all those other purposes, that's to promote  
16 the public health, moral safety and welfare. And by  
17 accomplishing those other purposes of zoning, I  
18 think we're always going to be advancing "A." The  
19 other part of the Positive Criteria, site  
20 suitability. I don't want to be repetitive but a lot  
21 of it has to do with what I said before about reusing  
22 the property while served by Admiral Wilson Boulevard  
23 and all those other utilities to the site. And given  
24 the parking discussion I gave you, I think this site  
25 is particularly suited for this use.

1                   Negative Criteria, two parts to that.  
2   One is, what's the affect of the neighboring  
3   properties? And I talk a little bit about that  
4   earlier. Again, to the north is the DOT right-of-way  
5   with the storm drainage basin. I don't see any  
6   negative impact caused by this proposal on that.  
7   To the east is the overpass. To the south is the  
8   highway and then further south is basically open  
9   space. And then to the west is a complementary  
10   commercial use. I don't see any negative affect on  
11   that.

12                   So the last part is to reconcile with the  
13   Master Plan. That's the saying, is there any  
14   detriment to the Zone Plan and the Zoning Ordinance?  
15   The ordinance actually contemplates commercial use  
16   here. It also contemplates a Cannabis retail. It  
17   doesn't harm the zoning ordinance. So in terms of  
18   the Master Plan, I went to your with 2022 Master  
19   Plan, the Future of Camden. And there are a number  
20   of goals that we're actually achieving here. And  
21   that is one under the economic development of planned  
22   goals; capitalize on Camden's location to become a  
23   regional city. And you have a regional highway going  
24   right past this property. And providing a Cannabis  
25   dispensary here, would be an ideal location and it

1 would capitalize on that aspect.

2           Also, to maintain and attract jobs.  
3 That's another role. So here we have an unproductive  
4 site now; no jobs are here at all. We have an old,  
5 tired little restaurant, takeout restaurant building.  
6 So by renovating that, and getting that back into  
7 place and creating jobs there. Also, the dispensary  
8 itself. And you heard the discussion about having a  
9 living wage for those employees. So I think that  
10 would certainly advance that as well. Another one is  
11 to promote the retail along the City's major  
12 commercial corridors. Again, it's repetitive but  
13 that's another goal that's being advanced by this  
14 proposal.

15           So in conclusion, I believe you can grant  
16 the "d(1)" and "d(3)" and those other bulk variances  
17 related to this proposal. Plus it promotes the  
18 purpose of the Municipal Land Use Law; occurs on the  
19 site that is particularly suited. It accrues no  
20 significant detriment to the public good, to the  
21 neighbors, and it doesn't substantially impair the  
22 intent and purpose of the Zone Plan or Zoning  
23 Ordinance. So, Mr. Chair, that's the summary of my  
24 testimony.

25           CHAIRMAN HANCE: Thank you.

1 MR. REMSA: Thank you.

2 MR. LARIO: Are there any questions for  
3 Mr. Remsa?

4 MS. ALSTON: I have one. I just wanted  
5 to clarify, I believe your testimony was that the  
6 dine-in was 795 square feet --

7 MR. REMSA: 790 square feet.

8 MS. ALSTON: -- for the restaurant. But I  
9 believe I also heard that it may be a restaurant sort  
10 of dine-in. Do we have clarification as to this?

11 MR. REMSA: No. It's just takeout.

12 MS. ALSTON: Okay. It'll be just  
13 takeout. Oh, okay. That's strikes that. Thank you.

14 CHAIRMAN HANCE: I have a couple of  
15 questions. I don't know if it's for the gentleman  
16 here or someone else. Back to the parking lot.  
17 Are you going to have lights in the parking lot?

18 MR. REMSA: That's the engineer's job.

19 MR. LARIO: Our engineer can answer it.

20 MR. PATTERSON: There's a small insert on  
21 the plan which is the lighting plan. That smaller  
22 insert down here, these are like the lighting map  
23 which shows you how much light comes from each light.  
24 So when you're right next to the light, it's intense  
25 and then it gets less and less as you go out.

1                   CHAIRMAN HANCE: You got a dead area back  
2 there. I'm very familiar with the property. So you  
3 have a dead area back there. I like that picture  
4 better. I'll go over to the easel. The trees are  
5 here and your site is super dark back here.

6                   My second question is, the trees here,  
7 are you going cut them back because it's super dark  
8 back there?

9                   MR. PATTERSON: There are ones on the  
10 side of the property.

11                  MR. EINGORN: Can you guys talk in the  
12 direction of the Board because the court reporter  
13 can't hear you.

14                  MR. LARIO: The first question was  
15 lighting in the rear of the property. Can you speak  
16 to what we're proposing by way of lighting back  
17 there.

18                  MR. PATTERSON: So there's going to be  
19 some building-mounted lights provided on the back of  
20 the corner. So that will illuminate that building  
21 that existing small building back there and it'll be  
22 well-lit.

23                  MR. LARIO: And, again, that's a  
24 requirement of the state, is to keep the entire site  
25 lit. That's part of the light landscape.

1                   CHAIRMAN HANCE: What are you building  
2 back there, an eight-foot fence near the takeout  
3 restaurant and the building?

4                   MR. LARIO: Yes.

5                   VICE-CHAIRMAN COOPER: And there's one  
6 way into that parking lot and one way out?

7                   MR. LARIO: Correct.

8                   Mr. Chairman, real quick. Just for the  
9 record, I'd like to put the architectural plans into  
10 the record so that everyone can see what the proposed  
11 structure will look like. I'd like our architect who  
12 has been sworn in --

13                   MR. EINGORN: Yes and accepted.

14                   MR. LARIO: And accepted. If he could,  
15 just briefly referencing the architectural plans that  
16 were submitted, just describe the proposed building.

17                   MR. VID AL: Yes. This building is a  
18 retail building. It's like any retail building. It  
19 has a heavy set of requirements that they have that  
20 is going to operate as far as the layout. And so it  
21 was decided and I'll give you an example. When  
22 customers get in and get out through the building  
23 from the parking, we created a loop. So basically  
24 the people, they won't see each other. So this will  
25 make a line and then you take your product and then

1 you exit the building through another door. So this  
2 is a set-up with two doors, one entrance and one  
3 exit. We don't back up. So that's how it is  
4 designed.

5           The other part of the service, this is  
6 included so the public is not going there. There's a  
7 separate entrance for the service, the deliveries and  
8 all of that. So everything is like it has its own  
9 compartment. Also, the access to the second floor in  
10 the second and third floor, is distinguished from  
11 this entrance. So the other side of the building,  
12 the stairway, elevators and then exit stairs to the  
13 back. So this building on this side, is like in the  
14 center.

15           If you are on Baird Boulevard, you're  
16 going to see the building like the whole thing. The  
17 building is going to be like a private building.  
18 That's the way it was designed for security purposes.  
19 I think that was the best opportunity because the  
20 site, the way the site is, it was a good opportunity  
21 to design it that way. with all the those  
22 requirements that the building is going to look like.

23           MR. LARIO: Can you just describe the  
24 exterior of the building?

25           MR. VID AL: Yes. This is the way the

1 building is going to look like. It's going to be  
2 like a modern look. You only see the building when  
3 you get into the site. You don't see the building  
4 from Admiral Wilson Boulevard. You're going to see  
5 the first building which is the existing restaurant.  
6 But to get into this building, through this facade,  
7 you need to get into the parking lot. That's the way  
8 it is.

9 MR. LARIO: And, again, along with that  
10 design, there's landscaping that's being proposed  
11 along the frontage and as Mr. Patterson said, along  
12 the --

13 MR. VID AL: Everything is going to be  
14 surrounded by the landscaping. That's the way it  
15 is.

16 MR. LARIO: That's all the questions I  
17 have for the project architect unless there's any  
18 questions from the members of the Board.

19 MR. STILL: Is there security planned for  
20 the exterior? My major concern is, how do you stop  
21 people from congregating outside? I know you  
22 discussed the security camera inside. Is there a  
23 security plan for the outside of people congregating?

24 MR. LARIO: So it's really a two-part  
25 answer. It's on the on-site security that will be



1 there. Obviously, the site is going to be lit.  
2 There's going to be cameras there of the entire parking  
3 area at all times. So it's somewhere that I think,  
4 you're not going to want to loiter because you're  
5 likely going to be under the lights on camera.

6 In addition to that as Mr. Brown stated,  
7 we've already started having communications with the  
8 police department, the county police, to try to  
9 determine how to respond if that does become an  
10 issue. But it's our expectation that once you have  
11 the lights and the cameras and the on-site security,  
12 that issue of people loitering likely won't continue.  
13 And it can't continue under the state licensing  
14 requirements. And that's specifically in  
15 regulations, you can't have people loitering in the  
16 parking lot or around there. They have to go to the  
17 site and then they have to leave. So we're going to  
18 have a responsibility if we want to maintain our  
19 license, to address that issue if it does arise.

20 MR. VIDAL: Also you can imagine the  
21 security. We have light poles. We will have  
22 security cameras installed there. So you're going to  
23 have at least 360 degrees of surveillance through the  
24 whole site. Actually when you're on Baird Boulevard  
25 and you stop right there, you can see the whole site

1 from Baird Boulevard from the ground.

2 MR. EINGORN: Any last questions from the  
3 Board?

4 MR. LARIO: Just briefly in summation. I  
5 appreciate the Board's time and attention here. I  
6 think there seems to be a lot of relief being  
7 requested here. But ultimately, it's a project that  
8 I think its individual components it would permitted,  
9 the restaurant, the proposed Cannabis facility.  
10 Ultimately, though, what I think this project is  
11 doing is taking a site that has -- is in need of a  
12 refresher and bringing it into the modern age here.

13 It's proposing a state-of-the-art  
14 building. It's landscaping. It's an improvement to  
15 the site itself. And I think this is something that  
16 in order for this to operate, it's going to have to  
17 maintain that in order to keep its license. And I  
18 think that's the real motivator here is that if this  
19 site is going to continue to operate, it's going to  
20 have to work to meet these standards.

21 Obviously, there was a lot of testimony  
22 as well. I think it's a benefit to the local  
23 community in the sense that there's going to be local  
24 residents who are working here. Obviously, it's a  
25 ratable that's coming to the City. There's tax

1 benefits specifically associated with these types of  
2 classified uses. So I think when you look at the big  
3 picture here both for the site itself and when you  
4 zoom out larger, I think there's a lot of benefits  
5 here. And, obviously, Mr. Remsa, from a planner's  
6 testimony, provided the benefits. But I think just  
7 obviously the testimony you heard from the other  
8 professionals, clearly this is going to be a big win  
9 here. And, obviously, Mr. Brito himself, a resident  
10 of the City, he's looking to do good with this site.

11           Again, I thank you the Board for your  
12 time and attention. If there's any questions, I'm  
13 happy to answer them. Thank you.

14           MR. EINGORN: Thank you. I think we're  
15 ready to open to the public.

16           CHAIRMAN HANCE: Yes.

17           MR. EINGORN: Is anybody here tonight  
18 that like to be heard on the application of  
19 Cannabista at the property 2035 Admiral Wilson  
20 Boulevard? Seeing none, we'll close the public  
21 portion.

22           The Board has heard substantial  
23 testimony tonight regarding this application  
24 requesting use variance, bulk variance, waivers and  
25 site plan approval. You heard from the planner, the

1 engineer, the architect, Mr. Brito and counsel.  
2 The Board should do a discussion of the Positive and  
3 Negative Criteria as related to the variances and  
4 propose a motion.

5 Any motion that's suppose to grant this  
6 application should be subject to the following  
7 conditions: Compliance with Dena's letter as  
8 discussed on the record; ornamental fencing  
9 along the frontage; obtaining the licensing  
10 required for the Cannabis use and then the obligation  
11 to come back to the Board for any additional uses for  
12 the second and third floor. Any other conditions you  
13 recall, Dena?

14 MS. MOORE: None.

15 MR. EINGORN: I turn it over to the Board  
16 Chairman.

17 VICE-CHAIRMAN COOPER: I think it's a  
18 good plan here for the City trying to develop that  
19 area there. It's been blighted there for many years.  
20 To see somebody coming that wants to redevelop that  
21 area, I'm all for it. The only thing I'm not knowing  
22 what the second and third floor is going to be. But  
23 they would have to come back in front of us before  
24 they do anything with that so I'm okay with this  
25 as far as with the letter.

1                   CHAIRMAN HANCE: I'm going to piggyback  
2 off of the Vice-Chairman. It's been a sore eye for a  
3 while on Admiral Wilson Blvd. There's really not a  
4 lot of residents around there. We have a liquor  
5 store right next to you that updated their place. So  
6 I think something good coming in will also complement  
7 that. And also, bring jobs back in again.

8                   Like I tell everybody, if we pass you, I  
9 will be by to check you out. And I went by many of  
10 places and they were happy to see us. So I think it's  
11 a good idea. And we're moving towards the future  
12 anyway. So this is not the first one that we dealt  
13 with the Board.

14                  MS. MASON: I think Admiral Wilson is a  
15 gateway into Camden City. So being able to have  
16 someone, a Camden resident right there on the gateway  
17 into Camden City is the first indication. Like they  
18 mentioned, just trying to have something where folks  
19 from the suburbs are coming into Camden City anyway.  
20 So, again, that being a gateway right into the City,  
21 and then having a representative of the City, a  
22 business owner already, I think it's a good idea.

23                  And, again, it's a Cannabis and it's  
24 something that is new industry. And also having a  
25 representative as a minority as well to go into this

1 Cannabis industry, I think, again, it's a good idea.

2 MS. ASLTON: I too am on board with this.  
3 I like the fact they're going to be offering a safe  
4 product to the users of the Cannabis. So I think  
5 that's really important. Then also, it's going to be  
6 creating jobs even if it's 10 and 15 new jobs because  
7 of the micro-license that they're going for. I think  
8 that's also important.

9 I'm hoping we get people from the City  
10 who are knowledgeable and can do that job. I think  
11 it's going to be visually appealing. So just  
12 renovating the building and being able to drive down  
13 or up Admiral Wilson Boulevard, I think, and looking  
14 at something new and someone taking care of it and I  
15 think it's a positive. I like the idea of fast-food  
16 takeout. I think it's well-constructed.

17 MR. LARIO: Thank you.

18 VICE-CHAIRMAN COOPER: Motion to accept.

19 MS. MASON: Second.

20 MR. EINGORN: With conditions as stated?

21 VICE-CHAIRMAN COOPER: Yes, with regard  
22 to the letter.

23 MR. EINGORN: And to come back for  
24 ornamental fencing and proper licensing?

25 VICE-CHAIRMAN COOPER: Yes.



1 on the record at 7:35 p.m.

2 - - -

3 (At which time, Ms. Merricks arrives to  
4 the meeting at 7:35 p.m.)

5 - - -

6 MR. EINGORN: The next matter is M&S  
7 Broadway, 617 Broadway.

8 MR. RUSH: Good evening, Mr. Chairman and  
9 Members of the Board. My name is William Rush. I  
10 represent the applicant in this matter which is M&S  
11 Broadway, LLC.

12 This application pertains to seven  
13 specific properties. The properties are located at  
14 611 Broadway which is Block 212, Lot 72. 613-615  
15 Broadway which is Block 212, Lot 73. 617 Broadway  
16 which is Block 212, Lot 75. 529 Line Street which  
17 his Block 212, Lot 76. 527 Line Street which is  
18 Block 212, Lot 77. 525 Line Street which is Block  
19 212, Lot 78. And lastly, 531 Line Street which is  
20 Block 212, Lot 92. These properties are located in  
21 the C-2 Zone of the Lanning Square Redevelopment  
22 Zone. And the properties have a combined lot size of  
23 13,960 square feet. All the lots are currently  
24 vacant and the lots are ready for development.

25 So the applicant tonight is proposing to



1 construct a 5-story commercial building to serve as a  
2 one-stop medical facility to the surrounding  
3 community. The proposed building will have a lobby  
4 and a retail pharmacy on the first floor. Second and  
5 third floors will be utilized as professional medical  
6 offices. And the applicant is currently proposing a  
7 nursing home on the fourth and fifth floors.

8 This applicant group consists of two  
9 doctors and a pharmacist and they operate a similar  
10 operation in the City of Patterson. Being that they  
11 operate a similar operation, they're well aware of  
12 the needs of the community, particularly older  
13 members of the community. And they believe that this  
14 project helps bring services directly to the  
15 community that helps satisfy an unmet demand for  
16 medical services.

17 So the proposed development of the site  
18 is also going to eliminate seven vacant lots and is  
19 going to supply the services basically to the  
20 surrounding community and somewhere within the realms  
21 of the City. It further promotes a general overall  
22 welfare of the community by creating a new and modern  
23 medical complex in a commercially viable area.

24 MR. EINGORN: Mr. Rush, I don't mean to  
25 interrupt. To the public, excuse me. If you're

1 having a conversation, we're hearing you over the  
2 applicants. So if you can just take the  
3 conversations in the hallway, it would be greatly  
4 appreciated. I'm sorry, Mr. Rush. Please continue.

5 MR. RUSH: As I was saying, it creates a  
6 new and modern medical complex in a commercially  
7 viable area and it promotes a walkable site for the  
8 local residents due to the convenient location.  
9 Additionally, the proposed medical complex satisfies  
10 the many objectives of the Lanning Square  
11 Redevelopment Plan. But doing so, it eliminates  
12 vacant lots; it fulfills an unmet demand for  
13 commercial services and it's a repurposing of the  
14 underutilized property.

15 In order to proceed with this project,  
16 the applicant is going to require preliminary and  
17 final site plan approval, as well as the following  
18 variances. So I'll touch first on the variance that  
19 we're going to need from the Redevelopment Plan.  
20 We're going to need a "d(1)" use variance. That's  
21 not for the medical complex as a whole but for the  
22 nursing home. The Medical complex is actually an  
23 improved use in the Redevelopment Zone. We're also  
24 going to need a "d(6)" height variance from the  
25 Redevelopment Plan. We'll need a building coverage

1 variance, front yard setback variance, rear yard  
2 setback variance and side yard setback variance from  
3 the Redevelopment Plan.

4           With respect to the Municipal Code and  
5 specifically Section 860, we're going to need  
6 variances for accessory use setback and location,  
7 sidewalk width, number of parking spaces, compact car  
8 spaces, ADA parking length, loading space and bicycle  
9 parking spaces. Additionally, we will need a waiver  
10 from Section 870 for a landscape plan.

11           So tonight we have three witnesses.  
12 First of our witnesses is our architect, Nassir  
13 Almukhtar. He'll testify as to the architecture  
14 plans in more details of the plans. I'll then call a  
15 member of the applicant group, Sikamer Kahn to  
16 explain the proposed operation of the project and  
17 address some particularities of the project.

18           And, lastly, we will call our planner,  
19 John McDonough. And John is going to testify as to  
20 the requested variances and proofs necessary to the  
21 Board to approve the variances. So at this with no  
22 further adieu, I would like to call our first witness  
23 who is the architect, Nassir Almukhtar.

24           MR. EINGORN: Would you raise your right  
25 hand, please.

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NASSIR ALMUKHTAR, R.A., having first been duly sworn/affirmed, was examined and testified as follows:

- - -

MR. EINGORN: Please state your name and address for the record.

MR. ALMUKHTAR: Sure. My name is Nassir Almkhtar. Address is 1178 Madison Avenue, Patterson, New Jersey.

MR. RUSH: Mr. Almkhtar, can you please give the Board the benefit of your education and work experience?

MR. ALMUKHTAR: Sure. I'm a licensed architect in the State of New Jersey. I'm also licensed in New York and Pennsylvania. I've been licensed in New Jersey here since 2003. I have a current license in good standing. I have testified in front of numerous boards and been accepted in all of them as an expert witness in the field of architecture. This is the first time I'm in Camden. And I have the honor to be here.

MR. EINGORN: Welcome.

MR. ALMUKHTAR: Thank you.

MR. EINGORN: The Board will accept

1 Mr. Almkhtar as a professional in architect.

2 MR. RUSH: Mr. Almkhtar, were you engaged  
3 by the applicant to prepare architecture plans for  
4 this project?

5 MR. ALMUKHTAR: Yes.

6 MR. RUSH: Did you submit those as part  
7 of the application plans?

8 MR. ALMUKHTAR: Yes, that's correct.

9 MR. RUSH: You have them here this  
10 evening?

11 MR. ALMUKHTAR: Yes. Actually they're  
12 right there on the board. Counsel, do we need to  
13 mark them or is this part of the package?

14 MR. EINGORN: It's up to you.

15 MR. RUSH: Can you give the Board a quick  
16 overview of the actual plans that are proposed this  
17 evening?

18 MR. ALMUKHTAR: Sure. Absolutely.

19 So these are the plans that were  
20 submitted to the Board prior to this evening.

21 MR. EINGORN: We're having a hard time  
22 hearing you. Please speak louder.

23 MR. ALMUKHTAR: Again, this is the  
24 northwesterly corner of the intersection of Broadway  
25 and Line Street. This is, again, located in the C-2

1 Community Lanning Square Redevelopment Plan. The lot  
2 area, this is the existing conditions of the site  
3 plan. It has since been vacant. Total lot area we  
4 have 13,964 square feet. The proposal is to provide  
5 a 5-story mixed use structure in which some functions  
6 complement each other. Actually we thought it would  
7 be a nice kind of one-stop shop for especially geared  
8 towards the senior citizens of the City of Camden.

9           So the first floor would contain a  
10 pharmacy. Obviously, a lobby and an elevator. The  
11 second and third floors would contain medical  
12 offices. Then the fourth and fifth floors would  
13 contain 38 rooms for the senior citizens. If you  
14 turn the page, this is the proposed site plan. So we  
15 do propose a new structure right at the corner of  
16 Line and Broadway. And then the parking lot would be  
17 accessible off of Line Street. It will be 12 parking  
18 spaces.

19           There will also be an area of dumpsters  
20 off of the parking lot, and then handicap parking  
21 spaces. Access to the building is through the entry  
22 door off of Broadway and also an access from the  
23 parking lot. And also access to the pharmacy,  
24 proposed pharmacy floor, is off of the corner of  
25 Broadway and Line Streets. The third page is just

1 standard details and this will be obviously subject  
2 to the engineer. We will work with the engineer in  
3 providing the details, the necessary details for the  
4 site improvements, sidewalk, curbs, paving, all these  
5 things.

6 MR. EINGORN: We're going to have to go  
7 through some of this in the letter. By any chance,  
8 do you have the elevations so you can show the Board  
9 what the project will look like?

10 MR. ALMUKHTAR: Real quick. So this is  
11 the first floor, 7,297 square feet of pharmacy. This  
12 is the access from the parking lot and access from  
13 the front. There's a stretcher elevator, staircase  
14 and set a common-area bathrooms, and then the second  
15 and third floors. It's mainly an open space  
16 obviously, subject to the doctors renting the space,  
17 how many square feet they need; a total of 10,900  
18 square feet. And then the upper floors, the fourth  
19 and fifth floors, like I mentioned, 19 rooms; almost  
20 like the hotel type room. Each one has its own  
21 separate bathroom and access with small kitchenette.  
22 And then we have a multi-purpose room for the  
23 assembly of the residents of the building.

24 These are the exterior elevations. This  
25 is the Broadway elevation. We thought that we would

1 give it a modern look with some modern metal  
2 paneling, glass and brick facing. It would be a  
3 5-story building as I mentioned before, 55 feet  
4 3 inches. And this is the main thing. This is the  
5 Line Street elevation. This area is vacated because  
6 we have the access to the parking lot and it's mainly  
7 a modern building reflective of an office, a  
8 medical-use structure. Then the other two elevations  
9 follow the same theme, mainly, this would be facing  
10 the rear parking lot. Also windows and metal panels  
11 and brick. And then this has to be solid because  
12 it's right on the property line on the other side,  
13 mainly brick and block.

14 MR. RUSH: If we're going to address the  
15 letter, I'd like to have both my other witnesses  
16 sworn in too.

17 MR. EINGORN: Good idea. Any questions  
18 real quickly for the architect?

19 MS. ALSTON: I have quick question. What  
20 is the smallest room that you have on the fourth and  
21 fifth floor? I saw 388, 390 square footage on the  
22 fourth and fifth?

23 MR. ALMUKHTAR: 388.

24 MS. ALSTON: Are windows on this side?  
25 These with the windows here are all on the side?



1 MR. ALMUKHTAR: Yes. These are the  
2 windows here on all the sides. The only side that  
3 doesn't have windows is this side here because it's  
4 right on the property line and this one in the back  
5 also. Because these rooms have plenty of windows.

6 MR. EINGORN: Thank you. Would you like  
7 to swear in your other witnesses?

8 MR. RUSH: Yes.

9 MR. EINGORN: Would you raise your right  
10 hand, please.

11 - - -

12 JOHN McDONOUGH, P.P.; SIKAMER KAHN,  
13 having first been duly sworn/affirmed, was examined  
14 and testified as follows:

15 - - -

16 MR. EINGORN: Please state your names and  
17 addresses for the record.

18 MR. KAHN: My name is Sikamer Kahn. My  
19 address is 119 Genessee Avenue, Paterson, New Jersey.

20 MR. McDONOUGH: My name is John  
21 McDonough. I'm the project planner.

22 MR. RUSH: We will address Dena's letter  
23 now.

24 MS. MOORE: You want me to go right to  
25 the letter?

1 MR. EINGORN: Yes.

2 MS. MOORE: Mr. Chairman, I'm referring  
3 to Remington & Vernick's letter June 13, 2024.  
4 Starting on page 2. The applicant's proposed medical  
5 office and nursing home are not in conformance with  
6 the permitted principal uses of the C-2 Zone within  
7 the Lanning Square Redevelopment Zone necessitating a  
8 "d(1)" variance. Furthermore, the proposed 5-story  
9 building exceeds the permitted maximum height of 35  
10 feet by more than 10 feet or 10 percent. The  
11 applicant proposes 55.2 feet warranting a "d(6)"  
12 variance, the height variance mentioned.

13 So page 2 and part of 3 just mentions the  
14 testimony that will be required for the use variance  
15 for Positive and Negative Criteria, all of that.

16 MR. RUSH: Do you want to wait until  
17 Mr. McDonough, I call him individually for him to  
18 give that presentation?

19 MS. MOORE: Yes, if you want to do it at  
20 the end.

21 MR. EINGORN: Mr. Chairman?

22 CHAIRMAN HANCE: Yes.

23 MS. MOORE: Okay, we'll do it at the end.

24 The Area and Bulk Requirements, besides  
25 the building height the "d(6)," you are looking, as

1 you mentioned, variance for building coverage, the  
2 principal building setback for front yard, rear yard,  
3 and side yard and then parking variance, correct?

4 MR. RUSH: Correct.

5 MS. MOORE: And in the testimony by Mr.  
6 McDonough, I guess if you could mention the use  
7 variance comments that I have listed on pages 3 and 4  
8 as a part of your comments. So I'll go straight to  
9 the Performance Standards and Streets on page 4.

10 Line Street is an existing one-way  
11 roadway. Broadway is an existing two-way roadway,  
12 and the county route number should be provided.  
13 There are no improvements proposed for these roadways  
14 with this application. But you'll show the county  
15 route number for Broadway.

16 MR. RUSH: Of course.

17 MS. MOORE If a street opening is  
18 necessary for Line Street, the applicant would be  
19 subject to the Street Opening Permit Ordinance of the  
20 City. The City Engineer should be contacted  
21 regarding that application and fees involved.

22 MR. RUSH: Again, we will comply with  
23 that.

24 MS. MOORE: A road opening permit from  
25 the Camden County Highway Department will be required

1 for a road opening on Broadway. You acknowledge  
2 that?

3 MR. RUSH: Yes.

4 MS. MOORE: Parking, Loading and  
5 Circulation: Per Section 870-230.F, 137 spaces are  
6 required, where only 12 spaces are proposed to serve  
7 the entire facility. The applicant requests a  
8 variance.

9 MR. RUSH: Correct.

10 MS. MOORE: The proposed number of  
11 parking spaces on the site is substantially less than  
12 the required parking spaces. The applicant should  
13 provide testimony as to how they plan to accommodate  
14 or offset the parking demand on-site. If on-street  
15 parking is permitted and the applicant intends to  
16 utilize on-street parking, these parking spaces  
17 should be delineated on the site plan. Additional  
18 permits or approval from the City may be necessary to  
19 utilize on-street parking. Additionally, the  
20 applicant should address whether any of the spaces  
21 will be designated for specific staff or guests.

22 MR. RUSH: Mr. Kahn can --

23 MS. MOORE: In addition to that, the  
24 applicant may consider having a shared parking  
25 agreement with neighboring businesses or property

1 owners. If so, property documentation must be  
2 presented to the Board for their review. If public  
3 transportation is available within walking distance,  
4 testimony should be provided.

5 MR. RUSH: As I said, Mr. Kahn can  
6 address that now if you'd like to address it at this  
7 time?

8 MS. MOORE: Yes. The response to my  
9 comments need to be now. Just the testimony  
10 regarding the use variance, that's later.

11 MR. RUSH: Basically, Mr. Kahn, can you  
12 explain to the Board how the applicant plans on  
13 addressing the shortage in parking?

14 MR. KAHN: Sure. Good evening,  
15 Mr. Chairman. Parking is an issue for the site. We  
16 are currently working with the Camden Redevelopment  
17 Authority to purchase additional lots within the  
18 area. We have submitted our proposal to the Camden  
19 Redevelopment Authority regarding two lots that they  
20 have available in the area. We're waiting for the  
21 Board's review. And once they grant us their  
22 approval, we will be purchasing those lots.

23 Right behind our property, there are  
24 three lots with tax liens that we're also working on  
25 with the City; looking to purchasing them once the

1 tax lienholder forecloses on those lots. And we're  
2 also working with a few realtors in the area to  
3 acquire more land. Currently, we're working with the  
4 Camden Redevelopment Authority. We're working with  
5 the tax lienholder that owns properties right across  
6 from our property. And we're also working with  
7 realtors, local realtors to acquire about 3,600  
8 square feet right behind the library on Broadway  
9 Avenue.

10 MR. RUSH: Now, again, I don't think  
11 that's going to address the total need of 137 but I  
12 think the applicant -- so we'd still be requesting a  
13 parking variance. The applicant is, you know, making  
14 strides and significantly reducing the amount of  
15 parking where deficient.

16 MR. KAHN: Yes.

17 MR. EINGORN: So as currently proposed,  
18 what is the parking you have established here?

19 MR. AMULKHTAR: 12.

20 MR. KAHN: We're going to have our  
21 transportation. The senior housing component will be  
22 divvied out to a company. They're going to have  
23 their own transportation for the seniors. That does  
24 not really require any parking spaces in our opinion.  
25 The only component that really requires parking is

1 the doctors and also the individuals that will be  
2 visiting the retail component in the facility, which  
3 we are working on acquiring land literally right  
4 across the street from the existing site.

5 MR. RUSH: That's the full answer.

6 MS. MOORE: Are you aware of any public  
7 transportation in the area?

8 MR. KAHN: Yes, there's a bus stop right  
9 there.

10 MS. MOORE: How close?

11 MR. KAHN: It's I believe literally right  
12 across the street.

13 MS. MOORE: So all of that has to be  
14 taken into consideration especially if you haven't  
15 purchased the property yet. Because there's another  
16 applicant that came in with a very, I don't know if  
17 it was this Board or the Planning Board, with a  
18 similar testimony waiting on lien on the property and  
19 just -- or waiting on a tax sale or something. And  
20 then just said, look, that's not going to happen. We  
21 have to come back in and we need to get approval for  
22 what we have. So in case that happens, I just wanted  
23 you to look at all the other avenues in case you're  
24 not able to purchase the property that you were  
25 looking to purchase.

1           MR. KAHN: There are three bus stops on  
2 Broadway. We are not only waiting for the tax liens.  
3 We're actively working with the Camden Redevelopment  
4 Authority since 2021. We've been actively working  
5 with them to acquire land in the neighboring area.  
6 We just submitted our proposal for those lots with  
7 appraisals that was done. We submitted the  
8 appraisals along with the full proposal of how those  
9 lots are going to be utilized.

10           MS. MOORE: But if you're not able to get  
11 those, you're still going to pursue the application  
12 as-is with the 12 parking spaces. And I guess you  
13 would mention about THE public transportation. Have  
14 you looked at any other shared? Are there any other  
15 entities that you can have a shared parking agreement  
16 now so that the Board knows now that the parking  
17 can be taken care of if they were to approve this  
18 project? Because you didn't come in with just  
19 preliminary. You came in for preliminary and final.

20           MR. KAHN: Correct. We have not looked  
21 into any shared agreements. Like I said, we'll  
22 definitely will be purchasing one way or the other.  
23 We'll be purchasing additional land for the  
24 additional parking spaces. Whether that's off the  
25 market or the Camden Redevelopment Authority.



1 MS. MOORE: If you do need a parking  
2 variance, which I don't see it in here, there is a  
3 fee if you require a parking variance. And, well,  
4 this is partial residential too, right? We'll forget  
5 about that. I will have to talk to the Planning  
6 office to see whether it's applicable for a mixed use  
7 situation.

8 MR. EINGORN: I think it has been in the  
9 past. In all open and honesty, to the extent that  
10 the parking fee applies, it's \$6,000 per space. So  
11 with the deficiency of 120-some spaces.

12 MS. MOORE: But that since changed. They  
13 just put something in the ordinance in which it can  
14 be discussed with the Planning office.

15 MR. EINGORN: Got you. I didn't see the  
16 ordinance.

17 MS. MOORE: Yes. There's been an  
18 ordinance change in the past, within the past year.  
19 So it's not that set number but there is a number.  
20 So you're aware there is a fee for a parking  
21 variance. It's just not \$6,000 anymore.

22 MR. RUSH: That's good to know.

23 MS. MOORE: Yes. I'll go into the next  
24 one.

25 Compact car spaces may be permitted by

1 the Board only where the total number of spaces  
2 proposed to be provided exceeds 50 as permitted under  
3 Section 870-231.B(1). Provided that only 12 parking  
4 spaces are proposed on site, the applicant is not  
5 permitted to utilize compact car spaces. Two compact  
6 car spaces have been proposed. A variance request is  
7 necessary, unless the plan is revised accordingly.

8 MR. RUSH: We're requesting a variance.

9 MS. MOORE: The applicant complies with  
10 the ADA standards as to the width of the ADA spaces  
11 and access aisle. However, per Section  
12 870-231.B(1)(c), handicapped spaces shall be 20 feet  
13 in length, where you're only providing 18 feet. The  
14 plan should be revised or a variance requested.

15 MR. RUSH: We're requesting a variance.

16 MS. MOORE: Per Section 870-231.C(1)(c),  
17 uses that have over 10,000 square feet of floor area  
18 shall provide one loading space. The applicant has  
19 not proposed a loading space. Plans should be  
20 revised or a waiver requested. That's actually a  
21 variance. Testimony should be provided regarding the  
22 anticipated type of loading, unloading operation that  
23 will occur on the site. You're requesting a variance  
24 or the loading space, right?

25 MR. RUSH: That's correct.

1 MS. MOORE: Is it that loading that's  
2 going to occur, does it require a designated space?

3 MR. RUSH: At this time, I don't --  
4 Mr. Kahn.

5 MS. MOORE: Like what type of loading  
6 would you have?

7 MR. KAHN: It's a retail pharmacy so the  
8 majority of it would medication, things of that  
9 nature will be delivered. If we need a loading space  
10 on the side of the street, we can request one but I  
11 don't think we need a loading space for the  
12 pharmacy.

13 VICE-CHAIRMAN COOPER: How about the  
14 nursing home?

15 MR. KAHN: The nursing home is through  
16 the back to Williams Street. If an ambulance or a  
17 pick-up or a drop-off, straight through the back  
18 where the elevators are located.

19 VICE-CHAIRMAN COOPER: But just the daily  
20 needs for that nursing home with food coming in every  
21 day, linen, laundry going out, you need some plan for  
22 that.

23 MR. KAHN: We'll have a staff on site.  
24 The food is usually delivered through Wheels On  
25 Meals. So an individual comes in on a daily basis to

1 deliver the food. And the laundry is taken care by  
2 the staff on-site. And there will be nurses on-site  
3 along with a manager for the site as well.

4 MS. MASON: Is there a separate -- are  
5 they using the same elevator or same access point  
6 that the residents or folks going to the second and  
7 third floor for the commercial spaces?

8 MR. KAHN: That's something we discussed  
9 earlier. It will be a restricted access but we're  
10 willing to put a separate elevator for seniors.

11 MR. RUSH: I would think that the  
12 applicant is prepared to put a second elevator  
13 on-site to address some of these issues. The  
14 applicant has no objection to that being a condition  
15 of approval if the Board saw fit to approve this  
16 application.

17 MS. MOORE: Per Section 870-234.A, in  
18 addition to the required facilities for passenger  
19 automobiles, facilities for the secure and convenient  
20 parking of bicycles shall be required, which shall  
21 not be less than 10 percent of the first 100 required  
22 automobile parking spaces. Thus, 14 bicycles spaces  
23 should be provided and comply with the standards of  
24 Section 870-234. No facilities for bicycle parking  
25 have been provided. Plans should be revised or a

1 variance requested.

2 MR. RUSH: We're requesting a variance  
3 from this.

4 MS. MOORE: Is there a reason why you  
5 don't want to provide bicycle parking. Maybe just --

6 MR. RUSH: Just based upon the nature of  
7 the project. We don't really see a demand for  
8 bicycle transportation.

9 MS. MOORE: Even employees?

10 MR. RUSH: For employees? Again, I would  
11 assume that most are either going to be driving or  
12 taking public transportation.

13 MS. MOORE: There aren't many parking  
14 spaces. I mean, even if you have something inside.

15 MR. RUSH: Can we provide it?

16 MR. ALMUKHTAR: We can provide  
17 definitely. We can comply with that requirement.

18 MR. RUSH: I change my answer then.

19 MS. MOORE: Well, that's just a variance  
20 that typically -- I mean, we want to encourage at  
21 least the employees to bike if they're coming from  
22 the neighborhood.

23 MR. RUSH: Okay.

24 MR. KAHN: We can comply with that.

25 MS. MOORE: I will remove that one.

1 Sidewalks between parking areas and  
2 principal structures, along aisles and driveways and  
3 wherever pedestrian traffic shall occur, shall be  
4 provided with a minimum width of 5-foot sidewalks.  
5 The applicant has proposed a 4-foot wide sidewalk  
6 between the parking area and the building. Plans  
7 should be revised or a variance requested.

8 MR. RUSH: The plans will be revised to  
9 address that.

10 CHAIRMAN HANCE: Can I ask a question?

11 MS. MOORE: Yes.

12 CHAIRMAN HANCE: So you have a sidewalk  
13 there already, correct?

14 MR. ALMUKHTAR: Yes.

15 CHAIRMAN HANCE: So what size are the  
16 sidewalks there?

17 MR. ALMUKHTAR: It's four feet. The one  
18 inside the property?

19 CHAIRMAN HANCE: Yes.

20 MR. ALMUKHTAR: Yes, four feet. We'll  
21 comply and make it five. Take away from the pharmacy  
22 area.

23 CHAIRMAN HANCE: Thank you.

24 MS. MOORE: So I'm removing that variance  
25 from the back too.

1           Electric charging facilities should be  
2 provided in accordance with the Municipal Land Use  
3 Law requirements and the DCA model ordinance  
4 requirements. You'll add that?

5           MR. RUSH: We will comply.

6           MS. MOORE: A turning template should be  
7 provided to ensure vehicles will have sufficient room  
8 to safely maneuver the site. You'll add that?

9           MR. ALMUKHTAR: Yes.

10          MS. MOORE: All sidewalk and curb along  
11 the property's frontages along Line Street and  
12 Broadway should be replaced.

13          MR. ALMUKHTAR: Yes.

14          MS. MOORE: The Stormwater Collection and  
15 Management System. The first two items I have on  
16 here are notes on the plan. You'll add those notes?

17          MR. ALMUKHTAR: Yes.

18          MS. MOORE: The applicant should provide  
19 testimony regarding how the building's roof will  
20 drain. The pre- and post-development impervious and  
21 green areas should be shown on the plans. You'll add  
22 that?

23          MR. ALMUKHTAR: We'll add that, yes.

24          MS. MOORE: The storm sewer calculations  
25 for the trench drains should be provided.

1 MR. ALMUKHTAR: Yes.

2 MS. MOORE: The applicant should  
3 determine if the project is considered a Major  
4 Development for stormwater management purposes in  
5 reference to the limit of disturbance and the  
6 increase of impervious coverage of motor vehicle  
7 surface area. Stormwater quantity, quality and  
8 groundwater recharge may need to be addressed  
9 utilizing green infrastructure. Do you know if  
10 your Major Development is in accordance with the  
11 DEP?

12 MR. ALMUKHTAR: I don't believe we are.

13 MS. MOORE: No. Okay. And you'll  
14 provide the pre and post green in this area?

15 MR. ALMUKHTAR: If we are, we'll comply,  
16 yes.

17 MS. MOORE: The post-development peak  
18 runoff cannot exceed the pre-development peak runoff  
19 for the 25-year storm event. Confirming calculations  
20 should be provided for review.

21 MR. ALMUKHTAR: Yes.

22 MS. MOORE: A stormwater fee is to be  
23 calculated for the site as outlined in Appendix XVIII  
24 of the City of Ordinance. The calculation will be  
25 reviewed by our office. The fees must be paid to the



1 applicant prior to final signatures of the plan.

2 MR. RUSH: Understood.

3 MS. MOORE: The horizontal datum and  
4 vertical datum should be stated. If the vertical  
5 datum is 1988 NAVD, a conversion factor must be  
6 provided to the 1929 NGVD. A signed and sealed copy  
7 of the survey referenced on the plans should be  
8 provided for review.

9 MR. ALMUKHTAR: Yes.

10 MS. MOORE: So you are going on  
11 horizontal and vertical datum, right?cop You're not  
12 on an assumed?

13 MR. ALMUKHTAR: We are going to  
14 hire a surveyor to provide that for us. And  
15 definitely provide it to you.

16 MS. MOORE: Okay. Because we're  
17 assuming that you're going to consolidate, correct?  
18 You're going consolidate the lots?

19 MR. RUSH: Yes.

20 MS. MOORE: So you would definitely have  
21 to be on NAD 1983 for your horizontal datum. Okay?

22 MR. ALMUKHTAR: Okay.

23 MS. MOORE: So I want to make sure you're  
24 not on assumed because that's a -- from what I  
25 understand, it's a big cost if you go back and have

1 to do that.

2 MR. ALMUKHTAR: Agreed.

3 MS. MOORE: Do you have any issues with  
4 the remaining comments that I have for grading?  
5 Would you be able to provide this information,  
6 including the architectural drawings to confirm  
7 property coordination with the plans regarding the  
8 layout and access points? We'll need to see those on  
9 the plans.

10 MR. ALMUKHTAR: Yes, we'll comply with  
11 those items.

12 MS. MOORE: So you're fine with the rest  
13 of the grading?

14 MR. ALMUKHTAR: Correct.

15 MS. MOORE: Utilities. The first comment  
16 is a note. The other ones, the size and material of  
17 the proposed water lateral and existing water lateral  
18 along Broadway should be shown. The size, material  
19 and slope of the proposed sanitary sewer lateral and  
20 the existing sanitary sewer mains along Broadway,  
21 should be indicated on the plans.

22 MR. ALMUKHTAR: Yes.

23 MS. MOORE: The existing fire hydrants  
24 should be clearly identified on the plans to confirm  
25 that the building is located within 400 feet of a

1 fire hydrant.

2 MR. ALMUKHTAR: So any fire hydrant over  
3 400 feet we need to locate on the survey.

4 MS. MOORE: Yes. Because you have  
5 residential as part of this, I need to make sure that  
6 I could measure down the roadway that it's 400  
7 feet.

8 MR. ALMUKHTAR: Or less?

9 MS. MOORE: Yes. Maximum 400 feet. It  
10 has to be less. Otherwise, we would need you to  
11 propose a new fire hydrant.

12 MR. ALMUKHTAR: Yes. Understood.

13 MS. MOORE: The project must be approved  
14 by both the City Engineer and the City Fire Chief  
15 prior to final approval and signatures on the plan.  
16 Okay?

17 MR. ALMUKHTAR: Understood.

18 MR. RUSH: Understood.

19 MS. MOORE: A CCTV inspection of the  
20 sewer (combined, sanitary and storm) system must be  
21 performed and reviewed by the City Engineer prior to  
22 construction. The applicant will be responsible for  
23 any improvements to the existing infrastructure  
24 required for the connection of the proposed project.

25 MR. RUSH: Again, we'll comply.

1 MS. MOORE: I just need you to confirm  
2 that you understand you would be responsible for the  
3 connection if that needs upgrades.

4 MR. ALMUKHTAR: Yes.

5 MS. MOORE: All developers and applicants  
6 should note that due to a City Ordinance, a Capacity  
7 Fee may be applicable to the proposed development and  
8 the applicant should contact the City Engineer for  
9 all costs related to the same.

10 MR. ALMUKHTAR: Understood.

11 MS. MOORE: And you will add the notes  
12 that I have for the utility plan?

13 MR. RUSH: Yes.

14 MS. MOORE: The Construction Details, do  
15 you have any issues with the details I'm mentioning  
16 on here that need to be provided?

17 MR. ALMUKHTAR: No issues.

18 MS. MOORE: Planting Design: Per Section  
19 870-244.B, a Landscape Plan is required. No  
20 Landscape Plan was submitted for the proposed  
21 development. Provided the applicant has maximized  
22 the utilization of the lot, there are no trees  
23 available for landscaping. A waiver request is  
24 necessary for not providing a Landscape Plan. You're  
25 requesting that waiver, right?



1 maximum. So we would need you to meet these as close  
2 as possible or else, would they ask for the variance  
3 in this instance?

4 MR. EINGORN: It's hard to give a  
5 variance if we don't know what the plan says.

6 MS. MOORE: I know. Otherwise, for  
7 lighting, they would have to come back to the Board  
8 for lighting.

9 MR. RUSH: For a Lighting Plan that  
10 doesn't comply are you saying?

11 MR. EINGORN: Right. If you can't  
12 comply. The problem is, these lighting levels are  
13 not that high. And most people come in and they have  
14 lights that are brighter than this and they need them  
15 because there's safety issues or whatever it may be  
16 and they need to spill into the sidewalk or whatever  
17 it is. And so without a Lighting Plan, you can't  
18 determine whether or not and what kind of variance  
19 you'd be requesting. But complying with this isn't  
20 exactly easy is what Dena is telling me.

21 MR. RUSH: Understood. I mean, we can  
22 take testimony tonight from my client to see if  
23 they're willing to provide -- obviously, if you're  
24 saying they go above what's required. We have no  
25 problem testifying to the fact that we will submit a

1 Lighting Plan that supplies adequate lighting and,  
2 you know, adequate lighting that will meet or even  
3 definitely exceed these requirements.

4 MS. MOORE: Well, that's just it. If you  
5 exceed it then you need a variance. But because we  
6 don't know what that variance would be. At this  
7 point, I guess the only thing you can do is try to  
8 meet this. But then if you don't need it you would  
9 have to come back to the Board to get approval.

10 MR. RUSH: Understood.

11 MS. MOORE: Okay?

12 MR. EINGORN: The other thing is, you  
13 could ask for preliminary and just come back for  
14 final with the parking and the lighting --

15 MR. RUSH: I was thinking about amending  
16 it. I was going to say that before.

17 MR. EINGORN: That's the other option.

18 MR. RUSH: Yeah, that we might want to  
19 amend the application and just seek a preliminary.

20 MR. EINGORN: That's another option.

21 MR. RUSH: Before we make that decision,  
22 we can finish with the letter and then I will consult  
23 with my client.

24 MR. EINGORN: Yes.

25 MS. MOORE: I'll keep going.

1                   Any wall-mounted or architectural  
2 lighting that's proposed, should be shown on the  
3 plans.

4                   MR. ALKUMHTAR: Yes.

5                   MS. MOORE: Per Section 870-243.H, all  
6 outdoor lighting not essential for safety and  
7 security purposes, shall be activated by automatic  
8 control devices and turned off during nonoperating  
9 hours.

10                  MR. ALMUKHTAR: No problem.

11                  MS. MOORE: And then I would need you to  
12 add this note to the plan, that note specifically.

13                  MR. ALMUKHTAR: Sure.

14                  MS. MOORE: The applicant is to provide a  
15 traffic impact assessment in accordance with Section  
16 870-274.

17                  MR. RUSH: Again, we don't have them  
18 tonight. The planner can touch on that somewhat and  
19 Mr. McDonough will address the fact that there is  
20 going to be a shuttle provided. If we do make -- it  
21 appears that we'll probably be seeking preliminary  
22 tonight then that would be part of the final  
23 submission. Would that be acceptable?

24                  MS. MOORE: Yes, that's fine.

25                  And that's just an impact assessment so I



1 don't need the full traffic counts or anything. But  
2 what you're proposing to do in accordance with the  
3 calculations you would assume through the ASHTO and  
4 all the -- we know it's not ASHTO but the traffic,  
5 the typical traffic standards.

6 MR. RUSH: Understood.

7 MS. MOORE: Environmental Impacts: The  
8 applicant is to provide testimony regarding any and  
9 all environmental concerns, studies or remediation  
10 pertaining to the site. Are you aware of any  
11 environmental issues pertaining to the site?

12 MR. RUSH: We're not aware of any.

13 MS. MOORE: Is there a Phase 1?

14 MR. ALMUKHTAR: Yes.

15 MS. MOORE: There is a Phase 1?

16 MR. KAHN: Correct. There are no  
17 environmental issues that we know of. We've done  
18 Phase 1 and Phase 2.

19 MS. MOORE: You have done both?

20 MR. KAHN: Yes.

21 MS. MOORE: Okay. If you can submit both  
22 of those to us, we should get those as a part of the  
23 application. Okay? But you did do the Phase 1 and 2  
24 already too.

25 MR. KAHN: Yes.

1 MS. MOORE: Okay. So Phase 1 and 2 I'll  
2 just mention: To be submitted. Thank you.

3 Testimony should be provided regarding  
4 the development's provision to solid waste management  
5 and its operation. So trash.

6 MR. ALMUKHTAR: We do provide an  
7 enclosure for the trash. It's shown on the same  
8 plans.

9 MS. MOORE: Okay. Is it by a private  
10 hauler?

11 MR. ALMUKHTAR: Private hauler.

12 MS. MOORE: Once a week; twice a week?  
13 I know the medical waste would get picked up. But  
14 then the actual trash.

15 MR. RUSH: The actual trash, the refuse  
16 would be twice a week. It's a private hauler.  
17 Obviously, the medical is handled under state  
18 regulations and that would handled privately by the  
19 doctors or whoever is renting, any doctors renting  
20 and obviously the nursing home facility.

21 MS. MOORE: Provided the dumpster area is  
22 located on the ground level below the building line  
23 of the upper floors, testimony should be provided as  
24 to whether there is sufficient vertical clearance to  
25 accommodate trash pickup trucks.

1           MR. ALMUKHTAR: The thought is that the  
2 dumpsters will be wheeled outside and then it would  
3 be picked up by the trucks. Or we can raise the  
4 first floor a couple of feet more so that the trucks  
5 can access it. Usually what we do is, they wheel it  
6 out and they pick it up outside.

7           MS. MOORE: Okay. And that's -- you have  
8 a large enough -- I mean, if you have this operation  
9 now in Patterson that's enough. That's what you do  
10 now?

11           MR. ALMUKHTAR: Yes. Most of the  
12 developments they do that.

13           MS. MOORE: Twice a week?

14           MR. ALMUKHTAR: Yes.

15           MS. MOORE: No signage has been proposed  
16 with this application. The applicant should confirm  
17 that no signage is proposed with the application.  
18 Any proposed signage must be comply with Section  
19 870-253.

20           MR. RUSH: Currently, there's no signage  
21 being proposed. And any signage that would be  
22 proposed, obviously, is going to have to comply with  
23 the code or the applicant would have to be back in  
24 front of the Board.

25           MS. MOORE: But right now I'm just

1 listing no signage. So our office recommends a lot  
2 consolidation. The applicant must obtain the correct  
3 tax map plates and block and lot numbers from the Tax  
4 Assessor.

5 MR. RUSH: That would be fine.

6 MS. MOORE: Written verification must be  
7 received by our office prior to final review and  
8 signatures of the deed and or plat. So the lot  
9 consolidation, will that be by deed or by plat?

10 MR. RUSH: I prefer to do it by deed. If  
11 there's objection to that, I prefer deed.

12 MS. MOORE: Okay. You can do it by deed  
13 but then the City of Camden has a separate  
14 requirement where they do see the lot consolidation  
15 on a plan.

16 MR. RUSH: Okay.

17 MS. MOORE: So typically, if you haven't  
18 already created a plan for the lot consolidation, you  
19 just go ahead and do it by plan. But they do have  
20 that requirement --

21 MR. RUSH: So we're going to have to do  
22 both of them anyway so it would probably just be  
23 better to do everything by plan then.

24 MS. MOORE: That is under Miscellaneous  
25 No. 5. The plan should note that the applicant will

1 comply with the City's "Ordinance Establishing  
2 Standards for the Submission of Maps and Other  
3 Documents in a Digital Format." So that's the  
4 submission of two flash drives of the lot  
5 consolidation plan in NAD 1983. That's why I  
6 mentioned that it's important that you're in a  
7 datum --

8 MR. AMULKHTAR: Yes.

9 MS. MOORE: -- under that requirement.

10 The applicant should be aware that the  
11 final signatures of approval and the building permits  
12 will not be issued until that required information is  
13 received.

14 MR. RUSH: Understood.

15 MS. MOORE: Going back up to  
16 Miscellaneous No. 1: Testimony regarding conformance  
17 with Sections 870-223 and 870-224 pertaining to the  
18 general design guidelines and design of the site  
19 should be provided.

20 MR. ALMUKHTAR: So I believe we do comply  
21 with the requirements.

22 MR. RUSH: Your testimony you provided  
23 earlier, is that in compliance as well?

24 MR. ALMUKHTAR: Yes.

25 MS. MOORE: All other architectural

1 guidelines and design controls, as outlined in the  
2 Redevelopment Plan, must be met. Testimony should be  
3 provided as to how the applicant conforms with these  
4 requirements.

5 So your architectural plan meets  
6 everything in the Lanning Square Development?

7 MR. ALMUKHTAR: I believe. I'll review  
8 it one more time and then if there's any deviation or  
9 anything like that, we can update that. No problem.

10 MS. MOORE: Per Section 870-189.C,  
11 Accessory buildings structures and uses shall not  
12 occupy a front yard, shall be set back a minimum of  
13 5 feet from any side yard and 3 feet from any rear  
14 yard, and shall not occupy more than 25 percent of  
15 the rear yard requirement or a maximum of 750 square  
16 feet whichever is smaller.

17 Per the Redevelopment Plan, off-street  
18 parking is an accessory use. Thus, the proposed  
19 parking area should comply with the aforementioned  
20 requirements. The proposed parking area is located  
21 within the required front yard and locate 0 feet  
22 setback from the side and rear yards. A variance  
23 request is necessary.

24 MR. RUSH: We're requesting that  
25 variance.

1 MS. MOORE: Colored architectural  
2 renderings should be provided and presented at the  
3 public hearing.

4 MR. ALMUKHTAR: We didn't provide that.

5 MS. MOORE: Okay. Do you have any  
6 rendering that would show the Board exactly what this  
7 will look like?

8 MR. ALMUKHTAR: Other than the elevations  
9 here, the veneer facades, we didn't have time to  
10 prepare that.

11 MS. MOORE: What's the material?

12 MR. ALMUKHTAR: Brick, metal panels and  
13 obviously the windows, the glasses, some curtain  
14 walls.

15 MS. MOORE: So regular colored brick?

16 MR. ALMUKHTAR: Correct.

17 MS. MOORE: I did the requirement. The  
18 zoning requirement table should be revised to  
19 reference the requirements of the Lanning Square  
20 Redevelopment Plan. You'll revise that?

21 MR. ALMUKHTAR: Yes.

22 MS. MOORE: The signature blocks on the  
23 cover sheet should be revised to reference the Zoning  
24 Board and replace the Board Administrative signature  
25 line with the Zoning Officer/Administrative Officer.

1 MR. ALMUKHTAR: No problem.

2 MS. MOORE: The applicant and owner are  
3 reminded of the site safety note. You'll add this  
4 site safety note to the plan?

5 MR. ALMUKHTAR: Yes.

6 MS. MOORE: And the Summary of Variances  
7 and Waivers, I eliminated two of them. For the  
8 Redevelopment Plan, it's the "d(1)" variance. For  
9 use, the "d-6" variance for height, building  
10 coverage, front yard setback, rear yard setback and  
11 side yard setback.

12 From the City Ordinance, we're looking at  
13 variances for the accessory use setback and location.  
14 I eliminated the sidewalk width, the number of  
15 parking spaces, compact car spaces. You're going to  
16 correct that, right, the compact -- no. You are  
17 asking for a variance.

18 MR. AMLUKHTAR: We are.

19 MS. MOORE: The ADA parking length and  
20 the loading space. I eliminated the bicycle parking.

21 MR. AMLUKHTAR: Yes.

22 MS. MOORE: And the only waiver I have is  
23 the Landscape Plan.

24 MR. RUSH: That's correct.

25 MS. MOORE: You're aware of the Approval



1 Process as listed on page 11 and 12. If you have  
2 any questions on that, you can contact my office for  
3 those.

4 MR. RUSH: Yes.

5 MS. MOORE: And the Outside Agency  
6 Approvals I have Camden County Planning Board, Camden  
7 County Soil Conservation District and Camden County  
8 Municipal Utilities Authority. Are there any others  
9 that you're aware of?

10 MR. RUSH: I don't believe so. I believe  
11 that's it.

12 MS. MOORE: That's it?

13 MR. RUSH: Yes.

14 MS. MOORE: Mr. Chairman, that concludes  
15 my review.

16 MR. RUSH: At this time, I think it's  
17 probably appropriate to ask that we amend the  
18 application to be a preliminary. And, obviously,  
19 once we submit the final at a later date.

20 MR. EINGORN: I think that's a good idea.

21 MR. RUSH: Yes.

22 MS. MOORE: So it's for a use variance at  
23 preliminary site plan only?

24 MR. RUSH: Yes.

25 MS. MOORE: Okay. Thank you. Well, use

1 and height variances?

2 MR. RUSH: Yes, "d(1)" and "d(6)."

3 MS. MOORE: Yes.

4 MR. RUSH: I would like our planner to  
5 provide some planner testimony and touch on the  
6 variance proofs.

7 MR. EINGORN: Great.

8 MR. McDONOUGH: Once again, John  
9 McDonough. I'm the project planner. We are here  
10 within the Lanning Square Redevelopment Plan. You  
11 have a good list from Ms. Johnson in terms of the  
12 relief that the applicant is seeking. It gives you a  
13 nice one-page snapshot. We are going to take you  
14 through that list one-by-one where we start with the  
15 two main "d" variances that are here. One is to  
16 allow a use that's not permitted in the zone. That's  
17 your "d(1)" use variance. And then what we call a  
18 "d(6)" height variance to allow a building that's  
19 bigger than what's allowed in the zone.

20 You'll see in my proofs, it kind of ties  
21 together, the size of the building and the use that  
22 the applicant is proposing here. Both serve an  
23 important public purpose. And that public purpose,  
24 of course, being the promotion of public health,  
25 safety and welfare. This is a health-oriented use.

1 In fact, nursing homes are of such paramount, public  
2 importance, they're considered inherently beneficial  
3 under the law which means, they automatically serve  
4 the Positive Criteria.

5 Some of the statistics that are important  
6 and that support this use here, No. 1, our population  
7 is aging. We think we know that and not only here in  
8 New Jersey but in your community as well. The  
9 statistics tell us that by the end of the decade, one  
10 out of every five people here in New Jersey is going  
11 to be over the age of 65. That is going to require a  
12 certain level of care targeted at seniors which this  
13 is aimed at.

14 Secondly, perhaps even more frightening  
15 or startling I'll say, the number of Alzheimer's and  
16 memory care, dementia patients will double in the  
17 next 30 years as well. This is a land use that  
18 caters to that as well. So I'll say it's an  
19 unfortunate consequence of the times, but it is  
20 certainly going to be a necessary and essential land  
21 use as we go forward. We have an applicant here that  
22 is backed by a good medical staff that is ready,  
23 willing and able to deliver community services at a  
24 local scale.

25 This is the neighborhood, the C-2

1 Neighborhood Community Commercial District within  
2 your community. So this on par with that  
3 neighborhood scale-type of use that will cater to the  
4 local population, provide those important health  
5 services, in particular, targeted at a senior  
6 population. Provision of senior care, senior housing  
7 is still listed as a fundamental purpose of zoning in  
8 the Land Use Law. And, again, that's what the  
9 applicant is providing here.

10 A nursing home is just that. It is a  
11 home. This will be the permanent address of those  
12 people that will live here, their residential  
13 address. So, again, provision of senior housing is  
14 important and of paramount public importance. That  
15 all goes towards the Positive Criteria. This is  
16 going to deliver a Land Use that is certainly gaining  
17 currency as we move forward into the next decade.  
18 And that age cohort of senior population only gets  
19 larger as we all live longer.

20 Tied to that is the fact that these top  
21 two top floors are going to be the nursing home. So  
22 we have a nice medical arts building happening here.  
23 On the ground level, you're going to have the  
24 pharmacy use, the retail use. Retail is a permitted  
25 use in the zone. Above that you only have two floors

1 of office space, again, medical office space which is  
2 also a permitted use in the zone. And then you have  
3 the two floors of the nursing home component which is  
4 not a permitted use in the zone. That triggers the  
5 additional relief in terms of height and that is what  
6 is triggering that use relief as well.

7           Whenever we look at "d(6)" height relief,  
8 we look at the impact on the greater neighborhood.  
9 This is a Redevelopment Plan that looks to reverse  
10 stagnation and revitalize the area. We're looking at  
11 a building, a very attractive building by Nassir that  
12 will accentuate and anchor that corner there. We  
13 think it's good planning, just like with buildings  
14 and good urban design to accentuate our corners, to  
15 bring them up and bring in power elements, if you  
16 will. And that's exactly what this applicant is  
17 going to do here as well.

18           It's only 2-stories above what the  
19 ordinance requires so it's not going to overpower  
20 the neighborhood. It's not going to create negative  
21 shadow effects. It's not going to create an  
22 obtrusive, ugly building. It's actually going to be  
23 a very nice, attractive building that, again, will  
24 accentuate that corner. And then the nice thing  
25 about this land use is that it does pull in jobs.

1 The essence of the Redevelopment Plan is to have  
2 retail here; have stores; have eateries and the like.  
3 Once you pull in those workers, that drives the  
4 demand for these other type of uses that you're  
5 looking here.

6 So this type of development does become a  
7 catalyst for future redevelopment of other sites  
8 within the zone district. Again, that all goes  
9 towards to the Positive Criteria, efficient land use,  
10 promotion of a positive esthetic and certainly  
11 promotion of the general welfare, public, health,  
12 service and welfare. Tying to that is all the other  
13 relief that the applicant is seeking. And based on  
14 the testimony that you've heard this evening, I  
15 believe relief can be granted with respect to the  
16 Negative Criteria that this site will flow, will  
17 function, will operate safely, efficiently and  
18 comfortably.

19 We're looking at medical waste and that  
20 would be in accordance with your health code;  
21 relatively modest deliveries here. This is going to  
22 be a small-scale pharmacy. This is not a large  
23 building or a large pharmacy compared to, let's say,  
24 a large-scale CVS or some of the much larger names  
25 that you'd see; must more localized approach that

1 will cater to the local population.

2           The parking supply, 12 parking space  
3 here. We know for nursing homes, generally that has  
4 a very low demand. Of the people who live here, will  
5 generally not be driving. Staff certainly will need  
6 a way to get here. And to answer one of the Board  
7 member's questions, there are four bus stops within  
8 reasonable walking distance of the site. The site is  
9 on the corner of Broadway and Line Street. One block  
10 over on the corner of Broadway and Pine Street, we  
11 have two bus stops on both sides of the street. And  
12 then if you go to the north on Broadway on Royden  
13 Street, you've got two more bus stops.

14           So one block away either north or south,  
15 you do have these bus stops. You also have the  
16 applicant's testimony to attempt to acquire a portion  
17 of these off-street or utilization of these  
18 off-street parking spaces as well. But I think  
19 there's good mass transit built into the area to  
20 support the relief that the applicant is seeking;  
21 12 parking spaces here which will serve the core  
22 staff of the facility; and perhaps for the necessary  
23 population as well; patients that will come here.

24           The relief related to the building  
25 coverage, 89.5 percent where 60 percent is the

1 maximum allowed, gives the building and the site the  
2 opportunity to provide those 12 parking spaces.  
3 Likewise, relief from the Redevelopment Plan related  
4 to the front yard setback, the rear and the side  
5 essentially wrapping the building around the site  
6 itself, again, to accentuate that corner. It's going  
7 to be an attractive building and will not violate  
8 planning purposes of light, air and open space.

9           The relief for the parking, I just  
10 addressed 12 versus 137. Related to that, there's  
11 compact car spaces and ADA parking length as well.  
12 And then finally, your loading space which is  
13 adequate to accommodate the needs of this user here.  
14 This is going to be a very small scaled pharmacy that  
15 does not need a large off-street loading space to  
16 accommodate the nature of deliveries that are coming  
17 there.

18           The relief for the landscape plan is  
19 reasonable and appropriate given the greater good  
20 that this project provides. I know that there is a  
21 payment in lieu of parking that this applicant is  
22 going to have to contribute to as a result of that  
23 relief. All said, I think the laudable purposes of  
24 the Redevelopment Plan are met here; revitalization  
25 of the area; provide a variety of uses to stimulate



1 and support and provide services to the neighborhood;  
2 creating jobs; benefiting public health and safety.  
3 And this oncoming need for this type of land use, I  
4 think, all warrant the relief that the applicant is  
5 seeking.

6 All said, it's a good application from a  
7 planning standpoint. It's a nice fit with this  
8 particular piece of property. Mostly importantly, I  
9 believe the applicant has met its burden for the  
10 relief that is looking on the Positive and Negative  
11 side. With that, I would offer that approval as  
12 warranted.

13 MR. EINGORN: Thank you.

14 MS. MOORE: One thing I needed to add  
15 that I realized that I missed, this project should  
16 have the visual impact assessment done too, I guess,  
17 for final approval, the visual impact. The ordinance  
18 points out exactly what's needed for that report.  
19 But since you are looking at something 55 feet in  
20 height, it should have that visual impact assessment.

21 MR. McDONOUGH: Got you.

22 MS. MOORE: Thank you.

23 MR. RUSH: Anything further?

24 MR. McDONOUGH: Unless you do.

25 MR. RUSH: I will offer Mr. McDonough to

1 the Board to answer any questions at this time.

2 MS. ALSTON: I have a question. The size  
3 of the hotel-type rooms up on the fourth floor, is  
4 that like normal for those types of rooms?

5 MR. McDONOUGH: They are smaller spaces.  
6 I know you're looking at the 400 square feet or so?

7 MS. ALSTON: Yes.

8 MR. McDONOUGH: The answer is, yes for  
9 better or worse, is not -- I'd better let the  
10 architect answer because this is building code  
11 requirements there.

12 MS. ALSTON: Okay.

13 MR. ALMUKHTAR: The sizes that are  
14 definitely appropriate. I mean, to meet the standard  
15 for a studio apartment is 400 square feet. This one  
16 is basically more of a bedroom, almost like a hotel  
17 room, a bedroom plus a small kitchenette. And then  
18 the residents would have space, an assembly space on  
19 each floor to assemble. It's not just the room. The  
20 room will be used only for probably sleeping and  
21 bathroom and showering, but the rest will most likely  
22 be spent in the common area. So it's definitely  
23 sufficient in terms of square footage.

24 MS. MERRICKS: I have a question. Is it  
25 like a nursing home or is it like a rehabilitation

1 for seniors. Which one is it?

2 MR. AMULKHTAR: Nursing home.

3 MR. RUSH: Right now the proposal was to  
4 address the needs of the seniors in the community.  
5 But, again, I don't think the applicant feels tied to  
6 that if there's a rehabilitation aspect of it that --

7 MS. MERRICKS: I know there's a lot of  
8 seniors there in the hospital and instead of going  
9 home, they go to a facility to have rehabilitation  
10 and it's usually a nursing home. That's why I asked  
11 that question.

12 MR. McDONOUGH: I think it should be up  
13 to the Board for sure but I would say, no need to  
14 foreclose that from happening. These units are going  
15 to be suited for rehabilitation. So I think there's  
16 a good marriage there.

17 MR. KAHN: So that's mainly the concept  
18 of this facility is to, instead of a patient housed  
19 in a hospital, they're being housed at this  
20 facility. It's more to make them feel more at home  
21 and have the doctors provide them the assistance that  
22 they need. But to also have nonprofits located in  
23 the same facility to provide them with the extra  
24 assistance that they might need.

25 Grandchildren can visit them; their loved

1 ones can be easily visit them. Usually when a  
2 patient is struggling whatever the injury might be,  
3 there's also a mental component to that. And  
4 addressing that is working great in Patterson. And I  
5 think it'll work well here as well.

6 MS. ALSTON: So when you mentioned for  
7 local seniors in the community, you gentlemen are  
8 aware of maybe some of the barriers that come with  
9 being able to afford being in a nursing home-type and  
10 things like that and have other solutions that  
11 allow --

12 MR. RUSH: They operate in Patterson in a  
13 similar type of situation. We're very well aware of  
14 it, yes.

15 VICE-CHAIRMAN COOPER: Your building in  
16 Patterson is based after this building here?

17 MR. RUSH: No. The building in Patterson  
18 is spread out over much more smaller buildings around  
19 the same block. But they kind of run the same type  
20 of operation, more services consolidated but are  
21 consolidated among several buildings that are either  
22 connected or across the street from one another than  
23 versus --

24 VICE-CHAIRMAN COOPER: How many people  
25 are you able to hold on the fourth and fifth floors?

1 MR. ALMUKHTAR: 41.

2 MR. RUSH: No. There's 38 rooms total.

3 MR. STILL: Is the facility just for  
4 seniors?

5 MR. KAHN: Yes.

6 MR. EINGORN: How many employees would do  
7 you expect to be at this facility?

8 MR. KAHN: So this facility will also be  
9 the senior component and also actively approved by  
10 the State of New Jersey. And they do require to have  
11 on-site nurses and a full-time manager to oversee the  
12 24/7 operations. We're expecting at least two to  
13 three nurses. At least two nurses per floor with a  
14 full-time manager on-site.

15 MR. EINGORN: So that's at least five and  
16 then you have doctors hired and then the pharmacist?

17 MR. RUSH: The pharmacist and the  
18 pharmacy staff?

19 MR. EINGORN: Right. So you probably  
20 have staff who would exceed 12?

21 MR. RUSH: I would say 12 or so is a fair  
22 number. I think we'd be probably better off  
23 addressing that when we come back to address the  
24 final as well because, obviously, that would tie in  
25 any additional parking.

1           MR. EINGORN: Right. I'm just trying to  
2 get an idea of what the need is, right?

3           CHAIRMAN HANCE: Is the pharmacy just for  
4 in-house or is it --

5           MR. KAHN: It will be open to the  
6 community.

7           MS. MERRICKS: I have a question. How do  
8 you plan to get the seniors? Are they going to be  
9 residents of Camden City?

10          MR. KAHN: Correct. It will be mainly  
11 from the City of Camden.

12          MS. ALSTON: And this project qualifies  
13 for the tax benefits and tax breaks and how do you  
14 pay taxes in Camden City?

15          MR. McDONOUGH: That I don't -- you mean  
16 the actual facility not paying any taxes?

17          MS. ALSTON: The land, the tax credit  
18 and tax benefits.

19          MR. KAHN: It's not a 501(c)3 currently.  
20 It is a private LLC. We do pay taxes. And we are  
21 not looking to put it under a 501-C3. I will be  
22 paying taxes. We haven't really explored those  
23 options.

24          MR. RUSH: I'm sure if there's tax  
25 abatements available, we will be looking into them,

1 I'm sure. But at this time, we haven't -- we're not  
2 putting the cart in front of the horse.

3 MS. ALSTON: I'm a tax person so I do a  
4 lot of taxes. So every time I look at these  
5 projects, I'm like, what's the tax implications on --

6 MR. RUSH: We haven't crossed that bridge  
7 yet.

8 MR. EINGORN: Anymore questions? Open to  
9 the public. If anybody here tonight from the public  
10 that would like to be heard on M&S Broadway, LLC, 617  
11 Broadway? Seeing none and hearing none, we'll close  
12 the public portion.

13 The Board has heard substantial testimony  
14 regarding the requested use and bulk variances and  
15 waivers and the request for preliminary site plan.  
16 The Board, obviously, has to do a discussion of the  
17 Positive and Negative Criteria related to the  
18 requested use variances and then make a motion.  
19 There was a discussion of one condition other than  
20 complying with what's in Dena's letter, the  
21 discussion was a separate elevator --

22 MR. KAHN: Correct.

23 MR. EINGORN: for the residents. So that  
24 would be a consideration as well. Obviously, and for  
25 preliminary, they'd come back with some additional

1 details on the lighting, parking, the impact  
2 assessments.

3 MS. MASON: So this is just preliminary  
4 and not final?

5 MR. EINGORN: Right. So the applicant  
6 has amended their application on the record and asked  
7 just to consider preliminary tonight.

8 MR. RUSH: And we understand that we were  
9 deficient in several areas of requirements. So we're  
10 well aware of that. So more or less, and counsel can  
11 correct me if I'm wrong, we're more or less asking  
12 for an approval of the concept in general with the  
13 understanding that, you know, we're crossing the T's  
14 and dotting the I's, we'll come before any final  
15 approval to be granted.

16 MR. EINGORN: I guess my other question  
17 would be, would the applicant be willing to put off  
18 the variance request for the parking until final? I  
19 know it's not like a traditional thing, but we're  
20 really far away from the parking here and I think  
21 it's a big concern for the Board. Maybe we can  
22 address that at final? Is that okay.

23 MR. RUSH: I don't think that should be a  
24 problem. Obviously, I can understand that request.  
25 I don't think that's a unreasonable request.



1           MR. EINGORN: I've heard some discussion  
2 about parking. I think maybe that's something that  
3 would be reserved for final.

4           MS. MOORE: So I won't include that with  
5 this approval should this be approved. I would say  
6 that the variance wasn't approved for the preliminary  
7 and save that for final.

8           MR. EINGORN: Yes. It think that's a  
9 safe call. With that, I'll turn it over to the  
10 Board. I apologize. I kind of let that hang.

11          MS. MOORE: And then I guess my only  
12 other question would be, when do you anticipate  
13 submitting for the final application? Because your  
14 preliminary is good for three plus one plus one  
15 years? So are you coming back in within the next few  
16 months with final or?

17          MR. RUSH: I would anticipate and, yes,  
18 based upon the amount of work that still has to be  
19 done, maybe four to six months if I had to guess.

20          MS. MOORE: Okay. I was just trying to  
21 get a time. Thank you.

22          MR. RUSH: We would have to notice for  
23 final too, right, Counsel? I think we have to  
24 renotice for final.

25          MR. EINGORN: And you'd have a variance

1 request.

2 MR. RUSH: Yes. So obviously within the  
3 notice time as well.

4 VICE-CHAIRMAN COOPER: I think the  
5 concept is good; some of you trying to do as far as  
6 with bringing in a new nursing home right here in the  
7 City where families could walk to see their loved  
8 ones or whatever. I think it's a good concept.

9 CHAIRMAN HANCE: I think it's positive.  
10 Something that, again, the future. We have a lot of  
11 people that are getting very sick. And you're in  
12 line with Cooper Hospital so there's a lot of nurses  
13 and everything in this particular area right here.

14 I think it's well-needed and it's  
15 something positive for our City in that we can help  
16 the community and family looking forward to getting  
17 better instead of going into a big facility;  
18 something smaller; something more like home and where  
19 they feel comfortable especially at that age.

20 MR. EINGORN: Any other comment; a  
21 motion? Just a reminder, we have the request for use  
22 "d(1)," height "d(6)" variance and then building  
23 coverage, front yard setback, rear yard setback, side  
24 yard setback, accessory use in location. We're  
25 saving the number of parking spaces variance for

1 final; compact car; ADA parking length and loading  
2 space; and then a waiver for landscape plan and  
3 preliminary approval. Plus the condition that they  
4 comply with the Zoning Board Engineer's letter and  
5 the separate elevator.

6 MS. MOORE: And I added the --

7 MR. EINGORN: And the visual impact  
8 assessment.

9 MS. MOORE: Visual impact assessment.  
10 But that can be something, a condition at final --

11 MR. EINGORN: Yes.

12 MS. MOORE: -- or when the final  
13 submission is made.

14 CHAIRMAN HANCE: I make a motion that we  
15 accept with the conditions.

16 MR. EINGORN: Okay. We have a motion to  
17 accept with the conditions. Do we have a second?

18 VICE-CHAIRMAN COOPER: Second.

19 MR. EINGORN: We'll take a roll-call  
20 vote. Chairman Hance.

21 CHAIRMAN HANCE: Yes.

22 MR. EINGORN: Vice-Chairman Cooper.

23 VICE-CHAIRMAN COOPER: Yes.

24 MR. EINGORN: Ms. Merricks.

25 MS. MERRICKS: Yes.

1 MR. EINGORN: Ms. Alston.

2 MS. ALSTON: No.

3 MR. EINGORN: Ms. Nunez.

4 MS. NUNEZ: Yes.

5 MR. EINGORN: Mr. Still.

6 MR. STILL: Yes.

7 MR. EINGORN: Ms. Mason.

8 MS. MASON: Yes.

9 MR. EINGORN: Having six in favor and one  
10 opposed, so the motion for variances and preliminary  
11 have passed. Thank you, Counsel.

12 MR. RUSH: Thank you.

13 MR. EINGORN: We have Macedonia Baptist  
14 Church, 812 and 814 Kaighns Avenue.

15 MR. PLATT: Good evening members of the  
16 Board, Stuart Platt from the Platt Law Group. We're  
17 going to be asking for an adjournment of that matter.  
18 My client's engineer was not able to make it this  
19 evening. So I would ask that it be adjourned. I  
20 think then next slot would be November.

21 MR. EINGORN: November 4th is the date.

22 MR. PLATT: Can you call that out so we  
23 don't have to renotice this.

24 MR. EINGORN: Yes. So the applicant is  
25 requesting an adjournment tonight's matter related to

1 Macedonia Baptist Church, 812 to 814 Kaighns Avenue.  
2 The request is to be on the November 4th agenda.  
3 This is notice of that request. There will be no  
4 further notice to the public. That matter will be  
5 heard on November 4th with no further notice. And  
6 the applicant waives its tolling of time?

7 MR. PLATT: We certainly extend the  
8 time -- the action to waive any action date until  
9 through the November meeting.

10 MR. EINGORN: Perfect. Thank you,  
11 Counsel. Adjourned to November 4th. And that would  
12 take us to the next matter which would be Camden  
13 Community Growth, LLC, 3300 Federal Street.

14 MR. PLATT: Yes, Stuart Platt. I'm from  
15 the Platt Group on behalf of Camden Community Growth,  
16 LLC. This application is for a property at 3300  
17 Federal Street, Block 1058, Lot 1. We are seeking a  
18 use variance and a parking variance to have a mixed  
19 use of the property. It would be one office and  
20 three 1-bedroom apartments. And we will also need a  
21 parking variance for two off-street parking spaces.

22 I have three witnesses with me this  
23 evening. I have my client, the president of Camden  
24 Community Growth, LLC, Maurice Mazahreh. I have our  
25 architect, Hsing Chen. And finally, James Miller.

1 He's our planner. Gentlemen, please step up and be  
2 sworn in by the Board Solicitor.

3 MR. EINGORN: Would you raise your right  
4 hand, please.

5 - - -

6 JAMES MILLER, P.P.; HSING CHEN, R.A.;  
7 MAURICE MAZAHREH, having first been duly  
8 sworn/affirmed, was examined and testified as  
9 follows:

10 - - -

11 MR. EINGORN: Please state your names and  
12 addresses for the record if you want to do it when  
13 they come up?

14 MR. PLATT: Yes. Repeat your name and  
15 address for the record so they can hear your voice.

16 MR. CHEN: My name is Hsing Chen.  
17 Address, 405 Maplewood Avenue, Merion Station, PA  
18 19066.

19 MR. MAZAHREH: My name is Maurice  
20 Mazahreh. Address is P.O. Box 245, Pennsauken, New  
21 Jersey.

22 MR. MILLER: James Miller. Address is  
23 222 Nicholson Drive, Moorestown, New Jersey.

24 MR. PLATT: Mr. Miller, you can have a  
25 seat. Good evening again, members of the Board. I'm

1 going to start with Mr. Mazahreh's testimony. Mr.  
2 Mazahreh, what is your position with the applicant,  
3 Camden Community Growth, LLC?

4 MR. MAZAHREH: I'm the sole owner, sole  
5 member of the LLC.

6 MR. PLATT: And what is the purpose of  
7 tonight's application?

8 MR. MAZAHREH: So have a commercial  
9 building that I'm going to be occupying and it's two  
10 large spaces so I'd like to convert the second floor  
11 and first floor to one-bedroom apartments and then  
12 have my office in the front portion.

13 MR. PLATT: When you say your office,  
14 what kind of business are you in?

15 MR. MAZAHREH: I have a property  
16 management office. I've been doing property  
17 management for about 20 years in the area. I'm sure  
18 some people have seen my face before. My office is  
19 currently located in Pennsauken and I actually want  
20 to come back into the City.

21 MR. PLATT: And what is your relationship  
22 with the City of Camden at this point?

23 MR. MAZAHREH: I'm a landlord property  
24 management firm.

25 MR. PLATT: You've done business in the

1 City before?

2 MR. MAZAHREH: Yes.

3 MR. PLATT: And your office -- let me ask  
4 you a question. How many square foot historically is  
5 the building currently?

6 MR. MAZAHREH: I believe it's around  
7 4,100 square feet.

8 MR. PLATT: Do you have an idea of how  
9 many square feet your office would be?

10 MR. MAZAHREH: No more than seven or  
11 eight hundred square feet

12 MR. PLATT: How many employees would you  
13 have in your office?

14 MR. MAZAHREH: It would be mostly myself  
15 for the moment unless I decide to hire somebody  
16 else.

17 MR. PLATT: And your proposal is to have  
18 three 1-bedroom apartments, correct?

19 MR. MAZAHREH: That is correct.

20 MR. PLATT: And you'd do one on the first  
21 floor and two apartments on the second floor?

22 MR. MAZAHREH: Yes.

23 MR. PLATT: Do you have a general idea as  
24 to how many square feet each apartment is?

25 MR. MAZAHREH: Anywhere from 600 to 800



1 square feet per unit.

2 MR. PLATT: Now, can you give the Board a  
3 little bit of a description of the parking demands,  
4 parking needs that you expect your tenants to have?

5 MR. MAZAHREH: So I have -- if I was to  
6 have three 1-bedrooms apartments, I don't think  
7 there's really a need for a parking spot per unit per  
8 say. Because I'm on a main road right on Federal  
9 Street and there's a bus stop right in front of the  
10 building. Also, there's plenty of parking on 33rd  
11 Street. And just in case I did go into a lease  
12 agreement with my neighbor whose is two doors down  
13 from me, he has the parking lot, I did sign a lease  
14 with him several months ago because I thought we  
15 would be at the Board before, for five parking spots,  
16 just in case there's a need for it.

17 MR. PLATT: And I'm handing out to you  
18 what I'm going to mark as Exhibit A-1; "A" for  
19 applicant. Can you identify what this document is  
20 for the record?

21 MR. MAZAHREH: Yes. This is lease  
22 between Louis Agrena(phonetic spelling) and myself  
23 dated probably in April.

24 MR. PLATT: And what is the lease for?

25 MR. MAZAHREH: Five parking spots which

1 are about 25 feet from my office door.

2 MR. PLATT: What kind of property is at  
3 this location that you have a lease with?

4 MR. MAZAHREH: Just a parking lot.

5 MR. PLATT: Just a parking lot?

6 MR. MAZAHREH: Yes, just a parking lot.

7 MR. PLATT: Thank you.

8 And do you expect that the people that  
9 you would rent to will require parking spots --

10 MR. MAZAHREH: I'm sorry?

11 MR. PLATT: Do you expect the people that  
12 you intend to lease to, will require a parking space  
13 on site?

14 MR. MAZAHREH: No, I don't believe so.  
15 But if there's a need, it's going to be there.

16 MR. PLATT: That's all I have for this  
17 witness unless the Board has any questions.

18 VICE-CHAIRMAN COOPER: All the apartments  
19 are going to be one bedroom?

20 MR. MAZAHREH: Yes, sir.

21 MR. PLATT: Mr. Chen, is that your board  
22 up there?

23 MR. CHEN: See.

24 MR. PLATT: Would you please bring it  
25 closer to the Zoning Board members and professionals.

1           Mr. Chen, while you're setting that up,  
2           can you please give the Board a brief description of  
3           your professional credentials as an architect?  
4           Please talk slowly and keep your voice up.

5           MR. CHEN: Yes. I graduated 2005 from  
6           Columbia University in New York and graduate school.  
7           And I've been practicing since then. I have a  
8           license in architecture in New Jersey, Pennsylvania,  
9           and New York. In this state.

10          MR. PLATT: You're a licensed architect  
11          in the State of New Jersey?

12          MR. CHEN: Yes.

13          MR. PLATT: Can you stipulate to his  
14          qualifications in this application?

15          MR. EINGORN: Yes. I think the Board  
16          will accept him as a professional in architecture.

17          MR. PLATT: Mr. Chen, you prepared the  
18          architectural floor plans and renderings to this  
19          application?

20          MR. CHEN: Yes.

21          MR. PLATT: And you submitted them with  
22          this application originally?

23          MR. CHEN: Yes.

24          MR. PLATT: Do you have those on the  
25          board in front of you?

1 MR. CHEN: Yes.

2 MR. PLATT: I'd like you to go and  
3 describe for the Board generally the square footage  
4 of the entire building and then go through each unit  
5 separately, please. Please talk slowly and keep your  
6 voice up so everybody can hear you.

7 MR. CHEN: Yes. On the first page is the  
8 cover sheet. You can find the building unit and the  
9 information.

10 MR. PLATT: We will mark this board as  
11 A-2 if that's okay.

12 MR. EINGORN: Yes.

13 MR. CHEN: So the general of the  
14 building, we keep the current building without any  
15 exterior change. So mainly it's the interior  
16 renovation and alternation. The existing building  
17 use was only for the office use. As the attorney and  
18 my client mentioned, they convert it to the one  
19 office with three apartments. Each apartment is a  
20 one-bedroom unit.

21 On the second page A-100 we show --

22 MR. PLATT: We will mark this as Exhibit  
23 A-3.

24 CHAIRMAN HANCE: This is the first floor?

25 MR. CHEN: No. This is the basement.

1 It's just a basement. The basement is for the office  
2 use as a storage-utility use only.

3 MR. PLATT: So there will be -- nobody  
4 will live down there? It'll only be storage and  
5 utilities only, correct?

6 MR. CHEN: Correct.

7 MR. PLATT: The next board?

8 MR. CHEN: The next board is A-101.

9 MR. PLATT: This is Exhibit A-4. Is this  
10 the first floor?

11 MR. CHEN: Yes, this is the first floor,  
12 yes.

13 MR. PLATT: Go ahead and describe it for  
14 the Board.

15 MR. CHEN: Yes. On the left side is the  
16 existing condition. On the righthand side is the  
17 proposed. And you can see the two different colors.  
18 The color down here is the office with the square  
19 footage on the top. And we propose another bedroom  
20 over there. So this is Unit 1 which is the  
21 one-bedroom unit.

22 MR. PLATT: What is the square footage of  
23 the unit?

24 MR. CHEN: Oh, sorry. The square footage  
25 of the Unit 1 is 929 square feet.

1 MR. PLATT: Unit 1 is how many square  
2 feet?

3 MR. CHEN: 929.

4 MR. PLATT: 929 square feet?

5 MR. CHEN: Yes.

6 MR. PLATT: And the office itself, how  
7 many square feet?

8 MR. CHEN: The office is 720 square  
9 feet.

10 MR. PLATT: 720 square feet?

11 MR. CHEN: Yes. The next board is --

12 MR. PLATT: We will mark as Exhibit A-5  
13 for the record. Is this the second floor?

14 MR. CHEN: Yes, it is the second floor.

15 MR. PLATT: Units 2 and 3?

16 MR. CHEN: Yes, it's Unit 2 and 3. So  
17 you can see the same as the left side, it's the  
18 existing condition and the righthand side is Unit 2  
19 has the 620 square feet. And Unit 3 is 788. And  
20 Unit 3 will connect to --

21 MR. PLATT: But before you go on here,  
22 they're both one-bedroom units, correct?

23 MR. CHEN: Correct. Unit 3, you will  
24 connect to the third floor attic space.

25 MR. PLATT: This is Exhibit A-6.

1 MR. CHEN: Yes.

2 MR. PLATT: Is it still the second floor?

3 MR. CHEN: No. This is the third floor  
4 which is like an attic space. So you still have the  
5 stairs going up.

6 MR. PLATT: This is for Unit 3, how many  
7 square feet is Unit 3 again?

8 MR. CHEN: Unit 3, 788.

9 MR. PLATT: And what is this, this is  
10 loft area or the bedroom?

11 MR. CHEN: This is just a loft. It's not  
12 a bedroom. The bedroom is on the second floor. And  
13 then the last floor is just the building elevation.  
14 And we don't change anything on the building facade.

15 MR. PLATT: We're marking Building  
16 Elevations as A-7.

17 So the existing conditions is also going  
18 to be the proposed condition of the exterior  
19 building; is that correct?

20 MR. CHEN: Correct.

21 MR. PLATT: That's all I have for this  
22 witness unless the Board has any questions.

23 VICE-CHAIRMAN COOPER: In this building  
24 you're breaking it up. What about the electric and  
25 gas? You have no plans or anything? How are you

1 going to supply heat?

2 MR. CHEN: Not yet. Because that would  
3 be part of the building permit section. So this is  
4 only for the zoning plan only. So we don't show  
5 the -- we don't have the electrical, mechanical,  
6 plumbing, all this.

7 MR. PLATT: So if we get approval, we  
8 apply for construction permits. That's when we'll  
9 have to show all the metering and utilities at that  
10 time?

11 MR. CHEN: Yes.

12 MR. EINGORN: This is not a site plan  
13 application so you don't need any of them.

14 MR. PLATT: Maurice, maybe you should  
15 address the question, what you intend on doing?

16 MR. MAZAHREH: So what I do intend on  
17 doing is, there is already an existing hot water  
18 boiler with radiators throughout the building.  
19 There's already a water heater existing in the  
20 building. What I was going to do, a little  
21 background, while we are waiting for all this, this  
22 building got stripped, somebody went in there and  
23 broke in. So during the time after the vandalism, we  
24 had to go in there and, yes, rewire. It's going to  
25 be a separate electrical meter.



1                   VICE-CHAIRMAN COOPER: I lived in that  
2 neighborhood.

3                   MR. MAZAHRED: It's a great building.

4                   VICE-CHAIRMAN COOPER: Yes. It used to  
5 be a law office back there.

6                   MR. MAZAHRED: Yes, it was. It was Paul  
7 Daniel's office, yes.

8                   MR. PLATT: Any further questions you  
9 have for Mr. Chen? We'll now call up Mr. Miller.  
10 I understand Mr. Miller has been qualified as a  
11 licensed professional planner before this  
12 Board.

13                   MR. EINGORN: Many a time.

14                   MR. PLATT: Are you in good standing as  
15 of this moment?

16                   MR. MILLER: Yes, I am.

17                   MR. PLATT: Can you stipulate to his  
18 credentials?

19                   MR. EINGORN: Yes, sir.

20                   MR. PLATT: MR. Miller, why don't you  
21 please walk the Board through the use variance  
22 elements, as well as the parking variance.

23                   MR. MILLER: For the record this is a  
24 property that's zoned in R-1 which is a  
25 residential district. It's on the perimeter of the

1 commercial area that lines Federal Street so it joins  
2 that commercial district. It was, at one time,  
3 offices for a law firm. And the building has now  
4 been vacant for quite some time and the applicant is  
5 seeking approval for a "d-1" variance to allow the  
6 new use of the building as a small office and the  
7 residential uses that were described earlier.

8 In terms of the use variance, the  
9 applicant has to show that the site is -- "Special  
10 Reasons" will support the granting of the use  
11 variance and that the use variance would advance the  
12 purposes of the Municipal Land Use Law. I believe  
13 there are at least three purposes in the Municipal  
14 Land Use Law of the application would advance in  
15 their Purpose "A," to encourage municipal action to  
16 guide the appropriate use of development of all lands  
17 in the state in a manner that will promote the  
18 public, health, safety, general -- safety, morals and  
19 general welfare.

20 Purpose "G," to provide sufficient space  
21 and appropriate locations for a variety of  
22 agricultural, residential, recreational, commercial,  
23 industrial uses and open space both public and  
24 private according to their respective environmental  
25 requirements in order to meet the needs of all New

1 Jersey citizens. And that purpose is especially  
2 appropriate here because of the dual use which is  
3 typically not something that is allowed for in  
4 ordinances, but can be a very appropriate use in  
5 specific locations.

6           And then finally "M," to encourage  
7 coordination of the various public, private  
8 procedures and activities shaping land development  
9 with a view of lessening the cost of such development  
10 and to the more efficient use of the land. Possibly  
11 this application would be an efficient use of the  
12 property.

13           The first set of factors which I believe  
14 make this site particularly suited to the proposed  
15 use is the preexisting structure which is currently  
16 present on the property. The site is occupied by a  
17 building which you've just heard a description of by  
18 our architect. The building is in good condition.  
19 It contains about 3,182 square feet. It has more  
20 than enough space to accommodate the uses which are  
21 proposed again as you can see through the  
22 architectural plans. It's also a use which is going  
23 to reduce the parking demand that would be required  
24 by this property if it continued to be a professional  
25 office.

1           If it had continued to be a professional  
2 office, arguably it would require between 10 and 15  
3 off-street parking spaces. And as the Board knows,  
4 this building never had any off-street parking. So  
5 one of the advantages of this application is, it's a  
6 less intensive use. It requires less parking which  
7 has less impact on the surrounding neighborhood. And  
8 the applicant has also been able to reach an  
9 agreement to provide five off-street spaces to the  
10 extent that he may need those with tenants which he  
11 anticipates happening.

12           So basically, this is a use which is  
13 going to re-intensify the site because it's going to  
14 require less parking. I agree with the applicant  
15 that this type of apartment units generally are most  
16 attracted to single-person households. So basically,  
17 again, it's a much less intensive use that would have  
18 been historically. And these factors, the fact that  
19 you've got an existing structure which it can  
20 accommodate the proposed use. And the fact that's  
21 going to be a less intensive use and more consistent  
22 with the character of the R-1 District, I believe  
23 that it may contribute to the particular suitability  
24 of this site and the advancement of the purposes I  
25 cited.

1           The set second of reasons that I believe  
2 this site is particularly suited and is that this use  
3 will provide for the adaptive reuse of the existing  
4 structure. Again, you've got a vacant structure here  
5 and this use will provide a means of re-occupying  
6 that structure, rehabilitating it, returning it to a  
7 stable and viable use and allow it to continue to  
8 contribute to the overall neighborhood both by  
9 providing some housing and the office facility  
10 itself. And as a consequence, it will also advance  
11 all the purposes that I cited as a perfect use that  
12 it's going to advance the public welfare.

13           So those are the reasons that I believe  
14 the site satisfies the criteria for the "d(1)"  
15 variance. I will also quickly touch on the parking  
16 variance to the extent there is any relief required  
17 for this. The parking variance meets the "c(2)"  
18 Criteria in that it's a better zoning alternative  
19 where the benefits outweigh the detriments.

20           Basically, the benefits here are that the  
21 uses that are proposed require a lot less parking  
22 than the uses which have been historically been  
23 located here. And also, the fact that the -- unlike  
24 a lot of applications, this application does provide  
25 whatever parking would be necessary. So it's a very

1 significant benefit from the application and no  
2 detriment in terms of the apartments, so it is a  
3 better zoning alternative from that prospective.

4           Lastly, we need to address the Negative  
5 Criteria. This is a situation -- first of all, the  
6 first prong of the Negative Criteria is, we have to  
7 show that there will not be a substantial detriment  
8 to the surrounding neighborhood. And in this  
9 instance, I think overwhelmingly this is going to  
10 benefit from the surrounding neighborhood because of  
11 the adaptive reuse of the building and also the fact  
12 that the uses that are proposed are less intensive  
13 than the uses which historically have been located  
14 at the site.

15           So basically I think those accumulatively  
16 represent an enhancement to the neighborhood, a net  
17 benefit. And as a result, it satisfies the  
18 substantial welfare prong in the Negative Criteria.  
19 And finally we have to show that we can reconcile  
20 this use with the failure to otherwise include within  
21 the zoning district, and show that it will not impair  
22 the intent or purpose of the Zone Plan and Zoning  
23 Ordinance. And here, I believe, the use can be  
24 reconciled with the failure to otherwise include it  
25 because of its unique character and the fact that

1 will be, again, less intense of a use which was  
2 historically located here.

3           Basically you have a building that's  
4 originally designed and occupied as an office use  
5 within a residential zone. Now you're going to have  
6 a use which is primarily residential in the  
7 residential zone which is, again, much more  
8 consistency with the underlying zoning. And also, a  
9 use which is less intense than what the prior use  
10 would have been. So for those reasons, I believe you  
11 can reconcile this use for failure to otherwise  
12 include it in the zoning district. I think it's  
13 going to contribute to the enhancement of the purpose  
14 and intent of the Zone Plan and Zoning Ordinance.  
15 And as a consequence, it meets the Negative Criteria  
16 and warrants the Board's approval.

17           MR. EINGORN: Thank you.

18           MR. PLATT: Any further questions?

19           So in closing, we do not come before this  
20 Board lightly at all. We have a vacant building; a  
21 building that's actually in trouble. It's going to  
22 be substantially renovated. You're going to have a  
23 on-site landlord; the most kind that will conduct its  
24 own business there.

25           We have three 1-bedroom apartments that

1 we're proposing. There are many, many shopping areas  
2 within walking distance. There's mass transit nearby  
3 as well. In fact, right in front of the office  
4 building. Mr. Mazahreh will be doing a lot of the  
5 work and overseeing all the work and the construction  
6 if we get our approval this evening.

7 We do have the additional five off-site  
8 parking spaces. We don't think we need them but we  
9 wanted to make sure. One of the issues that the City  
10 is sometimes faced with is a lack of on-site parking  
11 so we did the best we could with that. We believe  
12 that overall, this is going to be an improvement to  
13 the building. And we would ask that you give this  
14 matter an approval because it is appropriate under  
15 the Municipal Land Use Law so we thank you for your  
16 time and your attention.

17 MR. EINGORN: Any questions? None heard.  
18 Open to the public. Is anybody here tonight that  
19 would like to be Heard on Camden Community Growth,  
20 LLC related to the property at 3300 Federal Street?  
21 Seeing and hearing none, we'll close the public  
22 portion.

23 The Board has heard testimony tonight  
24 regarding the requested variances for use and  
25 parking. The applicant is requesting three



1 apartments with offices. The Board should do a  
2 discussion of the Positive and Negative Criteria  
3 related to the requested variances and make a motion.

4 VICE-CHAIRMAN COOPER: I frequent that  
5 area a lot and go past there a couple times a day.  
6 It's a big building.

7 MR. MAZAHREH: Beautiful building.

8 VICE-CHAIRMAN COOPER: Yes.

9 MR. MAZAHREH: It's going to look even  
10 nicer.

11 VICE-CHAIRMAN COOPER: It's a big  
12 building and off-street parking shouldn't be a  
13 problem cause we got Federal Street there. I think  
14 it's a good one.

15 CHAIRMAN HANCE: Also there's a need for  
16 housing and apartments in Camden. I do think that  
17 you will definitely need the parking because you  
18 don't know who you are renting to these days and  
19 people will have cars. Although you have ample bus  
20 stops around the area, people usually travel by cars  
21 a lot, not like 30 years ago where they'd walk or  
22 riding bikes --

23 MR. MAZAHREH: We got spots just in case.

24 CHAIRMAN HANCE: -- which is much  
25 healthier. But I think renting right now, a lot of

1 people have cars to get to the mall, the market and  
2 everything. Even though you can do a lot online now,  
3 but I prefer myself to go to the market and see what  
4 I'm buying. I think this is something that's needed  
5 there. I'm piggybacking on the vice-chairman, I  
6 drive past there quite often. I think it's a good  
7 idea.

8 MS. ALSTON: I'm happy. I think it's  
9 going to be a great project. I think it's laid out  
10 really nice and I think it's going to be good for the  
11 community. I think it is an added extra benefit to  
12 have you there on-site and being able to ensure to  
13 that property is not being damaged or things are not  
14 getting out of control where it makes it unlivable  
15 for people. So I think that's an added benefit and I  
16 think it's going to be good.

17 MR. EINGORN: Is anybody making a motion?

18 MS. ALSTON: Yes. I make a motion to  
19 accept.

20 MR. EINGORN: Do we have a second?

21 CHAIRMAN HANCE: Second.

22 MR. EINGORN: We have a motion and a  
23 second. We'll take a roll-call vote. Chairman  
24 Hance.

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Cooper.

2 VICE-CHAIRMAN COOPER: Yes.

3 MR. EINGORN: Ms. Merricks.

4 MS. MERRICKS: Yes.

5 MR. EINGORN: Ms. Alston.

6 MS. ALSTON: Yes.

7 MR. EINGORN: Ms. Nunez.

8 MS. NUNEZ: Yes.

9 MR. EINGORN: Mr. Still.

10 MR. STILL: Yes.

11 MR. EINGORN: Ms. Mason.

12 MS. MASON: Yes.

13 MR. EINGORN: Having seven in favor and  
14 none opposed, the motion passes.

15 MR. PLATT: Thank you. We'll see you  
16 next month.

17 MR. EINGORN: Sounds good.

18 MR. MAZAHREH: Thank you.

19 MR. EINGORN: The next matter is Abraham  
20 Ituah, 400 Jackson Street.

21 MR. EINGORN: Would you raise your right  
22 hand, please.

23 - - -

24 ABRAHAM ITUAH, having first been duly  
25 sworn/affirmed, was examined and testified as

1 follows:

2 - - -

3 MR. EINGORN: Please state your name and  
4 address for the record.

5 MR. ITUAH: My name is Abraham Ituah, 516  
6 Royden Street, Camden, New Jersey.

7 MR. EINGORN: I'll read your appeal for  
8 zoning. The name of the applicant is Abraham Ituah.  
9 He is the owner of the property on 400 Jackson  
10 Street. It's in the R-2 Zone. Frontage of 12 feet,  
11 40 by 100. No buildings on the lot. Store vehicles  
12 temporary. Present use is to store vehicles  
13 temporary for sale. And the proposed use is instead  
14 to convert use. What it's used for is a used car  
15 lot?

16 MR. ITUAH: Yes.

17 MR. EINGORN: Okay. Got it.

18 The proposed construction is office space  
19 which will be 12 feet by 15 feet.

20 MR. ITUAH: Correct. But that is --  
21 I just want the parking space.

22 MR. EINGORN: So no office for now?

23 MR. ITUAH: No office.

24 MR. EINGORN: And the applicant needs a  
25 use variance; off-street parking needs to be

1 determined. And then site plan approval, I'm  
2 assuming the applicant requested a waiver?

3 MR. ITUAH: Yes.

4 MR. EINGORN: That was a 'yes.' So you  
5 want to sell used cars from this lot?

6 MR. ITUAH: Correct. In the future, not  
7 right now. I just use it for personal car rides.

8 MR. EINGORN: Is the lot right now, is it  
9 dirt, is it paved? It's what?

10 MR. ITUAH: Dust right. I can't do  
11 anything until I get it.

12 MR. EINGORN: What's the plan for the  
13 lot?

14 MR. ITUAH: I need to do the concrete.

15 MR. EINGORN: You're going to do  
16 concrete?

17 MR. ITUAH: Yes.

18 VICE-CHAIRMAN COOPER: If he does  
19 concrete, you have to have some type of run-off?

20 MR. EINGORN: Yes, that's right. That's  
21 the issue. We don't have any plans related to the  
22 concrete. If you want to put down concrete, it's  
23 impervious, right? The water is going to hit it and  
24 run off?

25 MR. ITUAH: Sure.

1                   MR. EINGORN: We need to know where that  
2 water is going to go.

3                   MR. ITUAH: Towards the road.

4                   MR. EINGORN: Would you do something like  
5 gravel where the water goes through it?

6                   MR. ITUAH: Of course. I recommend  
7 hiring a professional. We have to hire a  
8 professional do it.

9                   MR. EINGORN: So you would do gravel  
10 instead?

11                  MR. ITUAH: Right.

12                  MR. EINGORN: How many cars can you put  
13 on the lot?

14                  MR. ITUAH: Six.

15                  MR. EINGORN: Would you sell the cars  
16 from the lot or you would just store the cars there  
17 and --

18                  MR. ITUAH: Just store it there.

19                  MR. EINGORN: People wouldn't be coming  
20 back and forth to get cars?

21                  MR. ITUAH: No.

22                  MR. EINGORN: Would it just be you?

23                  MR. ITUAH: Just me.

24                  MR. EINGORN: What are your neighbors  
25 like; are they houses; are they businesses; are they

1 vacant?

2 MR. ITUAH: Vacant around there.

3 MR. EINGORN: I'm looking at this  
4 photograph. Did you take this photograph?

5 MR. ITUAH: Yes, I took it.

6 MR. EINGORN: Is this a house, this  
7 yellow building?

8 MR. ITUAH: Behind the bus?

9 MR. EINGORN: Yes.

10 MR. ITUAH: Yes, that's a house.

11 MR. EINGORN: And this bus, is it you're  
12 storing this bus?

13 MR. ITUAH: They are gone now.

14 MR. EINGORN: But this is the lot in  
15 question?

16 MR. ITUAH: That is the lot. Just at the  
17 corner.

18 MR. EINGORN: This brick building is also  
19 a house?

20 MR. ITUAH: Yes, that's a house.

21 MR. EINGORN: And the rest of this  
22 neighborhood, the rest, is it all residential? It's  
23 all houses.

24 MR. ITUAH: No. There's no houses where  
25 the cars was.

1           MR. EINGORN: But the neighborhood in  
2 general, like, this is a house here; there's a house  
3 here. Are there houses on both sides?

4           MR. ITUAH: They are homes. There's  
5 houses.

6           MR. EINGORN: Got it. Anything else you  
7 want to tell us about the property?

8           MR. ITUAH: No, not really. But all  
9 surrounding, they're all commercial units all around  
10 on the lefthand side and to the right.

11          MR. EINGORN: So across the street?

12          MR. ITUAH: Across the street is an auto  
13 place or something like that.

14          CHAIRMAN HANCE: So there's across the  
15 street, right, you got a little small street there?

16          MR. ITUAH: Yes, small street.

17          CHAIRMAN HANCE: Right. So there's three  
18 houses or four houses there. It used to be a house  
19 on the corner where the light is. I mean, a gas  
20 station but they knocked that down. So it's an  
21 abandoned property right now.

22          MR. ITUAH: I think that's 400 Jackson.

23          CHAIRMAN HANCE: I live right on  
24 Broadway. I'm right around the corner from you.

25          MR. ITUAH: Okay.



1                   CHAIRMAN HANCE: You have a house here.  
2 I believe there's a vacant lot behind it. And  
3 there's a vacant lot in the front. But who owns the  
4 house next door? Right where your lot is located, do  
5 you own that house?

6                   MR. ITUAH: No. I think it's empty right  
7 now. It has been empty. So if you cross the street,  
8 it's the fourth. Right on the righthand side is my  
9 auto parts shop, that big commercial auto shop.

10                  MR. EINGORN: Any questions for the  
11 applicant?

12                  MS. ALSTON: I just want to clarify what  
13 it is he wants to use it for. I sort of missed that  
14 over here.

15                  MR. EINGORN: The applicant testified  
16 that he wants to store cars there that he would sell  
17 but he's not going to sell the cars from the lot so  
18 it would just be storage. And the intent is to put  
19 down some kind of surface probably gravel so the  
20 water could run through it.

21                  VICE-CHAIRMAN COOPER: And proper notice  
22 was served on the neighbors or nothing.

23                  MR. EINGORN: We haven't opened to the  
24 public yet so we don't know about that. Right? Yes,  
25 we did receive notice from a Certificate of Proof of

1 Service. Anything down there? No.

2 Let's open to the public. Anybody here  
3 tonight that would like to be heard on this  
4 application related to 400 Jackson Street? Hearing  
5 and seeing none, we'll close the public portion. The  
6 applicant is here tonight requesting a use variance  
7 for car storage in the R-2 Zoning District, as well  
8 as site plan waiver and potentially off-street  
9 parking but it's a parking lot. So I don't know if  
10 off-street parking is really an issue.

11 CHAIRMAN HANCE: I don't think it's a  
12 parking lot. It's just an abandoned lot.

13 MR. EINGORN: If you're parking cars for  
14 storage, I guess it's a storage lot. I guess the  
15 parking is not that much of a concern as to store  
16 cars.

17 MR. ITUAH: Correct.

18 VICE-CHAIRMAN COOPER: What's your  
19 plan? Are you planning on putting a bigger fence up  
20 for securing your cars?

21 MR. ITUAH: Yes, of course. As soon as I  
22 get a permit, yes.

23 VICE-CHAIRMAN COOPER: As soon as you get  
24 a permit?

25 MR. ITUAH: Yes.

1                   VICE-CHAIRMAN COOPER: So you're going to  
2 have gravel; not concrete?

3                   MR. ITUAH: Yes.

4                   VICE-CHAIRMAN COOPER: Any type of  
5 lighting you are going to put up?

6                   MR. ITUAH: Of course I have to; a  
7 high-power light because it's dark.

8                   MR. EINGORN: You're not going to work on  
9 the cars there, right?

10                  MR. ITUAH: No.

11                  MR. EINGORN: Just store them?

12                  MR. ITUAH: Just park them.

13                  VICE-CHAIRMAN COOPER: And you have buses  
14 and it looks like an ambulance parked on it. This is  
15 only going to be cars?

16                  MR. ITUAH: Only cars, yes. No buses.

17                  MS. MASON: This is just my thoughts is  
18 that, we have a lot of storage whether it's trash,  
19 whether it's -- you know, I just have a little bit of  
20 concern of it just being like a storage area for  
21 cars. Where are you selling the cars if you're not  
22 selling them from there then?

23                  MR. ITUAH: Look, I'm a resident of  
24 Camden. I park in the lot. If I get commercial, I  
25 will take it outside of the country sometimes.

1                   VICE-CHAIRMAN COOPER: Sometimes space in  
2 the neighborhood aren't here.

3                   MS. MERRICKS: So you buy these cars and  
4 you store them and then you take them other places  
5 like to an auction to sell them or you send them away  
6 or something?

7                   MR. ITUAH: Yes, I send them away.

8                   MS. MERRICKS: So the longest that a car  
9 should be there is about, what a year?

10                  MR. ITUAH: I don't keep them that long.  
11 Storage of cars monthly.

12                  MS. MERRICKS: One more question, but you  
13 won't have a storage where you charge somebody  
14 monthly to store cars there; they just be sitting  
15 there?

16                  MR. ITUAH: As I said, it's for parking.

17                  MS. NUNEZ: So these are your vehicles,  
18 so you're purchasing these vehicles to park them  
19 where?

20                  MR. ITUAH: In the parking lot.

21                  MS. MERRICKS: Can you speak louder cause  
22 I didn't hear the Chair.

23                  MR. EINGORN: The discussion is about  
24 seeing more of the area before a determination is  
25 made because it's hard to see what the other

1 neighbors look like. And it's hard to really to get  
2 an idea of the character of the neighborhood whether  
3 or not cars should be stored there. So that was the  
4 discussion is whether or not you sudden ask Mr. Ituah  
5 to come back with more pictures.

6 CHAIRMAN HANCE: Since he don't own the  
7 house next to the place that he wants to park the  
8 cars at, no one lives there right now if someone  
9 moves in.

10 MR. ITUAH: If I may add. In front on  
11 Jackson, that's a commercial buildings all the way  
12 down.

13 MS. MASON: Just for confirmation. Do  
14 you own that house that's right behind the lot, next  
15 to it?

16 MR. ITUAH: No, I don't own no lot.  
17 Nobody lives there.

18 VICE-CHAIRMAN COOPER: Sir, if you can  
19 come back with more pictures of the neighborhood,  
20 please.

21 MR. EINGORN: Yes.

22 VICE-CHAIRMAN COOPER: We need more  
23 pictures of the neighborhood for me. Because I  
24 haven't physically seen this area. And for us to  
25 just say, okay, you can put your parking lot there,

1 and you got neighbors that may be moving in. Once we  
2 give you approval, they're stuck with your parking  
3 lot.

4 MR. ITUAH: The neighborhood, you're  
5 suppose sent out notices and that's what I did.  
6 The neighborhood got notices.

7 MR. EINGORN: We need you to come back  
8 next month just to see some more pictures of the  
9 neighborhood to get an idea. So you take pictures  
10 down the side streets and from the other angles of  
11 the lot so that the Board can see what's going on  
12 there. And the next meeting is October 7th with more  
13 pictures. And you can submit them in advance to  
14 Evita and she'll distribute them to everybody. Okay?

15 MR. ITUAH: Okay.

16 MR. EINGORN: I appreciate your time.  
17 Thank you.

18 MR. ITUAH: Thank you.

19 MR. EINGORN: I'm going to take Emmett  
20 Taylor, 408 Stevens Street next. Is Mr. Taylor  
21 available?

22 MR. TAYLOR: Yes.

23 MR. EINGORN: Would you raise your right  
24 hand, please.

25 - - -

1                   EMMETT TAYLOR, ALYCE JOHNSON, MS.

2 TAYLOR, having first been duly sworn/affirmed, was  
3 examined and testified as follows:

4                                   - - -

5                   MR. EINGORN: Please state your name and  
6 address for the record.

7                   MR. STEVENS: My name is Emmett Taylor.  
8 My address is presently 408 Stevens Street, Camden,  
9 New Jersey. Today here is my consultant Alyce  
10 Johnson.

11                   MS. JOHNSON: Alyce Johnson, 958 S. 8th  
12 Street, Camden, New Jersey 08103.

13                   MR. TAYLOR: I have my daughter here as a  
14 witness, Ms. Taylor.

15                   MR. EINGORN: So the applicant is here  
16 tonight requesting to convert a shed into a 1-story  
17 single family home with an addition. The officer  
18 denied the permit because there's two primary uses on  
19 the same lot. A "d(1)" use variance is needed; a  
20 bulk variances are needed for area and yard; and  
21 off-street parking.

22                                   Can you tell us about the property, the  
23 building; what you have going on?

24                   MS. JOHNSON: This is the aerial view and  
25 I have a copy for each one of you. This is the

1 aerial view of the said property. The property that  
2 we're looking to build on, this is the existing shed  
3 and it will extend about from here to here, about 18  
4 feet out. It will be consistent with the existing  
5 side line, side setback. And it's pretty much a  
6 50-foot setback from the front line from the front  
7 footage. And I'm not sure if I should mention it but  
8 it should be said, that when we presented the  
9 application, it was all Lot 3. And since then I just  
10 found out that we did divide the land so Variances 1  
11 & 2 may not be, and it's your decision, in effect  
12 because we did divide the land.

13 This is Mr. Emmett's property and this is  
14 Mr. Taylor's daughter's property. This is just a  
15 shed here and 3-story single-family home with a  
16 basement. This is the rear porch open on the side.  
17 This will be set aside for a single-family home.  
18 This is an existing shed and how it looks like right  
19 now. This is the front view where the extension  
20 would be coming off of. This is the side view on  
21 this right here on this side and this is rear view  
22 near the fence.

23 This is pretty much an isometric view of  
24 what it would look like, rendering of what it would  
25 look like. This is the site plan. It's the green



1 with the addition that will be added to it. This is  
2 the two lots. Now it's Lot 3 and Lot 4 combined.  
3 And this is what it looks like on the front view. So  
4 it sits back about 50 feet or more pretty much off  
5 the street, off the street level of the existing --

6 VICE-CHAIRMAN COOPER: Is that two lots  
7 there?

8 MS. JOHNSON: Yes, it's two lots.

9 VICE-CHAIRMAN COOPER: And what lots do  
10 you own? Do you own the whole thing?

11 MS. JOHNSON: He owns all four of them.  
12 These two and two is this way, and he's separated by  
13 the house.

14 CHAIRMAN HANCE: There's a house on the  
15 left that's -- there's a tiny house in the middle, am  
16 I right?

17 MR. TAYLOR: That's the shed.

18 CHAIRMAN HANCE: It looks like a house.  
19 Yes. I was there today.

20 MS. JOHNSON: It's right here without the  
21 front. That's this right here.

22 CHAIRMAN HANCE: And this is what?

23 MS. JOHNSON: That's the existing that  
24 sits right here.

25 CHAIRMAN HANCE: What are you going to

1 add to?

2 MS. JOHNSON: We're going to add coming  
3 forward. And this is the rear and it's going to go  
4 to front to Stevens Street. This is the street right  
5 here and this will be the front of the house.

6 CHAIRMAN HANCE: You're the one who got  
7 the two dogs, right?

8 MR. TAYLOR: Yes.

9 CHAIRMAN HANCE: So you are the one with  
10 the two dogs, right?

11 MR. TAYLOR: Yes.

12 CHAIRMAN HANCE: And one dog is missing a  
13 leg?

14 MR. TAYLOR: Yes.

15 CHAIRMAN HANCE: That one greeted me  
16 today. So you own all four houses there?

17 MR. TAYLOR: Yes. It was actually and  
18 from the beginning it was always three separate  
19 lots. 408 Stevens street was originally built on a  
20 4500 lot space where it had the house and all of this  
21 is yard here to the side porch on the side. 410 and  
22 412 used to be double houses sitting here like a twin  
23 house. They were torn down and burned down long ago.  
24 And I purchased the two lots and consolidated them  
25 all as one block and lot which was Block 178, Lot 3.

1                   Recently, and I'm 67 years old now and  
2 I'm getting too old to have all this big house, so  
3 I'm turning it over to my daughter who wants to keep  
4 it in the family. And so I'm taking the shed and I  
5 want to convert it into a single-family, one-story  
6 house where I'd be staying at and then my daughter  
7 and her family would take over the other house.

8                   CHAIRMAN HANCE: So you have a container  
9 that's there now.

10                  MR. TAYLOR: Yes, a shipping container.

11                  CHAIRMAN HANCE: And then you got the  
12 small storage?

13                  MR. TAYLOR: Yes.

14                  CHAIRMAN HANCE: And it's very clean.  
15 And then you have the black gate, the 4-foot gate  
16 going all the way across.

17                  MR. TAYLOR: Yes.

18                  CHAIRMAN HANCE: I was there today.  
19 Very quiet neighborhood there.

20                  MR. TAYLOR: It is. It's the only house  
21 with people occupying the whole block. Every other  
22 house -- there's only three other houses that are all  
23 vacant and have been vacant for quite some time now.  
24 And everything else is just vacant lots.

25                  CHAIRMAN HANCE: Because I sat out there

1 for probably 20 minutes.

2 MR. EINGORN: We had a couple people come  
3 in and I think they're going to building on that  
4 street. Because you're right behind the court house  
5 parking lot, right?

6 MR. TAYLOR: Yes.

7 MR. EINGORN: We had a couple of  
8 applications but I think they're doing some beautiful  
9 housing. I think one of them wanted to one of those  
10 lots as a parking lot.

11 VICE-CHAIRMAN COOPER: Parking on the  
12 back of State and Stevens Street.

13 MR. TAYLOR: I think that's the person  
14 that owned the house at the corner of Stevens Street.  
15 Right now they have that house slated for demolition  
16 because it's falling apart in the back and all.

17 CHAIRMAN HANCE: So you basically want to  
18 add to the other, this house here?

19 MR. TAYLOR: Yes. Because right now,  
20 it's going to be the shed right now. And the front  
21 part of the shed is where I'm going to have my  
22 bedroom and living room area. The addition that I'm  
23 adding on to it, is so that I can add a bathroom and  
24 a kitchen so I could be totally self-sustained on my  
25 own.

1                   CHAIRMAN HANCE: Are you going to do it  
2 or have someone else do it?

3                   MR. TAYLOR: I'm going to be doing all  
4 the building work myself. I have been building for  
5 many, many years. I also use to do architectural  
6 drawing. I was an architectural draftsman. Now my  
7 eyesight is giving way on me so I had to hire someone  
8 else out.

9                   MS. JOHNSON: Actually, he came in with  
10 a set of drawings all hand-drawn in long hand so he  
11 just automated them. That's all.

12                   MR. EINGORN: Just give us some clarity  
13 on the block and lot issue. Are these separate lots  
14 or they have been consolidated?

15                   MR. TAYLOR: I just recently them  
16 separated, yes. I did a minor subdivision.

17                   MR. EINGORN: You got a subdivision.

18                   MR. TAYLOR: Yes.

19                   MR. EINGORN: And so the property where  
20 the shed is, that's Lot 3?

21                   MS. JOHNSON: That's Lot 3 -- no -- oh,  
22 I'm sorry. That would have been Lot 4 and 5. Now  
23 it's just going to be Lot 4. Lot 3 is the one where  
24 the existing house is.

25                   MR. EINGORN: The issue we're having is

1 that you noticed for Lot 3.

2 MS. JOHNSON: Well, it was Lot 3 when we  
3 sent the notice out. So they subdivided it into Lot  
4 3 and 4. I didn't realize that until a couple of  
5 days ago that they actually did the subdivision.  
6 But it's still the same property when we sent this  
7 out I was thinking.

8 MR. EINGORN: So this is now Lot 4?

9 MR. TAYLOR: Yes. Three and four.

10 CHAIRMAN HANCE: Did anyone else go past  
11 the house to check it out? No. This picture doesn't  
12 do it justice. It's huge and deep; very deep. I got  
13 out of the truck and I walked over there. That's  
14 when the two dogs came up.

15 MR. TAYLOR: It was 1990-1991 when I  
16 purchased that house. It was on the verge of being  
17 all rundown just like the other vacant houses on that  
18 block It has taken me, what, ten years to renovate  
19 that house to what you see today. And I have done  
20 all that on my own also with the help of my  
21 daughter who works on the house. They helped a lot  
22 with the house also. And I'm just turning it over to  
23 her.

24 MS. JOHNSON: Once we finish the finished  
25 product, it's still sitting back 55 feet.

1           MR. TAYLOR: From what the neighborhood  
2 used to look like with all the vacant houses and all  
3 of the problems that were in that area with people  
4 dealing drugs in the street and selling on the street  
5 and so forth, that's one of the reasons why I put a  
6 6-foot wrought iron fence all round the property to  
7 keep people running and climbing into the yard.

8           MR. EINGORN: We're going to open to the  
9 public. Anybody in the public here tonight that  
10 would like to be heard on the application related to  
11 408 Stevens Street? Hearing none, we'll close the  
12 public portion.

13           The applicant is here tonight seeking use  
14 variance for two primary uses on the same lot. It  
15 seems like this is actually going to be the only use  
16 on the lot. The lot is now Lot 4. According to the  
17 applicant, it has been subdivided in the interim  
18 period between the making of the application and the  
19 hearing tonight. So the request is for two primary  
20 uses on the same lot, a use variance and then bulk  
21 variance for the lot area and yard and then  
22 off-street parking. It looks like there's a driveway  
23 right?

24           MR. TAYLOR: Yes.

25           MR. EINGORN: So there's plenty of

1 parking?

2 MS. JOHNSON: Yes.

3 MR. TAYLOR: Yes.

4 MR. EINGORN: So it looks like there's  
5 off-street parking to support the use.

6 CHAIRMAN HANCE: I think it's a great  
7 idea. There's plenty of parking on the street. Also  
8 you got a driveway. It's very clean. Not just your  
9 street but the street down also, the block down is  
10 also clean. So I think it's a great idea. You're  
11 living there; your daughter is going to be living  
12 there. So as long as she keeps up with you, I think  
13 it's a great idea.

14 MR. EINGORN: One thing we should as a  
15 condition and a motion, would be to provide a copy of  
16 the deed so that we can amend accordingly. I forget  
17 where we are.

18 MR. TAYLOR: A copy of the deed?

19 MR. EINGORN: The deeds.

20 MR. TAYLOR: Oh, I have the originals  
21 here.

22 MR. EINGORN: I don't want your  
23 originals.

24 MR. TAYLOR: We can make copies and a CD.

25 MR. EINGORN: So we make that as a



1 condition of approval.

2 CHAIRMAN HANCE: I make a motion that we  
3 pass with a condition of seeing a copy of the new  
4 deed.

5 MR. EINGORN: It's probably two deeds.

6 MR. TAYLOR: Two of them.

7 CHAIRMAN HANCE: A copy of both deeds.

8 MR. EINGORN: Do we have a second?

9 MS. NUNEZ: Second.

10 MR. EINGORN: I'll take a roll-call vote.  
11 Chairman Hance.

12 CHAIRMAN HANCE: Yes.

13 MR. EINGORN: Vice-Chairman Cooper.

14 VICE-CHAIRMAN COOPER: Yes.

15 MR. EINGORN: Ms. Merricks.

16 MS. MERRICKS: Yes.

17 MR. EINGORN: Ms. Alston.

18 MS. ALSTON: Yes.

19 MR. EINGORN: Ms. Nunez.

20 MS. NUNEZ: Yes.

21 MR. EINGORN: Mr. Still.

22 MR. STILL: Yes.

23 MR. EINGORN: Ms. Mason.

24 MS. MASON: Yes.

25 MR. EINGORN: Seven in favor and none

1 opposed, the motion carries. Thank you very much.

2 MR. TAYLOR: Thank you.

3 MR. EINGORN: The next matter is Yordys  
4 Peralta, 1575 Louis Street.

5 MR. IZZO: Charles Izzo, attorney for  
6 the applicant, Yordys Peralta who is next to me and  
7 Roman Peralta.

8 MR. EINGORN: Would you like your  
9 witnesses sworn?

10 MR. IZZO: Yes.

11 MR. EINGORN: Please raise our right  
12 hands.

13 - - -

14 YORDYS PERALTA; ROMAN PERALTA, having  
15 first been duly sworn/affirmed, was examined and  
16 testified as follows:

17 - - -

18 MR. EINGORN: Please state your name and  
19 address for the record.

20 MR. YORDYS PERALTA: My name is Yordys  
21 Peralta. I live at 4035 Garden Avenue, Pennsauken,  
22 New Jersey 08109.

23 MR. ROMAN PERALTA: My name is Roman  
24 Peralta. I live 120 Greenleigh Court, Merchantville,  
25 New Jersey 08110.

1 MR. IZZO: Mr. Roman Peralta, your son  
2 owns the property on the list; is that right?

3 MR. ROMAN PERALTA: Yes.

4 MR. IZZO: You had some architect plans  
5 made up to rehabilitate the house he has there?

6 MR. ROMAN PERALTA: Yes.

7 MR. IZZO: Those are the plans that the  
8 Board has?

9 MR. ROMAN PERALTA: Yes.

10 MR. IZZO: The property is a regular  
11 Camden rowhouse and it's built on the property lines  
12 which is no longer permissible under the zoning code  
13 so you're here to get the bulk variances for the  
14 setbacks; do you understand that?

15 MR. ROMAN PERALTA: Yes.

16 MR. IZZO: Now, basically what do the  
17 plans provide for?

18 MR. ROMAN PERALTA: Yes. We try to see  
19 if we can get the zoning to make it a two  
20 residential, two apartments.

21 MR. IZZO: Is that upper and lower level?

22 MR. ROMAN PERALTA: Yes.

23 MR. IZZO: Now, do you know when the  
24 property was last occupied as a residence by anybody?  
25 Do you know that?

1 MR. ROMAN PERALTA: Yes. It was a  
2 business before back in the day, the first floor.

3 MR. IZZO: Since you've had it, has  
4 anyone occupied this property?

5 MR. ROMAN PERALTA: No.

6 MR. IZZO: And your architect provides  
7 for converting the business area into an apartment?

8 MR. ROMAN PERALTA: Yes.

9 MR. IZZO: And your architect plans to  
10 locate a separate entrance residence on the second  
11 level?

12 MR. ROMAN PERALTA: Yes.

13 MR. IZZO: And there happens to be a  
14 garage lot behind your house on Louis Street. Do you  
15 own that garage?

16 MR. ROMAN PERALTA: Yes.

17 MR. IZZO: And Mr. Yordys, is there  
18 anything you want to tell the Board about your  
19 property on Louis Street besides what your dad  
20 already?

21 MR. YORDYS PERALTA: No.

22 MR. IZZO: So that's our testimony.

23 MR. EINGORN: How many cars can you park  
24 in the garage?

25 MR. ROMAN PERALTA: One.

1 MR. EINGORN: Is there a driveway?

2 MR. ROMAN PERALA: No.

3 MR. IZZO: So it's perpendicular to the  
4 property so you enter from Chase Street instead of  
5 Louis Street.

6 MR. EINGORN: Okay. I mean this house is  
7 subject to a hardship. It's surrounded on all sides  
8 by sidewalk, right?

9 MR. ROMAN PERALTA: Yes.

10 MR. EINGORN: So you can't increase the  
11 size of the lot because it's surrounded, yes?

12 MR. YORDYS PERALTA: Yes.

13 MR. EINGORN: And off-street parking, you  
14 can provide one space. What street is this here?

15 MR. ROMAN PERALTA: Chase.

16 MR. EINGORN: Are you allowed to park on  
17 Chase?

18 MR. ROMAN PERALTA: Yes. Both sides.

19 MR. EINGORN: And you can park on Louis  
20 Street as well?

21 MR. ROMAN PERALTA: Yes, both sides.

22 MR. EINGORN: So there's lots of street  
23 parking available?

24 MR. ROMAN PERALTA: Yes.

25 MR. EINGORN: And you have one car

1 off-street?

2 MR. ROMAN PERALTA: Yes.

3 MR. EINGORN: Any other questions? This  
4 is a house surrounded by a sidewalk and shares a  
5 party wall. No questions from the Board? So anybody  
6 in the public here tonight that like to be heard on  
7 the application related to 1575 Louis Street?  
8 Hearing none, we'll close the public portion.

9 The applicant is here tonight requesting  
10 various bulk variances related to the preexisting  
11 non-conforming conditions of the lot and the  
12 parking. The duplex is a permitted use in this zone.  
13 The Board should do a quick discussion and make a  
14 motion.

15 VICE-CHAIRMAN COOPER: I think it's good  
16 because it's time that we have with these old houses  
17 fixed. The families have gone and taken flight and.  
18 I think it's a positive.

19 MS. MASON: There's plenty of parking as  
20 well. I think that it's also a good project as  
21 well.

22 CHAIRMAN HANCE: Any time you have a home  
23 and you rebuild it for families, it's a plus. It's  
24 better to look at it done than look at it like this.  
25 And also, it makes that neighborhood a lot more safer

1 than someone going in there and could cause a fire in  
2 Camden. It's getting cold outside at night now so  
3 they have to get warm somehow. I think it's a great  
4 idea especially for the neighborhood.

5 MS. MASON: And it's an area that we  
6 don't typically see a lot of, you know, we had  
7 rotation and new businesses coming. So the fact that  
8 you're coming into an area that is definitely needed  
9 for housing, I think that's a good idea as well.  
10 I make a motion to approve.

11 MR. EINGORN: We have a motion.

12 MS. ALSTON: I second.

13 MR. EINGORN: We have a second.

14 I'll take a roll-call vote. Chairman Hance.

15 CHAIRMAN HANCE: Yes.

16 MR. EINGORN: Vice-Chairman Cooper.

17 VICE-CHAIRMAN COOPER: Yes.

18 MR. EINGORN: Ms. Merricks.

19 MS. MERRICKS: Yes.

20 MR. EINGORN: Ms. Alston.

21 MS. ALSTON: Yes.

22 MR. EINGORN: Ms. Nunez.

23 MS. NUNEZ: Yes.

24 MR. EINGORN: Mr. Still.

25 MR. STILL: Yes.

1 MR. EINGORN: Ms. Mason.

2 MS. MASON: Yes.

3 MR. EINGORN: Seven in favor and none  
4 opposed, the motion passes. Thanks guys.

5 MR. IZZO: Thank you.

6 MR. ROMAN PERALTA: Thank you.

7 MR. EINGORN: The next matter is Arelis  
8 Marero, 661 Grant Street.

9 MR. IZZO: This Arelis Marero coming to  
10 the podium.

11 MR. EINGORN: Would you raise your right  
12 hand, please.

13 - - -

14 ARELIS MARERO, having first been duly  
15 sworn/affirmed, was examined and testified as  
16 follows:

17 - - -

18 MR. EINGORN: Please state your name and  
19 address for the record.

20 MS. MARERO: Arelis Marero. 2357 48th  
21 Street Pennsauken, New Jersey. This is my daughter.

22 CHAIRMAN HANCE: If she's going to  
23 speak --

24 MR. EINGORN: Are you going to translate?

25 MISS MARERO: I'll try my best.



1 MR. EINGORN: You swear/affirm that the  
2 translation that you'll provide tonight will be true  
3 and accurate to the best of your ability?

4 MISS MARERO: Yes.

5 MR. EINGORN: Please state your name.

6 MR. IZZO: Ms. Arelis Marero, do you own  
7 the property over at 661 Grant Street in North  
8 Camden?

9 MS. ARELIS MARERO: Yes.

10 MR. IZZO: How is that property laid out  
11 now at this present day? What was it last used for?

12 MS. ARELIS MARERO: For a restaurant.

13 MR. IZZO: Italian?

14 MS. ARELIS MARERO: No. Dominican.  
15 Spanish food.

16 MR. IZZO: It was a Spanish-food  
17 restaurant?

18 MS. ARELIS MARERO: Yes.

19 MR. IZZO: So that building you own was a  
20 Spanish restaurant before you had it or after?

21 MR. EINGORN: Mr. Izzo, just can you just  
22 give us a quick summary and then we'll ask her if  
23 it's true and accurate? Just tell us what she wants  
24 and then we'll ask her if it's true and accurate what  
25 you said. Just give us a summary.

1 MR. IZZO: Okay. Is it true that you  
2 come here to this Board because you want to reopen  
3 the restaurant on Grant Street?

4 MS. ARELIS MARERO: Yes, I want to open  
5 it.

6 MR. IZZO: And has anyone lived at that  
7 property since you've owned it? Do you have tenants  
8 in the property?

9 MS. ARELIS MARERO: Yes, on the second  
10 floor.

11 MR. IZZO: What about the first floor?

12 MS. ARELIS MARERO: It's empty now.

13 MR. IZZO: It's empty?

14 MS. ARELIS MARERO: Yes.

15 MR. IZZO: But it's set up to be a  
16 restaurant; is that correct?

17 MS. ARELIS MARERO: Yes.

18 MR. IZZO: For many years before you  
19 owned it, it was operating as a restaurant?

20 MS. ARELIS MARERO: Yes.

21 MR. IZZO: Is it true that the restaurant  
22 closed for a little while?

23 MS. ARELIS MARERO: Yes.

24 MR. IZZO: You're here before this Board  
25 because you want to reopen the restaurant?

1 MS. ARELIS MARERO: Yes. I want to open  
2 it.

3 MR. IZZO: Anything else that you want to  
4 tell the Board that I didn't ask you?

5 MS. ARELIS MARERO: No. I want to open  
6 it.

7 MR. EINGORN: Anybody in the public  
8 tonight that would like to be heard on the  
9 application of 661 Grant Street? Seeing and hearing  
10 no one, we'll close the public portion.

11 The applicant is here tonight seeking a  
12 Certificate of Non-Conforming Use related to a  
13 previously operated restaurant at 661 Grant Street.  
14 The testimony is that it was a restaurant for a long  
15 time and hasn't been used in the interim and they  
16 would like to reopen the restaurant.

17 The Board should make a determination as  
18 to the Cert of Non-Conforming Use based upon the  
19 testimony you heard.

20 CHAIRMAN HANCE: I was in your  
21 neighborhood today. I talked to your neighbor that  
22 owns the store on the corner and the gentleman that's  
23 fixing his restaurant up. They are welcoming you.  
24 They want you to open up. So that's a plus. I did  
25 see the ministry on the lefthand side that's closed.

1 MS. ARELIS MARERO: Yes.

2 MS. MASON: I'm familiar with that whole  
3 area. I've been there also.

4 CHAIRMAN HANCE: I think it's a positive  
5 and great idea. You said Spanish food?

6 MS. ARELIS MARERO: Yes.

7 CHAIRMAN HANCE: Latin?

8 MS. ARELIS MARERO: Yes.

9 CHAIRMAN HANCE: It's caddy-cornered  
10 right there, red and yellow. I was there.

11 MS. ARELIS MARERO: Yes. You see it  
12 before. The neighborhood wants her to reopen.

13 MS. MASON: I mean, I grew up in that  
14 area as well and it used to be a store. So even  
15 walking, I went to the Coopers Point School. So  
16 walking in that area, we would stop at that store.  
17 Respon used to be right up right -- it's no longer  
18 there but Respon used to be right up there too. I'm  
19 a foodie so... I think it's across from the church.

20 CHAIRMAN HANCE: I make a motion that we  
21 accept.

22 MS. MASON: I'll second.

23 MR. EINGORN: I'll take a roll-call vote.  
24 Chairman Hance.

25 CHAIRMAN HANCE: Yes.

1 MR. EINGORN: Vice-Chairman Cooper.

2 VICE-CHAIRMAN COOPER: Yes.

3 MR. EINGORN: Ms. Merricks.

4 MS. MERRICKS: Yes.

5 MR. EINGORN: Ms. Alston.

6 MS. ALSTON: Yes.

7 MR. EINGORN: Ms. Nunez.

8 MS. NUNEZ: Yes.

9 MR. EINGORN: Mr. Still.

10 MR. STILL: Yes.

11 MR. EINGORN: Ms. Mason.

12 MS. MASON: Yes.

13 MR. EINGORN: Seven in favor, the  
14 application passes.

15 MR. IZZO: Thank you.

16 MS. ARELIS MAREO: Thank you.

17 MR. EINGORN: The next matter is Dev.  
18 Ghanshyam, LLC, 14 S. 35th Street. Good evening.

19 MR. WILSON: Good evening. Louis Wilson  
20 attorney for the Dev. Ghanshyam.

21 MR. EINGORN: Would you like to swear  
22 your witness?

23 MR. WILSON: Yes.

24 MR. EINGORN: Would you raise your right  
25 hand, please.



1 MR. WILSON: How long has that been open?

2 MR. PATEL: Nine months.

3 MR. WILSON: If the Board will allow me  
4 to give you a brief oversight. We have somewhat  
5 unique situation. The property that we're here for,  
6 14 S. 35th Street is a 90-foot long, 26-foot wide  
7 cinderblock building with ceilings of 15 feet.  
8 Clearly that says to me warehousing or something of  
9 that nature.

10 Mr. Patel is not interested in doing  
11 warehousing for the public's use. He is asking the  
12 Board to allow us to have a residential area in that  
13 same building. But he is also asking for us to be  
14 allowed to store inventory from the liquor store on  
15 35th Street. And that is, in essence, the crux of  
16 the whole application. We have to have variances  
17 because the use for having two different uses in one  
18 building that are prohibited -- the use is prohibited  
19 generally and so forth.

20 We want to make clear that the 14th S.  
21 35th Street building will have no commercial use  
22 outside of his own personal use. The residential  
23 section is only for his family or employees of the  
24 liquor store. So we are attempting to have a  
25 situation that the property which has doubtful use

1 other than a storage area and be used for something  
2 that would support the liquor store on Federal  
3 Street. So that, in essence, the crux of what we're  
4 trying to do. We're willing to take any questions  
5 that you have.

6 CHAIRMAN HANCE: Yes. When was the last  
7 time that property was used?

8 MR. WILSON: Approximately a year ago it  
9 was a small roofing gentleman. I think his name was  
10 Mitchell.

11 CHAIRMAN HANCE: So that property is  
12 going to need some help. I was there today. It's in  
13 distress. You got a lot of weeds growing there.  
14 That's the brick building that's on that street, the  
15 side street where you have to go through a double  
16 gates to get in.

17 MR. WILSON: Yes.

18 CHAIRMAN HANCE: I was there today. You  
19 got people parking on the sidewalk so you can't even  
20 get into the building.

21 MR. WILSON: That's been an issue. Those  
22 are residents of the community.

23 CHAIRMAN HANCE: You got some work ahead  
24 of you. You got the pastor house there. A school  
25 right down the street. It's on the lefthand side.



1 It's a brick building that if you drive past it, it's  
2 a one-way.

3 MR. WILSON: Right.

4 CHAIRMAN HANCE: So you would miss it.  
5 I had to go back around it.

6 VICE-CHAIRMAN COOPER: It's on the  
7 righthand side. John Wright Roofing used to be  
8 there.

9 CHAIRMAN HANCE: Right. From Philly.

10 MR. WILSON: Yes, Mr. Wright.

11 MR. PATEL: He's my tenant. The City  
12 come in. They don't clean anything there.

13 MR. WILSON: There was a situation that  
14 Mr. Wright allowed the exterior to become overgrown  
15 and full of junk. The City cited the owner rather  
16 than the tenant. And so the owner gave the tenant  
17 ample time to clean up everything and so forth. But  
18 as it turns out, Mr. Wright came down with cancer and  
19 could not function fully. And so we thought that  
20 after several months of waiting and trying to help  
21 him and get the time, it was not going to change.  
22 And so we went into court.

23 CHAIRMAN HANCE: So he's going to give it  
24 facelift? He's going to fix all that?

25 MR. WILSON: Well, the yard, yes. I

1 thought because --

2 MR. PATEL: I fix everything, inside and  
3 outside.

4 MR. WILSON: I thought the yard was  
5 definitely cleaned up.

6 VICE-CHAIRMAN COOPER: Can you access  
7 your liquor store from the rear to this building  
8 here?

9 MR. PATEL: Yes.

10 VICE-CHAIRMAN COOPER: I got the pattern.

11 MR. WILSON: It's sort of like if you  
12 look at this -- if you go by there as we indicated  
13 and you look, it looks like in shape. There's a  
14 courtyard and it's blocked off on three sides. One  
15 side is the building you're talking about.

16 MR. EINGORN: Is there a door between  
17 them?

18 MR. PATEL: Yes.

19 MR. WILSON: A door between?

20 MR. EINGORN: The liquor store --

21 MR. PATEL: It has a door.

22 MR. WILSON: It has a back door. It's  
23 across the courtyard. It's on Federal Street and  
24 it's backed to the courtyard, but then there's a  
25 courtyard here that's maybe 25 feet deep and then the

1 building. And the building that you saw on the  
2 drawings, has an overhead door. And obviously at  
3 some point --

4 CHAIRMAN HANCE: There's a regular door  
5 back there.

6 MR. WILSON: And it has a couple of entry  
7 doors. This was built in 1956 is what I understand.  
8 So it was obviously built for some commercial  
9 storage use or whatever. But it hasn't been used as  
10 that in years. It is in a residential area as you  
11 know. But we think that giving us the opportunity to  
12 have a residential section along with the storage  
13 section, both of which would be under the complete  
14 control of the owner. It's not open to the public.

15 There would be no public transit in and  
16 out other than what we hope is the vendors for the  
17 liquor store will use the back section, unload into  
18 14 S. 35th Street through the door, main door. And  
19 then whenever they need it at the liquor store, it  
20 would be a simple matter of carrying it across the  
21 courtyard into the back of the liquor store. Trying  
22 to help an existing business.

23 MR. EINGORN: What kind of door would  
24 you put up on the storage area; like a roll-up  
25 door?

1 MR. PATEL: No.

2 MR. WILSON: There is a roll-up door.

3 VICE-CHAIRMAN COOPER: Yes, I see a  
4 roll-up door here.

5 MR. WILSON: There's a roll-up door and  
6 there's a separate door to the right and one to the  
7 left.

8 MR. EINGORN: I guess my question is, the  
9 storage area is essentially just a garage, right? My  
10 point is, if you have this separate area, it could be  
11 later a garage, of course, a person in the building?  
12 If you were to stop using this property, right, and  
13 you were to sell it to John Doe, right, and you  
14 wanted to move in, would the door be big enough to  
15 park a car in a storage area?

16 MR. PATEL: Yes.

17 MR. WILSON: Yes. It's a very large  
18 door.

19 VICE-CHAIRMAN COOPER: It's an overhead  
20 door.

21 MR. WILSON: Like a warehouse door. I  
22 think it was a commercial building at some point.

23 CHAIRMAN HANCE: And the office was down  
24 here further down or something?

25 MR. WILSON: Yes. There was a little

1 office at the 35th Street section. And the rest of  
2 it is open space. It had Mr. Wright there.

3 CHAIRMAN HANCE: Got the double gate  
4 right there.

5 VICE-CHAIRMAN COOPER: Yes, I've been in  
6 there.

7 MR. WILSON: In essence, we're looking at  
8 trying to -- there's some benefit to issuing these  
9 variances. If not, we would be using Federal Street  
10 basically for vendors to park and unload their goods  
11 to the liquor store.

12 CHAIRMAN HANCE: Right next to Carsons.

13 MR. WILSON: Which I think he has the  
14 parking spaces. But you can't tell how much is going  
15 to happen. Sometimes there are three to four vendors  
16 that they would use. And if you wind up with two of  
17 them coming at the same time, Federal Street will be  
18 blocked. So we're thinking, use the back but allow  
19 us to use the building for storage which would make  
20 everything so much quicker.

21 CHAIRMAN HANCE: Right.

22 MR. WILSON: Because the liquor store  
23 really doesn't have much space for storage for  
24 anything. And they have no basement so there's  
25 no place to anything except on the floor of the store

1 and that's probably not the best --

2 CHAIRMAN HANCE: I watched that place get  
3 built.

4 VICE-CHAIRMAN COOPER: Yeah, I've been in  
5 there.

6 MR. WILSON: I think he did a pretty good  
7 job but it is a little small and there's no storage  
8 space. Once you go in with the racks of produce --

9 VICE-CHAIRMAN COOPER: All his plexiglass  
10 he got up.

11 MR. EINGORN: Anybody here tonight that  
12 would be heard on the application of 14 S. 35th  
13 Street? Seeing none and hearing none, we'll close  
14 the public portion.

15 The applicant is here tonight for use  
16 variances. Use is not permitted; two principal uses  
17 on the same lot; storage is prohibited; off-street  
18 parking is needed. Applicant is requesting a  
19 one-bedroom unit and a rear storage area. The Board  
20 should do a discussion of the Positive and Negative  
21 Criteria and make a motion.

22 CHAIRMAN HANCE: I think it's a great  
23 idea. That's a very busy area. You got a school;  
24 you got a hardware store; you got a bakery; you got a  
25 travel agency; you got a school; barber shop;

1 Dominican food store across the street; 7-11 over  
2 here. I think it's an excellent idea to pull all  
3 those beer trucks off the main Federal Street so they  
4 can unload in the back. And he said that the  
5 apartment would be for people who live there -- I  
6 mean, people that work there or his family.

7 MR. WILSON: Yes. And that would be,  
8 they would work there. They all work at the liquor  
9 store.

10 CHAIRMAN HANCE: With the condition that  
11 you clean all that up; all the weeds; all that  
12 nonsense has been cleaned. And I would paint that  
13 curb cause you got a cut-curb right there. Paint it  
14 yellow and that way you can make a phone call.  
15 Because, you know, they were parked on the curb.

16 MR. EINGORN: I don't think you can tell  
17 them to paint the public right-of-way.

18 CHAIRMAN HANCE: No. It's a cut; it's a  
19 curb cut.

20 VICE-CHAIRMAN COOPER: Yes, it's a curb  
21 cut.

22 CHAIRMAN HANCE: But you got two cars  
23 parked on the sidewalk so he's not getting in or  
24 getting out.

25 MR. EINGORN: Unless you want to check

1 with the City before you start painting the sidewalk.  
2 That's all.

3 MR. WILSON: We'll call the Department of  
4 Public Works to do it for us. That's not a problem.  
5 Maybe they can put up a sign that says, no parking.

6 CHAIRMAN HANCE: Right. That's a one-way  
7 street. There's very little parking. I think it's a  
8 good idea. Not only for your but for the public  
9 also.

10 MR. WILSON: Yes.

11 VICE-CHAIRMAN COOPER: I make a motion to  
12 pass.

13 MR. EINGORN: Do we have a second?

14 CHAIRMAN HANCE: Second.

15 MR. EINGORN: I'll take a roll-call vote.  
16 Chairman Hance.

17 CHAIRMAN HANCE: Yes.

18 MR. EINGORN: Vice-Chairman Cooper.

19 VICE-CHAIRMAN COOPER: Yes.

20 MR. EINGORN: Ms. Merricks.

21 MS. MERRICKS: Yes.

22 MR. EINGORN: Ms. Alston.

23 MS. ALSTON: Yes.

24 MR. EINGORN: Ms. Nunez.

25 MS. NUNEZ: Yes.



1 MR. EINGORN: Mr. Still.

2 MR. STILL: Yes.

3 MR. EINGORN: Ms. Mason.

4 MS. MASON: Yes.

5 MR. EINGORN: Having seven in favor, the  
6 motion passes. Congratulations.

7 MR. WILSON: Thank you.

8 MR. PATEL: Thank you.

9 MR. EINGORN: The next matter is  
10 Philadelphia 76ERS, LLC.

11 MR. FLYNN: Mr. Chairman, we're fine with  
12 Mr. Morales would like to go first before us.

13 MR. EINGORN: Okay.

14 MR. MORALES: Thank you.

15 MR. EINGORN: Would you raise your right  
16 hand, please.

17 - - -

18 JOSE C. ORTIZ MORALES, having first been  
19 duly sworn/affirmed, was examined and testified as  
20 follows:

21 - - -

22 MR. EINGORN: Please state your name and  
23 address for the record.

24 MR. MORALES: Jose C. Ortiz Morales.

25 MR. EINGORN: You want to put on a

1 second-floor addition and you want a six-foot fence?

2 MR. MORALES: My address is 2201 Bank  
3 Street, Camden, New Jersey 08105.

4 MR. EINGORN: Are you the owner of 1428  
5 Carl Miller Blvd.?

6 MR. MORALES: Yes.

7 MR. EINGORN: And you intend to live  
8 there?

9 MR. MORALES: Yes. Actually I bought  
10 that house like two years ago and I've been saving to  
11 do all this type of work. This used to be my first  
12 house.

13 MR. EINGORN: Congratulations.

14 MR. MORALES: I'm just trying to convince  
15 you guys about the setback. That's all and the  
16 fence.

17 MR. EINGORN: So the minimum of each side  
18 yard is ten feet but you have three feet three  
19 inches? Is that what is going on here?

20 MR. MORALES: But the house is existing.  
21 So that's how I bought it. If you see the pictures,  
22 that's how I bought it and the red line, you can see  
23 where the setback is not meeting exactly there,  
24 right.

25 MR. EINGORN: This photo here?

1 MR. MORALES: Yes.

2 MR. EINGORN: And the reason that it  
3 doesn't meet the setback is because --

4 MR. MORALES: Because it --

5 MR. EINGORN: -- it's up against the  
6 street?

7 MR. MORALES: Yes.

8 MR. EINGORN: Too close to the street.  
9 And this is a preexisting non-conforming condition?

10 MR. MORALES: Yes.

11 MR. EINGORN: Does the Board see what  
12 he's referencing in this photograph here, the top  
13 lefthand corner?

14 VICE-CHAIRMAN COOPER: Yes.

15 MR. EINGORN: Any questions about the  
16 three-foot setback? There doesn't look like there's  
17 any questions about the three-foot setback. Is  
18 anybody here tonight that would like to heard on the  
19 matter related to 1428 Carl Miller Blvd.? Hearing  
20 none and seeing none, we'll close the public portion.

21 CHAIRMAN HANCE: I was there today. I  
22 don't know how they put a two-way street on the  
23 lefthand side where the apartment buildings are.

24 MR. MORALES: Yeah.

25 CHAIRMAN HANCE: I don't how they did

1 that. I really don't.

2 MR. MORALES: Me neither.

3 CHAIRMAN HANCE: But you guys have nice  
4 land around the house. Your only issue is on the  
5 lefthand side.

6 MR. MORALES: Yes. It's too near to one  
7 of the streets.

8 CHAIRMAN HANCE: You definitely need that  
9 6-foot Fence.

10 MR. MORALES: Yes. I'm planning to do  
11 6-feet vinyl fencing all the way around just like my  
12 neighbor in the back has the same thing.

13 CHAIRMAN HANCE: Right.

14 MR. MORALES: So I can say that I want to  
15 chop the head off of the house and put the second  
16 floor up.

17 CHAIRMAN HANCE: You got a lot of room to  
18 do that.

19 MR. MORALES: I will make nice rooms for  
20 my little ones.

21 CHAIRMAN HANCE: It looks like they broke  
22 in there a few times?

23 MR. MORALES: Well, that was me actually.  
24 I forgot the key a couple of times and you know...

25 CHAIRMAN HANCE: You're talking about the

1 side door?

2 MR. MORALES: Yeah.

3 VICE-CHAIRMAN COOPER: You just kicked it  
4 in?

5 MR. MORALES: Yeah.

6 CHAIRMAN HANCE: I think it's a good  
7 idea. The house is very lonely. It needs some love.

8 MR. MORALES: Yeah.

9 CHAIRMAN HANCE: And the neighborhood  
10 needs some love. But I would definitely recommend a  
11 6-foot fence in that area.

12 VICE-CHAIRMAN COOPER: Yes.

13 MR. MORALES: I mean, the area is great.  
14 There's a playground in the back. They need some  
15 type of school in there.

16 CHAIRMAN HANCE: I'm very familiar with  
17 that area also. I grew up around that area.

18 MR. MORALES: For me it's good and I  
19 think for the area. It will be better if I could do  
20 the work.

21 CHAIRMAN HANCE: Get yourself a couple of  
22 dogs?

23 MR. MORALES: Actually I do. I'm looking  
24 forward to it.

25 CHAIRMAN HANCE: Anybody else?

1 MR. EINGORN: Are you going to do a  
2 6-foot fence across the front too?

3 MR. MORALES: All the way around, yes.

4 VICE-CHAIRMAN COOPER: At that corner,  
5 what's that intersection? You got an intersection.

6 MR. MORALES: I mean, there's existing  
7 right in the front of it, it's like four feet but I  
8 want to change that to a 6 feet all the way.

9 VICE-CHAIRMAN COOPER: No. That may  
10 be --

11 MR. MORALES: I'm concerned because I  
12 have little ones and I do want not anybody like even  
13 trying to reach them. Plus I have dogs and I want  
14 them to not available to jump; nothing like that.

15 VICE-CHAIRMAN COOPER: In the front of  
16 your property because you have a cross street, right,  
17 now you're talking about a 6-foot fence vinyl?

18 MR. MORALES: Vinyl.

19 CHAIRMAN HANCE: You can't have vinyl.

20 VICE-CHAIRMAN COOPER: They can't see  
21 through it.

22 MR. EINGORN: Yes, that's the problem.

23 VICE-CHAIRMAN COOPER: They can't see  
24 through it so you could do a chain-link.

25 MR. EINGORN: The problem you have is,

1 you come around the corner --

2 MR. MORALES: So where do I have to  
3 change that; like right in front of the house or all  
4 the way around the house?

5 MR. EINGORN: On this corner here, right,  
6 people are going to come around the corner and  
7 they're not going to be able to see through the  
8 fence.

9 CHAIRMAN HANCE: When they make that  
10 right turn.

11 MR. MORALES: Oh, I see.

12 MR. EINGORN: You're creating a dangerous  
13 condition. They call it a sight triangle.

14 MR. MORALES: Can I do like if -- let's  
15 say if I start six feet from here going down and just  
16 the rest of it, four feet the whole thing. I mean,  
17 it's shorter now, right?

18 CHAIRMAN HANCE: You can do behind the  
19 your house, righthand side, but the front where  
20 they're making a right, you can't do that corner  
21 because they can't see coming either way.

22 MR. MORALES: How far from the corner to,  
23 let's say, to the front of the house?

24 CHAIRMAN HANCE: You know where that big  
25 tree was cut down at right here?

1 MR. MORALES: Yeah.

2 CHAIRMAN HANCE: About right there.

3 MR. MORALES: Oh, you saw it.

4 CHAIRMAN HANCE: I walked in your back  
5 yard. I was there. I walked around the whole house.

6 MR. EINGORN: So you agree to do four  
7 foot across the front so that people can see?

8 MR. MORALES: Yes.

9 MR. EINGORN: And then I guess four feet  
10 to a gradual six feet? How far do you think that  
11 tree was?

12 CHAIRMAN HANCE: That tree, from his  
13 property line, I would say it's probably about --

14 MR. EINGORN: Ten feet?

15 CHAIRMAN HANCE: At least ten feet.

16 MR. MORALES: So ten feet away from the  
17 corner?

18 CHAIRMAN HANCE: Yes.

19 MR. EINGORN: So ten feet from the corner  
20 of Hallowell?

21 CHAIRMAN HANCE: Where that tree is,  
22 let's stick to the tree back.

23 MR. MORALES: Okay.

24 MR. EINGORN: I need something for the  
25 resolution. For the resolution I need like a



1 number.

2 CHAIRMAN HANCE: So ten feet.

3 MR. EINGORN: Ten feet --

4 MR. MORALES: From the corner.

5 MR. EINGORN: -- at four foot high on  
6 Hallowell Lane and then four foot across Carl Miller?

7 CHAIRMAN HANCE: Right. You got the  
8 image of that?

9 MR. MORALES: Yeah, yeah.

10 VICE-CHAIRMAN COOPER: Unless you cover  
11 that.

12 MR. EINGORN: And then the rest you can  
13 do six feet. All right?

14 MR. MORALES: Okay.

15 MR. EINGORN: A motion with the condition  
16 on the fence.

17 CHAIRMAN HANCE: I make a motion with the  
18 condition on the fence and I will be by to check.

19 VICE-CHAIRMAN HANCE: And I second it.

20 MR. EINGORN: I'll take a roll-call vote.  
21 Chairman Hance.

22 CHAIRMAN HANCE: Yes.

23 MR. EINGORN: Vice-Chairman Cooper.

24 VICE-CHAIRMAN COOPER: Yes.

25 MR. EINGORN: Ms. Merricks.

1 MS. MERRICKS: Yes.

2 MR. EINGORN: Ms. Alston.

3 MS. ALSTON: Yes.

4 MR. EINGORN: Ms. Nunez.

5 MS. NUNEZ: Yes.

6 MR. EINGORN: Mr. Still.

7 MR. STILL: Yes.

8 MR. EINGORN: Ms. Mason.

9 MS. MASON: Yes.

10 MR. EINGORN: Seven in favor and none  
11 opposed, congratulations.

12 MR. MORALES: Thank you.

13 MR. EINGORN: The next matter is  
14 Philadelphia 76ERS, LP.

15 MR. FLOYD: Good evening, Mr. Chair and  
16 Members of the Board. For the record, my name is  
17 Michael Floyd. I'm an attorney with Archer & Greiner  
18 appearing on behalf of the applicant, Philadelphia  
19 76ERS, LP which has submitted an application for  
20 "d" use variance approval and bulk variance approval  
21 for property located along Martin Luther King Blvd.  
22 and Legends Lane and identified as Block 139.01,  
23 Lot 1 on the City's official tax maps.

24 The applicant is requesting modifications  
25 to the existing signs at its headquarters and

1 practice facility in the City of Camden. In  
2 particular, they're seeking "d(1)" use variance  
3 approval or possible "d(2)" variance approval for an  
4 expansion of an non-conforming use with respect to  
5 the existing roof sign. Roof signs are prohibited  
6 pursuant to Section 870-253 of the City of Camden's  
7 Zoning Code.

8                   And they are proposing to modify the  
9 existing roof sign by adding approximately  
10 2,048 square feet of additional area. The applicant  
11 is also seeking to modify an existing wall sign.  
12 These sign modifications are all related to Penn  
13 Medicine who has partnered with the Philadelphia  
14 75ERS in connection with their use and enjoyment of  
15 the property in Camden.

16                   With me this evening we do have three  
17 witnesses. Our first witness will be Lara Price,  
18 chief operating officer of the applicant,  
19 Philadelphia 76ERS, LP. We also have Lance Landgraf,  
20 Jr., a licensed professional planner in the State of  
21 New Jersey with his a A.I.C.P. designation. And  
22 Lance will be putting the proofs on the record, the  
23 Positive and Negative Criteria in connection with the  
24 requested use variance approval and also the  
25 requested bulk variance approval for the new signage.

1           And last but not least, and if necessary,  
2 we have Ronald Brody, the owner of Invision Sign that  
3 has prepared these sign exhibits for this evening.

4 And if there are any questions regarding the proposed  
5 signage in terms of the color, utility connections,  
6 how it'll be connected to the building, etc., Ron is  
7 here to provide that testimony. But initially, we  
8 will be providing testimony from Lara Price as a fact  
9 witness and then Lance Landgraf, Jr. as our  
10 professional planner and expert witness this evening.

11           I've passed out to all the Board members,  
12 a list of exhibits in connection with this  
13 application. I don't think we're going to have to go  
14 through every one of these exhibits. But Exhibit A-1  
15 is an aerial photograph of the property and the  
16 existing signage. And it's important to note that  
17 this existing signage faces the Delaware River and  
18 the City of Philadelphia, and that's where the  
19 proposed modifications are going to occur. We're not  
20 adding any new signs to any other facades of the  
21 building or the roofs.

22           Exhibit A-2A through A-2C are just the  
23 photographs of the property in question taken at  
24 different angles as this Board likes to see those  
25 photographs. Exhibit A-3A through A-3F is a package

1 of the proposed roof-side modifications. Likewise,  
2 Exhibits A-4A through A-4G is the sign package with  
3 the proposed modifications for the wall-mounted  
4 signs.

5           And last but not least, Exhibits A-5A  
6 through A-5G, are photographs and examples of other  
7 signage in the City of Camden that's very similar to  
8 the proposed signage that we're seeking this evening,  
9 especially with respect to the signage facing the  
10 Delaware River and the City of Philadelphia in  
11 connection with the Adventure Aquarium and American  
12 Water Headquarters Building, The Hilton Gardens  
13 Hotel, Holtec, Cooper Hospital signage and the MD  
14 Anderson Cancer Center.

15           And you'll hear testimony from Lance  
16 Landgraf that due to the size of the 76ERS' two  
17 buildings and the mass of those buildings, the  
18 signage that's being proposed in terms of size and  
19 the overall area, is appropriate not only for this  
20 building but it's also consistent with the character  
21 of the neighborhood. But if there's no further  
22 questions, I'd like to bring up Lara Price as our  
23 first witness.

24           Lara, if you can state your full name and  
25 your position with the 76ERS on the record.

1 MR. EINGORN: Would you raise your right  
2 hand, please.

3 - - -

4 LARA PRICE, having first been duly  
5 sworn/affirmed, was examined and testified as  
6 follows:

7 - - -

8 MR. EINGORN: Please state your name and  
9 address for the record.

10 MS. PRICE: Lara Price, chief operating  
11 officer Philadelphia 76ERS.

12 MR. FLOYD: Lara, you just heard me give  
13 an overview of the Sixers and the proposed signage.  
14 To the best of your knowledge, is everything that I  
15 just stated, accurate, true?

16 MS. PRICE: Yes.

17 MR. FLOYD: Can you explain to the Board  
18 your history with the 76ERS and in particular, your  
19 history with the properties in Camden?

20 MS. PRICE: Absolutely. I've been with  
21 the Philadelphia 76ERS for 29 seasons. I was very  
22 involved in bringing the facility and building our  
23 offices and the practice facility to Camden. And  
24 I worked very, very closely with the City of Camden  
25 itself and a lot of the organizations. We have a

1 foundation that supports a lot of the youth around  
2 Philadelphia, the Village Initiative. We've  
3 renovated courts. We just did a park cleanup as  
4 well. So Camden is our home and we're happy to be  
5 here and our practice facility and our offices are a  
6 big part of that.

7 MR. FLOYD: Thank you, Lara. Can you  
8 just explain the new signage with Penn Medicine and  
9 your relationship how Penn operates at the facility?

10 MS. PRICE: Absolutely. So Penn Medicine  
11 is the official medical provider for the Philadelphia  
12 76ERS. Our players are there in the facility every  
13 day. And providing needs, the doctors will come in  
14 and out as they need and physical therapists. They  
15 are our primary partners. So having that presence is  
16 really important to us. I think that shows the  
17 staying power that: You want to be in Camden, we're  
18 bringing our partners to Camden and they're proud to  
19 be there as well as we are.

20 MR. FLOYD: And Penn Medicine is aware  
21 that this sign that is being proposed by the Sixers  
22 for variance application?

23 MS. PRICE: Yes, they are.

24 MR. FLOYD: Thank you, Lara. Are there  
25 any questions for Lara at this time?

1 VICE-CHAIRMAN COOPER: None.

2 MS. PRICE: Thank you for your time.

3 MR. EINGORN: Thank you.

4 MR. FLOYD: As we mentioned, we do have  
5 Ron Brody here with Invision Sign to talk about the  
6 existing signage. If there's no questions about  
7 what's laid out in our exhibits, I'm going to move on  
8 to Lance Landgraf, our professional planner.  
9 I would note that the sign packages both the  
10 roof-mounted sign and the wall-mounted sign, are  
11 identical to the packages that were initially  
12 submitted to the Board Secretary in connection with  
13 this application.

14 The only thing that has been updated, the  
15 actual measurements of the signage, that was  
16 reflected in our notice that was published. I would  
17 just make sure, Kyle, that these drawings would be  
18 attached to what's referenced in the Resolution of  
19 Approval so there's no confusion when we go to pull a  
20 zoning permit.

21 MR. EINGORN: No problem. Do you want to  
22 enter these Exhibits A-1 through to --

23 MR. FLOYD: Yes. I would respectfully  
24 request that Exhibit A-1 inclusive through A-5G be  
25 entered into the record. And, again, we have all our



1 professionals here, as well as Lara who can answer  
2 any questions about them that come up during the  
3 course of the hearing.

4 MR. EINGORN: Okay?

5 MR. FLOYD: If there are no other  
6 questions, I can call our planner, Lance Landgraf.

7 MR. EINGORN: Would you raise your right  
8 hand, please.

9 - - -

10 LANCE B. LANDGRAF, P.P., AICP, having  
11 first been duly sworn/affirmed, was examined and  
12 testified as follows:

13 - - -

14 MR. EINGORN: Please state your name and  
15 address quickly.

16 MR. LANDGRAF: Lance B. Landgraf, Jr.,  
17 9 S. Harvard Avenue, Ventnor City, New Jersey,  
18 LB Landgarf Associates.

19 MR. EINGORN: Thank you.

20 MR. FLOYD: Lance first, can you put your  
21 qualifications on the record, your experience  
22 education and credentials?

23 MR. LANDGARF: Sure. I've been licensed  
24 since 1991 as a planner in the State of New Jersey.  
25 I'm also A.I.C.P. certified which is a National

1 Certification since 1995. I currently represent the  
2 City of Brigantine as their planner for the last 27  
3 years I've been there. I currently sit as the  
4 planning director for the CRDA Atlantic City, The  
5 Casino Investment Development Authority. I've been  
6 before this Board at least once in the last several  
7 months. Years back, we used to meet in a different  
8 building I think back in the 90's I was there quite a  
9 bit with the Cooper Hospital site. I've been doing  
10 planning and land use in the State of New Jersey.

11 MR. FLOYD: I would ask that Lance be  
12 recognized as an expert in the field of planning in  
13 New Jersey.

14 CHAIRMAN HANCE: Yes.

15 MR. LANDGRAF: Thank you.

16 MR. FLOYD: Lance, you've seen the  
17 exhibits that were presented this evening, correct?

18 MR. LANDGRAF: Yes.

19 MR. FLOYD: And you know the scope of the  
20 proposed sign modifications to the existing  
21 roof-mounted sign and wall-mounted sign, correct?

22 MR. LANDGRAF: Correct.

23 MR. FLOYD: And you know that we're  
24 asking for both a use variance approval and also a  
25 bulk variance approval, correct?

1 MR. LANDGRAF: That's correct.

2 MR. FLOYD: Can you walk us through those  
3 standards, what the required proofs are then your  
4 testimony on the record?

5 MR. LANDGRAF: Sure. During Mr. Floyd's  
6 opening, he talked about a "d(1)" and "d(2)"  
7 variance. They're very similar. The "d(2)" is really  
8 the expansion of an existing condition. That's  
9 really what we're doing here. The signage on the  
10 roof is existing. We're cutting off the ERS and  
11 putting in Penn Medicine. So we're technically  
12 expanding that by several thousand square feet.  
13 That sounds like a lot. But if you guys know the  
14 building, it's a very large building so this sign is  
15 pertinent and not oversized for this structure.  
16 Plus, it faces the Delaware River like most of the  
17 other large signs in that area.

18 So what we have to go through is the  
19 Positive and Negative Criteria for both the "d(1)"  
20 and the bulk variances and you'll hear me get into  
21 those as well. So the Positive side of this, we have  
22 to look at the purposes under the Municipal Land Use  
23 Law. So the first one I think we qualify for would  
24 be Purpose "A" which is enhance -- the Sixers  
25 training facility will promote the partnership of

1 Penn Medicine and the medical staff on-site. You  
2 heard about that. To promote the public health,  
3 safety and morals and general welfare pursuant to  
4 40:55D-2(a) which is, provides that general health  
5 and safety and welfare.

6           The second one would be esthetic  
7 improvement. We think this is an enhancement of the  
8 property. William Penn Medicine is known as a great  
9 opportunity but also it creates a nice ambiance --  
10 not ambiance really -- an esthetic improvement to the  
11 signage there. It adds to the facade of the  
12 building. New signs and updated logos, they improve  
13 the visual appeal of the building.

14           And then you also have "G," and Item I,  
15 Purpose "I," You have "G" which is sufficient space  
16 in appropriate location for a variety of commercial  
17 uses in order to meet the needs of all New Jersey  
18 citizens and businesses. So improved signage, that  
19 will bring in a partner and will advertise that  
20 partner. It's an appealing design. You see the  
21 application package has been brought forth.

22           In my opinion, it's limited to no impact  
23 on the neighboring properties. There's a lot of  
24 other signs that are similar in the area; similar  
25 size; similar facing direction. Also for that

1 reason, we think this site is particularly  
2 well-suited for the use. That's another prong of the  
3 Positive Criteria.

4           The roof signs are already there. We're  
5 just expanding on it. We actually look at the super  
6 structure behind the sign. We're not making that any  
7 larger. So if you measure that, we're not changing  
8 that at all. All we we're doing is changing some  
9 text on one side. Taking out, again, that ERS and  
10 adding Penn Medicine. Adjacent two commercial uses  
11 are similar signage in that area. Michael talked  
12 about Adventure Aquarium. American Water has got a  
13 very large sign. Again, appropriate for their size  
14 building. So we think that fits in with that  
15 criteria.

16           The second prong we have to look at is  
17 the Negative Criteria. Are we a substantial  
18 detriment to the public good? I don't believe that  
19 we are. Impact on surrounding properties is limited.  
20 It's already an existing sign. We just modifying it.  
21 The site has been designed to comply with the rest of  
22 the design standards you have in your land use  
23 ordinances. So the rest of the site is already  
24 up-to-par with those standards. Surrounding  
25 properties, again, commercial uses, large signs.

1 We're facing the Delaware River so you're not  
2 impacting any neighboring properties.

3 The second prong of the Negative  
4 Criteria, is that we would not impair the intent and  
5 purpose of your Zone Plan or your Master Plan. The  
6 sign, again, has been designed in compliance, except  
7 for size and the location on the roof, with the  
8 design standards under your ordinance; demonstrate  
9 that the roof sign can fit into the character of the  
10 neighborhood. We've done that with the surrounding  
11 uses. This sign, again, is going to be on that same  
12 super structure. So no negative impact there.

13 We think it'll contribute positively to  
14 the area's identity; the economic vitality. You have  
15 a lot of businesses, big businesses coming into  
16 Camden over the past ten years. And that's been a  
17 positive for this community. I was born in South  
18 Philadelphia; I'm a Sixers fan born and raised. And  
19 to have them move to Camden, I was a little worked up  
20 about that. But it seemed to work out great. So  
21 across the river, you guys are kind of paired cities  
22 so it's nice to see the Sixers bring this use to your  
23 community and help the City of Camden. It's a  
24 positive impact here. And having this sign and  
25 bringing their partners here, it brings that same

1 partnership affect.

2           It's consistent with your Master Plan.  
3 The goals of the Master Plan is to promote economic  
4 growth. That is what this is doing. It's putting  
5 another business here partnered with the Sixers. The  
6 joint partnering with Philadelphia and the waterfront  
7 region with the two cities, has really worked. You  
8 guys are doing that here and we think we're doing  
9 that as well with this partnership. So for those  
10 reasons, I think the roof sign can be approved with  
11 compliance with the Master Plan and your land use  
12 regulations.

13           The second variance we're looking for is  
14 the bulk variances. That would be a "c(2)" type  
15 variance which is the same criteria that I just went  
16 through, the Municipal Land Use Law purposes and the  
17 Positive and Negative Criteria. So for all those  
18 reasons, the expansion of the sign on the facade  
19 sign, it looks like we're adding about 1,277 square  
20 feet -- no. We're adding 383 for a total of 1,277  
21 where only 24 square feet is permitted. So, again,  
22 going pretty big, big building, big signs. Again,  
23 similar and less impact to neighboring properties and  
24 no really off-site impact at all for these two signs.

25           With that, I think both of these sign

1 packages can be approved with this Board's confidence  
2 that it's not going to be a negative impact and with  
3 the confidence that we promote with the purpose of  
4 the Municipal Land Use Law. I know I spoke really  
5 fast and it has been a long night and you guys are  
6 troopers for being here this long. This is a long  
7 agenda. Thank you for being here and waiting for us  
8 to present this evening.

9 MR. FLOYD: Thank you, Lance.

10 And, again, we do have Exhibit A-5 where  
11 we put all the signage Camden facing Philadelphia.  
12 I think those exhibits speak for themselves --

13 CHAIRMAN HANCE: Yes.

14 MR. FLOYD: -- of those buildings and  
15 we're not going to go through them. But if there are  
16 any questions, Lance is here to answer them. And  
17 likewise, Mr. Brody is here with Invision Sign is  
18 there's any questions. But, otherwise, what we are  
19 proposing, we require a "d" variance and a "c"  
20 variance and it's certainly consistent with the  
21 spirit of the City of Camden Code and what the City  
22 is trying to do with the waterfront, redevelopment of  
23 the waterfront area, and what the 76ERS are  
24 proposing, is certainly in line with the character of  
25 the neighborhood and similarly-sized buildings with



1 signage facing west. Thank you for your time this  
2 evening.

3 MR. EINGORN: Anybody here in the public  
4 tonight that would like to be heard on the  
5 application related to 3 Banner Way/9 Legends Lane?  
6 Hearing none and seeing none, we'll close the public  
7 portion.

8 The Board has been tasked tonight with an  
9 application for use and bulk variance approvals  
10 related to the signs. You heard the testimony and  
11 you reviewed the packet that's been submitted and  
12 substantial exhibits. So now is the time for the  
13 Board to do a discussion of the Positive and Negative  
14 Criteria and make a motion.

15 CHAIRMAN HANCE: I think it's very  
16 positive. We are big 76ERS fans over here to going  
17 back to Darryl Dawkins, Dr. J. So I'm happy to have  
18 you guys here. I think that you need to explode  
19 that sign up there. We're just as proud as  
20 Philadelphia to have you guys here. It's like the  
21 Eagles. So I think it's great for Camden and also  
22 great for Philly. And we should always be  
23 hand-in-hand. I always believed in that. If all the  
24 mayors got together and shared, we could get some  
25 stuff done. I think it's a blessing.

1 MS. ALSTON: I was wondering how hard was  
2 it to give up that 'ERS' sign there? I mean, Penn  
3 Medicine is a great place to partner with. When I  
4 first looked at it it said 76 and then Penn Medicine  
5 and I was like, oh, does it say the same thing. So  
6 you guys must have gone back and forth. Who was  
7 involved with that?

8 MS. PRICE: So obviously, they're a very  
9 important partner. We have different variations of  
10 our logo that we can use in our grant strategy so it  
11 worked out best to use that part of the logo for it.  
12 And we do have another sign too where we're taking  
13 off but it says 76ERS on that one. Any other  
14 questions? Our brand people probably felt a little  
15 bit differently about it but we do have different  
16 variations of the logos that we can use.

17 MS. MASON: I make a motion.

18 MR. EINGORN: We have a motion to pass.  
19 Do we have a second?

20 MS. ALSTON: Second.

21 MR. EINGORN: I'll take a roll-call vote.  
22 Chairman Hance.

23 CHAIRMAN HANCE: Yes.

24 MR. EINGORN: Vice-Chairman Cooper.

25 VICE-CHAIRMAN COOPER: Yes.

1 MR. EINGORN: Ms. Merricks.

2 MS. MERRICKS: Yes.

3 MR. EINGORN: Ms. Alston.

4 MS. ALSTON: Yes.

5 MR. EINGORN: Ms. Nunez.

6 MS. NUNEZ: Yes.

7 MR. EINGORN: Mr. Still.

8 MR. STILL: Yes.

9 MR. EINGORN: Ms. Mason.

10 MS. MASON: Yes.

11 MR. EINGORN: Having seven in favor and  
12 none opposed, the motion passes.

13 MR. FLOYD: Thank you very much for your  
14 time this evening.

15 MR. EINGORN: Thank you.

16 Now we have the Adoption of Resolutions  
17 for July and August.

18 The Resolutions for July 2024 we have  
19 Granting Use Variance Approval and Preliminary Site  
20 Plan Approval for 958-960 North 27th Street, LLC &  
21 964-966 North 27th Street, LLC; 960 & 966 N. 27th  
22 Street, Block 932, Lot 31, 32, & 33, 4-Unit  
23 Apartments.

24 The Resolutions for August 2024 we have:  
25 Granting Preliminary and Final Site Plan Amendment

1 for PSE&G, 900 S. 2nd Street AKA Locust Between  
2 Walnut Street & Spruce Street - Metering & Regulating  
3 (M&R) Station.

4 Granting Use Variance Approval and Site  
5 plan Waiver for Curtis Moore, 818 Kaighns Avenue.

6 Granting Non-Conforming Use for Gloria  
7 Om, 1542 Bradley Avenue.

8 Granting Non-Conforming Use for Lillian  
9 Baron, 498 Boyd Street.

10 Granting Bulk Variance Approval for  
11 Elving Figueroa, 762 Line Street.

12 Granting Non-Conforming Use for Benzh  
13 Invest, LLC, 264 Boyd Street.

14 Granting Use Variance, Bulk Variance  
15 Approval and Site Plan Waiver for William Hargrove,  
16 108 N. 7th Street.

17 Granting Bulk Variance Approval for Zayed  
18 Abed, 316 Vine Street.

19 Granting Use Variance Approval, Bulk  
20 Variance Approval for Premier Construction, LLC, 521  
21 Cooper Street.

22 Granting Non-Conforming Use for Elvis  
23 Pena Rosado, 700 Pine Street.

24 MR. EINGORN: Do I have a motion?

25 MS. MASON: Motion to adopt Resolutions.

1 MS. ALSTON: Second

2 MR. EINGORN: I'll take a roll-call vote.  
3 Chairman Hance.

4 CHAIRMAN HANCE: Yes.

5 MR. EINGORN: Vice-Chairman Cooper.

6 VICE-CHAIRMAN COOPER: Yes.

7 MR. EINGORN: Ms. Merricks.

8 MS. MERRICKS: Yes.

9 MR. EINGORN: Ms. Alston.

10 MS. ALSTON: Yes.

11 MR. EINGORN: Ms. Nunez.

12 MS. NUNEZ: Yes.

13 MR. EINGORN: Mr. Still.

14 MR. STILL: Yes.

15 MR. EINGORN: Ms. Mason.

16 MS. MASON: Yes.

17 MR. EINGORN: Now I need a motion to  
18 adjourn.

19 CHAIRMAN HANCE:

20 MS. MASON: Second.

21 MR. EINGORN: All in favor?

22 THE BOARD: Yays.

23 - - -

24 (\*\*Meeting concluded at 10:45 p.m.\*\*)

25

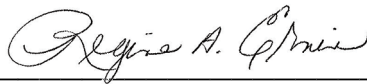
## 1 CERTIFICATION

2  
3  
4 I HEREBY CERTIFY that I am a Certified Court  
5 Reporter and Notary Public.

6 I FURTHER CERTIFY that the witness was sworn  
7 to testify to the truth.

8 I FURTHER CERTIFY that the foregoing is, to  
9 the best of my ability, a true and accurate  
10 transcript of the testimony taken stenographically by  
11 me at the time, place, and date hereinbefore set  
12 forth.

13 I FURTHER CERTIFY that I am neither a relative,  
14 employee, attorney or counsel to any of the  
15 parties to the action, nor a relative or employee of  
16 such attorney or counsel and that I am not  
17 financially interested in the action.

18 

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|                               |                               |                                |                               |                                |
|-------------------------------|-------------------------------|--------------------------------|-------------------------------|--------------------------------|
|                               | <b>acceptable (1)</b> 135:23  | 24:11;26:7;30:20;              | <b>addressing (3)</b>         | 49:5;51:5;55:14;               |
| <b>\$</b>                     | <b>accepted (4)</b> 68:21;    | 34:7;36:20;37:9;               | 116:13;155:4;156:23           | 84:19;89:4;90:12;              |
| <b>\$6,000 (2)</b> 120:10,21  | 93:13,14;107:19               | 51:21;70:21;84:1;              | <b>adds (1)</b> 251:11        | 92:23;95:9;98:11;              |
| <b>*</b>                      | <b>access (30)</b> 13:22;     | 86:4;88:6;89:15,20;            | <b>adequate (4)</b> 47:11;    | 100:7,20,23;101:1;             |
| <b>***Meeting (1)</b> 260:24  | 14:7,12;15:17,18;             | 96:24;105:22;108:11;           | 134:1,2;151:13                | 108:23,25;114:22;              |
| <b>A</b>                      | 17:3;47:2;48:15,17,           | 109:6;121:20;148:22;           | <b>adequately (1)</b> 132:4   | 117:10;124:10;                 |
| <b>A-1 (6)</b> 31:7,8;168:18; | 19,20;49:17;59:3;             | 166:19;182:21;                 | <b>adhere (1)</b> 79:2        | 130:25;135:17;145:8;           |
| 243:14;247:22,24              | 63:10;73:1,6;94:9;            | 201:17;204:9;205:5;            | <b>adieu (1)</b> 106:22       | 147:8,13;148:1,2,3;            |
| <b>A-100 (1)</b> 171:21       | 109:21,22,23;110:12,          | 206:15;233:9;235:23;           | <b>adjacent (4)</b> 48:15;    | 149:8;151:6;154:5;             |
| <b>A-101 (1)</b> 172:8        | 12,21;111:6;121:11;           | 236:23;252:5                   | 67:24;132:8;252:10            | 161:10;165:25;174:7;           |
| <b>A-2 (1)</b> 171:11         | 225:6                         | <b>ADA (6)</b> 106:8;          | <b>adjourn (2)</b> 17:7;      | 178:21;179:17;180:4;           |
| <b>A-2A (1)</b> 243:22        | <b>accessed (1)</b> 77:18     | 121:10,10;143:19;              | 260:18                        | 182:1,7;247:25;                |
| <b>A-2C (1)</b> 243:22        | <b>accessible (2)</b> 50:7;   | 151:11;162:1                   | <b>adjourned (2)</b> 163:19;  | 252:9,13,25;253:6,             |
| <b>A-3 (1)</b> 171:23         | 109:17                        | <b>adaptive (2)</b> 180:3;     | 164:11                        | 11;254:21,22;255:10            |
| <b>A-3A (1)</b> 243:25        | <b>accessory (10)</b> 52:17,  | 181:11                         | <b>adjournment (3)</b>        | <b>against (1)</b> 234:5       |
| <b>A-3F (1)</b> 243:25        | 21;53:6,7;80:22;              | <b>add (31)</b> 11:5,14;       | 17:17;163:17,25               | <b>age (5)</b> 49:9;97:12;     |
| <b>A-4 (1)</b> 172:9          | 106:6;141:11,18;              | 55:18;60:4,5;61:7;             | <b>adjudicate (2)</b> 25:13;  | 146:11;147:18;                 |
| <b>A-4A (1)</b> 244:2         | 143:13;161:24                 | 65:1;69:1;77:15;               | 26:15                         | 161:19                         |
| <b>A-4G (1)</b> 244:2         | <b>accommodate (6)</b>        | 79:23,24;80:3,5,19;            | <b>adjust (1)</b> 79:17       | <b>Agency (3)</b> 81:11;       |
| <b>A-5 (2)</b> 173:12;255:10  | 115:13;137:25;                | 87:13;126:4,8,16,21,           | <b>Adjustment (2)</b> 4:3,23  | 144:5;229:25                   |
| <b>A-5A (1)</b> 244:5         | 151:13,16;178:20;             | 23;131:11;132:15,17;           | <b>Administrative (2)</b>     | <b>agenda (4)</b> 5:6;25:24;   |
| <b>A-5G (2)</b> 244:6;        | 179:20                        | 135:12;143:3;152:14;           | 79:17;142:24                  | 164:2;255:7                    |
| 247:24                        | <b>accomplishing (1)</b>      | 196:10;201:1,2;                | <b>Administrator (2)</b>      | <b>aging (1)</b> 146:7         |
| <b>A-6 (1)</b> 173:25         | 88:17                         | 203:18,23                      | 29:15;31:16                   | <b>ago (7)</b> 88:1;168:14;    |
| <b>A-7 (1)</b> 174:16         | <b>accordance (9)</b> 49:1;   | <b>added (5)</b> 75:22;        | <b>Admiral (22)</b> 6:13;     | 184:21;201:23;205:5;           |
| <b>abandoned (3)</b> 12:13;   | 55:10;62:5;69:5;              | 162:6;185:11,15;               | 23:16;33:6;39:2;              | 223:8;233:10                   |
| 191:21;193:12                 | 126:2;127:10;135:15;          | 200:1                          | 48:20;54:24;56:15;            | <b>agree (9)</b> 26:17;        |
| <b>abatements (1)</b>         | 136:2;149:20                  | <b>adding (8)</b> 11:8;        | 57:18;58:18;76:8,18;          | 59:24;69:7;71:25;              |
| 157:25                        | <b>according (2)</b> 177:24;  | 87:12;203:23;242:9;            | 77:1,7;83:21;87:16;           | 72:5;77:5;79:22;               |
| <b>Abed (1)</b> 259:18        | 206:16                        | 243:20;252:10;                 | 88:11,22;95:4;98:19;          | 179:14;239:6                   |
| <b>ability (1)</b> 216:3      | <b>accordingly (2)</b> 121:7; | 254:19,20                      | 100:3,14;101:13               | <b>Agreed (1)</b> 129:2        |
| <b>able (23)</b> 29:20;       | 207:16                        | <b>addition (10)</b> 24:6;     | <b>adopt (4)</b> 5:8,11;      | <b>agreement (6)</b> 62:19;    |
| 31:23;34:18;38:1;             | <b>accrues (1)</b> 90:19      | 59:10;78:10;96:6;              | 65:15;259:25                  | 63:14;115:25;119:15;           |
| 42:7;55:15;70:17;             | <b>accumulatively (1)</b>     | 115:23;123:18;                 | <b>adopted (6)</b> 25:6;      | 168:12;179:9                   |
| 71:2,15;73:6;75:11;           | 181:15                        | 198:17;200:1;203:22;           | 31:6;65:22,22;66:1,           | <b>agreements (1)</b>          |
| 100:15;101:12;                | <b>accurate (4)</b> 216:3,23, | 233:1                          | 19                            | 119:21                         |
| 118:24;119:10;129:5;          | 24;245:15                     | <b>additional (14)</b> 47:18;  | <b>Adoption (1)</b> 258:16    | <b>Agrenaphonetic (1)</b>      |
| 146:23;155:9,25;              | 24;245:15                     | 54:1,16;85:21;99:11;           | <b>advance (7)</b> 6:9;       | 168:22                         |
| 163:18;179:8;185:12;          | <b>achieving (1)</b> 89:20    | 115:17;116:17;                 | 90:10;177:11,14;              | <b>agricultural (1)</b> 177:22 |
| 238:7                         | <b>acknowledge (2)</b>        | 119:23,24;148:5;               | 180:10,12;197:13              | <b>ahead (3)</b> 139:19;       |
| <b>above (4)</b> 132:25;      | 54:25;115:1                   | 156:25;158:25;183:7;           | <b>advanced (1)</b> 90:13     | 172:13;223:23                  |
| 133:24;147:25;                | <b>acquire (5)</b> 21:22;     | 242:10                         | <b>advancement (1)</b>        | <b>AIA (1)</b> 27:23           |
| 148:18                        | 117:3,7;119:5;150:16          | <b>Additionally (4)</b> 25:16; | 179:24                        | <b>AICP (4)</b> 27:23;         |
| <b>Abraham (5)</b> 6:25;      | <b>acquiring (1)</b> 118:3    | 105:9;106:9;115:19             | <b>advancing (1)</b> 88:18    | 242:21;248:10,25               |
| 186:19,24;187:5,8             | <b>across (18)</b> 83:22;     | <b>address (40)</b> 18:4;      | <b>advantages (1)</b> 179:5   | <b>aid (1)</b> 132:5           |
| <b>absent (2)</b> 4:12,14     | 84:12;117:5;118:4,            | 28:7;29:7;96:19;               | <b>Adventure (2)</b> 244:11;  | <b>aimed (1)</b> 146:13        |
| <b>absolutely (5)</b> 42:10;  | 12;155:22;191:11,12,          | 106:17;107:7,9;                | 252:12                        | <b>air (1)</b> 151:8           |
| 84:19;108:18;245:20;          | 14;202:16;219:19;             | 111:14;112:19,22;              | <b>adverse (1)</b> 69:16      | <b>air-conditioned (1)</b>     |
| 246:10                        | 225:23;226:20;230:1;          | 115:20;116:6,6;                | <b>advertise (1)</b> 251:19   | 48:10                          |
| <b>abundance (2)</b> 67:8,    | 237:2;239:7;240:6;            | 117:11;123:13;125:9;           | <b>advocate (1)</b> 46:18     | <b>aisle (1)</b> 121:11        |
| 15                            | 253:21                        | 132:11;135:19;                 | <b>aerial (5)</b> 15:6;16:24; | <b>aisles (1)</b> 125:2        |
| <b>accentuate (4)</b>         | <b>Acting (1)</b> 63:25       | 147:11,13;154:4;               | 198:24;199:1;243:15           | <b>AKA (1)</b> 259:1           |
| 148:12,14,24;151:6            | <b>action (3)</b> 164:8,8;    | 156:23;159:22;                 | <b>affect (5)</b> 66:7;83:14; | <b>AI (23)</b> 27:4,23;43:23,  |
| <b>accept (12)</b> 22:14;     | 177:15                        | 165:15,17,20,22;               | 89:2,10;254:1                 | 25:44;1;60:13,16,21,           |
| 33:23;43:11,24;               | <b>activated (1)</b> 135:7    | 175:15;181:4;187:4;            | <b>affecting (1)</b> 84:16    | 24:66;10,17;70:9;              |
| 82:12;101:18;107:25;          | <b>active (1)</b> 65:14       | 198:6,8;209:19;                | <b>affixed (1)</b> 71:21      | 71:11;72:2;74:22,25;           |
| 162:15,17;170:16;             | <b>actively (3)</b> 119:3,4;  | 215:19;221:7,8;                | <b>afford (1)</b> 155:9       | 75:4;78:6,15;93:17;            |
| 185:19;219:21                 | 156:9                         | 232:23;233:2;245:9;            | <b>afternoon (1)</b> 11:22    | 94:25;95:13;96:20              |
|                               | <b>activities (1)</b> 178:8   | 248:15                         | 141:19                        | <b>alarms (2)</b> 35:8,10      |
|                               | <b>actual (6)</b> 37:2;       | <b>addressed (4)</b> 8:2;      | <b>again (55)</b> 24:9;25:1,  | <b>albeit (1)</b> 61:17        |
|                               | 108:16;137:14,15;             | 61:10;127:8;151:10             | 8;26:17,19,22;31:8;           | <b>alcohol (2)</b> 46:8,9      |
|                               | 157:16;247:15                 | <b>addresses (4)</b> 10:14;    | 35:7;36:11;39:12;             | <b>ALKUMHTAR (1)</b>           |
|                               | <b>actually (30)</b> 20:15;   | 28:4;112:17;165:12             |                               | 135:4                          |

|   |   |  |   |   |
|---|---|--|---|---|
| <p><b>alleviate (1)</b> 67:5<br/> <b>alleyway (1)</b> 17:1<br/> <b>allow (11)</b> 24:10;25:2; 55:13;145:16,18; 155:11;177:5;180:7; 222:3,12;228:18<br/> <b>allowed (9)</b> 26:9;32:2; 57:12;145:19;151:1; 178:3;212:16;222:14; 224:14<br/> <b>Almkhtar (1)</b> 108:2<br/> <b>almost (4)</b> 76:22;88:1; 110:19;153:16<br/> <b>Almukhtar (65)</b> 106:13,23;107:2,8,9, 11,14,24;108:1,5,8, 11,18,23;110:10; 111:23;112:1;124:16; 125:14,17,20;126:9, 13,17,23;127:1,12,15, 21;128:9,13,22; 129:2,10,14,22;130:2, 8,12,17;131:4,10,17; 132:14,16;135:10,13; 136:14;137:6,11; 138:1,11,14;140:20, 24;141:7;142:4,8,12, 16,21;143:1,5; 153:13;156:1<br/> <b>along (26)</b> 48:20; 56:15;58:1,18;73:15, 16,18,19,22;76:25; 87:16;90:11;95:9,11, 11;99:9;119:8;123:3; 125:2;126:10,11; 129:18,20;207:12; 226:12;241:21<br/> <b>Alston (51)</b> 4:14,15; 5:17,18;8:15,21,22; 22:22;40:15;41:4,8; 42:12;91:4,8,12; 102:7,8;111:19,24; 153:2,7,12;155:6; 157:12,17;158:3; 163:1,2;185:8,18; 186:5,6;192:12; 208:17,18;214:12,20, 21;220:5,6;231:22, 23;241:2,3;257:1,20; 258:3,4;260:1,9,10<br/> <b>Altantic (1)</b> 249:4<br/> <b>alternation (1)</b> 171:16<br/> <b>alternative (2)</b> 180:18; 181:3<br/> <b>Although (1)</b> 184:19<br/> <b>always (6)</b> 41:9; 88:14,18;201:18; 256:22,23<br/> <b>ALYCE (3)</b> 198:1,9,11<br/> <b>Alzheimer's (1)</b> 146:15<br/> <b>ambiance (2)</b> 251:9, 10</p> | <p><b>ambulance (2)</b> 122:16;194:14<br/> <b>amend (4)</b> 55:14; 134:19;144:17; 207:16<br/> <b>amended (1)</b> 159:6<br/> <b>amending (1)</b> 134:15<br/> <b>Amendment (1)</b> 258:25<br/> <b>American (2)</b> 244:11; 252:12<br/> <b>AMLUKHTAR (2)</b> 143:18,21<br/> <b>among (1)</b> 155:21<br/> <b>amount (4)</b> 32:20; 51:16;117:14;160:18<br/> <b>ample (2)</b> 184:19; 224:17<br/> <b>AMULKHTAR (3)</b> 117:19;140:8;154:2<br/> <b>anchor (1)</b> 148:12<br/> <b>Anderson (1)</b> 244:14<br/> <b>angles (2)</b> 197:10; 243:24<br/> <b>answered (1)</b> 78:22<br/> <b>anticipate (4)</b> 33:9; 36:24;160:12,17<br/> <b>anticipated (3)</b> 35:24; 86:5;121:22<br/> <b>anticipates (1)</b> 179:11<br/> <b>anymore (2)</b> 120:21; 158:8<br/> <b>ao (1)</b> 59:4<br/> <b>apart (1)</b> 203:16<br/> <b>apartment (9)</b> 14:13; 16:5;153:15;167:24; 171:19;179:15;211:7; 230:5;234:23<br/> <b>apartments (14)</b> 11:4; 164:20;166:11; 167:18,21;168:6; 169:18;171:19;181:2; 182:25;184:1,16; 210:20;258:23<br/> <b>apologize (2)</b> 6:9; 160:10<br/> <b>appeal (2)</b> 187:7; 251:13<br/> <b>appealing (2)</b> 101:11; 251:20<br/> <b>appear (1)</b> 21:16<br/> <b>appearance (1)</b> 70:3<br/> <b>appeared (3)</b> 43:5,6; 82:7<br/> <b>appearing (1)</b> 241:18<br/> <b>appears (3)</b> 44:16; 66:25;135:21<br/> <b>Appendix (2)</b> 62:21; 127:23<br/> <b>apples-to-apples (1)</b> 62:9<br/> <b>applicable (4)</b> 21:14; 64:13;120:6;131:7</p> | <p><b>applicant (107)</b> 9:16; 18:7,13,14;23:25; 25:9;26:7;28:6,12; 31:13;44:21;45:6; 53:17;55:6;56:8,13; 57:25;60:8,25;62:24; 63:9;64:7,14;69:4,9; 71:22;73:21;103:10, 25;104:6,8;105:16; 106:15;108:3;113:11; 114:18;115:7,12,15, 20,24;116:12;117:12, 13;118:16;121:4,9, 18;123:12,14;125:5; 126:18;127:2;128:1; 130:22;131:8,21; 132:11;135:14;136:8; 138:16,23;139:2,25; 140:10;141:3;143:2; 145:12,22;146:21; 147:9;148:16;149:13; 150:20;151:21;152:4, 9;154:5;159:5,17; 163:24;164:6;166:2; 168:19;177:4,9; 179:8,14;183:25; 187:8,24;188:2; 192:11,15;193:6; 198:15;206:13,17; 209:6;213:9;218:11; 229:15,18;241:18,24; 242:10,18<br/> <b>applicants (4)</b> 29:24; 64:11;105:2;131:5<br/> <b>applicant's (10)</b> 5:3; 21:8;27:3,4,5,18; 44:3,68;16;113:4; 150:16<br/> <b>application (78)</b> 6:2; 8:6;9:5;11:17;19:5; 23:15,17;25:3,7,8,16, 21,22;26:23;27:1; 28:18,24;29:11,17; 30:4,8,15,19,24,25; 31:4,11,23;34:5; 40:18;45:11;66:4; 85:5,10;98:18,23; 99:6;103:12;108:7; 114:14,21;119:11; 123:16;134:19; 136:23;138:16,17; 144:18;152:6;159:6; 160:13;164:16;166:7; 170:14,19,22;175:13; 177:14;178:11;179:5; 180:24;181:1;193:4; 199:9;206:10,18; 213:7;218:9;220:14; 222:16;229:12; 241:19;243:13; 246:22;247:13; 251:21;256:5,9<br/> <b>applications (6)</b> 29:13,</p> | <p>19,25;30:14;180:24; 203:8<br/> <b>applies (2)</b> 11:17; 120:10<br/> <b>apply (2)</b> 82:1;175:8<br/> <b>appraisals (2)</b> 119:7,8<br/> <b>appreciate (3)</b> 17:18; 97:5;197:16<br/> <b>appreciated (1)</b> 105:4<br/> <b>approach (1)</b> 149:25<br/> <b>appropriate (16)</b> 12:7; 14:25;21:16;87:2,2; 144:17;151:19; 153:14;177:16,21; 178:2,4;183:14; 244:19;251:16; 252:13<br/> <b>approval (50)</b> 12:20; 23:19;31:14;32:3; 45:11,16;55:16;64:2; 81:6;98:25;105:17; 115:18;116:22; 118:21;123:15; 130:15;134:9;140:11; 143:25;152:11,17; 159:12,15;160:5; 162:3;175:7;177:5; 182:16;183:6,14; 188:1;197:2;208:1; 241:20,20;242:3,3,24, 25;247:19;249:24,25; 258:19,20;259:4,10, 15,17,19,20<br/> <b>Approvals (3)</b> 81:11; 144:6;256:9<br/> <b>approve (4)</b> 106:21; 119:17;123:15; 214:10<br/> <b>approved (11)</b> 31:25; 32:2;56:8;58:20; 63:20;130:13;156:9; 160:5,6;254:10;255:1<br/> <b>approximately (5)</b> 24:5,7;39:12;223:8; 242:9<br/> <b>April (1)</b> 168:23<br/> <b>Aquarium (2)</b> 244:11; 252:12<br/> <b>Archer (1)</b> 241:17<br/> <b>architect (18)</b> 27:4; 82:5;93:11;95:17; 99:1;106:12,23; 107:15;108:1;111:18; 153:10;164:25;170:3, 10;178:18;210:4; 211:6,9<br/> <b>architectural (12)</b> 43:20;93:9,15;129:6; 135:1;140:25;141:5; 142:1;170:18;178:22; 204:5,6<br/> <b>architecture (5)</b> 106:13;107:21;</p> | <p>108:3;170:8,16<br/> <b>area (94)</b> 9:22;11:12; 15:7;22:2;36:19,22; 48:16;49:13;50:5,7,9, 17;51:1,7;53:6;58:8; 61:5;66:22;70:22; 71:18,19;72:25;74:8; 78:14;82:16,17;92:1, 3;96:3;99:19,21; 104:23;105:7;109:2, 3,19;111:5;113:24; 116:18,20;117:2; 118:7;119:5;121:17; 125:6,22;127:7,14; 137:21;141:19,20; 148:10;150:19; 151:25;153:22; 161:13;166:17; 174:10;177:1;184:5, 20;194:20;195:24; 196:24;198:20; 203:22;206:3,21; 211:7;214:5,8;219:3, 14,16;222:12;223:1; 226:10,24;227:9,10, 15;229:19,23;236:11, 13,17,17,19;242:10; 244:19;250:17; 251:24;252:11; 255:23<br/> <b>areas (9)</b> 26:6;48:6; 60:12;63:12;125:1; 126:21;132:3;159:9; 183:1<br/> <b>area's (1)</b> 253:14<br/> <b>Arelis (24)</b> 7:6;215:7, 9,14,20;216:6,9,12, 14,18;217:4,9,12,14, 17,20,23;218:1,5; 219:1,6,8,11;220:16<br/> <b>arguably (1)</b> 179:2<br/> <b>argue (1)</b> 32:16<br/> <b>arise (1)</b> 96:19<br/> <b>armed (3)</b> 33:21; 34:12,21<br/> <b>around (27)</b> 14:11; 15:7;32:21;33:16; 70:13;71:3;83:18; 87:18;96:16;100:4; 151:5;155:18;167:6; 184:20;190:2;191:9, 24;224:5;235:4,11; 236:17;237:3;238:1, 4,6;239:5;246:1<br/> <b>around-the-clock (1)</b> 46:25<br/> <b>arranged (1)</b> 132:7<br/> <b>arrives (2)</b> 8:9;103:3<br/> <b>arts (1)</b> 147:22<br/> <b>ASHTO (2)</b> 136:3,4<br/> <b>Aside (2)</b> 56:24; 199:17<br/> <b>as-is (1)</b> 119:12</p> |
|---|---|--|---|---|



|   |   |  |   |  |
|---|---|--|---|--|
| <p><b>ASLA (1)</b> 27:23<br/> <b>ASLTON (1)</b> 101:2<br/> <b>aspect (5)</b> 26:13;<br/> 32:10;83:10;90:1;<br/> 154:6<br/> <b>assemble (1)</b> 153:19<br/> <b>assembly (2)</b> 110:23;<br/> 153:18<br/> <b>assessment (7)</b> 69:5;<br/> 135:15,25;152:16,20;<br/> 162:8,9<br/> <b>assessments (1)</b><br/> 159:2<br/> <b>Assessor (1)</b> 139:4<br/> <b>assistance (2)</b> 154:21,<br/> 24<br/> <b>associated (3)</b> 83:1;<br/> 86:25;98:1<br/> <b>Associates (1)</b> 248:18<br/> <b>Association (1)</b> 41:19<br/> <b>associations (1)</b> 29:22<br/> <b>assume (3)</b> 54:5;<br/> 124:11;136:3<br/> <b>assumed (2)</b> 128:12,<br/> 24<br/> <b>assuming (3)</b> 53:22;<br/> 128:17;188:2<br/> <b>assumption (2)</b> 53:21,<br/> 22<br/> <b>Atlantic (4)</b> 17:20;<br/> 18:8,9;21:7<br/> <b>attached (2)</b> 20:3;<br/> 247:18<br/> <b>attempt (1)</b> 150:16<br/> <b>attempting (1)</b> 222:24<br/> <b>attention (3)</b> 97:5;<br/> 98:12;183:16<br/> <b>attic (2)</b> 173:24;174:4<br/> <b>attorney (5)</b> 23:13;<br/> 171:17;209:5;220:20;<br/> 241:17<br/> <b>attorneys (1)</b> 29:18<br/> <b>attract (1)</b> 90:2<br/> <b>attracted (1)</b> 179:16<br/> <b>attractive (3)</b> 148:11,<br/> 23;151:7<br/> <b>attributed (1)</b> 24:21<br/> <b>auction (1)</b> 195:5<br/> <b>audience (1)</b> 5:4<br/> <b>August (3)</b> 5:9;<br/> 258:17,24<br/> <b>Authority (7)</b> 116:17,<br/> 19;117:4;119:4,25;<br/> 144:8;249:5<br/> <b>auto (3)</b> 191:12;<br/> 192:9,9<br/> <b>automated (1)</b> 204:11<br/> <b>automatic (1)</b> 135:7<br/> <b>automatically (1)</b><br/> 146:3<br/> <b>automobile (1)</b> 123:22<br/> <b>automobiles (1)</b><br/> 123:19</p> | <p><b>available (8)</b> 13:3;<br/> 116:3,20;131:23;<br/> 157:25;197:21;<br/> 212:23;237:14<br/> <b>Avenue (18)</b> 6:4,20;<br/> 8:1;17:20;18:8,9;<br/> 21:8;107:9;112:19;<br/> 117:9;163:14;164:1;<br/> 165:17;209:21;221:9;<br/> 248:17;259:5,7<br/> <b>avenues (1)</b> 118:23<br/> <b>average (1)</b> 132:21<br/> <b>avoid (1)</b> 132:10<br/> <b>avoiding (1)</b> 88:6<br/> <b>aware (16)</b> 69:12,16;<br/> 81:6,16;104:11;<br/> 118:6;120:20;136:10,<br/> 12;140:10;143:25;<br/> 144:9;155:8,13;<br/> 159:10;246:20<br/> <b>away (7)</b> 37:25;<br/> 125:21;150:14;<br/> 159:20;195:5,7;<br/> 239:16</p> | <p><b>Baptist (3)</b> 6:19;<br/> 163:13;164:1<br/> <b>barber (1)</b> 229:25<br/> <b>barely (1)</b> 71:11<br/> <b>Baron (1)</b> 259:9<br/> <b>barriers (1)</b> 155:8<br/> <b>based (10)</b> 43:14;<br/> 44:17;61:18,19;85:7;<br/> 124:6;149:13;155:16;<br/> 160:18;218:18<br/> <b>basement (13)</b> 11:6;<br/> 12:21;13:23;14:7,12;<br/> 16:18,19,21;171:25;<br/> 172:1,1;199:16;<br/> 228:24<br/> <b>basically (16)</b> 20:20,<br/> 25;60:16;89:8;93:23;<br/> 104:19;116:11;<br/> 153:16;179:12,16;<br/> 180:20;181:15;182:3;<br/> 203:17;210:16;<br/> 228:10<br/> <b>basin (2)</b> 83:16;89:5<br/> <b>basis (2)</b> 36:25;<br/> 122:25<br/> <b>bathroom (3)</b> 110:21;<br/> 153:21;203:23<br/> <b>bathrooms (1)</b> 110:14<br/> <b>Beautiful (2)</b> 184:7;<br/> 203:8<br/> <b>became (1)</b> 65:14<br/> <b>become (4)</b> 89:22;<br/> 96:9;149:6;224:14<br/> <b>bedroom (8)</b> 153:16,<br/> 17;169:19;172:19;<br/> 174:10,12,12;203:22<br/> <b>beer (1)</b> 230:3<br/> <b>begin (1)</b> 29:10<br/> <b>beginning (2)</b> 43:20;<br/> 201:18<br/> <b>behalf (4)</b> 9:15;23:14;<br/> 164:15;241:18<br/> <b>behavioral (1)</b> 45:25<br/> <b>behind (10)</b> 70:23;<br/> 116:23;117:8;190:8;<br/> 192:2;196:14;203:4;<br/> 211:14;238:18;252:6<br/> <b>belief (1)</b> 23:17<br/> <b>below (3)</b> 44:7;51:22;<br/> 137:22<br/> <b>ben (1)</b> 179:18<br/> <b>beneficial (1)</b> 146:2<br/> <b>benefit (8)</b> 97:22;<br/> 107:12;181:1,10,17;<br/> 185:11,15;228:8<br/> <b>benefiting (1)</b> 152:2<br/> <b>benefits (7)</b> 98:1,4,6;<br/> 157:13,18;180:19,20<br/> <b>Benzh (1)</b> 259:12<br/> <b>Bergen (2)</b> 6:4;8:1<br/> <b>beside (1)</b> 22:7<br/> <b>besides (2)</b> 113:24;<br/> 211:19</p> | <p><b>best (11)</b> 34:2;43:15;<br/> 67:17;83:8;94:19;<br/> 183:11;215:25;216:3;<br/> 229:1;245:14;257:11<br/> <b>better (14)</b> 5:4;38:23;<br/> 74:13;83:5;92:4;<br/> 139:23;153:9,9;<br/> 156:22;161:17;<br/> 180:18;181:3;213:24;<br/> 236:19<br/> <b>beyond (3)</b> 66:22;<br/> 67:1;80:24<br/> <b>bicycle (13)</b> 59:11,13,<br/> 17,19,21;60:2;80:24;<br/> 106:8;123:24;124:5,<br/> 8;132:6;143:20<br/> <b>bicycles (2)</b> 123:20,22<br/> <b>big (18)</b> 74:10;98:2,8;<br/> 128:25;159:21;<br/> 161:17;184:6,11;<br/> 192:9;202:2;227:14;<br/> 238:24;246:6;253:15;<br/> 254:22,22,22;256:16<br/> <b>bigger (2)</b> 145:19;<br/> 193:19<br/> <b>bike (1)</b> 124:21<br/> <b>bikes (1)</b> 184:22<br/> <b>Bilco-type (1)</b> 15:21<br/> <b>bit (15)</b> 19:10,11;<br/> 30:10;31:10;32:8;<br/> 34:13;35:23;37:3;<br/> 56:12;60:14;89:3;<br/> 168:3;194:19;249:9;<br/> 257:15<br/> <b>black (12)</b> 75:1,8,17;<br/> 76:2,19;77:1,10,13;<br/> 87:16,17,19;202:15<br/> <b>Blakeslee (1)</b> 18:6<br/> <b>blend (1)</b> 87:20<br/> <b>blessing (1)</b> 256:25<br/> <b>blighted (1)</b> 99:19<br/> <b>Block (30)</b> 9:17;12:9,<br/> 10,11;13:8;21:21;<br/> 23:15;79:4;103:14,<br/> 15,16,17,18,18,20;<br/> 111:13;139:3;150:9,<br/> 14;155:19;164:17;<br/> 201:25,25;202:21;<br/> 204:13;205:18;207:9;<br/> 221:14;241:22;<br/> 258:22<br/> <b>blocked (2)</b> 225:14;<br/> 228:18<br/> <b>blocks (2)</b> 16:25;<br/> 142:22<br/> <b>Blvd (5)</b> 23:16;100:3;<br/> 233:5;234:19;241:21<br/> <b>Board (126)</b> 4:3,23;<br/> 5:1;7:21,22,23;8:6;<br/> 11:21;14:24;15:6;<br/> 19:4,23;23:12;25:12;<br/> 26:11,14,15;27:7;<br/> 28:8;29:12;30:10;</p> | <p>31:9;40:13;42:17;<br/> 43:6,11,14;54:5;<br/> 55:13;56:8,25;74:11;<br/> 76:25;79:5,10,12;<br/> 81:12;82:1,8;92:12;<br/> 95:18;97:3;98:11,22;<br/> 99:2,11,15;100:13;<br/> 101:2;102:20;103:9;<br/> 106:21;107:12,25;<br/> 108:12,15,20;110:8;<br/> 116:2,12;118:17,17;<br/> 119:16;121:1,123:15;<br/> 133:7;134:9;138:24;<br/> 142:6,24,24;144:6;<br/> 150:6;153:1;154:13;<br/> 158:13,16;159:21;<br/> 160:10;162:4;163:16;<br/> 165:2,25;168:2,15;<br/> 169:17,21,25;170:2,<br/> 15,25;171:3,10;<br/> 172:7,8,14;173:11;<br/> 174:22;176:12,21;<br/> 179:3;182:20;183:23;<br/> 184:1;197:11;210:8;<br/> 211:18;213:5,13;<br/> 217:2,24;218:4,17;<br/> 222:3,12;229:19;<br/> 234:11;241:16;<br/> 243:11,24;245:17;<br/> 247:12;249:6;256:8,<br/> 13;260:22<br/> <b>Boards (5)</b> 43:4,7;<br/> 82:8,8;107:19<br/> <b>Board's (5)</b> 21:11;<br/> 97:5;116:21;182:16;<br/> 255:1<br/> <b>boiler (1)</b> 175:18<br/> <b>border (1)</b> 71:23<br/> <b>born (2)</b> 253:17,18<br/> <b>Borough (2)</b> 29:15,15<br/> <b>both (36)</b> 13:11,14;<br/> 20:4;27:2;30:4;32:6;<br/> 33:18;35:12;44:18;<br/> 53:6;63:21;64:1;<br/> 72:9;79:24;80:20;<br/> 82:5;98:3;111:15;<br/> 130:14;136:19,21;<br/> 139:22;145:22;<br/> 150:11;173:22;<br/> 177:23;180:8;191:3;<br/> 208:7;212:18,21;<br/> 226:13;247:9;249:24;<br/> 250:19;254:25<br/> <b>bottle (1)</b> 37:25<br/> <b>bought (3)</b> 233:9,21,<br/> 22<br/> <b>Boulevard (19)</b> 6:13;<br/> 33:6;39:3;54:24;<br/> 55:4;56:16;71:14;<br/> 76:9,19;83:21;87:16;<br/> 88:11,22;94:15;95:4;<br/> 96:24;97:1;98:20;<br/> 101:13</p> |
|---|---|--|---|--|

|   |   |  |   |   |
|---|---|--|---|---|
| <p><b>Box (1)</b> 165:20<br/> <b>Boyd (2)</b> 259:9,13<br/> <b>Bradley (1)</b> 259:7<br/> <b>brand (1)</b> 257:14<br/> <b>break (1)</b> 102:21<br/> <b>breaking (1)</b> 174:24<br/> <b>breaks (1)</b> 157:13<br/> <b>Brett (1)</b> 9:15<br/> <b>brick (8)</b> 111:2,11,13;<br/> 142:12,15;190:18;<br/> 223:14;224:1<br/> <b>bridge (1)</b> 158:6<br/> <b>brief (3)</b> 11:20;170:2;<br/> 222:4<br/> <b>briefly (3)</b> 25:8;93:15;<br/> 97:4<br/> <b>Brigantine (1)</b> 249:2<br/> <b>bright (1)</b> 39:6<br/> <b>brighter (1)</b> 133:14<br/> <b>bring (11)</b> 12:13;34:4;<br/> 51:22;100:7;104:14;<br/> 148:15,15;169:24;<br/> 244:22;251:19;<br/> 253:22<br/> <b>bringing (5)</b> 97:12;<br/> 161:6;245:22;246:18;<br/> 253:25<br/> <b>brings (1)</b> 253:25<br/> <b>Brito (19)</b> 24:1,3;26:7,<br/> 25;27:24;28:9,13,<br/> 16,21,25;29:2,31:18;<br/> 35:2,38:5,20;98:9;<br/> 99:1;102:19<br/> <b>Brito's (1)</b> 31:23<br/> <b>broad (1)</b> 26:22<br/> <b>Broadway (27)</b> 6:17,<br/> 17;103:7,7,11,14,15,<br/> 15;108:24;109:16,22,<br/> 25;110:25;114:11,15;<br/> 115:1;117:8;119:2;<br/> 126:12;129:18,20;<br/> 150:9,10,12;158:10,<br/> 11;191:24<br/> <b>Brody (3)</b> 243:2;<br/> 247:5;255:17<br/> <b>broke (2)</b> 175:23;<br/> 235:21<br/> <b>brought (3)</b> 33:24;<br/> 38:18;251:21<br/> <b>Brown (33)</b> 26:25;<br/> 27:24;28:23;29:5,6,8,<br/> 8,10,14;30:6,12,25;<br/> 31:12;32:11,24;33:3,<br/> 20;34:9,15;35:9,21;<br/> 36:1,18;37:5,19,22;<br/> 38:13,20;39:15;<br/> 40:12,20;41:16;96:6<br/> <b>Budtenders (1)</b> 41:20<br/> <b>buffer (1)</b> 70:13<br/> <b>buffering (1)</b> 47:11<br/> <b>build (1)</b> 199:2<br/> <b>building (161)</b> 9:20;<br/> 11:4;13:21;18:12;</p> | <p>26:3,5,10;44:20;<br/> 48:16;51:11;52:2,4,5,<br/> 6,7,8,9,9,17,22;53:3;<br/> 58:6;59:21;63:10;<br/> 70:10;71:20;73:17,<br/> 19;74:20;75:19;<br/> 78:10,10;82:23;84:2,<br/> 3;85:15;87:12,13;<br/> 90:5;92:20,21;93:1,3,<br/> 16,17,18,18,22;94:1,<br/> 11,13,16,17,17,22,24;<br/> 95:1,2,3,5,6;97:14;<br/> 101:12;104:1,3;<br/> 105:25;109:21;<br/> 110:23;111:3,7;<br/> 113:9,25;114:1,2;<br/> 125:6;129:25;137:22;<br/> 140:11;143:9;145:18,<br/> 21;147:22;148:11,11,<br/> 22,23;149:23;150:24;<br/> 151:1,5,7;153:10;<br/> 155:15,16,17;161:22;<br/> 166:9;167:5;168:10;<br/> 171:4,8,14,14,16;<br/> 174:13,14,15,19,23;<br/> 175:3,18,20,22;<br/> 176:3;177:3,6;<br/> 178:17,18;179:4;<br/> 181:11;182:3,20,21;<br/> 183:4,13;184:6,7,12;<br/> 190:7,18;198:23;<br/> 203:3;204:4,4;<br/> 216:19;222:7,13,18,<br/> 21;223:14,20;224:1;<br/> 225:7,15;226:1,1;<br/> 227:11,22;228:19;<br/> 243:6,21;244:12,20;<br/> 245:22;249:8;250:14,<br/> 14;251:12,13;252:14;<br/> 254:22<br/> <b>building-mounted (2)</b><br/> 72:10;92:19<br/> <b>buildings (14)</b> 24:14;<br/> 48:11;52:22;141:11;<br/> 148:13;155:18,21;<br/> 187:11;196:11;<br/> 234:23;244:17,17;<br/> 255:14,25<br/> <b>building's (2)</b> 60:9;<br/> 126:19<br/> <b>built (9)</b> 18:19;19:25;<br/> 88:1;150:19;201:19;<br/> 210:11;226:7,8;229:3<br/> <b>bulk (27)</b> 9:19,22;<br/> 13:7,20;24:24;50:17;<br/> 51:1;82:19,20;90:16;<br/> 98:24;113:24;158:14;<br/> 198:20;206:20;<br/> 210:13;213:10;<br/> 241:20;242:25;<br/> 249:25;250:20;<br/> 254:14;256:9;259:10,<br/> 14,17,19</p> | <p><b>bunch (1)</b> 31:17<br/> <b>burden (2)</b> 44:24;<br/> 152:9<br/> <b>Burlington (1)</b> 43:7<br/> <b>burned (1)</b> 201:23<br/> <b>bus (11)</b> 118:8;119:1;<br/> 150:7,11,13,15;<br/> 168:9;184:19;190:8,<br/> 11,12<br/> <b>buses (2)</b> 194:13,16<br/> <b>Business (21)</b> 6:5;8:2;<br/> 9:7;29:22;31:16,20;<br/> 32:18;35:5;38:12;<br/> 41:19;47:15;50:6;<br/> 77:24;100:22;166:14,<br/> 25;182:24;211:2,7;<br/> 226:22;254:5<br/> <b>businesses (11)</b><br/> 31:19;41:10;46:2;<br/> 78:4;79:1;115:25;<br/> 189:25;214:7;251:18;<br/> 253:15,15<br/> <b>business's (1)</b> 50:10<br/> <b>busy (1)</b> 229:23<br/> <b>butcher (1)</b> 6:9<br/> <b>butterfly (1)</b> 15:22<br/> <b>buy (2)</b> 39:8;195:3<br/> <b>buying (1)</b> 185:4</p>  | <p>114:25;116:16,18;<br/> 117:4;119:3,25;<br/> 139:13;144:6,6,7;<br/> 157:9,11,14;164:12,<br/> 15,23;166:3,22;<br/> 183:19;184:16;187:6;<br/> 194:24;198:8,12;<br/> 210:11;214:2;216:8;<br/> 233:3;242:1,15;<br/> 244:7;245:19,23,24;<br/> 246:4,17,18;253:16,<br/> 19,23;255:11,21;<br/> 256:21<br/> <b>Camden's (3)</b> 25:3;<br/> 89:22;242:6<br/> <b>came (5)</b> 118:16;<br/> 119:19;204:9;205:14;<br/> 224:18<br/> <b>camera (3)</b> 35:11;<br/> 95:22;96:5<br/> <b>cameras (4)</b> 36:13;<br/> 96:2,11,22<br/> <b>can (153)</b> 5:4,5;10:4,<br/> 20;11:10;13:25;15:6;<br/> 16:1;21:22;25:13;<br/> 29:6,11;30:10;31:10;<br/> 32:7;34:12;35:23;<br/> 37:3;39:7,25;41:5;<br/> 42:5,16;46:22;51:15;<br/> 53:10;54:11,17;<br/> 56:11,20;58:14,22;<br/> 60:22,23;61:7,13;<br/> 63:25;64:1;66:1,8;<br/> 67:3;69:7,13;71:11;<br/> 75:20;76:5,10;77:15;<br/> 78:6;79:17;81:10,25;<br/> 87:13;90:15;91:19;<br/> 92:11,15;93:10;<br/> 94:23;96:20,25;<br/> 101:10;105:2;107:11;<br/> 108:15;110:8;115:22;<br/> 116:5,11;119:15,17;<br/> 120:13;122:10;<br/> 124:15,16,17,24;<br/> 125:10;133:21;134:7,<br/> 22;135:18;136:21;<br/> 138:3,5;139:12;<br/> 141:9;144:2;149:15;<br/> 154:25;155:1;159:10,<br/> 21,24;161:15;162:10;<br/> 163:22;165:15,24;<br/> 168:2,19;170:2,13;<br/> 171:6,8;172:17;<br/> 173:17;176:17;178:4,<br/> 21;179:19;181:19,23;<br/> 182:11;185:2;189:12;<br/> 195:21;196:18,25;<br/> 197:11,13;198:22;<br/> 203:23;207:16,24;<br/> 210:19;211:23;<br/> 212:14,19;216:21;<br/> 225:6;230:4,14,16;<br/> 231:5;233:22;235:14;</p> | <p>238:14,18;239:7;<br/> 240:12;244:24;<br/> 245:17;246:7;248:1,<br/> 6,20;250:2;253:9;<br/> 254:10;255:1;257:10,<br/> 16<br/> <b>cancer (2)</b> 224:18;<br/> 244:14<br/> <b>Cannabis (37)</b> 23:21;<br/> 24:13;25:4,22;29:21;<br/> 30:9;32:1;37:2,23;<br/> 41:19;44:4;45:5,12;<br/> 46:2,9;47:24,24;48:3,<br/> 3,6,25;49:17;50:6;<br/> 79:1;83:6;85:1,7,8;<br/> 86:12;87:5;89:16,24;<br/> 97:9;99:10;100:23;<br/> 101:1,4<br/> <b>Cannabista (18)</b> 6:12;<br/> 23:8,14,25;24:3;<br/> 26:24;27:1;28:12,19;<br/> 36:4,7,20;38:5;40:22,<br/> 25;41:1,3;98:19<br/> <b>capacity (5)</b> 49:18;<br/> 50:3,11;64:12;131:6<br/> <b>Capital (4)</b> 6:6;9:8,12;<br/> 17:12<br/> <b>capitalize (2)</b> 89:22;<br/> 90:1<br/> <b>Captain (1)</b> 34:25<br/> <b>car (15)</b> 46:19,23;<br/> 106:7;120:25;121:5,<br/> 6;143:15;151:11;<br/> 162:1;187:14;188:7;<br/> 193:7;195:8;212:25;<br/> 227:15<br/> <b>care (6)</b> 101:14;<br/> 119:17;123:1;146:12,<br/> 16;147:6<br/> <b>Carl (3)</b> 233:5;<br/> 234:19;240:6<br/> <b>carries (2)</b> 102:16;<br/> 209:1<br/> <b>carrying (1)</b> 226:20<br/> <b>cars (27)</b> 78:7;184:19,<br/> 20;185:1;188:5;<br/> 189:12,15,16,20;<br/> 190:25;192:16,17;<br/> 193:13,16,20;194:9,<br/> 15,16,21,21;195:3,11,<br/> 14;196:3,8;211:23;<br/> 230:22<br/> <b>Carsons (1)</b> 228:12<br/> <b>cart (1)</b> 158:2<br/> <b>case (8)</b> 9:11;83:6;<br/> 87:3;118:22,23;<br/> 168:11,16;184:23<br/> <b>Casino (1)</b> 249:5<br/> <b>catalyst (1)</b> 149:7<br/> <b>catch (1)</b> 80:12<br/> <b>cater (2)</b> 147:3;150:1<br/> <b>caters (1)</b> 146:18<br/> <b>cause (5)</b> 78:1;</p> |
| <b>C</b>  |   | <p><b>c2 (4)</b> 83:3,3;180:17;<br/> 254:14<br/> <b>C-2 (4)</b> 103:21;<br/> 108:25;113:6;146:25<br/> <b>C-4 (4)</b> 44:5,19;45:6;<br/> 87:4<br/> <b>caddy-cornered (1)</b><br/> 219:9<br/> <b>calculated (2)</b> 62:21;<br/> 127:23<br/> <b>calculation (3)</b> 44:17;<br/> 50:10;127:24<br/> <b>calculations (5)</b> 62:3,<br/> 22;126:24;127:19;<br/> 136:3<br/> <b>call (15)</b> 4:8;7:25;<br/> 28:5;106:14,18,22;<br/> 113:17;145:17;160:9;<br/> 163:22;176:9;230:14;<br/> 231:3;238:13;248:6<br/> <b>called (2)</b> 20:15;49:20<br/> <b>Calzaretto's (1)</b> 8:3<br/> <b>Cambridge (1)</b> 10:23<br/> <b>Camden (73)</b> 4:2;<br/> 6:22;10:18;11:1;<br/> 18:8;22:5,10;28:10;<br/> 29:9;30:1;34:3,16;<br/> 35:6;36:21;39:5;<br/> 43:7;47:1,12;55:3;<br/> 62:5;66:1;81:12,12;<br/> 89:19;100:15,16,17,<br/> 19;107:21;109:8;</p> |   |   |

|  |   |  |  |   |
|--|---|--|--|---|
| <p>184:13;195:21;214:1;<br/>230:13<br/><b>caused (2)</b> 84:15;89:6<br/><b>caution (2)</b> 67:9;16<br/><b>CCMUA (1)</b> 62:19<br/><b>CCTV (2)</b> 64:4;<br/>130:19<br/><b>CD (1)</b> 207:24<br/><b>ceilings (1)</b> 222:7<br/><b>cell (2)</b> 4:24;7:20<br/><b>center (2)</b> 94:14;<br/>244:14<br/><b>Cert (1)</b> 218:18<br/><b>certain (3)</b> 38:14;<br/>46:3;146:12<br/><b>certainly (11)</b> 46:17,<br/>20;87:22;90:10;<br/>146:20;147:16;<br/>149:10;150:5;164:7;<br/>255:20,24<br/><b>Certificate (6)</b> 18:14;<br/>19:24;21:8,14;<br/>192:25;218:12<br/><b>Certification (1)</b> 249:1<br/><b>certified (1)</b> 248:25<br/><b>cetera (1)</b> 38:18<br/><b>chain (1)</b> 75:4<br/><b>chainlink (2)</b> 75:5,8<br/><b>chain-link (13)</b> 73:22;<br/>74:24,25;75:7,14,17;<br/>76:9;77:1,6,9;87:18,<br/>18;237:24<br/><b>Chair (3)</b> 90:23;<br/>195:22;241:15<br/><b>CHAIRMAN (155)</b> 4:1,<br/>9,10;5:10,15,16;8:11,<br/>17,18;14:14,18;<br/>15:11;20:9,25;22:3,<br/>18,19;23:11;27:9;<br/>39:16;43:18;77:3;<br/>78:1,8;81:18,20,24;<br/>90:25;91:14,92:1;<br/>93:1,8;98:16;99:16;<br/>100:1;102:3,4;103:8;<br/>113:2,21,22;116:15;<br/>125:10,12,15,19,23;<br/>144:14;157:3;161:9;<br/>162:14,20,21;171:24;<br/>184:15,24;185:21,23,<br/>25;191:14,17,23;<br/>192:1;193:11;196:6;<br/>200:14,18,22,25;<br/>201:6,9,12,15;202:8,<br/>11,14,18,25;203:17;<br/>204:1;205:10;207:6;<br/>208:2,7,11,12;<br/>213:22;214:14,15;<br/>215:22;218:20;219:4,<br/>7,9,20,24,25;223:6,<br/>11,18,23;224:4,9,23;<br/>226:4;227:23;228:3,<br/>12,21;229:2,22;<br/>230:10,18,22;231:6,</p> | <p>14,16,17;232:11;<br/>234:21,25;235:3,8,13,<br/>17,21,25;236:6,9,16,<br/>21,25;237:19;238:9,<br/>18,24;239:2,4,12,15,<br/>18,21;240:2,7,17,21,<br/>22;249:14;255:13;<br/>256:15;257:22,23;<br/>260:3,4,19<br/><b>chance (1)</b> 110:7<br/><b>change (11)</b> 53:10,11,<br/>14;70:25;120:18;<br/>124:18;171:15;<br/>174:14;224:21;237:8;<br/>238:3<br/><b>changed (1)</b> 120:12<br/><b>changes (4)</b> 12:4;<br/>39:11;53:2;79:15<br/><b>changing (4)</b> 9:20;<br/>13:20;252:7,8<br/><b>character (7)</b> 84:21;<br/>179:22;181:25;196:2;<br/>244:20;253:9;255:24<br/><b>charge (1)</b> 195:13<br/><b>charging (2)</b> 55:9;<br/>126:1<br/><b>Charles (2)</b> 8:9;209:5<br/><b>Chase (3)</b> 212:4,15,<br/>17<br/><b>check (5)</b> 66:8;100:9;<br/>205:11;230:25;<br/>240:18<br/><b>Chen (36)</b> 164:25;<br/>165:6,16,16;169:21,<br/>23;170:1,5,12,17,20,<br/>23;171:1,7,13,25;<br/>172:6,8,11,15,24;<br/>173:3,5,8,11,14,16,<br/>23;174:1,3,8,11,20;<br/>175:2,11;176:9<br/><b>Cherry (1)</b> 39:1<br/><b>Chief (4)</b> 63:21;<br/>130:14;242:18;<br/>245:10<br/><b>childcare (1)</b> 45:25<br/><b>chop (1)</b> 235:15<br/><b>Church (8)</b> 6:19;20:6,<br/>9;22:7;46:1;163:14;<br/>164:1;219:19<br/><b>cinderblock (1)</b> 222:7<br/><b>Circulation (1)</b> 115:5<br/><b>circumstances (1)</b><br/>15:1<br/><b>cited (3)</b> 179:25;<br/>180:11;224:15<br/><b>cities (2)</b> 253:21;<br/>254:7<br/><b>citizens (4)</b> 109:8,13;<br/>178:1;251:18<br/><b>City (79)</b> 4:2;21:20,<br/>23;25:3,5,9;27:2;<br/>28:19;30:1;31:4,6,15;<br/>32:1,16;33:14;34:3,4;</p> | <p>35:12;39:5;47:12;<br/>62:18,22;63:21,21,<br/>25;64:6,12,14;67:17;<br/>68:21;89:23;97:25;<br/>98:10;99:18;100:15,<br/>17,19,20,21;101:9;<br/>104:10,21;109:8;<br/>114:20,20;115:18;<br/>116:25;127:24;<br/>130:14,14,21;131:6,<br/>8;139:13;143:12;<br/>157:9,11,14;161:7,<br/>15;166:20,22;167:1;<br/>183:9;224:11,15;<br/>231:1;242:1,6;<br/>243:18;244:7,10;<br/>245:24;248:17;249:2,<br/>4;253:23;255:21,21<br/><b>City's (7)</b> 32:19;34:18;<br/>65:14;68:19;90:11;<br/>140:1;241:23<br/><b>civil (1)</b> 42:22<br/><b>clarification (3)</b> 50:7;<br/>55:7;91:10<br/><b>clarify (2)</b> 91:5;192:12<br/><b>clarity (1)</b> 204:12<br/><b>Class (7)</b> 23:21;24:2,<br/>5,11,13;40:24;41:5<br/><b>Classes (2)</b> 29:17;<br/>79:1<br/><b>classified (6)</b> 25:2,17,<br/>18;26:1,4;98:2<br/><b>clean (7)</b> 39:6;<br/>202:14;207:8,10;<br/>224:12,17;230:11<br/><b>cleaned (4)</b> 19:10,11;<br/>225:5;230:12<br/><b>cleaner (1)</b> 76:23<br/><b>cleaning (1)</b> 34:1<br/><b>Cleanouts (1)</b> 63:18<br/><b>cleanup (1)</b> 246:3<br/><b>clear (3)</b> 38:21;40:16;<br/>222:20<br/><b>clearance (1)</b> 137:24<br/><b>cleared (1)</b> 20:21<br/><b>clearly (3)</b> 98:8;<br/>129:24;222:8<br/><b>Clerk's (1)</b> 4:7<br/><b>client (6)</b> 11:4;12:18;<br/>133:22;134:23;<br/>164:23;171:18<br/><b>clients (1)</b> 11:9<br/><b>client's (1)</b> 163:18<br/><b>climbing (1)</b> 206:7<br/><b>close (14)</b> 21:9;98:20;<br/>118:10;133:1;158:11;<br/>183:21;193:5;206:11;<br/>213:8;218:10;229:13;<br/>234:8,20;256:6<br/><b>closed (4)</b> 77:23,24;<br/>217:22;218:25<br/><b>closely (1)</b> 245:24<br/><b>closer (2)</b> 36:23;</p> | <p>169:25<br/><b>closing (2)</b> 77:25;<br/>182:19<br/><b>CME (1)</b> 27:14<br/><b>CO (1)</b> 21:1<br/><b>coated (3)</b> 75:2,4,14<br/><b>coating (3)</b> 75:17;<br/>77:11,12<br/><b>code (8)</b> 20:23;106:4;<br/>138:23;149:20;<br/>153:10;210:12;242:7;<br/>255:21<br/><b>cohort (1)</b> 147:18<br/><b>cold (1)</b> 214:2<br/><b>collect (1)</b> 38:6<br/><b>Collection (2)</b> 60:3;<br/>126:14<br/><b>color (4)</b> 72:14;74:20;<br/>172:18;243:5<br/><b>Colored (2)</b> 142:1,15<br/><b>colors (1)</b> 172:17<br/><b>Columbia (1)</b> 170:6<br/><b>combine (2)</b> 24:14;<br/>54:12<br/><b>combined (6)</b> 52:12;<br/>62:18;64:5;103:22;<br/>130:20;200:2<br/><b>comfortable (1)</b><br/>161:19<br/><b>comfortably (1)</b><br/>149:18<br/><b>coming (20)</b> 40:22;<br/>57:9;78:2;97:25;<br/>99:20;100:6,19;<br/>122:20;124:21;<br/>151:16;160:15;<br/>189:19;199:20;201:2;<br/>214:7,8;215:9;<br/>228:17;238:21;<br/>253:15<br/><b>comment (5)</b> 46:12;<br/>61:12;68:4;129:15;<br/>161:20<br/><b>comments (6)</b> 43:15;<br/>54:18;114:7,8;116:9;<br/>129:4<br/><b>commercial (31)</b><br/>44:12;53:18;67:23;<br/>78:24;83:24;84:10,<br/>25;85:4;87:4,5;89:10,<br/>15;90:12;104:1;<br/>105:13;123:7;147:1;<br/>166:8;177:1,2,22;<br/>191:9;192:9;194:24;<br/>196:11;222:21;226:8;<br/>227:22;251:16;<br/>252:10,25<br/><b>commercially (2)</b><br/>104:23;105:6<br/><b>Commission (3)</b><br/>25:22;29:22;30:9<br/><b>Committee (3)</b> 25:4;<br/>32:1;45:12</p> | <p><b>common (2)</b> 48:17;<br/>153:22<br/><b>common-area (1)</b><br/>110:14<br/><b>communications (1)</b><br/>96:7<br/><b>Community (28)</b> 6:22;<br/>12:14;35:5;97:23;<br/>104:3,12,13,15,20,22;<br/>109:1;146:8,23;<br/>147:1,2;154:4;155:7;<br/>157:6;161:16;164:13,<br/>15,24;166:3;183:19;<br/>185:11;223:22;<br/>253:17,23<br/><b>compact (8)</b> 106:7;<br/>120:25;121:5,5;<br/>143:15,16;151:11;<br/>162:1<br/><b>companies (1)</b> 36:2<br/><b>company (5)</b> 29:24;<br/>36:4;38:5;41:2;<br/>117:22<br/><b>compared (1)</b> 149:23<br/><b>comparing (1)</b> 62:8<br/><b>compartment (1)</b> 94:9<br/><b>compatible (3)</b> 26:21;<br/>70:4;84:9<br/><b>complement (4)</b><br/>74:19;75:18;100:6;<br/>109:6<br/><b>complementary (1)</b><br/>89:9<br/><b>complete (2)</b> 25:23;<br/>226:13<br/><b>completely (1)</b> 88:6<br/><b>complex (5)</b> 104:23;<br/>105:6,9,21,22<br/><b>Compliance (22)</b><br/>45:10,18,20,23;46:7,<br/>24;47:9,14,17;49:22,<br/>25;50:3,14,17;51:17;<br/>55:16;68:16;69:24;<br/>99:7;140:23;253:6;<br/>254:11<br/><b>complies (1)</b> 121:9<br/><b>comply (30)</b> 45:13;<br/>51:18;57:21;59:8,15;<br/>67:17;70:1;71:25;<br/>72:3,6,9;114:22;<br/>123:23;124:17,24;<br/>125:21;126:5;127:15;<br/>129:10;130:25;<br/>132:18;133:10,12;<br/>138:18,22;140:1,20;<br/>141:19;162:4;252:21<br/><b>complying (2)</b> 133:19;<br/>158:20<br/><b>component (6)</b><br/>117:21,25;118:2;<br/>148:3;155:3;156:9<br/><b>components (1)</b> 97:8<br/><b>concept (4)</b> 154:17;</p> |
|--|---|--|--|---|

|   |  |  |  |   |
|---|--|--|--|---|
| <p>159:12;161:5,8<br/><b>concern (4)</b> 95:20;<br/>159:21;193:15;<br/>194:20<br/><b>concerned (1)</b> 237:11<br/><b>concerning (2)</b> 23:15;<br/>68:17<br/><b>concerns (2)</b> 69:11;<br/>136:9<br/><b>concluded (1)</b> 260:24<br/><b>concludes (2)</b> 81:18;<br/>144:14<br/><b>conclusion (1)</b> 90:15<br/><b>concrete (6)</b> 188:14,<br/>16,19,22,22;194:2<br/><b>condensed (1)</b> 71:24<br/><b>condition (33)</b> 19:8;<br/>26:18;45:16;51:9,11;<br/>52:4,10,20;56:19;<br/>57:11;58:7,10,10;<br/>62:7,10,11;123:14;<br/>158:19;162:3,10;<br/>172:16;173:18;<br/>174:18;178:18;<br/>207:15;208:1,3;<br/>230:10;234:9;238:13;<br/>240:15,18;250:8<br/><b>conditional (4)</b> 23:17;<br/>24:12,18,23<br/><b>conditionally (2)</b> 44:4;<br/>45:5<br/><b>conditions (15)</b> 24:19,<br/>21;44:6,7;45:7;51:3;<br/>82:22;99:7,12;<br/>101:20;109:2;162:15,<br/>17;174:17;213:11<br/><b>conditions/requirements (1)</b><br/>45:9<br/><b>conduct (1)</b> 182:23<br/><b>conducting (1)</b> 47:14<br/><b>confidence (3)</b> 39:7;<br/>255:1,3<br/><b>confirm (6)</b> 68:11;<br/>69:24;129:6,24;<br/>131:1;138:16<br/><b>confirmation (1)</b><br/>196:13<br/><b>confirming (2)</b> 62:3;<br/>127:19<br/><b>conflicts (1)</b> 40:7<br/><b>conform (4)</b> 72:19,21,<br/>23,24<br/><b>conformance (10)</b> 4:5;<br/>51:12;52:5,8,11,12,<br/>18;53:7;113:5;140:16<br/><b>conforming (1)</b> 13:15<br/><b>conforms (1)</b> 141:3<br/><b>confusion (1)</b> 247:19<br/><b>Congratulations (5)</b><br/>23:5;102:16;232:6;<br/>233:13;241:11<br/><b>congregate (1)</b> 49:16<br/><b>congregating (2)</b></p> | <p>95:21,23<br/><b>connect (2)</b> 173:20,24<br/><b>connected (2)</b> 155:22;<br/>243:6<br/><b>connection (9)</b> 23:19;<br/>64:9;130:24;131:3;<br/>242:14,23;243:12;<br/>244:11;247:12<br/><b>connections (2)</b><br/>56:23;243:5<br/><b>consequence (3)</b><br/>146:19;180:10;<br/>182:15<br/><b>Conservation (2)</b><br/>81:13;144:7<br/><b>consider (2)</b> 115:24;<br/>159:7<br/><b>consideration (2)</b><br/>118:14;158:24<br/><b>considered (5)</b> 61:1;<br/>66:9;83:3;127:3;<br/>146:2<br/><b>consistency (1)</b> 182:8<br/><b>consistent (7)</b> 74:23;<br/>78:12;179:21;199:4;<br/>244:20;254:2;255:20<br/><b>consists (1)</b> 104:8<br/><b>consolidate (3)</b> 78:15;<br/>128:17,18<br/><b>consolidated (4)</b><br/>155:20,21;201:24;<br/>204:14<br/><b>consolidation (5)</b><br/>139:2,9,14,18;140:5<br/><b>construct (3)</b> 24:4;<br/>26:9;104:1<br/><b>constructed (2)</b> 19:21;<br/>21:13<br/><b>construction (11)</b><br/>22:4;23:20;64:7,18;<br/>70:3;130:22;131:14;<br/>175:8;183:5;187:18;<br/>259:20<br/><b>consult (1)</b> 134:22<br/><b>consultant (3)</b> 26:25;<br/>28:23;198:9<br/><b>consumption (4)</b> 46:9;<br/>48:2,6;50:14<br/><b>contact (5)</b> 64:14;<br/>68:17;81:10;131:8;<br/>144:2<br/><b>contacted (1)</b> 114:20<br/><b>contain (3)</b> 109:9,11,<br/>13<br/><b>container (4)</b> 20:18,<br/>19;202:8,10<br/><b>contains (1)</b> 178:19<br/><b>contemplates (2)</b><br/>89:15,16<br/><b>context (1)</b> 40:23<br/><b>continuation (1)</b> 17:13<br/><b>continue (8)</b> 39:11,13;<br/>46:15;96:12,13;</p> | <p>97:19;105:4;180:7<br/><b>continued (2)</b> 178:24;<br/>179:1<br/><b>contours (1)</b> 60:10<br/><b>contract (1)</b> 38:6<br/><b>contractor (2)</b> 13:25;<br/>19:13<br/><b>contribute (5)</b> 151:22;<br/>179:23;180:8;182:13;<br/>253:13<br/><b>control (4)</b> 28:14;<br/>135:8;185:14;226:14<br/><b>controls (1)</b> 141:1<br/><b>convenient (2)</b> 105:8;<br/>123:19<br/><b>conversation (2)</b><br/>34:24;105:1<br/><b>conversations (2)</b><br/>4:25;105:3<br/><b>conversion (2)</b> 63:4;<br/>128:5<br/><b>convert (5)</b> 166:10;<br/>171:18;187:14;<br/>198:16;202:5<br/><b>converting (1)</b> 211:7<br/><b>convince (1)</b> 233:14<br/><b>Cooper (101)</b> 4:11;<br/>8:8,9,19,20;12:22;<br/>15:14;20:2,7,11;<br/>21:18,25;22:13,20,<br/>21;75:6,9,13,24;76:3,<br/>5,7,14,16;77:8;93:5;<br/>99:17;101:18,21,25;<br/>102:5,6;122:13,19;<br/>155:15,24;161:4,12;<br/>162:18,22,23;169:18;<br/>174:23;176:1,4;<br/>184:4,8,11;186:1,2;<br/>188:18;192:21;<br/>193:18,23;194:1,4,<br/>13;195:1;196:18,22;<br/>200:6,9;203:11;<br/>208:13,14;213:15;<br/>214:16,17;220:1,2;<br/>224:6;225:6,10;<br/>227:3,19;228:5;<br/>229:4,9;230:20;<br/>231:11,18,19;234:14;<br/>236:3,12;237:4,9,15,<br/>20,23;240:10,23,24;<br/>244:13;247:1;249:9;<br/>257:24,25;259:21;<br/>260:5,6<br/><b>Coopers (1)</b> 219:15<br/><b>coordination (2)</b><br/>129:7;178:7<br/><b>copies (1)</b> 207:24<br/><b>copy (7)</b> 63:5;128:6;<br/>198:25;207:15,18;<br/>208:3,7<br/><b>core (1)</b> 150:21<br/><b>corner (24)</b> 92:20;<br/>108:24;109:15,24;</p> | <p>148:12,24;150:9,10;<br/>151:6;190:17;191:19,<br/>24;203:14;218:22;<br/>234:13;237:4;238:1,<br/>5,6,20,22;239:17,19;<br/>240:4<br/><b>corners (3)</b> 63:11,12;<br/>148:14<br/><b>corridors (1)</b> 90:12<br/><b>cosmetics (1)</b> 76:8<br/><b>cost (2)</b> 128:25;178:9<br/><b>costs (2)</b> 64:15;131:9<br/><b>Council (3)</b> 25:5;<br/>31:15;32:2<br/><b>Counsel (7)</b> 17:17;<br/>99:1;108:12;159:10;<br/>160:23;163:11;<br/>164:11<br/><b>country (1)</b> 194:25<br/><b>counts (1)</b> 136:1<br/><b>County (15)</b> 34:16;<br/>43:7,8,8;47:2,55:3;<br/>81:12,12;96:8;<br/>114:12,14,25;144:6,7,<br/>7<br/><b>couple (9)</b> 91:14;<br/>138:4;184:5;203:2,7;<br/>205:4;226:6;235:24;<br/>236:21<br/><b>course (7)</b> 114:16;<br/>145:24;189:6;193:21;<br/>194:6;227:11;248:3<br/><b>court (4)</b> 92:12;203:4;<br/>209:24;224:22<br/><b>courts (1)</b> 246:3<br/><b>courtyard (5)</b> 225:14,<br/>23,24,25;226:21<br/><b>cover (4)</b> 87:10;<br/>142:23;171:8;240:10<br/><b>Coverage (13)</b> 51:11,<br/>12;52:1;61:4,20,23;<br/>80:22;105:25;114:1;<br/>127:6;143:10;150:25;<br/>161:23<br/><b>cracks (1)</b> 57:10<br/><b>Cramer (1)</b> 9:9<br/><b>CRC (3)</b> 30:12,21;<br/>35:12<br/><b>CRDA (1)</b> 249:4<br/><b>create (2)</b> 148:20,21<br/><b>created (2)</b> 93:23;<br/>139:18<br/><b>creates (2)</b> 105:5;<br/>251:9<br/><b>creating (5)</b> 90:7;<br/>101:6;104:22;152:2;<br/>238:12<br/><b>credentials (3)</b> 170:3;<br/>176:18;248:22<br/><b>credit (1)</b> 157:17<br/><b>credits (2)</b> 55:22;56:2<br/><b>Criteria (32)</b> 11:19;<br/>24:16;45:4;61:15;</p> | <p>86:19,20;88:19;89:1;<br/>99:3;113:15;146:4;<br/>147:15;149:9,16;<br/>158:17;180:14,18;<br/>181:5,6,18;182:15;<br/>184:2;229:21;242:23;<br/>250:19;252:3,15,17;<br/>253:4;254:15,17;<br/>256:14<br/><b>cross (2)</b> 192:7;<br/>237:16<br/><b>crossed (3)</b> 80:3,4;<br/>158:6<br/><b>crossing (1)</b> 159:13<br/><b>crux (2)</b> 222:15;223:3<br/><b>cultivator (1)</b> 37:7<br/><b>curb (8)</b> 58:1,6,12;<br/>126:10;230:13,15,19,<br/>20<br/><b>curbing (1)</b> 57:12<br/><b>curbs (1)</b> 110:4<br/><b>currency (1)</b> 147:17<br/><b>current (2)</b> 107:18;<br/>171:14<br/><b>currently (20)</b> 11:3,7;<br/>12:8;14:3;15:17;<br/>19:9;23:23;43:1;<br/>103:23;104:6;116:16;<br/>117:3,17;138:20;<br/>157:19;166:19;167:5;<br/>178:15;249:1,3<br/><b>curtain (1)</b> 142:13<br/><b>Curtis (1)</b> 259:5<br/><b>customer (2)</b> 47:25;<br/>49:13<br/><b>customers (8)</b> 35:4;<br/>36:10;39:7;40:17;<br/>49:20;50:8;59:20;<br/>93:22<br/><b>cut (6)</b> 14:9;92:7;<br/>230:18,19,21;238:25<br/><b>cut-curb (1)</b> 230:13<br/><b>cutting (1)</b> 250:10<br/><b>CVS (1)</b> 149:24</p> |
|   |  |  |  | <b>D</b>  |
|   |  |  |  | <p><b>d' (1)</b> 145:15<br/><b>d1 (14)</b> 24:16;82:15;<br/>90:16;105:20;113:8;<br/>143:8;145:2,17;<br/>161:22;180:14;<br/>198:19;242:2;250:6,<br/>19<br/><b>d-1 (4)</b> 44:22;80:16,<br/>20;177:5<br/><b>d2 (3)</b> 242:3;250:6,7<br/><b>d3 (4)</b> 24:17,25;<br/>82:17;90:16<br/><b>d-3 (4)</b> 50:23;80:18,<br/>19,20<br/><b>d6 (7)</b> 105:24;113:11,<br/>25;145:2,18;148:7;</p>  |

|   |  |   |  |
|---|--|---|--|
| <p>161:22<br/> <b>d-6 (1)</b> 143:9<br/> <b>dad (1)</b> 211:19<br/> <b>daily (3)</b> 36:25;<br/> 122:19,25<br/> <b>damaged (1)</b> 185:13<br/> <b>Dan (1)</b> 69:13<br/> <b>dangerous (1)</b> 238:12<br/> <b>Daniel (3)</b> 27:2,22;<br/> 42:19<br/> <b>Daniel's (1)</b> 176:7<br/> <b>dark (4)</b> 92:5,7;<br/> 132:10;194:7<br/> <b>Darryl (1)</b> 256:17<br/> <b>date (3)</b> 144:19;<br/> 163:21;164:8<br/> <b>dated (2)</b> 43:19;<br/> 168:23<br/> <b>datum (8)</b> 63:3,3;<br/> 128:3,4,5,11,21;140:7<br/> <b>daughter (6)</b> 198:13;<br/> 202:3,6;205:21;<br/> 207:11;215:21<br/> <b>daughter's (1)</b> 199:14<br/> <b>Davis (1)</b> 23:13<br/> <b>Dawkins (1)</b> 256:17<br/> <b>day (8)</b> 33:10;36:17;<br/> 38:21;122:21;184:5;<br/> 211:2;216:11;246:13<br/> <b>days (4)</b> 47:1;49:3;<br/> 184:18;205:5<br/> <b>day-to-day (2)</b> 32:7,9<br/> <b>DCA (2)</b> 55:11;126:3<br/> <b>dead (2)</b> 92:1,3<br/> <b>deadline (1)</b> 66:6<br/> <b>deal (1)</b> 74:10<br/> <b>dealing (1)</b> 206:4<br/> <b>dealt (1)</b> 100:12<br/> <b>decade (2)</b> 146:9;<br/> 147:17<br/> <b>December (1)</b> 31:1<br/> <b>decent (1)</b> 57:11<br/> <b>decide (1)</b> 167:15<br/> <b>decided (3)</b> 11:11,14;<br/> 93:21<br/> <b>decides (2)</b> 57:19;<br/> 58:17<br/> <b>decision (3)</b> 30:21;<br/> 134:21;199:11<br/> <b>dedicated (1)</b> 85:13<br/> <b>dedication (1)</b> 68:20<br/> <b>deed (8)</b> 139:8,9,10,<br/> 11,12;207:16,18;<br/> 208:4<br/> <b>deeds (3)</b> 207:19;<br/> 208:5,7<br/> <b>deemed (1)</b> 25:23<br/> <b>deep (3)</b> 205:12,12;<br/> 225:25<br/> <b>deferred (1)</b> 85:5<br/> <b>deficiency (1)</b> 120:11<br/> <b>deficient (4)</b> 9:10;<br/> 13:14;117:15;159:9</p> | <p><b>definitely (12)</b> 119:22;<br/> 124:17;128:15,20;<br/> 134:3;153:14,22;<br/> 184:17;214:8;225:5;<br/> 235:8;236:10<br/> <b>degree (2)</b> 42:22,23<br/> <b>degrees (1)</b> 96:23<br/> <b>Delaware (4)</b> 243:17;<br/> 244:10;250:16;253:1<br/> <b>delineated (1)</b> 115:17<br/> <b>deliver (5)</b> 36:6;41:3;<br/> 123:1;146:23;147:16<br/> <b>delivered (2)</b> 122:9,24<br/> <b>deliveries (10)</b> 33:23;<br/> 35:22,24;36:17;<br/> 40:21,24,25;94:7;<br/> 149:21;151:16<br/> <b>delivering (2)</b> 36:9;<br/> 40:17<br/> <b>delivery (8)</b> 34:21;<br/> 36:2,8,14;40:16,16;<br/> 41:2,6<br/> <b>demand (10)</b> 54:2,12,<br/> 13;104:15;105:12;<br/> 115:14;124:7;149:4;<br/> 150:4;178:23<br/> <b>demands (3)</b> 26:12;<br/> 86:5;168:3<br/> <b>dementia (1)</b> 146:16<br/> <b>demolition (1)</b> 203:15<br/> <b>demonstrate (2)</b> 49:8;<br/> 253:8<br/> <b>Dena (4)</b> 27:10,14;<br/> 99:13;133:20<br/> <b>Dena's (3)</b> 99:7;<br/> 112:22;158:20<br/> <b>denied (2)</b> 9:5;198:18<br/> <b>densities (1)</b> 12:9<br/> <b>density (1)</b> 12:7<br/> <b>deny (3)</b> 8:6,12,13<br/> <b>DEP (1)</b> 127:11<br/> <b>Department (8)</b> 47:2,<br/> 4;54:23;55:3;81:13;<br/> 96:8;114:25;231:3<br/> <b>depends (1)</b> 66:18<br/> <b>depicted (1)</b> 78:10<br/> <b>depicts (1)</b> 78:12<br/> <b>depth (2)</b> 9:19;18:11<br/> <b>describe (6)</b> 83:11,13;<br/> 93:16;94:23;171:3;<br/> 172:13<br/> <b>described (1)</b> 177:7<br/> <b>description (3)</b> 168:3;<br/> 170:2;178:17<br/> <b>Design (13)</b> 64:20;<br/> 74:20,23;94:21;<br/> 95:10;131:18;140:18,<br/> 18;141:1;148:14;<br/> 251:20;252:22;253:8<br/> <b>designated (2)</b><br/> 115:21;122:2<br/> <b>designation (1)</b><br/> 242:21</p> | <p><b>designed (6)</b> 66:21;<br/> 94:4,18;182:4;<br/> 252:21;253:6<br/> <b>desirable (2)</b> 87:8,23<br/> <b>detached (1)</b> 11:24<br/> <b>details (14)</b> 32:13;<br/> 35:1;64:18;69:23;<br/> 72:14;75:23;77:16;<br/> 106:14;110:1,3,3;<br/> 131:14,15;159:1<br/> <b>determination (6)</b><br/> 14:22,25;15:7;21:12;<br/> 195:24;218:17<br/> <b>determine (5)</b> 25:11;<br/> 61:1;96:9;127:3;<br/> 133:18<br/> <b>Determined (4)</b> 53:16;<br/> 58:11,17;188:1<br/> <b>detract (2)</b> 84:18,21<br/> <b>detriment (6)</b> 84:15;<br/> 89:14;90:20;181:2,7;<br/> 252:18<br/> <b>detrimental (2)</b> 12:11,<br/> 12<br/> <b>detriments (1)</b> 180:19<br/> <b>Dev (3)</b> 7:9;220:17,20<br/> <b>develop (1)</b> 99:18<br/> <b>developed (3)</b> 88:5,7,<br/> 12<br/> <b>developers (2)</b> 64:11;<br/> 131:5<br/> <b>developing (1)</b> 88:4<br/> <b>development (15)</b><br/> 61:2;64:13;89:21;<br/> 103:24;104:17;127:4,<br/> 10;131:7,21;141:6;<br/> 149:6;177:16;178:8,<br/> 9;249:5<br/> <b>developments (1)</b><br/> 138:12<br/> <b>development's (1)</b><br/> 137:4<br/> <b>deviate (1)</b> 35:18<br/> <b>deviation (1)</b> 141:8<br/> <b>devices (1)</b> 135:8<br/> <b>dictate (2)</b> 32:6;58:23<br/> <b>difference (1)</b> 79:20<br/> <b>different (9)</b> 31:22;<br/> 32:24;37:22;172:17;<br/> 222:17;243:24;249:7;<br/> 257:9,15<br/> <b>differentiated (1)</b> 37:4<br/> <b>differently (1)</b> 257:15<br/> <b>difficult (1)</b> 5:1<br/> <b>Digital (1)</b> 140:3<br/> <b>dimensions (1)</b> 71:23<br/> <b>dine-in (2)</b> 91:6,10<br/> <b>dining (2)</b> 46:14,21<br/> <b>direct (1)</b> 67:4<br/> <b>direction (2)</b> 92:12;<br/> 251:25<br/> <b>directly (3)</b> 48:15;<br/> 104:14;132:23</p> | <p><b>director (1)</b> 249:4<br/> <b>dirt (1)</b> 188:9<br/> <b>discussed (4)</b> 95:22;<br/> 99:8;120:14;123:8<br/> <b>discussion (15)</b> 21:12,<br/> 17;88:24;90:8;99:2;<br/> 158:16,19,21;160:1;<br/> 184:2;195:23;196:4;<br/> 213:13;229:20;<br/> 256:13<br/> <b>dispensaries (2)</b><br/> 24:18;36:22<br/> <b>dispensary (16)</b><br/> 23:21;24:6,13;25:20;<br/> 26:4;32:12;36:21;<br/> 37:7,11;41:25;54:13;<br/> 83:7;85:21;87:6;<br/> 89:25;90:7<br/> <b>display (1)</b> 45:20<br/> <b>disposal (2)</b> 20:14;<br/> 38:4<br/> <b>distance (5)</b> 45:23;<br/> 46:4;116:3;150:8;<br/> 183:2<br/> <b>distinguished (1)</b><br/> 94:10<br/> <b>distress (1)</b> 223:13<br/> <b>distribute (1)</b> 197:14<br/> <b>District (11)</b> 18:10;<br/> 81:13;144:7;147:1;<br/> 149:8;176:25;177:2;<br/> 179:22;181:21;<br/> 182:12;193:7<br/> <b>disturbance (2)</b> 61:3;<br/> 127:5<br/> <b>disturbed (1)</b> 56:21<br/> <b>divide (2)</b> 199:10,12<br/> <b>Division (1)</b> 47:2<br/> <b>divvied (1)</b> 117:22<br/> <b>doctors (8)</b> 104:9;<br/> 110:16;118:1;137:19,<br/> 19;154:21;156:16;<br/> 246:13<br/> <b>document (1)</b> 168:19<br/> <b>documentation (1)</b><br/> 116:1<br/> <b>Documents (1)</b> 140:3<br/> <b>Doe (1)</b> 227:13<br/> <b>dog (1)</b> 201:12<br/> <b>dogs (5)</b> 201:7,10;<br/> 205:14;236:22;<br/> 237:13<br/> <b>Dominican (2)</b><br/> 216:14;230:1<br/> <b>Donaldo (2)</b> 27:4,23<br/> <b>done (14)</b> 18:24;<br/> 20:22;38:7;66:3;<br/> 119:7;136:17,19;<br/> 152:16;160:19;<br/> 166:25;205:19;<br/> 213:24;253:10;<br/> 256:25<br/> <b>door (29)</b> 15:19;<br/> 36:11,12,13;67:23;<br/> 83:24;94:1;109:22;<br/> 169:1;192:4;225:16,<br/> 19,21,22;226:2,4,18,<br/> 18,23,25;227:2,4,5,6,<br/> 14,18,20,21;236:1<br/> <b>doors (7)</b> 15:22;<br/> 16:25;35:8;71:20;<br/> 94:2;168:12;226:7<br/> <b>DOT (2)</b> 83:16;89:4<br/> <b>dotting (1)</b> 159:14<br/> <b>double (4)</b> 146:16;<br/> 201:22;223:15;228:3<br/> <b>doubtful (1)</b> 222:25<br/> <b>down (26)</b> 14:10;<br/> 51:22;68:2;76:22;<br/> 91:22;101:12;130:6;<br/> 168:12;172:4,18;<br/> 188:22;191:20;<br/> 192:19;193:1;196:12;<br/> 197:10;201:23,23;<br/> 207:9,9;223:25;<br/> 224:18;227:23,24;<br/> 238:15,25<br/> <b>downtown (1)</b> 36:23<br/> <b>Dr (1)</b> 256:17<br/> <b>draftsman (1)</b> 204:6<br/> <b>drain (2)</b> 60:10;<br/> 126:20<br/> <b>drainage (1)</b> 89:5<br/> <b>drain-off (1)</b> 60:14<br/> <b>drains (2)</b> 60:20;<br/> 126:25<br/> <b>drawing (1)</b> 204:6<br/> <b>drawings (4)</b> 129:6;<br/> 204:10;226:2;247:17<br/> <b>Drive (7)</b> 18:6;33:7,9;<br/> 101:12;165:23;185:6;<br/> 224:1<br/> <b>driver (1)</b> 36:14<br/> <b>drives (2)</b> 140:4;149:3<br/> <b>Driveway (4)</b> 48:22;<br/> 206:22;207:8;212:1<br/> <b>driveways (1)</b> 125:2<br/> <b>driving (3)</b> 39:2;<br/> 124:11;150:5<br/> <b>drop-off (1)</b> 122:17<br/> <b>drugs (1)</b> 206:4<br/> <b>dual (1)</b> 178:2<br/> <b>due (4)</b> 64:12;105:8;<br/> 131:6;244:16<br/> <b>duly (15)</b> 10:9;17:24;<br/> 27:15,24;107:3;<br/> 112:13;165:7;186:24;<br/> 198:2;209:15;215:14;<br/> 221:2;232:19;245:4;<br/> 248:11<br/> <b>dumpster (4)</b> 20:16,<br/> 17;63:12;137:21<br/> <b>dumpsters (2)</b> 109:19;<br/> 138:2<br/> <b>duplex (3)</b> 11:3,25;<br/> 213:12</p> |
|---|--|---|--|

|  |   |  |   |  |
|--|---|--|---|--|
| <p>during (9) 47:5;49:6;<br/>77:19,23;132:5;<br/>135:8;175:23;248:2;<br/>250:5<br/>Dust (1) 188:10<br/>dwelling (2) 11:25,25<br/>dwellings (2) 11:25;<br/>12:1</p> | <p>93:13;97:2;98:14,17;<br/>99:15;101:20,23;<br/>102:1,5,7,9,11,13,15,<br/>20;103:6;104:24;<br/>106:24;107:6,23,25;<br/>108:14,21;110:6;<br/>111:17;112:6,9,16;<br/>113:1,21;117:17;<br/>120:8,15;133:4,11;<br/>134:12,17,20,24;<br/>144:20;145:7;152:13;<br/>156:6,15,19;157:1;<br/>158:8,23;159:5,16;<br/>160:1,8,25;161:20;<br/>162:7,11,16,19,22,24;<br/>163:1,3,5,7,9,13,21,<br/>24;164:10;165:3,11;<br/>170:15;171:12;<br/>175:12;176:13,19;<br/>182:17;183:17;<br/>185:17,20,22;186:1,3,<br/>5,7,9,11,13,17,19,21;<br/>187:3,7,17,22,24;<br/>188:4,8,12,15,20;<br/>189:1,4,9,12,15,19,<br/>22,24;190:3,6,9,11,<br/>14,18,21;191:1,6,11;<br/>192:10,15,23;193:13;<br/>194:8,11;195:23;<br/>196:21;197:7,16,19,<br/>23;198:5,15;203:2,7;<br/>204:12,17,19,25;<br/>205:8;206:8,25;<br/>207:4,14,19,22,25;<br/>208:5,8,10,13,15,17,<br/>19,21,23,25;209:3,8,<br/>11,18;211:23;212:1,<br/>6,10,13,16,19,22,25;<br/>213:3;214:11,13,16,<br/>18,20,22,24;215:1,3,<br/>7,11,18,24;216:1,5,<br/>21;218:7;219:23;<br/>220:1,3,5,7,9,11,13,<br/>17,21,24;221:6;<br/>225:16,20;226:23;<br/>227:8;229:11;230:16,<br/>25;231:13,15,18,20,<br/>22,24;232:1,3,5,9,13,<br/>15,22,25;233:4,7,13,<br/>17,25;234:2,5,8,11,<br/>15;237:1,22,25;<br/>238:5,12;239:6,9,14,<br/>19,24;240:3,5,12,15,<br/>20,23,25;241:2,4,6,8,<br/>10,13;245:1,8;247:3,<br/>21;248:4,7,14,19;<br/>256:3;257:18,21,24;<br/>258:1,3,5,7,9,11,15;<br/>259:24;260:2,5,7,9,<br/>11,13,15,17,21<br/>either (4) 124:11;<br/>150:14;155:21;<br/>238:21</p> | <p>El (2) 27:4,23<br/>electric (7) 16:8,12;<br/>55:9,22;56:22;126:1;<br/>174:24<br/>electrical (5) 16:2,4;<br/>77:22;175:5,25<br/>elements (2) 148:15;<br/>176:22<br/>elevation (3) 110:25;<br/>111:5;174:13<br/>elevations (7) 63:10,<br/>11;110:8,24;111:8;<br/>142:8;174:16<br/>elevator (7) 109:10;<br/>110:13;123:5,10,12;<br/>158:21;162:5<br/>elevators (2) 94:12;<br/>122:18<br/>eliminate (1) 104:18<br/>eliminated (3) 143:7,<br/>14,20<br/>eliminates (1) 105:11<br/>else (14) 5:4;13:1;<br/>39:23;41:5;91:16;<br/>133:2;167:16;191:6;<br/>202:24;204:2,8;<br/>205:10;218:3;236:25<br/>Elving (1) 259:11<br/>Elvis (1) 259:22<br/>Emmett (4) 7:17;<br/>197:19;198:1,7<br/>Emmett's (1) 199:13<br/>employee (1) 49:8<br/>employees (16) 32:9,<br/>20;33:16,17;50:10;<br/>59:20;78:21;85:18,<br/>19;90:9;124:9,10,21;<br/>156:6;167:12;222:23<br/>empty (5) 20:21;<br/>192:6,7;217:12,13<br/>enclosed (1) 48:10<br/>enclosure (6) 38:11;<br/>69:24;70:5,14;81:3;<br/>137:7<br/>Enclosures (3) 69:21,<br/>22;70:2<br/>encourage (4) 59:18;<br/>124:20;177:15;178:6<br/>end (4) 76:6;113:20,<br/>23;146:9<br/>enforcement (1) 20:24<br/>engaged (1) 108:2<br/>engineer (24) 27:3;<br/>38:16;39:21;40:14;<br/>42:14,20;43:1;63:21,<br/>25;64:6,14;79:5,6,10;<br/>81:22;91:19;99:1;<br/>110:2,2;114:20;<br/>130:14,21;131:8;<br/>163:18<br/>engineering (3)<br/>42:22;43:2,10<br/>engineers (1) 29:18</p> | <p>engineer's (3) 43:14;<br/>91:18;162:4<br/>enhance (5) 84:11,13,<br/>20,23;250:24<br/>enhanced (2) 83:9;<br/>84:1<br/>enhancement (4)<br/>87:17;181:16;<br/>182:13;251:7<br/>enhancements (1)<br/>87:22<br/>enjoyment (1) 242:14<br/>enough (5) 86:13;<br/>138:8,9;178:20;<br/>227:14<br/>ensure (2) 126:7;<br/>185:12<br/>entails (1) 25:8<br/>enter (2) 212:4;<br/>247:22<br/>entered (1) 247:25<br/>entire (5) 61:21;<br/>92:24;96:2;115:7;<br/>171:4<br/>entirely (1) 88:1<br/>entirety (1) 64:18<br/>entities (1) 119:15<br/>entrance (7) 14:15,16;<br/>34:22;94:2,7,11;<br/>211:10<br/>entrances (2) 48:17;<br/>132:4<br/>entranceway (2) 14:4,<br/>6<br/>entry (3) 50:11;<br/>109:21;226:6<br/>entryway (1) 17:1<br/>environment (3) 87:9,<br/>23;132:6<br/>environmental (7)<br/>69:10,17;136:7,9,11,<br/>17;177:24<br/>ERS (2) 250:10;252:9<br/>ERS' (1) 257:2<br/>especially (8) 5:2;<br/>76:18;109:7;118:14;<br/>161:19;178:1;214:4;<br/>244:9<br/>essence (4) 149:1;<br/>222:15;223:3;228:7<br/>essential (2) 135:6;<br/>146:20<br/>essentially (5) 82:21;<br/>83:15,22;151:5;227:9<br/>establish (1) 28:20<br/>established (1)<br/>117:18<br/>Establishing (1) 140:1<br/>establishment (3)<br/>23:20;33:11;50:6<br/>esthetic (3) 149:10;<br/>251:6,10<br/>et (1) 38:18</p> | <p>etc (2) 48:12;243:6<br/>even (11) 58:7;101:6;<br/>124:9,14;134:2;<br/>146:14;184:9;185:2;<br/>219:14;223:19;<br/>237:12<br/>evening (28) 4:1,22;<br/>6:8;9:14;23:11,14;<br/>103:8;108:10,17,20;<br/>116:14;149:14;<br/>163:15,19;164:23;<br/>165:25;183:6;220:18,<br/>19;241:15;242:16;<br/>243:3,10;244:8;<br/>249:17;255:8;256:2;<br/>258:14<br/>event (3) 42:6;62:2;<br/>127:19<br/>eventually (1) 36:8<br/>evergreen (1) 70:14<br/>evergreens (1) 71:3<br/>everybody (7) 4:24;<br/>5:4;17:11;65:15;<br/>100:8;171:6;197:14<br/>everyone (3) 4:22;<br/>9:14;93:10<br/>evidence (1) 45:6<br/>Evita (1) 197:14<br/>exactly (8) 34:20;<br/>54:6;59:5;133:20;<br/>142:6;148:16;152:18;<br/>233:23<br/>examined (15) 10:10;<br/>17:25;27:15,25;<br/>107:3;112:13;165:8;<br/>186:25;198:3;209:15;<br/>215:15;221:3;232:19;<br/>245:5;248:11<br/>example (2) 49:19;<br/>93:21<br/>examples (1) 244:6<br/>exceed (8) 62:1,14;<br/>68:13;71:19;127:18;<br/>134:3,5;156:20<br/>exceeded (1) 49:19<br/>exceeds (4) 67:1;<br/>69:25;113:9;121:2<br/>excellent (1) 230:2<br/>except (2) 228:25;<br/>253:6<br/>excess (1) 86:7<br/>excuse (2) 31:25;<br/>104:25<br/>Exhibit (10) 168:18;<br/>171:22;172:9;173:12,<br/>25;243:14,22,25;<br/>247:24;255:10<br/>exhibits (10) 243:3,12,<br/>14;244:2,5;247:7,22;<br/>249:17;255:12;<br/>256:12<br/>exist (1) 11:4<br/>existing (69) 11:7;</p> |
|--|---|--|---|--|

|  |  |  |  |   |
|--|--|--|--|---|
| <p>24:7;39:9;46:1,13,15;<br/>51:20;52:4,7,9;55:24;<br/>56:12,14,15;57:5,6,7,<br/>12;60:10,17;63:16;<br/>64:8;65:4,8,10;69:16;<br/>73:6;82:23;84:2;<br/>87:25;88:7;92:21;<br/>95:5;109:2;114:10,<br/>11;118:4;129:17,20,<br/>23;130:23;171:16;<br/>172:16;173:18;<br/>174:17;175:17,19;<br/>179:19;180:3;199:2,<br/>4,18;200:5,23;<br/>204:24;226:22;<br/>233:20;237:6;241:25;<br/>242:5,9,11;243:16,<br/>17;247:6;249:20;<br/>250:8,10;252:20</p> <p><b>exists (1)</b> 32:17</p> <p><b>exit (5)</b> 34:22,22;94:1,<br/>3,12</p> <p><b>exits (1)</b> 132:4</p> <p><b>expanding (2)</b> 250:12;<br/>252:5</p> <p><b>expansion (3)</b> 242:4;<br/>250:8;254:18</p> <p><b>expect (7)</b> 7:23;30:20;<br/>32:20;156:7;168:4;<br/>169:8,11</p> <p><b>expectation (1)</b> 96:10</p> <p><b>expectations (1)</b> 30:17</p> <p><b>expected (1)</b> 32:15</p> <p><b>expecting (1)</b> 156:12</p> <p><b>expeditiously (1)</b> 5:6</p> <p><b>experience (3)</b> 29:12;<br/>107:13;248:21</p> <p><b>experiences (1)</b> 31:19</p> <p><b>expert (7)</b> 11:1,15,17;<br/>43:10;107:20;243:10;<br/>249:12</p> <p><b>explain (4)</b> 106:16;<br/>116:12;245:17;246:8</p> <p><b>explode (1)</b> 256:18</p> <p><b>explored (1)</b> 157:22</p> <p><b>extend (2)</b> 164:7;<br/>199:3</p> <p><b>extension (1)</b> 199:19</p> <p><b>extent (5)</b> 47:11;74:1;<br/>120:9;179:10;180:16</p> <p><b>exterior (11)</b> 12:4;<br/>13:22;15:5;68:10;<br/>70:3;94:24;95:20;<br/>110:24;171:15;<br/>174:18;224:14</p> <p><b>extra (3)</b> 84:12;<br/>154:23;185:11</p> <p><b>eye (1)</b> 100:2</p> <p><b>eyesight (1)</b> 204:7</p> | <p>174:14;251:11;<br/>254:18</p> <p><b>facades (2)</b> 142:9;<br/>243:20</p> <p><b>face (1)</b> 166:18</p> <p><b>faced (1)</b> 183:10</p> <p><b>facelift (1)</b> 224:24</p> <p><b>faces (2)</b> 243:17;<br/>250:16</p> <p><b>facilitate (1)</b> 59:19</p> <p><b>facilities (11)</b> 48:9,22;<br/>55:9;59:11,17,21;<br/>80:24;123:18,19,24;<br/>126:1</p> <p><b>facility (31)</b> 24:3;<br/>25:19;26:2,45;25;<br/>46:1;47:6;48:4;<br/>49:17;97:9;104:2;<br/>115:7;118:2;137:20;<br/>150:22;154:9,18,20,<br/>23;156:3,7,8;157:16;<br/>161:17;180:9;242:1;<br/>245:22,23;246:5,9,<br/>12;250:25</p> <p><b>facing (7)</b> 111:2,9;<br/>244:9;251:25;253:1;<br/>255:11;256:1</p> <p><b>fact (17)</b> 24:21;61:19;<br/>84:11,12;101:3;<br/>133:25;135:19;146:1;<br/>147:20;179:18,20;<br/>180:23;181:11,25;<br/>183:3;214:7;243:8</p> <p><b>factor (2)</b> 63:4;128:5</p> <p><b>factors (2)</b> 178:13;<br/>179:18</p> <p><b>failure (4)</b> 8:7;181:20,<br/>24;182:11</p> <p><b>fair (6)</b> 58:7,9;62:7,7,<br/>11;156:21</p> <p><b>fairly (1)</b> 56:19</p> <p><b>falling (1)</b> 203:16</p> <p><b>familiar (4)</b> 30:3;92:2;<br/>219:2;236:16</p> <p><b>families (3)</b> 161:7;<br/>213:17,23</p> <p><b>family (6)</b> 161:16;<br/>198:17;202:4,7;<br/>222:23;230:6</p> <p><b>fan (1)</b> 253:18</p> <p><b>fans (1)</b> 256:16</p> <p><b>far (8)</b> 69:15;86:7;<br/>93:20;99:25;159:20;<br/>161:5;238:22;239:10</p> <p><b>fast (1)</b> 255:5</p> <p><b>fast-food (1)</b> 101:15</p> <p><b>fault (1)</b> 30:14</p> <p><b>favor (12)</b> 9:4;23:4;<br/>102:15;163:9;186:13;<br/>208:25;215:3;220:13;<br/>232:5;241:10;258:11;<br/>260:21</p> <p><b>feasible (1)</b> 25:11</p> | <p><b>Federal (13)</b> 6:23;<br/>164:13,17;168:8;<br/>177:1;183:20;184:13;<br/>221:24;223:2;225:23;<br/>228:9,17;230:3</p> <p><b>fee (9)</b> 38:7;62:20,23;<br/>64:13;120:3,10,20;<br/>127:22;131:7</p> <p><b>feed (1)</b> 35:11</p> <p><b>feeding (1)</b> 16:16</p> <p><b>feel (2)</b> 154:20;<br/>161:19</p> <p><b>feels (1)</b> 154:5</p> <p><b>fees (2)</b> 114:21;<br/>127:25</p> <p><b>feet (112)</b> 14:9;18:11,<br/>11;39:12;50:4;51:7,8,<br/>8,10,10;52:3,3,7,8,13,<br/>14,19,19;53:8,8;56:7;<br/>58:15,21;66:22;67:1;<br/>68:11,14,15;69:23,<br/>25;71:21;72:1,5;73:2,<br/>3,15,17;74:5;78:13;<br/>80:25;85:13;91:6,7;<br/>103:23;109:4;110:11,<br/>17,18;111:3;113:10,<br/>10,11;117:8;121:12,<br/>13,17;125:17,20;<br/>129:25;130:3,7,9;<br/>138:4;141:13,13,16,<br/>21;152:19;153:6,15;<br/>167:7,9,11,24;168:1;<br/>169:1;172:25;173:2,<br/>4,7,9,10,19;174:7;<br/>178:19;187:10,19,19;<br/>199:4;200:4;205:25;<br/>222:7;225:25;233:18,<br/>18;237:7,8;238:15,<br/>16;239:9,10,14,15,16,<br/>19;240:2,3,13;<br/>242:10;250:12;<br/>254:20,21</p> <p><b>felt (1)</b> 257:14</p> <p><b>fence (31)</b> 73:14,17,<br/>22,24;74:9,16,22;<br/>75:7,8,17;76:2,9,11,<br/>11,20;80:22;87:16,<br/>18;93:2;193:19;<br/>199:22;206:6;233:1,<br/>16;235:9;236:11;<br/>237:2,17;238:8;<br/>240:16,18</p> <p><b>Fences (3)</b> 73:14;<br/>74:11,18</p> <p><b>fencing (5)</b> 83:1;<br/>87:19;99:8;101:24;<br/>235:11</p> <p><b>few (7)</b> 30:2;51:2;<br/>56:20;82:8;117:2;<br/>160:15;235:22</p> <p><b>field (5)</b> 82:6;88:5,5;<br/>107:20;249:12</p> <p><b>fifth (6)</b> 104:7;109:12;</p> | <p>110:19;111:21,22;<br/>155:25</p> <p><b>Figueroa (1)</b> 259:11</p> <p><b>filed (4)</b> 25:17,21;<br/>30:8;31:4</p> <p><b>filing (1)</b> 36:10</p> <p><b>film (1)</b> 75:14</p> <p><b>final (29)</b> 23:18;<br/>50:24;62:24;78:11;<br/>105:17;119:19;128:1;<br/>130:15;134:14;<br/>135:22;139:7;140:11;<br/>144:19;152:17;<br/>156:24;159:4,14,18,<br/>22;160:3,7,13,16,23,<br/>24;162:1,10,12;<br/>258:25</p> <p><b>finally (4)</b> 151:12;<br/>164:25;178:6;181:19</p> <p><b>financial (1)</b> 25:10</p> <p><b>find (4)</b> 41:11;66:1;<br/>86:15;171:8</p> <p><b>fine (6)</b> 11:13;43:17;<br/>129:12;135:24;139:5;<br/>232:11</p> <p><b>finish (2)</b> 134:22;<br/>205:24</p> <p><b>finished (1)</b> 205:24</p> <p><b>Fire (7)</b> 63:21;129:23;<br/>130:1,2,11,14;214:1</p> <p><b>fires (1)</b> 22:9</p> <p><b>firm (3)</b> 23:13;166:24;<br/>177:3</p> <p><b>first (75)</b> 6:3,5;7:25;<br/>9:7;10:9;14:5;17:24;<br/>27:11,15,24;31:12,16,<br/>24,25;32:12;34:15;<br/>36:21;42:16;44:4;<br/>54:7,9;58:20;59:14;<br/>60:4;63:15;68:4;<br/>72:7;82:21;83:11;<br/>86:19;87:1;92:14;<br/>95:5;100:12,17;<br/>104:4;105:18;106:12,<br/>22;107:2,21;109:9;<br/>110:11;112:13;<br/>123:21;126:15;<br/>129:15;138:4;165:7;<br/>166:11;167:20;171:7,<br/>24;172:10,11;178:13;<br/>181:5,6;186:24;<br/>198:2;209:15;211:2;<br/>215:14;217:11;221:2;<br/>232:12,18;233:11;<br/>242:17;244:23;245:4;<br/>248:11,20;250:23;<br/>257:4</p> <p><b>fit (4)</b> 32:19;123:15;<br/>152:7;253:9</p> <p><b>fits (1)</b> 252:14</p> <p><b>five (14)</b> 7:21;14:9;<br/>36:24;56:7;58:15;<br/>125:21;146:10;</p> | <p>156:15;168:15,25;<br/>179:9;183:7;221:19,<br/>20</p> <p><b>five-minute (1)</b> 102:21</p> <p><b>fix (2)</b> 224:24;225:2</p> <p><b>fixed (1)</b> 213:17</p> <p><b>fixing (4)</b> 18:25;84:2;<br/>87:11;218:23</p> <p><b>fixture (1)</b> 132:24</p> <p><b>fixtures (1)</b> 68:19</p> <p><b>flashes (1)</b> 140:4</p> <p><b>flexible (1)</b> 83:4</p> <p><b>flight (1)</b> 213:17</p> <p><b>floor (48)</b> 14:5,6;<br/>16:20;44:4,12;50:5,7,<br/>9,53;21;54:7,9,55:7;<br/>85:4;94:9,10;99:12,<br/>22;104:4;109:9,24;<br/>110:11;111:21;<br/>121:17;123:7;138:4;<br/>153:3,19;156:13;<br/>166:10,11;167:21,21;<br/>170:18;171:24;<br/>172:10,11;173:13,14,<br/>24;174:2,3,12,13;<br/>211:2;217:10,11;<br/>228:25;235:16</p> <p><b>floors (13)</b> 53:19;<br/>104:5,7;109:11,12;<br/>110:15,18,19;137:23;<br/>147:21,25;148:3;<br/>155:25</p> <p><b>flow (2)</b> 33:9;149:16</p> <p><b>FLOYD (20)</b> 7:14;<br/>241:15,17;245:12,17;<br/>246:7,20,24;247:4,<br/>23;248:5,20;249:11,<br/>16,19,23;250:2;<br/>255:9,14;258:13</p> <p><b>Floyd's (1)</b> 250:5</p> <p><b>FLYNN (1)</b> 232:11</p> <p><b>focused (1)</b> 9:21</p> <p><b>folks (3)</b> 20:13;<br/>100:18;123:6</p> <p><b>follow (2)</b> 60:17;111:9</p> <p><b>followed (1)</b> 35:14</p> <p><b>following (3)</b> 45:8;<br/>99:6;105:17</p> <p><b>follows (15)</b> 10:11;<br/>18:1;27:16;28:1;<br/>107:4;112:14;165:9;<br/>187:1;198:3;209:16;<br/>215:16;221:4;232:20;<br/>245:6;248:12</p> <p><b>food (7)</b> 46:9;122:20,<br/>24;123:1;216:15;<br/>219:5;230:1</p> <p><b>foodie (1)</b> 219:19</p> <p><b>foot (8)</b> 24:5,7;78:12;<br/>85:15;167:4;239:7;<br/>240:5,6</p> <p><b>footage (10)</b> 47:3;<br/>78:9;85:8;111:21;</p> |
| <b>F</b>   |  |  |  |   |
| <b>facade (4)</b> 95:6;  |  |  |  |   |

|   |   |   |  |  |
|---|---|---|--|--|
| <p>153:23;171:3;172:19, 22,24;199:7<br/> <b>footcandle (3)</b> 66:24; 67:1;80:24<br/> <b>footcandles (4)</b> 132:20,22,23,24<br/> <b>footprint (1)</b> 13:21<br/> <b>foreclose (1)</b> 154:14<br/> <b>forecloses (1)</b> 117:1<br/> <b>forget (2)</b> 120:4; 207:16<br/> <b>forgot (1)</b> 235:24<br/> <b>Format (1)</b> 140:3<br/> <b>forth (6)</b> 189:20; 206:5;222:19;224:17; 251:21;257:6<br/> <b>forward (6)</b> 25:14; 146:21;147:17; 161:16;201:3;236:24<br/> <b>found (4)</b> 26:11,19; 35:3;199:10<br/> <b>foundation (1)</b> 246:1<br/> <b>four (18)</b> 57:8;58:21; 79:21;125:17,20; 150:7;160:19;191:18; 200:11;201:16;205:9; 228:15;237:7;238:16; 239:6,9;240:5,6<br/> <b>fourth (8)</b> 104:7; 109:12;110:18; 111:20,22;153:3; 155:25;192:8<br/> <b>foyer (2)</b> 14:8,8<br/> <b>freestanding (7)</b> 72:5, 10,22;73:1,7,12; 80:25<br/> <b>frequent (1)</b> 184:4<br/> <b>frightening (1)</b> 146:14<br/> <b>front (48)</b> 14:1,2,15, 16;15:15;16:7;52:6, 18;56:23;73:16,18, 19,20,22;82:24; 99:23;106:1;107:19; 110:13;114:2;138:24; 141:12,21;143:10; 151:4;158:2;161:23; 166:12;168:9;170:25; 183:3;192:3;196:10; 199:6,6,19;200:3,21; 201:4,5;203:20; 237:2,7,15;238:3,19, 23;239:7<br/> <b>frontage (6)</b> 18:10; 73:5;76:25;95:11; 99:9;187:10<br/> <b>frontages (2)</b> 58:1; 126:11<br/> <b>front-of-house (1)</b> 33:24<br/> <b>fulfills (1)</b> 105:12<br/> <b>full (5)</b> 118:5;119:8; 136:1;224:15;244:24<br/> <b>fullest (1)</b> 47:11</p> | <p><b>full-time (2)</b> 156:11,14<br/> <b>fully (1)</b> 224:19<br/> <b>function (2)</b> 149:17; 224:19<br/> <b>functions (1)</b> 109:5<br/> <b>fundamental (1)</b> 147:7<br/> <b>further (14)</b> 17:16; 42:13;59:15;83:22; 89:8;104:21;106:22; 152:23;164:4,5; 176:8;182:18;227:24; 244:21<br/> <b>Furthermore (2)</b> 44:19;113:8<br/> <b>future (6)</b> 26:6;89:19; 100:11;149:7;161:10; 188:6</p> <p style="text-align: center;"><b>G</b></p> <p><b>gaining (1)</b> 147:16<br/> <b>garage (5)</b> 211:14,15, 24;227:9,11<br/> <b>Garden (1)</b> 209:21<br/> <b>Gardens (1)</b> 244:12<br/> <b>gas (5)</b> 15:14,16; 16:7;174:25;191:19<br/> <b>gate (7)</b> 77:18,20,22; 78:5;202:15,15;228:3<br/> <b>gates (1)</b> 223:16<br/> <b>gateway (3)</b> 100:15, 16,20<br/> <b>gave (2)</b> 88:24; 224:16<br/> <b>geared (1)</b> 109:7<br/> <b>general (12)</b> 13:24; 104:21;140:18; 149:11;159:12; 167:23;171:13; 177:18,19;191:2; 251:3,4<br/> <b>generally (5)</b> 150:3,5; 171:3;179:15;222:19<br/> <b>Genessee (1)</b> 112:19<br/> <b>gentleman (3)</b> 91:15; 218:22;223:9<br/> <b>gentlemen (5)</b> 4:2; 10:19;102:17;155:7; 165:1<br/> <b>gets (3)</b> 37:11;91:25; 147:18<br/> <b>get's (1)</b> 38:1<br/> <b>Ghanshyam (4)</b> 7:9, 11;220:18,20<br/> <b>GILMORE (10)</b> 10:9, 17,17;15:19,23;16:4, 7,11,15,19<br/> <b>given (6)</b> 31:24; 47:25;49:19;56:2; 88:23;151:19<br/> <b>gives (2)</b> 145:12; 151:1<br/> <b>giving (2)</b> 204:7;</p> | <p>226:11<br/> <b>glad (1)</b> 41:17<br/> <b>glare (1)</b> 132:8<br/> <b>glass (1)</b> 111:2<br/> <b>glasses (1)</b> 142:13<br/> <b>Gloria (1)</b> 259:6<br/> <b>Gloucester (1)</b> 43:8<br/> <b>goal (1)</b> 90:13<br/> <b>goals (3)</b> 89:20,22; 254:3<br/> <b>goes (6)</b> 35:11;36:6; 83:18;147:15;149:8; 189:5<br/> <b>Golden (1)</b> 23:24<br/> <b>Goldstein (1)</b> 23:13<br/> <b>Good (65)</b> 4:1,22;6:8; 9:14;11:22;21:19; 22:1;23:11;39:7; 41:9;42:12;47:7; 56:19;59:7;61:24; 62:9;64:17;79:13; 82:5;90:20;94:20; 98:10;99:18;100:6, 11,22;101:1;102:1; 103:8;107:18;111:17; 116:14;120:22; 144:20;145:11; 146:22;148:13,14; 150:19;151:19;152:6; 154:16;160:14;161:5, 8;163:15;165:25; 176:14;178:18; 184:14;185:6,10,16; 186:17;213:15,20; 214:9;220:18,19; 229:6;231:8;236:6, 18;241:15;252:18<br/> <b>goods (1)</b> 228:10<br/> <b>Google (1)</b> 17:5<br/> <b>grade (1)</b> 71:1<br/> <b>Grading (3)</b> 63:2; 129:4,13<br/> <b>gradual (1)</b> 239:10<br/> <b>graduate (1)</b> 170:6<br/> <b>graduated (1)</b> 170:5<br/> <b>Grandchildren (1)</b> 154:25<br/> <b>Grant (11)</b> 7:6;65:18; 90:15;99:5;116:21; 215:8;216:7;217:3; 218:9,13;257:10<br/> <b>granted (3)</b> 74:11; 149:15;159:15<br/> <b>granting (13)</b> 83:5; 177:10;258:19,25; 259:4,6,8,10,12,14, 17,19,22<br/> <b>gravel (4)</b> 189:5,9; 192:19;194:2<br/> <b>great (21)</b> 10:2;22:10; 29:3;38:23;41:16; 145:7;155:4;176:3; 185:9;207:6,10,13;</p> | <p>214:3;219:5;229:22; 236:13;251:8;253:20; 256:21,22;257:3<br/> <b>greater (2)</b> 148:8; 151:19<br/> <b>greatly (2)</b> 32:7;105:3<br/> <b>green (7)</b> 60:12; 61:11;88:4;126:21; 127:9,14;199:25<br/> <b>Greenleigh (1)</b> 209:24<br/> <b>greeted (1)</b> 201:15<br/> <b>GREGORY (2)</b> 10:8, 15<br/> <b>Greiner (1)</b> 241:17<br/> <b>grew (2)</b> 219:13; 236:17<br/> <b>gross (3)</b> 50:5,9;71:18<br/> <b>ground (3)</b> 97:1; 137:22;147:23<br/> <b>groundwater (2)</b> 61:10;127:8<br/> <b>group (4)</b> 104:8; 106:15;163:16; 164:15<br/> <b>Grove (1)</b> 29:16<br/> <b>growing (1)</b> 223:13<br/> <b>grown (1)</b> 37:10<br/> <b>Growth (7)</b> 6:22; 164:13,15,24;166:3; 183:19;254:4<br/> <b>Grub-Hub (1)</b> 36:5<br/> <b>guard (2)</b> 47:4;49:6<br/> <b>guess (13)</b> 46:19; 58:13;114:6;119:12; 134:7;152:16;159:16; 160:11,19;193:14,14; 227:8;239:9<br/> <b>guests (1)</b> 115:21<br/> <b>guide (1)</b> 177:16<br/> <b>guidelines (2)</b> 140:18; 141:1<br/> <b>Guy (1)</b> 4:18<br/> <b>guys (13)</b> 14:22;23:9; 92:11;215:4;233:15; 235:3;250:13;253:21; 254:8;255:5;256:18, 20;257:6</p> <p style="text-align: center;"><b>H</b></p> <p><b>half (1)</b> 14:9<br/> <b>Hallowell (2)</b> 239:20; 240:6<br/> <b>hallway (2)</b> 4:25; 105:3<br/> <b>HANCE (143)</b> 4:1,9, 10;5:10,15,16;8:11, 17,18;14:14,18; 15:11;20:9,25;22:3, 18,19;77:3;78:1,8; 81:20,24;90:25; 91:14;92:1;93:1; 98:16;100:1;102:3,4;</p> | <p>113:22;125:10,12,15, 19,23;157:3;161:9; 162:14,20,21;171:24; 184:15,24;185:21,24, 25;191:14,17,23; 192:1;193:11;196:6; 200:14,18,22,25; 201:6,9,12,15;202:8, 11,14,18,25;203:17; 204:1;205:10;207:6; 208:2,7,11,12; 213:22;214:14,15; 215:22;218:20;219:4, 7,9,20,24,25;223:6, 11,18,23;224:4,9,23; 226:4;227:23;228:3, 12,21;229:2,22; 230:10,18,22;231:6, 14,16,17;234:21,25; 235:3,8,13,17,21,25; 236:6,9,16,21,25; 237:19;238:9,18,24; 239:2,4,12,15,18,21; 240:2,7,17,19,21,22; 249:14;255:13; 256:15;257:22,23; 260:3,4,19<br/> <b>hand (16)</b> 6:2;10:6; 17:22;27:11,20; 106:25;112:10;165:4; 186:22;197:24; 204:10;215:12; 220:25;232:16;245:2; 248:8<br/> <b>hand-drawn (1)</b> 204:10<br/> <b>handicap (1)</b> 109:20<br/> <b>handicapped (1)</b> 121:12<br/> <b>handing (2)</b> 31:2; 168:17<br/> <b>hand-in-hand (1)</b> 256:23<br/> <b>handled (2)</b> 137:17,18<br/> <b>hands (1)</b> 209:12<br/> <b>hang (1)</b> 160:10<br/> <b>happen (2)</b> 118:20; 228:15<br/> <b>happening (3)</b> 147:22;154:14; 179:11<br/> <b>happens (2)</b> 118:22; 211:13<br/> <b>happy (7)</b> 22:8;40:14; 98:13;100:10;185:8; 246:4;256:17<br/> <b>hard (8)</b> 14:22;15:9; 65:18;108:21;133:4; 195:25;196:1;257:1<br/> <b>hardship (1)</b> 212:7<br/> <b>hardware (1)</b> 229:24<br/> <b>Hargrove (1)</b> 259:15<br/> <b>harm (1)</b> 89:17</p> |
|---|---|---|--|--|



|  |   |  |  |  |
|--|---|--|--|--|
| <p><b>Harvard (1)</b> 248:17<br/> <b>hate (4)</b> 14:21;15:8;<br/> 46:23;67:10<br/> <b>hailed (1)</b> 20:20<br/> <b>hauler (3)</b> 137:10,11,<br/> 16<br/> <b>hauling (1)</b> 38:10<br/> <b>head (1)</b> 235:15<br/> <b>headquarters (2)</b><br/> 241:25;244:12<br/> <b>health (10)</b> 46:1;<br/> 88:16;145:24;147:4;<br/> 149:11,20;152:2;<br/> 177:18;251:2,4<br/> <b>healthier (1)</b> 184:25<br/> <b>health-oriented (1)</b><br/> 145:25<br/> <b>hear (13)</b> 5:2,5;6:1;<br/> 10:21;25:18;26:19;<br/> 76:6;92:13;165:15;<br/> 171:6;195:22;244:15;<br/> 250:20<br/> <b>heard (35)</b> 9:11;<br/> 17:13,15;21:7;25:24;<br/> 47:6;85:4;87:9;90:8;<br/> 91:9;98:7,18,22,25;<br/> 102:2;149:14;158:10,<br/> 13;160:1;164:5;<br/> 178:17;183:17,19,23;<br/> 193:3;206:10;213:6;<br/> 218:8,19;229:12;<br/> 234:18;245:12;251:2;<br/> 256:4,10<br/> <b>Hearing (15)</b> 21:9;<br/> 105:1;108:22;142:3;<br/> 158:11;183:21;193:4;<br/> 206:11,19;213:8;<br/> 218:9;229:13;234:19;<br/> 248:3;256:6<br/> <b>heat (1)</b> 175:1<br/> <b>heated (1)</b> 48:10<br/> <b>heater (1)</b> 175:19<br/> <b>heaters (4)</b> 16:2,10,<br/> 11,12<br/> <b>heavy (2)</b> 37:13;93:19<br/> <b>Height (24)</b> 52:2,5;<br/> 53:7;68:10,12;69:23,<br/> 25;73:15,24;74:16;<br/> 80:22,23;81:3;<br/> 105:24;113:9,12,25;<br/> 143:9;145:1,18;<br/> 148:5,7;152:20;<br/> 161:22<br/> <b>help (7)</b> 62:12;<br/> 161:15;205:20;<br/> 223:12;224:20;<br/> 226:22;253:23<br/> <b>helped (1)</b> 205:21<br/> <b>helpful (2)</b> 16:21;17:6<br/> <b>helps (2)</b> 104:14,15<br/> <b>Henry (1)</b> 10:16<br/> <b>high (4)</b> 71:13;73:21;<br/> 133:13;240:5</p> | <p><b>highest (1)</b> 35:15<br/> <b>highlights (1)</b> 82:24<br/> <b>high-power (1)</b> 194:7<br/> <b>Highway (6)</b> 55:3;<br/> 78:2;83:22;89:8,23;<br/> 114:25<br/> <b>Hill (1)</b> 39:1<br/> <b>Hilton (1)</b> 244:12<br/> <b>himself (1)</b> 98:9<br/> <b>hire (7)</b> 34:2,8;41:14;<br/> 128:14;167:15;189:7;<br/> 204:7<br/> <b>hired (2)</b> 27:1;156:16<br/> <b>hiring (2)</b> 41:11;189:7<br/> <b>historically (5)</b> 167:4;<br/> 179:18;180:22;<br/> 181:13;182:2<br/> <b>history (2)</b> 245:18,19<br/> <b>hit (1)</b> 188:23<br/> <b>hold (1)</b> 155:25<br/> <b>holler (1)</b> 6:3<br/> <b>Holtec (1)</b> 244:13<br/> <b>home (30)</b> 12:13;<br/> 15:18;17:1,3;18:16;<br/> 19:25;22:5;104:7;<br/> 105:22;113:5;122:14,<br/> 15,20;137:20;147:10,<br/> 11,21;148:3;153:25;<br/> 154:2,9,10,20;161:6,<br/> 18;198:17;199:15,17;<br/> 213:22;246:4<br/> <b>homeless (1)</b> 22:9<br/> <b>homes (4)</b> 21:20;<br/> 146:1;150:3;191:4<br/> <b>home-type (1)</b> 155:9<br/> <b>honesty (1)</b> 120:9<br/> <b>honor (1)</b> 107:22<br/> <b>hope (2)</b> 46:16;<br/> 226:16<br/> <b>hopefully (1)</b> 26:10<br/> <b>hoping (1)</b> 101:9<br/> <b>horizontal (4)</b> 63:2;<br/> 128:3,11,21<br/> <b>horse (1)</b> 158:2<br/> <b>hospital (5)</b> 154:8,19;<br/> 161:12;244:13;249:9<br/> <b>hot (1)</b> 175:17<br/> <b>hotel (3)</b> 110:20;<br/> 153:16;244:13<br/> <b>hotel-type (1)</b> 153:3<br/> <b>hours (12)</b> 32:8,19,22;<br/> 33:21;47:19,20;49:7;<br/> 77:19,23;78:21;<br/> 132:5;135:9<br/> <b>house (58)</b> 15:15;<br/> 18:22;19:1,9;21:13,<br/> 14;42:6,46:1;190:6,<br/> 10,19,20;191:2,2,18;<br/> 192:1,4,5;196:7,14;<br/> 200:13,14,15,18;<br/> 201:5,20,23;202:2,6,<br/> 7,20,22;203:4,14,15,<br/> 18;204:24;205:11,16,</p> | <p>19,21,22;210:5;<br/> 211:14;212:6;213:4;<br/> 223:24;233:10,12,20;<br/> 235:4,15;236:7;<br/> 238:3,4,19,23;239:5<br/> <b>housed (2)</b> 154:18,19<br/> <b>households (1)</b><br/> 179:16<br/> <b>houses (14)</b> 21:21;<br/> 189:25;190:23,24;<br/> 191:3,5,18,18;201:16,<br/> 22;202:22;205:17;<br/> 206:2;213:16<br/> <b>housing (7)</b> 117:21;<br/> 147:6,13;180:9;<br/> 184:16;203:9;214:9<br/> <b>hover (1)</b> 32:21<br/> <b>Hsing (3)</b> 164:25;<br/> 165:6,16<br/> <b>huge (1)</b> 205:12<br/> <b>hundred (1)</b> 167:11<br/> <b>hydrant (3)</b> 130:1,2,11<br/> <b>hydrants (1)</b> 129:23</p> | <p>181:21;253:4<br/> <b>Impervious (11)</b><br/> 51:12,25;60:11;61:4,<br/> 20,22;80:21;87:10;<br/> 126:20;127:6;188:23<br/> <b>implications (1)</b> 158:5<br/> <b>importance (2)</b> 146:2;<br/> 147:14<br/> <b>important (14)</b> 31:13;<br/> 35:11;37:2;86:2;<br/> 101:5,8;140:6;<br/> 145:23;146:5;147:4,<br/> 14;243:16;246:16;<br/> 257:9<br/> <b>importantly (1)</b> 152:8<br/> <b>improve (3)</b> 11:19;<br/> 84:23;251:12<br/> <b>improved (3)</b> 23:23;<br/> 105:23;251:18<br/> <b>improvement (4)</b><br/> 97:14;183:12;251:7,<br/> 10<br/> <b>improvements (4)</b><br/> 64:8;110:4;114:13;<br/> 130:23<br/> <b>inches (4)</b> 43:22,22;<br/> 111:4;233:19<br/> <b>include (6)</b> 55:14,22;<br/> 160:4;181:20,24;<br/> 182:12<br/> <b>included (3)</b> 25:7;<br/> 50:8;94:6<br/> <b>includes (1)</b> 45:8<br/> <b>including (6)</b> 30:16;<br/> 33:18;45:11;71:20;<br/> 82:8;129:6<br/> <b>inclusive (1)</b> 247:24<br/> <b>increase (4)</b> 12:7;<br/> 61:4;127:6;212:10<br/> <b>indicated (3)</b> 34:7;<br/> 129:21;225:12<br/> <b>indication (1)</b> 100:17<br/> <b>individual (3)</b> 16:5;<br/> 97:8;122:25<br/> <b>individually (1)</b> 113:17<br/> <b>individuals (1)</b> 118:1<br/> <b>indoors (1)</b> 47:15<br/> <b>industrial (1)</b> 177:23<br/> <b>industry (5)</b> 32:17;<br/> 41:24;42:7;100:24;<br/> 101:1<br/> <b>information (7)</b> 36:2;<br/> 37:14;61:7;64:2;<br/> 129:5;140:12;171:9<br/> <b>infrastructure (4)</b><br/> 61:11;64:8;127:9;<br/> 130:23<br/> <b>inherently (1)</b> 146:2<br/> <b>in-house (1)</b> 157:4<br/> <b>initially (2)</b> 243:7;<br/> 247:11<br/> <b>Initiative (1)</b> 246:2<br/> <b>injure (1)</b> 84:18</p> | <p><b>injury (1)</b> 155:2<br/> <b>insert (2)</b> 91:20,22<br/> <b>inside (4)</b> 95:22;<br/> 124:14;125:18;225:2<br/> <b>inspection (2)</b> 64:4;<br/> 130:19<br/> <b>install (1)</b> 68:19<br/> <b>installed (3)</b> 19:17,18;<br/> 96:22<br/> <b>instance (3)</b> 21:17;<br/> 133:3;181:9<br/> <b>instead (8)</b> 43:16;<br/> 88:3;154:8,18;<br/> 161:17;187:13;<br/> 189:10;212:4<br/> <b>Institute (1)</b> 42:23<br/> <b>instructional (1)</b> 41:13<br/> <b>intend (4)</b> 169:12;<br/> 175:15,16;233:7<br/> <b>intended (1)</b> 84:25<br/> <b>intends (1)</b> 115:15<br/> <b>intense (3)</b> 91:24;<br/> 182:1,9<br/> <b>intensive (4)</b> 179:6,17,<br/> 21;181:12<br/> <b>intent (7)</b> 86:21;87:7;<br/> 90:22;181:22;182:14;<br/> 192:18;253:4<br/> <b>intentions (1)</b> 41:9<br/> <b>interested (1)</b> 222:10<br/> <b>interesting (1)</b> 70:22<br/> <b>interim (2)</b> 206:17;<br/> 218:15<br/> <b>interior (2)</b> 49:18;<br/> 171:15<br/> <b>Interiors (1)</b> 49:11<br/> <b>interrupt (1)</b> 104:25<br/> <b>intersection (3)</b><br/> 108:24;237:5,5<br/> <b>into (54)</b> 4:25;12:5;<br/> 14:3,6,10;15:15;20:8;<br/> 21:19,23;37:6;38:18;<br/> 39:25;40:22;47:10;<br/> 51:16;66:6;83:10;<br/> 87:20;90:6;93:6,9;<br/> 95:3,6,7;97:12;<br/> 100:15,17,19,20,25;<br/> 118:14;119:21;<br/> 120:23;133:16;<br/> 147:17;150:19;<br/> 157:25;161:17;<br/> 166:20;168:11;<br/> 198:16;202:5;205:3;<br/> 206:7;211:7;214:8;<br/> 223:20;224:22;<br/> 226:17,21;247:25;<br/> 250:20;253:9,15<br/> <b>introduce (2)</b> 42:17;<br/> 82:1<br/> <b>inventory (1)</b> 222:14<br/> <b>Invest (1)</b> 259:13<br/> <b>Investment (2)</b> 17:12;<br/> 249:5</p> |
|--|---|--|--|--|

|   |   |   |  |  |
|---|---|---|--|--|
| <p><b>Invision (3)</b> 243:2; 247:5;255:17<br/> <b>involved (3)</b> 114:21; 245:22;257:7<br/> <b>iron (1)</b> 206:6<br/> <b>l's (1)</b> 159:14<br/> <b>isometric (1)</b> 199:23<br/> <b>issue (14)</b> 11:13; 20:24;29:19;41:25; 96:10,12,19;116:15; 188:21;193:10; 204:13,25;223:21; 235:4<br/> <b>issued (1)</b> 140:12<br/> <b>issues (9)</b> 42:8; 123:13;129:3;131:15, 17;133:15;136:11,17; 183:9<br/> <b>issuing (1)</b> 228:8<br/> <b>Italian (1)</b> 216:13<br/> <b>item (3)</b> 9:7;64:1; 251:14<br/> <b>items (7)</b> 5:6;37:9; 39:19;46:4;54:19; 126:15;129:11<br/> <b>Ituah (57)</b> 6:25;7:2; 186:20,24;187:5,5,8, 16,20,23;188:3,6,10, 14,17,25;189:3,6,11, 14,18,21,23;190:2,5, 8,10,13,16,20,24; 191:4,8,12,16,22,25; 192:6;193:17,21,25; 194:3,6,10,12,16,23; 195:7,10,16,20;196:4, 10,16;197:4,15,18<br/> <b>IZZO (37)</b> 7:5,8; 209:5,5,10;210:1,4,7, 10,16,21,23;211:3,6, 9,13,17,22;212:3; 215:5,9;216:6,10,13, 16,19,21;217:1,6,11, 13,15,18,21,24;218:3; 220:15</p> | <p>221:9;233:3;242:21; 248:17,24;249:10,13; 251:17<br/> <b>job (4)</b> 82:18;91:18; 101:10;229:7<br/> <b>jobs (8)</b> 90:2,4,7; 100:7;101:6,6; 148:25;152:2<br/> <b>John (7)</b> 106:19,19; 112:12,20;145:8; 224:7;227:13<br/> <b>Johnson (19)</b> 27:11, 14;82:18;145:11; 198:1,10,11,11,24; 200:8,11,20,23; 201:2;204:9,21; 205:2,24;207:2<br/> <b>Johnson's (2)</b> 83:13; 84:5<br/> <b>joins (1)</b> 177:1<br/> <b>joint (1)</b> 254:6<br/> <b>Jose (7)</b> 7:15;24:1; 26:24;27:24;28:9; 232:18,24<br/> <b>Jr (3)</b> 242:20;243:9; 248:16<br/> <b>jug-handle (2)</b> 83:17, 19<br/> <b>July (4)</b> 43:19;66:3; 258:17,18<br/> <b>jump (2)</b> 54:20; 237:14<br/> <b>Jumping (1)</b> 72:4<br/> <b>June (2)</b> 66:5;113:3<br/> <b>junk (1)</b> 224:15<br/> <b>justice (1)</b> 205:12</p> | <p>145:20;155:19; 160:10;166:14;169:2; 182:23;192:19; 226:23;253:21<br/> <b>kinds (1)</b> 40:7<br/> <b>King (1)</b> 241:21<br/> <b>kiosks (1)</b> 48:11<br/> <b>kitchen (1)</b> 203:24<br/> <b>kitchenette (2)</b> 110:21;153:17<br/> <b>Kmet (21)</b> 6:10,11; 17:20,24;18:5,5,8,17, 20,23;19:2,7,10,14, 16,22;20:5,19;21:4; 22:11;23:6<br/> <b>knocked (1)</b> 191:20<br/> <b>knowing (1)</b> 99:21<br/> <b>knowledge (1)</b> 245:14<br/> <b>knowledgeable (1)</b> 101:10<br/> <b>known (4)</b> 26:16; 37:14;41:21;251:8<br/> <b>knows (2)</b> 119:16; 179:3<br/> <b>Kyle (1)</b> 247:17</p>  | <p>20,24;143:23;151:18; 162:2<br/> <b>Landscaping (11)</b> 38:14,15;57:9;64:23; 65:1;67:21;87:14; 95:10,14;97:14; 131:23<br/> <b>Lane (4)</b> 7:13;240:6; 241:22;256:5<br/> <b>Lanning (7)</b> 103:21; 105:10;109:1;113:7; 141:6;142:19;145:10<br/> <b>Lara (11)</b> 242:17; 243:8;244:22,24; 245:4,10,12;246:7,24, 25;248:1<br/> <b>large (10)</b> 138:8; 149:22,23;151:15; 166:10;227:17; 250:14,17;252:13,25<br/> <b>larger (5)</b> 78:17;98:4; 147:19;149:24;252:7<br/> <b>large-scale (1)</b> 149:24<br/> <b>LARIO (160)</b> 6:14; 23:10,12;28:5,11,14, 17,22;29:1,4,10;30:3, 7,31;2,8;32:4,22; 33:1,15;34:6,10;35:7, 17,22;36:15;37:1,17, 20;38:9,14;39:9,16, 20;40:5,9,12;41:5; 42:13,16;43:3,9,13; 44:10;45:1,13,15,22; 46:5,11,23;47:8,13, 16,22;48:1,5,8,13,19, 24;49:10,14,21,24; 50:2,13,16,19,21,25; 51:18,22;52:16,23; 53:1,24;54:10;55:13, 20,23;56:1,11;57:4,7, 16;58:23;59:24;60:6, 13;61:18;63:1,13,19, 23;64:3,10,17,23; 65:10,17;66:4;67:8, 15,22;68:3,6,23;69:2, 7,13;70:1,19;71:8,25; 72:4,9,16,20;73:11, 25;74:5,17,22;75:8, 11,16,22;76:21,24; 77:5,12,14;78:4; 79:14,18,21,25; 80:17;81:1,5,8,16,21, 25;86:1,7;91:2,19; 92:14,23;93:4,7,14; 94:23;95:9,16,24; 97:4;101:17;102:18<br/> <b>last (12)</b> 8:3;10:24; 89:12;97:2;174:13; 210:24;216:11;223:6; 243:1;244:5;249:2,6<br/> <b>lastly (3)</b> 103:19; 106:18;181:4<br/> <b>late (1)</b> 7:24</p> | <p><b>later (5)</b> 36:12;78:25; 116:10;144:19; 227:11<br/> <b>lateral (3)</b> 129:17,17, 19<br/> <b>Latin (1)</b> 219:7<br/> <b>laudable (1)</b> 151:23<br/> <b>laundry (2)</b> 122:21; 123:1<br/> <b>Law (11)</b> 4:4,5;11:16; 55:11;86:22;90:18; 126:3;146:3;147:8; 163:16;176:5;177:3, 12,14;183:15;250:23; 254:16;255:4<br/> <b>layout (3)</b> 16:21; 93:20;129:8<br/> <b>LB (1)</b> 248:18<br/> <b>lead (1)</b> 36:12<br/> <b>leader (1)</b> 31:18<br/> <b>leads (1)</b> 42:3<br/> <b>learn (1)</b> 42:7<br/> <b>leasable (1)</b> 26:6<br/> <b>lease (6)</b> 168:11,13, 21,24;169:3,12<br/> <b>least (20)</b> 7:24;15:6,8; 34:8,9;47:4;49:5; 56:7;67:20;85:19; 96:23;124:21;156:12, 13,15;177:13;239:15; 243:1;244:5;249:6<br/> <b>leave (1)</b> 96:17<br/> <b>left (6)</b> 20:6;29:23; 172:15;173:17; 200:15;227:7<br/> <b>lefthand (6)</b> 191:10; 218:25;223:25; 234:13,23;235:5<br/> <b>leg (1)</b> 201:13<br/> <b>Legends (3)</b> 7:13; 241:22;256:5<br/> <b>length (5)</b> 106:8; 121:13;143:19; 151:11;162:1<br/> <b>less (25)</b> 22:9;33:8; 52:3;59:13;66:23; 68:15;91:25,25; 115:11;123:21;130:8, 10;159:10,11;179:6, 6,7,14,17,21;180:21; 181:12;182:1,9; 254:23<br/> <b>lessening (1)</b> 178:9<br/> <b>Letter (24)</b> 31:24; 39:18,19;40:1,3,4,7; 43:15,19;44:23;68:8; 83:13;84:6;99:7,25; 101:22;110:7;111:15; 112:22,25;113:3; 134:22;158:20;162:4<br/> <b>Letters (2)</b> 29:20; 86:25<br/> <b>level (10)</b> 30:5;</p> |
| <p style="text-align: center;"><b>J</b></p> <p><b>Jackson (6)</b> 6:25; 186:20;187:9;191:22; 193:4;196:11<br/> <b>James (3)</b> 164:25; 165:6,22<br/> <b>Jersey (44)</b> 4:5;10:18; 18:8;25:21;28:10; 29:9,21;30:9;41:19; 42:21,23,25;43:2; 49:1;54:22;65:15; 66:14;81:13;107:10, 15,17;112:19;146:8, 10;156:10;165:21,23; 170:8,11;178:1; 187:6;198:9,12; 209:22,25;215:21;</p>  | <p style="text-align: center;"><b>K</b></p> <p><b>Kahn (30)</b> 106:15; 112:12,18,18;115:22; 116:5,11,14;117:16, 20;118:8,11;119:1, 20;122:4,7,15,23; 123:8;124:24;136:16, 20,25;154:17;156:5, 8;157:5,10,19;158:22<br/> <b>Kaighns (4)</b> 6:20; 163:14;164:1;259:5<br/> <b>Karen (1)</b> 4:13<br/> <b>keep (13)</b> 22:9;37:5; 53:14;66:1;92:24; 97:17;134:25;170:4; 171:5,14;195:10; 202:3;206:7<br/> <b>keeping (2)</b> 73:10; 74:15<br/> <b>keeps (1)</b> 207:12<br/> <b>Kersey (1)</b> 34:25<br/> <b>key (1)</b> 235:24<br/> <b>kicked (1)</b> 236:3<br/> <b>kind (14)</b> 15:22;32:9; 78:21;109:7;133:18;</p>  | <p style="text-align: center;"><b>L</b></p> <p><b>lack (1)</b> 183:10<br/> <b>ladies (1)</b> 4:1<br/> <b>laid (3)</b> 185:9;216:10; 247:7<br/> <b>LAMONT (2)</b> 10:9,17<br/> <b>Lance (13)</b> 242:19,22; 243:9;244:15;247:8; 248:6,10,16,20; 249:11,16;255:9,16<br/> <b>Land (36)</b> 11:16; 42:21,24;55:10; 59:21;86:22;88:10, 13;90:18;117:3; 118:3;119:5,23; 126:2;146:17,20; 147:8,16;148:25; 149:9;152:3;157:17; 177:12,14;178:8,10; 183:15;199:10,12; 235:4;249:10;250:22; 252:22;254:11,16; 255:4<br/> <b>Landgarf (2)</b> 248:18, 23<br/> <b>Landgraf (13)</b> 242:19; 243:9;244:16;247:8; 248:6,10,16,16; 249:15,18,22;250:1,5<br/> <b>Landis (1)</b> 221:9<br/> <b>landlord (2)</b> 166:23; 182:23<br/> <b>lands (1)</b> 177:16<br/> <b>landscape (12)</b> 64:21; 81:3;82:5;87:20; 92:25;106:10;131:19,</p> |  |  |

|  |   |  |   |  |
|--|---|--|---|--|
| <p>132:20,21,22;137:22;<br/>146:12;147:23;200:5;<br/>210:21;211:11<br/><b>levels (1)</b> 133:12<br/><b>LI-1 (1)</b> 18:10<br/><b>library (1)</b> 117:8<br/><b>license (13)</b> 25:19,24,<br/>25;31:14;35:19;<br/>40:25;41:1,6;45:17;<br/>96:19;97:17;107:18;<br/>170:8<br/><b>licensed (13)</b> 42:20,<br/>24;45:24;47:4;49:5;<br/>82:4;107:14,16,17;<br/>170:10;176:11;<br/>242:20;248:23<br/><b>licenses (1)</b> 82:5<br/><b>licensing (5)</b> 31:11;<br/>45:11;96:13;99:9;<br/>101:24<br/><b>lien (1)</b> 118:18<br/><b>lienholder (2)</b> 117:1,5<br/><b>liens (2)</b> 116:24;119:2<br/><b>lieu (1)</b> 151:21<br/><b>light (13)</b> 47:9;66:24;<br/>67:25;68:12;69:1;<br/>91:23,23,24;92:25;<br/>96:21;151:8;191:19;<br/>194:7<br/><b>Lighting (37)</b> 66:20,<br/>12,25;67:10;68:10,<br/>19,25;83:1;84:12,13;<br/>91:21,22;92:15,16;<br/>132:3,7,11,12,12,17,<br/>18,20,21,22;133:7,8,<br/>9,12,17;134:1,1,2,14;<br/>135:2,6;159:1;194:5<br/><b>lightly (1)</b> 182:20<br/><b>lights (6)</b> 67:4;91:17;<br/>92:19;96:5,11;133:14<br/><b>likely (6)</b> 56:1;58:8;<br/>86:7;96:5,12;153:21<br/><b>likes (1)</b> 243:24<br/><b>Likewise (3)</b> 151:3;<br/>244:1;255:17<br/><b>Lillian (1)</b> 259:8<br/><b>limit (3)</b> 61:3;127:5;<br/>132:8<br/><b>limited (2)</b> 251:22;<br/>252:19<br/><b>line (35)</b> 49:16;66:23;<br/>73:16,17,18,19,19,20;<br/>78:7;80:25;93:25;<br/>103:16,17,18,19;<br/>108:25;109:16,17,25;<br/>111:5,12;112:4;<br/>114:10,18;126:11;<br/>137:22;142:25;150:9;<br/>161:12;199:5,6;<br/>233:22;239:13;<br/>255:24;259:11<br/><b>linen (1)</b> 122:21<br/><b>lines (2)</b> 177:1;210:11</p> | <p><b>liquor (15)</b> 83:25;<br/>84:14;100:4;221:23;<br/>222:14,24;223:2;<br/>225:7,20;226:17,19,<br/>21;228:11,22;230:8<br/><b>list (8)</b> 6:1;24:19;<br/>42:4;51:6;145:11,14;<br/>210:2;243:12<br/><b>listed (7)</b> 51:4;53:15;<br/>54:19;81:7;114:7;<br/>144:1;147:7<br/><b>listing (1)</b> 139:1<br/><b>lit (2)</b> 92:25;96:1<br/><b>literal (1)</b> 86:3<br/><b>literally (2)</b> 118:3,11<br/><b>little (35)</b> 10:20;11:2;<br/>14:8,8;19:10,11;<br/>29:12;30:10;31:10;<br/>32:8;34:13;35:23;<br/>37:3;38:16;54:11;<br/>56:12;60:14;70:19;<br/>78:3;86:24;87:11;<br/>89:3;90:5;168:3;<br/>175:20;191:15;<br/>194:19;217:22;<br/>227:25;229:7;231:7;<br/>235:20;237:12;<br/>253:19;257:14<br/><b>live (12)</b> 28:9;39:1,1;<br/>147:12,19;150:4;<br/>172:4;191:23;209:21,<br/>24;230:5;233:7<br/><b>lived (2)</b> 176:1;217:6<br/><b>lives (2)</b> 196:8,17<br/><b>living (7)</b> 22:6;34:3;<br/>42:9;90:9;203:22;<br/>207:11,11<br/><b>LLA (1)</b> 27:23<br/><b>LLC (30)</b> 6:4,6,12,23;<br/>7:9;8:1;9:8,13;23:8,<br/>14,25;26:24;28:12;<br/>103:11;157:20;<br/>158:10;164:13,16,24;<br/>166:3,5;183:20;<br/>220:18;221:11,23;<br/>232:10;258:20,21;<br/>259:13,20<br/><b>loading (14)</b> 106:8;<br/>115:4;121:18,19,22,<br/>24;122:1,5,9,11;<br/>143:20;151:12,15;<br/>162:1<br/><b>lobby (2)</b> 104:3;<br/>109:10<br/><b>local (16)</b> 30:4;31:10;<br/>32:6;34:10;41:10,12,<br/>23;45:10;97:22,23;<br/>105:8;117:7;146:24;<br/>147:4;150:1;155:7<br/><b>localized (1)</b> 149:25<br/><b>locate (3)</b> 130:3;<br/>141:21;211:10<br/><b>located (22)</b> 9:16;</p> | <p>11:23;16:3;18:9;<br/>34:22;39:10;56:8;<br/>67:23;103:13,20;<br/>108:25;122:18;<br/>129:25;137:22;<br/>141:20;154:22;<br/>166:19;180:23;<br/>181:13;182:2;192:4;<br/>241:21<br/><b>location (11)</b> 33:5;<br/>49:12;89:22,25;<br/>105:8;106:6;143:13;<br/>161:24;169:3;251:16;<br/>253:7<br/><b>locations (4)</b> 56:21;<br/>87:3;177:21;178:5<br/><b>Locust (1)</b> 259:1<br/><b>loft (2)</b> 174:10,11<br/><b>logo (2)</b> 257:10,11<br/><b>logos (2)</b> 251:12;<br/>257:16<br/><b>loiter (2)</b> 49:16;96:4<br/><b>loitering (2)</b> 96:12,15<br/><b>lonely (1)</b> 236:7<br/><b>long (12)</b> 24:19;<br/>30:13;195:10;201:23;<br/>204:10;218:14;<br/>221:17;222:1,6;<br/>255:5,6,6<br/><b>longer (3)</b> 147:19;<br/>210:12;219:17<br/><b>longest (1)</b> 195:8<br/><b>long-lead (1)</b> 64:1<br/><b>look (37)</b> 38:23,23;<br/>61:13;70:23;75:18,<br/>23;76:23;85:6;86:4;<br/>88:15;93:11;94:22;<br/>95:1,2;98:2;110:9;<br/>111:1;118:20,23;<br/>142:7;148:7,8;158:4;<br/>184:9;194:23;196:1;<br/>199:24,25;206:2;<br/>213:24,24;225:12,13;<br/>234:16;250:22;252:5,<br/>16<br/><b>looked (4)</b> 58:11;<br/>119:14,20;257:4<br/><b>looking (24)</b> 31:9;<br/>33:17;42:2;62:4;<br/>98:10;101:13;113:25;<br/>116:25;118:25;<br/>143:12;148:10;149:5,<br/>19;152:10,19;153:6;<br/>157:21,25;161:16;<br/>190:3;199:2;228:7;<br/>236:23;254:13<br/><b>looks (15)</b> 13:5;15:8;<br/>19:4;34:20;67:19;<br/>148:9;194:14;199:18;<br/>200:3,18;206:22;<br/>207:4;225:13;235:21;<br/>254:19<br/><b>loop (1)</b> 93:23</p> | <p><b>lose (1)</b> 76:22<br/><b>losing (1)</b> 35:19<br/><b>Lot (146)</b> 9:17,19;<br/>14:23;18:10,12;<br/>20:13;22:4;23:16;<br/>24:15,22;25:18;35:9;<br/>36:2;39:22;40:3;<br/>44:21;51:6,9;67:1,10;<br/>70:5;73:5,16,16,18,<br/>19,20;82:16,22,23;<br/>88:20;91:16,17;93:6;<br/>95:7;96:16;97:6,21;<br/>98:4;100:4;103:14,<br/>15,16,17,18,19,20,22;<br/>109:1,3,16,20,23;<br/>110:12;111:6,10;<br/>131:22;139:1,3,8,14,<br/>18;140:4;154:7;<br/>158:4;161:10,12;<br/>164:17;168:13;169:4,<br/>5,6;180:21,24;183:4;<br/>184:5,21,25;185:2;<br/>187:11,15;188:5,8,<br/>13;189:13,16;190:14,<br/>16;192:2,3,4,17;<br/>193:9,12,12,14;<br/>194:18,24;195:20;<br/>196:14,16,25;197:3,<br/>11;198:19;199:9;<br/>200:2,2;201:20,25,<br/>25;203:5,10;204:13,<br/>20,21,22,23,23;205:1,<br/>2,3,8,21;206:14,16,<br/>16,16,20,21;211:14;<br/>212:11;213:11,25;<br/>214:6;221:14;223:13;<br/>229:17;235:17;<br/>241:23;245:25;246:1;<br/>250:13;251:23;<br/>253:15;258:22<br/><b>lots (23)</b> 11:12;<br/>103:23,24;104:18;<br/>105:12;116:17,19,22,<br/>24;117:1;119:6,9;<br/>128:18;200:2,6,8,9;<br/>201:19,24;202:24;<br/>203:10;204:13;<br/>212:22<br/><b>louder (4)</b> 10:20;76:6;<br/>108:22;195:21<br/><b>Louis (9)</b> 7:3;168:22;<br/>209:4;211:14,19;<br/>212:5,19;213:7;<br/>220:19<br/><b>love (2)</b> 236:7,10<br/><b>loved (2)</b> 154:25;<br/>161:7<br/><b>low (1)</b> 150:4<br/><b>lower (1)</b> 210:21<br/><b>lowest (1)</b> 74:1<br/><b>LP (4)</b> 7:12;241:14,<br/>19;242:19<br/><b>Luminaries (1)</b> 132:9</p> | <p><b>Luther (1)</b> 241:21<br/><b>Lyubomir (5)</b> 6:10;<br/>17:19,24;18:5,7</p> <hr/> <p style="text-align: center;"><b>M</b></p> <hr/> <p><b>M&amp;R (1)</b> 259:3<br/><b>M&amp;S (4)</b> 6:17;103:6,<br/>10;158:10<br/><b>Macedonia (3)</b> 6:19;<br/>163:13;164:1<br/><b>Madison (1)</b> 107:9<br/><b>main (5)</b> 111:4;<br/>145:15;168:8;226:18;<br/>230:3<br/><b>mainly (7)</b> 110:15;<br/>111:6,9,13;154:17;<br/>157:10;171:15<br/><b>mains (1)</b> 129:20<br/><b>maintain (6)</b> 56:20,24;<br/>83:7;90:2;96:18;<br/>97:17<br/><b>maintained (1)</b> 38:17<br/><b>maintenance (3)</b><br/>23:20;52:23;65:2<br/><b>major (9)</b> 12:4;23:18;<br/>61:1,14;78:11;90:11;<br/>95:20;127:3,10<br/><b>majority (2)</b> 9:21;<br/>122:8<br/><b>make-ready (1)</b> 55:17<br/><b>makes (3)</b> 79:19;<br/>185:14;213:25<br/><b>making (6)</b> 53:22;<br/>117:13;185:17;<br/>206:18;238:20;252:6<br/><b>mall (1)</b> 185:1<br/><b>Management (12)</b> 6:6;<br/>9:8,12;60:3;61:2;<br/>83:16;126:15;127:4;<br/>137:4;166:16,17,24<br/><b>manager (3)</b> 123:3;<br/>156:11,14<br/><b>maneuver (1)</b> 126:8<br/><b>manner (3)</b> 48:3;67:4;<br/>177:17<br/><b>manufacturers (1)</b><br/>37:8<br/><b>many (26)</b> 23:25;<br/>24:21;54:4;88:1;<br/>99:19;100:9;105:10;<br/>110:17;124:13;<br/>155:24;156:6;167:4,<br/>9,12,24;173:1,7;<br/>174:6;176:13;183:1,<br/>1;189:12;204:5,5;<br/>211:23;217:18<br/><b>map (2)</b> 91:22;139:3<br/><b>Maplewood (1)</b><br/>165:17<br/><b>Maps (3)</b> 17:6;140:2;<br/>241:23<br/><b>MAREO (1)</b> 220:16</p> |
|--|---|--|---|--|

|   |   |   |   |   |
|---|---|---|---|---|
| <p><b>Marero (26)</b> 7:6;<br/>215:8,9,14,20,20,25;<br/>216:4,6,9,12,14,18;<br/>217:4,9,12,14,17,20,<br/>23;218:1,5;219:1,6,8,<br/>11</p> <p><b>Marizta (1)</b> 4:14</p> <p><b>Mark (9)</b> 27:5,22;<br/>53:20;82:3;108:13;<br/>168:18;171:10,22;<br/>173:12</p> <p><b>market (4)</b> 36:19;<br/>119:25;185:1,3</p> <p><b>marking (1)</b> 174:15</p> <p><b>marriage (1)</b> 154:16</p> <p><b>Martin (1)</b> 241:21</p> <p><b>Mason (46)</b> 4:20,21;<br/>5:23,24;9:2,3;20:12,<br/>17;22:16;23:2,3;<br/>100:14;101:19;102:2,<br/>13,14;123:4;159:3;<br/>163:7,8;186:11,12;<br/>194:17;196:13;<br/>208:23,24;213:19;<br/>214:5;215:1,2;219:2,<br/>13,22;220:11,12;<br/>232:3,4;241:8,9;<br/>257:17;258:9,10;<br/>259:25;260:15,16,20</p> <p><b>masonry (1)</b> 70:3</p> <p><b>mass (3)</b> 150:19;<br/>183:2;244:17</p> <p><b>Master (7)</b> 89:13,18,<br/>18;253:5;254:2,3,11</p> <p><b>match (1)</b> 70:9</p> <p><b>material (4)</b> 72:14;<br/>129:16,18;142:11</p> <p><b>materials (1)</b> 70:9</p> <p><b>Matt (1)</b> 11:21</p> <p><b>matter (24)</b> 6:4,5;<br/>7:25;8:2;17:12,19;<br/>23:8;84:11,12;103:6,<br/>10;163:17,25;164:4,<br/>12;183:14;186:19;<br/>209:3;215:7;220:17;<br/>226:20;232:9;234:19;<br/>241:13</p> <p><b>MATTHEW (3)</b> 10:8,<br/>22,25</p> <p><b>Maurice (4)</b> 164:24;<br/>165:7,19;175:14</p> <p><b>maximized (1)</b> 131:21</p> <p><b>maximum (12)</b> 50:4;<br/>52:5;53:6,7;68:9;<br/>80:22;113:9;130:9;<br/>132:22;133:1;141:15;<br/>151:1</p> <p><b>may (22)</b> 11:21;27:8;<br/>34:25;47:24;56:20;<br/>61:10;64:13;69:25;<br/>71:23;91:9;115:18,<br/>24;120:25;127:8;<br/>131:7;133:15;179:10,</p> | <p>23;196:10;197:1;<br/>199:11;237:9</p> <p><b>maybe (14)</b> 15:5;<br/>16:20;17:5;21:21;<br/>28:3;39:1;124:5;<br/>155:8;159:21;160:2,<br/>19;175:14;225:25;<br/>231:5</p> <p><b>mayor (1)</b> 31:15</p> <p><b>mayors (1)</b> 256:24</p> <p><b>MAZAHRED (2)</b><br/>176:3,6</p> <p><b>Mazahreh (30)</b><br/>164:24;165:7,19,20;<br/>166:2,4,8,15,23;<br/>167:2,6,10,14,19,22,<br/>25;168:5,21,25;<br/>169:4,6,10,14,20;<br/>175:16;183:4;184:7,<br/>9,23;186:18</p> <p><b>Mazahreh's (1)</b> 166:1</p> <p><b>McDonough (16)</b><br/>106:19;112:12,20,<br/>21;113:17;114:6;<br/>135:19;145:8,9;<br/>152:21,24,25;153:5,<br/>8;154:12;157:15</p> <p><b>MD (1)</b> 244:13</p> <p><b>Meals (1)</b> 122:25</p> <p><b>mean (25)</b> 39:24;<br/>54:3;69:15;71:12;<br/>74:1,6,10,24;76:15;<br/>77:10;104:24;124:14,<br/>20;133:21;138:8;<br/>153:14;157:15;<br/>191:19;212:6;219:13;<br/>230:6;236:13;237:6;<br/>238:16;257:2</p> <p><b>means (4)</b> 59:19;<br/>85:20;146:3;180:5</p> <p><b>measure (3)</b> 74:13;<br/>130:6;252:7</p> <p><b>measured (1)</b> 71:22</p> <p><b>measurements (1)</b><br/>247:15</p> <p><b>measures (2)</b> 34:13;<br/>35:8</p> <p><b>mechanical (1)</b> 175:5</p> <p><b>mechanically-operated (1)</b><br/>77:22</p> <p><b>Medford (1)</b> 43:2</p> <p><b>medical (18)</b> 104:2,5,<br/>16,23;105:6,9,21,22;<br/>109:11;113:4;137:13,<br/>17;146:22;147:22;<br/>148:1;149:19;246:11;<br/>251:1</p> <p><b>medical-use (1)</b> 111:8</p> <p><b>medication (1)</b> 122:8</p> <p><b>Medicine (10)</b> 242:13;<br/>246:8,10,20;250:11;<br/>251:1,8;252:10;<br/>257:3,4</p> | <p><b>meet (12)</b> 24:20;<br/>67:11;86:3;97:20;<br/>133:1;134:2,8;<br/>153:14;177:25;234:3;<br/>249:7;251:17</p> <p><b>meeting (9)</b> 4:3,6;<br/>8:10;17:9,14;103:4;<br/>164:9;197:12;233:23</p> <p><b>meets (3)</b> 141:5;<br/>180:17;182:15</p> <p><b>member (5)</b> 41:18;<br/>106:15;166:5;221:10,<br/>23</p> <p><b>members (13)</b> 7:21,<br/>23;23:11;31:9;40:13;<br/>95:18;103:9;104:13;<br/>163:15;165:25;<br/>169:25;241:16;<br/>243:11</p> <p><b>member's (1)</b> 150:7</p> <p><b>memo (1)</b> 46:12</p> <p><b>memorialization (1)</b><br/>31:5</p> <p><b>memory (1)</b> 146:16</p> <p><b>mental (1)</b> 155:3</p> <p><b>mention (4)</b> 114:6;<br/>119:13;137:2;199:7</p> <p><b>mentioned (18)</b> 13:20;<br/>25:17;26:3;30:8;<br/>31:3;34:12;35:23;<br/>40:15;41:10;100:18;<br/>110:19;111:3;113:12;<br/>114:1;140:6;155:6;<br/>171:18;247:4</p> <p><b>mentioning (1)</b> 131:15</p> <p><b>mentions (1)</b> 113:13</p> <p><b>Merchantville (1)</b><br/>209:24</p> <p><b>Merion (1)</b> 165:17</p> <p><b>Merricks (27)</b> 4:13;<br/>103:3;153:24;154:7;<br/>157:7;162:24,25;<br/>186:3,4;195:3,8,12,<br/>21;208:15,16;214:18,<br/>19;220:3,4;231:20,<br/>21;240:25;241:1;<br/>258:1,2;260:7,8</p> <p><b>met (3)</b> 141:2;151:24;<br/>152:9</p> <p><b>metal (4)</b> 76:11;111:1,<br/>10;142:12</p> <p><b>meter (2)</b> 16:8;175:25</p> <p><b>metering (2)</b> 175:9;<br/>259:2</p> <p><b>meters (2)</b> 15:16;16:8</p> <p><b>metric (1)</b> 37:14</p> <p><b>Metro (2)</b> 34:16;47:2</p> <p><b>Michael (3)</b> 23:12;<br/>241:17;252:11</p> <p><b>micro-license (1)</b><br/>101:7</p> <p><b>middle (2)</b> 13:8;<br/>200:15</p> | <p><b>might (7)</b> 41:25;<br/>58:21;66:5;67:20;<br/>134:18;154:24;155:2</p> <p><b>Miller (13)</b> 164:25;<br/>165:6,22,22,24;176:9,<br/>10,16,20,23;233:5;<br/>234:19;240:6</p> <p><b>mind (3)</b> 37:6;66:1;<br/>88:13</p> <p><b>Mine (1)</b> 22:5</p> <p><b>minimal (1)</b> 61:23</p> <p><b>minimize (1)</b> 132:10</p> <p><b>minimum (7)</b> 49:9,12;<br/>52:2;125:4;132:20;<br/>141:12;233:17</p> <p><b>ministry (1)</b> 218:25</p> <p><b>minor (1)</b> 204:16</p> <p><b>minority (1)</b> 100:25</p> <p><b>minutes (3)</b> 5:9;33:8;<br/>203:1</p> <p><b>Miscellaneous (2)</b><br/>139:24;140:16</p> <p><b>MISS (3)</b> 215:25;<br/>216:4;224:4</p> <p><b>missed (4)</b> 8:4;80:11;<br/>152:15;192:13</p> <p><b>missing (2)</b> 81:15;<br/>201:12</p> <p><b>Mitchell (1)</b> 223:10</p> <p><b>mitigated (1)</b> 67:21</p> <p><b>mitigation (1)</b> 50:1</p> <p><b>mitigation/smoking (1)</b><br/>49:23</p> <p><b>mix (1)</b> 12:8</p> <p><b>mixed (4)</b> 82:15;<br/>109:5;120:6;164:18</p> <p><b>model (2)</b> 55:11;<br/>126:3</p> <p><b>models (1)</b> 41:20</p> <p><b>modern (10)</b> 36:1;<br/>84:3;87:12;95:2;<br/>97:12;104:22;105:6;<br/>111:1,1,7</p> <p><b>modernized (1)</b> 38:19</p> <p><b>modest (1)</b> 149:21</p> <p><b>modification (1)</b> 68:22</p> <p><b>modifications (7)</b><br/>68:18;241:24;<br/>242:12;243:19;244:1,<br/>3;249:20</p> <p><b>modify (2)</b> 242:8,11</p> <p><b>modifying (1)</b> 252:20</p> <p><b>moment (2)</b> 167:15;<br/>176:15</p> <p><b>Monday (1)</b> 47:20</p> <p><b>monitor (1)</b> 50:11</p> <p><b>month (4)</b> 8:3;43:25;<br/>186:16;197:8</p> <p><b>monthly (2)</b> 195:11,14</p> <p><b>months (7)</b> 30:22;<br/>160:16,19;168:14;<br/>222:2;224:20;249:7</p> <p><b>Moore (257)</b> 27:10,</p> | <p>14;30;23;39:17,24;<br/>40:10;43:18;44:2,11,<br/>16;45:3,14,18,23;<br/>46:6,22,24;47:9,14,<br/>17,23;48:2,6,9,14,22,<br/>25;49:11,15,22,25;<br/>50:3,14,17,20,22;<br/>51:1,24;52:2,17;53:5,<br/>11,15;54:7,15;55:2,6,<br/>18;56:6,17;57:1,14,<br/>17,22,25;58:4,16,25;<br/>59:3,9;60:1,8,19,22,<br/>25;61:8,20,24;62:17,<br/>20;63:2,9,15,20,24;<br/>64:4,11,19,25;65:13,<br/>21,25;66:8,12,18;<br/>67:6,13,18;68:4,7,15,<br/>25;69:4,9,18,21;70:2,<br/>12;71:2,6,9,16;72:7,<br/>12,17,22,24;73:9,12;<br/>74:15,18,24;75:2,15,<br/>20;76:1,15,17,22;<br/>77:6,9,13,15;78:9,16,<br/>19;79:11,16,19,23;<br/>80:1,7,10,12,15,19;<br/>81:2,6,9,18;99:14;<br/>112:24;113:2,19,23;<br/>114:5,17,24;115:4,10,<br/>23;116:8;118:6,10,<br/>13;119:10;120:1,12,<br/>17,23;121:9,16;<br/>122:1,5;123:17;<br/>124:4,9,13,19,25;<br/>125:11,24;126:6,10,<br/>14,18,24;127:2,13,17,<br/>22;128:3,10,16,20,23;<br/>129:3,12,15,23;130:4,<br/>9,13,19;131:1,5,11,<br/>14,18;132:3,15,17;<br/>133:6;134:4,11,25;<br/>135:5,11,14,24;136:7,<br/>13,15,19,21;137:1,9,<br/>12,21;138:7,13,15,25;<br/>139:6,12,17,24;140:9,<br/>15,25;141:10;142:1,<br/>5,11,15,17,22;143:2,<br/>6,19,22,25;144:5,12,<br/>14,22,25;145:3;<br/>152:14,22;160:4,11,<br/>20;162:6,9,12;259:5</p> <p><b>Moorestown (1)</b><br/>165:23</p> <p><b>moral (1)</b> 88:16</p> <p><b>Morales (46)</b> 7:15,16;<br/>232:12,14,18,24,24;<br/>233:2,6,9,14,20;<br/>234:1,4,7,10,24;<br/>235:2,6,10,14,19,23;<br/>236:2,5,8,13,18,23;<br/>237:3,6,11,18;238:2,<br/>11,14,22;239:1,3,8,<br/>16,23;240:4,9,14;<br/>241:12</p> |
|---|---|---|---|---|

|   |   |   |  |  |
|---|---|---|--|--|
| <p><b>morals (2)</b> 177:18; 251:3<br/> <b>more (54)</b> 5:3;6:16; 7:23;14:24;21:24; 36:22;38:10,16;41:8; 42:7;44:20;47:5,23; 54:11;69:23;73:15, 17;76:4,4,7;85:25; 86:13;88:10;106:14; 113:10;117:3;138:4; 141:8,14;146:14; 149:25;150:13; 153:16;154:20,20; 155:18,20;159:10,11; 161:18;167:10; 178:10,19;179:21; 182:7;195:12,24; 196:5,19,22;197:8, 12;200:4;213:25<br/> <b>most (16)</b> 31:13; 32:17;35:10;36:1,17; 58:7;75:4;76:19; 124:11;132:25; 133:13;138:11; 153:21;179:15; 182:23;250:16<br/> <b>Mostly (2)</b> 152:8; 167:14<br/> <b>motion (46)</b> 5:8,9,10, 25;8:11,13;9:5;21:17; 22:12,13;23:5;35:15; 99:4,5;101:18; 102:16;158:18; 161:21;162:14,16; 163:10;184:3;185:17, 18,22;186:14;207:15; 208:2;209:1;213:14; 214:10,11;215:4; 219:20;229:21; 231:11;232:6;240:15, 17;256:14;257:17,18; 258:12;259:24,25; 260:17<br/> <b>motivator (1)</b> 97:18<br/> <b>motor (2)</b> 61:4;127:6<br/> <b>mounting (1)</b> 68:10<br/> <b>movable (1)</b> 48:11<br/> <b>move (9)</b> 18:23;20:8; 22:7;42:14;84:4; 147:17;227:14;247:7; 253:19<br/> <b>movement (1)</b> 132:7<br/> <b>moves (1)</b> 196:9<br/> <b>moving (6)</b> 13:6;37:1; 44:2;45:4;100:11; 197:1<br/> <b>MUA (1)</b> 81:13<br/> <b>much (17)</b> 15:25; 56:20;81:20;91:23; 149:24;155:18;182:7; 184:24;193:15;199:5, 23;200:4;209:1; 228:14,20,23;258:13</p> | <p><b>multi-purpose (1)</b> 110:22<br/> <b>Municipal (16)</b> 4:6; 11:16;55:10;79:6; 86:22;90:18;106:4; 126:2;144:8;177:12, 13,15;183:15;250:22; 254:16;255:4<br/> <b>municipalities (1)</b> 30:2<br/> <b>must (22)</b> 45:6;49:7,8; 62:23;63:4,9,20;64:5; 69:24;79:2;116:1; 127:25;128:5;130:13, 20;138:18;139:2,6; 141:2;149:25;179:17; 257:6<br/> <b>myself (6)</b> 19:14; 38:21;167:14;168:22; 185:3;204:4</p> <p style="text-align: center;"><b>N</b></p> <p><b>NAD (2)</b> 128:21;140:5<br/> <b>name (36)</b> 6:9;10:15, 17;18:3,5;23:12;28:7; 29:7,8;42:19;82:3; 103:9;107:6,8; 112:18,20;165:14,16, 19;187:3,5,8;198:5,7; 209:18,20,23;215:18; 216:5;221:6;223:9; 232:22;241:16; 244:24;245:8;248:14<br/> <b>names (5)</b> 10:13; 28:3;112:16;149:24; 165:11<br/> <b>narrow (1)</b> 82:23<br/> <b>Nassir (5)</b> 106:12,23; 107:2,8;148:11<br/> <b>National (1)</b> 248:25<br/> <b>nature (5)</b> 74:11; 122:9;124:6;151:16; 222:9<br/> <b>NAVD (2)</b> 63:4;128:5<br/> <b>near (3)</b> 93:2;199:22; 235:6<br/> <b>nearby (1)</b> 183:2<br/> <b>necessarily (1)</b> 32:25<br/> <b>necessary (15)</b> 45:17; 50:12;69:25;71:1; 106:20;110:3;114:18; 115:18;121:7;131:24; 141:23;146:20; 150:22;180:25;243:1<br/> <b>necessitating (1)</b> 113:7<br/> <b>need (82)</b> 9:24;14:23; 15:4;16:13;24:15; 41:1;44:8,24;54:8,18; 60:1;61:10;65:7; 67:6;71:4,24;72:8,12; 73:8;74:9;80:17; 95:7;97:11;105:19,</p> | <p>20,24,25;106:5,9; 108:12;110:17;116:9; 117:11;118:21;120:1; 122:9,11,21;127:8; 129:8;130:3,5,10; 131:1,16;133:1,14, 16;134:5,8;135:11; 136:1;150:5;151:15; 152:3;154:13,22,24; 157:2;164:20;168:7, 16;169:15;175:13; 179:10;181:4;183:8; 184:15,17;188:14; 189:1;196:22;197:7; 223:12;226:19;235:8; 236:14;239:24,25; 246:14;256:18; 260:17<br/> <b>needed (7)</b> 152:14, 18;185:4;198:19,20; 214:8;229:18<br/> <b>needs (17)</b> 17:2; 20:25;38:7;72:18; 104:12;122:20;131:3; 151:13;154:4;168:4; 177:25;187:24,25; 236:7,10;246:13; 251:17<br/> <b>Negative (26)</b> 11:19; 45:4;86:19;89:1,6,10; 99:3;113:15;148:20; 149:16;152:10; 158:17;181:4,6,18; 182:15;184:2;229:20; 242:23;250:19; 252:17;253:3,12; 254:17;255:2;256:13<br/> <b>Nehmad (1)</b> 23:13<br/> <b>neighbor (4)</b> 83:23; 168:12;218:21; 235:12<br/> <b>neighborhood (39)</b> 12:10,12;83:12,14, 25;84:22,24;124:22; 146:25;147:1,3; 148:8,20;152:1; 176:2;179:7;180:8; 181:8,10,16;190:22; 191:1;195:2;196:2, 19,23;197:4,6,9; 202:19;206:1;213:25; 214:4;218:21;219:12; 236:9;244:21;253:10; 255:25<br/> <b>neighborhoods (1)</b> 47:10<br/> <b>neighboring (8)</b> 84:10, 19;89:2;115:25; 119:5;251:23;253:2; 254:23<br/> <b>neighbors (5)</b> 90:21; 189:24;192:22;196:1; 197:1</p> | <p><b>neither (1)</b> 235:2<br/> <b>net (1)</b> 181:16<br/> <b>New (77)</b> 4:5;6:5;9:7; 10:18;16:12;18:8; 22:4;23:21;24:4; 25:21;28:10;29:9,21; 30:9,21;36:19;41:13, 18;42:21,23,25;43:2; 49:1;52:8,9;54:22; 58:5;65:15,16;66:14; 78:10;81:13;84:3; 100:24;101:6,14; 104:22;105:6;107:10, 15,16,17;109:15; 112:19;130:11;146:8, 10;156:10;161:6; 165:20,23;170:6,8,9, 11;177:6,25;187:6; 198:9,12;208:3; 209:22,25;214:7; 215:21;221:9;233:3; 242:21,25;243:20; 246:8;248:17,24; 249:10,13;251:12,17<br/> <b>Next (39)</b> 6:17;17:9, 19;20:10;23:8;29:4; 30:21;67:23;78:22; 83:24;87:24;88:8; 91:24;100:5;103:6; 120:23;146:17; 147:17;160:15; 163:20;164:12;172:7, 8;173:11;186:16,19; 192:4;196:7,14; 197:8,12,20;209:3,6; 215:7;220:17;228:12; 232:9;241:13<br/> <b>NGVD (2)</b> 63:5;128:6<br/> <b>nice (13)</b> 23:7;75:18; 109:7;145:13;147:22; 148:23,24;152:7; 185:10;235:3,19; 251:9;253:22<br/> <b>nicer (2)</b> 76:23; 184:10<br/> <b>Nicholson (1)</b> 165:23<br/> <b>night (4)</b> 23:7;132:5; 214:2;255:5<br/> <b>nine (2)</b> 32:23;222:2<br/> <b>NJSA (1)</b> 86:23<br/> <b>nobody (2)</b> 172:3; 196:17<br/> <b>noise (1)</b> 49:25<br/> <b>noncompliance (1)</b> 82:16<br/> <b>Nonconforming (4)</b> 18:15;19:25;21:9,15<br/> <b>non-conforming (9)</b> 213:11;218:12,18; 234:9;242:4;259:6,8, 12,22<br/> <b>nonconformity (1)</b> 13:18</p> | <p><b>none (24)</b> 21:9;23:5; 98:20;99:14;102:16; 158:11,11;183:17,21; 186:14;193:5;206:11; 208:25;213:8;215:3; 229:13,13;234:20,20; 241:10;247:1;256:6, 6;258:12<br/> <b>nonoperating (1)</b> 135:8<br/> <b>nonprofits (1)</b> 154:22<br/> <b>nonpublic (1)</b> 45:24<br/> <b>non-residential (1)</b> 62:11<br/> <b>nonsense (1)</b> 230:12<br/> <b>normal (3)</b> 37:4,21; 153:4<br/> <b>north (8)</b> 83:15,18; 89:4;150:12,14; 216:7;258:20,21<br/> <b>northwesterly (1)</b> 108:24<br/> <b>note (14)</b> 25:1;62:5; 63:16;64:12;79:23; 129:16;131:6;135:12, 12;139:25;143:3,4; 243:16;247:9<br/> <b>noted (2)</b> 57:22;68:7<br/> <b>notes (8)</b> 54:16;60:4, 5;65:2;79:24;126:16, 16;131:11<br/> <b>notice (14)</b> 4:6;9:10; 17:16,16;32:11; 160:22;161:3;164:3, 4,5;192:21,25;205:3; 247:16<br/> <b>noticed (1)</b> 205:1<br/> <b>notices (2)</b> 197:5,6<br/> <b>notoriously (1)</b> 30:13<br/> <b>November (6)</b> 163:20, 21;164:2,5,9,11<br/> <b>nuisance (1)</b> 50:15<br/> <b>number (27)</b> 24:20; 25:19;32:9;33:15; 34:8;35:24;37:9; 54:6;56:1;59:12; 78:21;80:16,20,23; 89:19;106:7;114:12, 15;115:10;120:19,19; 121:1;143:14;146:15; 156:22;161:25;240:1<br/> <b>numbers (2)</b> 49:19; 139:3<br/> <b>Numeral (2)</b> 84:7,17<br/> <b>numerous (3)</b> 43:6; 82:7;107:19<br/> <b>Nunez (30)</b> 4:16,17; 5:19,20;8:23,24; 22:23,24;102:9,10; 163:3,4;186:7,8; 195:17;208:9,19,20; 214:22,23;220:7,8; 231:24,25;241:4,5;</p> |
|---|---|---|--|--|

|   |  |  |  |  |
|---|--|--|--|--|
| <p>258:5,6;260:11,12<br/><b>nurses (5)</b> 123:2;<br/>156:11,13,13;161:12<br/><b>nursing (17)</b> 104:7;<br/>105:22;113:5;122:14,<br/>15,20;137:20;146:1;<br/>147:10,21;148:3;<br/>150:3;153:25;154:2,<br/>10;155:9;161:6</p> | <p>18;167:3,9,13;169:1;<br/>171:17,19;172:1,18;<br/>173:6,8;176:5,7;<br/>177:6;178:25;179:2;<br/>180:9;182:4;183:3;<br/>187:18,22,23;227:23;<br/>228:1<br/><b>Officer (8)</b> 79:7,8,17,<br/>19;142:25;198:17;<br/>242:18;245:11</p>   | <p>160:14,14;163:9;<br/>164:19;167:20;<br/>169:19;171:18;177:2;<br/>179:5;183:9;184:14;<br/>195:12;196:8;198:25;<br/>201:6,9,12,15,25;<br/>203:9,9;204:23;<br/>206:5;207:14;211:25;<br/>212:14,25;218:10;<br/>222:17;225:14;227:6;<br/>235:6;243:14;250:23;<br/>251:6;252:9;257:13</p>   | <p><b>opening (10)</b> 54:22,<br/>24;55:2,4;77:24;<br/>114:17,19,24;115:1;<br/>250:6<br/><b>opens (2)</b> 33:11;<br/>36:20<br/><b>operate (13)</b> 26:1;<br/>31:21;35:3;39:12;<br/>43:1;45:17;93:20;<br/>97:16,19;104:9,11;<br/>149:17;155:12<br/><b>operated (2)</b> 66:22;<br/>218:13<br/><b>operates (1)</b> 246:9<br/><b>operating (5)</b> 30:17;<br/>38:3;217:19;242:18;<br/>245:10<br/><b>operation (16)</b> 32:8,<br/>19,23;33:22;47:19;<br/>49:7;77:19,23;78:21;<br/>104:10,11;106:16;<br/>121:22;137:5;138:8;<br/>155:20<br/><b>operational (1)</b> 32:10<br/><b>operations (5)</b> 32:4,7;<br/>39:13;47:15;156:12<br/><b>operator (1)</b> 24:2<br/><b>opinion (4)</b> 11:17;<br/>21:16;117:24;251:22<br/><b>opportunities (3)</b><br/>41:22;42:2,3<br/><b>opportunity (5)</b> 94:19,<br/>20;151:2;226:11;<br/>251:9<br/><b>opposed (8)</b> 23:5;<br/>102:16;163:10;<br/>186:14;209:1;215:4;<br/>241:11;258:12<br/><b>option (2)</b> 134:17,20<br/><b>options (1)</b> 157:23<br/><b>order (11)</b> 24:22;26:1;<br/>28:19;35:15;36:6;<br/>38:7;97:16,17;<br/>105:15;177:25;<br/>251:17<br/><b>ordinance (38)</b> 24:20;<br/>47:12;55:11;59:15;<br/>62:6,22;64:12;65:14,<br/>16;66:2,6,11,12,13;<br/>67:11;72:21;73:2;<br/>85:11;86:3,9;89:14,<br/>15,17;90:23;114:19;<br/>120:13,16,18;126:3;<br/>127:24;131:6;140:1;<br/>143:12;148:19;<br/>152:17;181:23;<br/>182:14;253:8<br/><b>ordinances (2)</b> 178:4;<br/>252:23<br/><b>organizations (1)</b><br/>245:25<br/><b>original (2)</b> 18:23;<br/>34:5</p> | <p><b>originally (3)</b> 170:22;<br/>182:4;201:19<br/><b>originals (2)</b> 207:20,<br/>23<br/><b>ornamental (8)</b> 76:2,<br/>15,16,20;77:7;87:16;<br/>99:8;101:24<br/><b>Ortiz (3)</b> 7:15;232:18,<br/>24<br/><b>os (1)</b> 243:15<br/><b>others (5)</b> 29:19;<br/>34:19;42:3;81:14;<br/>144:8<br/><b>otherwise (9)</b> 47:12;<br/>62:13;66:9;130:10;<br/>133:6;181:20,24;<br/>182:11;255:18<br/><b>ounce (1)</b> 47:23<br/><b>out (51)</b> 5:5;20:21;<br/>22:9;31:2;33:9;<br/>34:16;37:18;38:21;<br/>39:2;43:2;44:8;<br/>56:23;57:4;66:1;80:3,<br/>4;88:3;91:25;93:6,22;<br/>98:4;100:9;117:22;<br/>122:21;138:6;146:10;<br/>152:18;155:18;<br/>163:22;168:17;185:9,<br/>14;197:5;199:4,10;<br/>202:25;204:8;205:3,<br/>7,11,13;216:10;<br/>224:18;226:16;<br/>230:24;243:11;<br/>246:14;247:7;252:9;<br/>253:20;257:11<br/><b>outdoor (3)</b> 66:21;<br/>69:22;135:6<br/><b>outdoors (1)</b> 48:11<br/><b>outlined (4)</b> 44:6;<br/>62:21;127:23;141:1<br/><b>outside (15)</b> 36:4;<br/>38:11;46:24;48:4;<br/>49:16;81:11;95:21,<br/>23;138:2,6;144:5;<br/>194:25;214:2;222:22;<br/>225:3<br/><b>outweigh (1)</b> 180:19<br/><b>over (25)</b> 11:15;<br/>16:25;34:17;51:13;<br/>54:13;82:6;92:4;<br/>99:15;105:1;121:17;<br/>130:2;146:11;150:10;<br/>155:18;160:9;172:20;<br/>192:14;202:3,7;<br/>205:13,22;216:7;<br/>230:1;253:16;256:16<br/><b>overall (8)</b> 12:11;<br/>35:5;57:10;75:18;<br/>104:21;180:8;183:12;<br/>244:19<br/><b>overgrown (1)</b> 224:14<br/><b>overhead (2)</b> 226:2;<br/>227:19</p> |
| <p><b>O</b></p>   | <p><b>Officer- (1)</b> 79:16<br/><b>Officer/Administrative (2)</b><br/>79:7;142:25<br/><b>offices (6)</b> 104:6;<br/>109:12;177:3;184:1;<br/>245:23;246:5<br/><b>official (2)</b> 241:23;<br/>246:11<br/><b>offset (1)</b> 115:14<br/><b>off-site (2)</b> 183:7;<br/>254:24<br/><b>off-street (18)</b> 141:17;<br/>150:17,18;151:15;<br/>164:21;179:3,4,9;<br/>184:12;187:25;193:8,<br/>10;198:21;206:22;<br/>207:5;212:13;213:1;<br/>229:17<br/><b>often (2)</b> 88:4;185:6<br/><b>Old (7)</b> 8:2;22:6;49:9;<br/>90:4;202:1,2;213:16<br/><b>older (1)</b> 104:12<br/><b>Om (1)</b> 259:7<br/><b>once (19)</b> 13:7;18:24;<br/>26:18;27:8;36:20;<br/>49:5;53:25;88:14;<br/>96:10;116:21,25;<br/>137:12;144:19;145:8;<br/>149:3;197:1;205:24;<br/>229:8;249:6<br/><b>oncoming (1)</b> 152:3<br/><b>one (117)</b> 7:23,24;<br/>9:18;12:25;14:23;<br/>15:9;16:16;18:11;<br/>20:5;21:20;33:4;<br/>36:17,24;37:5;38:21;<br/>40:20;41:8,14,25;<br/>44:20,21;46:11;47:4,<br/>23;48:14;49:5;50:20,<br/>21,23;52:3,13;58:8,<br/>20;63:15;66:17,24;<br/>67:13,22;72:7,23;<br/>78:6,12,18;85:12,17,<br/>20,22;87:1,24;88:8,9;<br/>89:2,21;90:10;91:4;<br/>93:5,6;94:2,2;100:12;<br/>110:20;112:4;119:22;<br/>120:24;121:18;<br/>122:10;124:25;<br/>125:17;132:14;141:8;<br/>145:15;146:9;150:6,<br/>9,14;152:14;153:15;<br/>154:1;155:22;158:19;</p> | <p><b>one-bedroom (5)</b><br/>166:11;171:20;<br/>172:21;173:22;<br/>229:19<br/><b>one-by-one (1)</b><br/>145:14<br/><b>one-page (1)</b> 145:13<br/><b>ones (7)</b> 44:9;92:9;<br/>129:16;155:1;161:8;<br/>235:20;237:12<br/><b>one-stop (2)</b> 104:2;<br/>109:7<br/><b>one-story (1)</b> 202:5<br/><b>one-way (3)</b> 114:10;<br/>224:2;231:6<br/><b>online (2)</b> 36:3;185:2<br/><b>only (45)</b> 17:3;48:14,<br/>20;67:8;75:18;77:19;<br/>81:4;83:23;84:20;<br/>87:19;95:2;99:21;<br/>112:2;115:6;117:25;<br/>119:2;121:1,3,13;<br/>134:7;143:22;144:23;<br/>146:7;147:18,25;<br/>148:18;153:20;<br/>160:11;171:17;172:2,<br/>4,5;175:4,4;194:15,<br/>16;202:20,22;206:15;<br/>222:23;231:8;235:4;<br/>244:19;247:14;<br/>254:21<br/><b>on-site (20)</b> 46:7,8,14,<br/>21;49:6;65:4,8;95:25;<br/>96:11;115:14;123:2,<br/>2,13;132:11;156:11,<br/>14;182:23;183:10;<br/>185:12;251:1<br/><b>on-street (3)</b> 115:14,<br/>16,19<br/><b>open (31)</b> 11:20;<br/>15:22;21:6;26:6;<br/>29:16;42:5;47:6;<br/>77:19,23;78:4;83:23;<br/>89:8;98:15;110:15;<br/>120:9;132:3;151:8;<br/>157:5;158:8;177:23;<br/>183:18;193:2;199:16;<br/>206:8;217:4;218:1,5,<br/>24;222:1;226:14;<br/>228:2<br/><b>opened (1)</b> 192:23</p> | <p><b>opening (10)</b> 54:22,<br/>24;55:2,4;77:24;<br/>114:17,19,24;115:1;<br/>250:6<br/><b>opens (2)</b> 33:11;<br/>36:20<br/><b>operate (13)</b> 26:1;<br/>31:21;35:3;39:12;<br/>43:1;45:17;93:20;<br/>97:16,19;104:9,11;<br/>149:17;155:12<br/><b>operated (2)</b> 66:22;<br/>218:13<br/><b>operates (1)</b> 246:9<br/><b>operating (5)</b> 30:17;<br/>38:3;217:19;242:18;<br/>245:10<br/><b>operation (16)</b> 32:8,<br/>19,23;33:22;47:19;<br/>49:7;77:19,23;78:21;<br/>104:10,11;106:16;<br/>121:22;137:5;138:8;<br/>155:20<br/><b>operational (1)</b> 32:10<br/><b>operations (5)</b> 32:4,7;<br/>39:13;47:15;156:12<br/><b>operator (1)</b> 24:2<br/><b>opinion (4)</b> 11:17;<br/>21:16;117:24;251:22<br/><b>opportunities (3)</b><br/>41:22;42:2,3<br/><b>opportunity (5)</b> 94:19,<br/>20;151:2;226:11;<br/>251:9<br/><b>opposed (8)</b> 23:5;<br/>102:16;163:10;<br/>186:14;209:1;215:4;<br/>241:11;258:12<br/><b>option (2)</b> 134:17,20<br/><b>options (1)</b> 157:23<br/><b>order (11)</b> 24:22;26:1;<br/>28:19;35:15;36:6;<br/>38:7;97:16,17;<br/>105:15;177:25;<br/>251:17<br/><b>ordinance (38)</b> 24:20;<br/>47:12;55:11;59:15;<br/>62:6,22;64:12;65:14,<br/>16;66:2,6,11,12,13;<br/>67:11;72:21;73:2;<br/>85:11;86:3,9;89:14,<br/>15,17;90:23;114:19;<br/>120:13,16,18;126:3;<br/>127:24;131:6;140:1;<br/>143:12;148:19;<br/>152:17;181:23;<br/>182:14;253:8<br/><b>ordinances (2)</b> 178:4;<br/>252:23<br/><b>organizations (1)</b><br/>245:25<br/><b>original (2)</b> 18:23;<br/>34:5</p> | <p><b>originally (3)</b> 170:22;<br/>182:4;201:19<br/><b>originals (2)</b> 207:20,<br/>23<br/><b>ornamental (8)</b> 76:2,<br/>15,16,20;77:7;87:16;<br/>99:8;101:24<br/><b>Ortiz (3)</b> 7:15;232:18,<br/>24<br/><b>os (1)</b> 243:15<br/><b>others (5)</b> 29:19;<br/>34:19;42:3;81:14;<br/>144:8<br/><b>otherwise (9)</b> 47:12;<br/>62:13;66:9;130:10;<br/>133:6;181:20,24;<br/>182:11;255:18<br/><b>ounce (1)</b> 47:23<br/><b>out (51)</b> 5:5;20:21;<br/>22:9;31:2;33:9;<br/>34:16;37:18;38:21;<br/>39:2;43:2;44:8;<br/>56:23;57:4;66:1;80:3,<br/>4;88:3;91:25;93:6,22;<br/>98:4;100:9;117:22;<br/>122:21;138:6;146:10;<br/>152:18;155:18;<br/>163:22;168:17;185:9,<br/>14;197:5;199:4,10;<br/>202:25;204:8;205:3,<br/>7,11,13;216:10;<br/>224:18;226:16;<br/>230:24;243:11;<br/>246:14;247:7;252:9;<br/>253:20;257:11<br/><b>outdoor (3)</b> 66:21;<br/>69:22;135:6<br/><b>outdoors (1)</b> 48:11<br/><b>outlined (4)</b> 44:6;<br/>62:21;127:23;141:1<br/><b>outside (15)</b> 36:4;<br/>38:11;46:24;48:4;<br/>49:16;81:11;95:21,<br/>23;138:2,6;144:5;<br/>194:25;214:2;222:22;<br/>225:3<br/><b>outweigh (1)</b> 180:19<br/><b>over (25)</b> 11:15;<br/>16:25;34:17;51:13;<br/>54:13;82:6;92:4;<br/>99:15;105:1;121:17;<br/>130:2;146:11;150:10;<br/>155:18;160:9;172:20;<br/>192:14;202:3,7;<br/>205:13,22;216:7;<br/>230:1;253:16;256:16<br/><b>overall (8)</b> 12:11;<br/>35:5;57:10;75:18;<br/>104:21;180:8;183:12;<br/>244:19<br/><b>overgrown (1)</b> 224:14<br/><b>overhead (2)</b> 226:2;<br/>227:19</p> |

|  |   |  |  |  |
|--|---|--|--|--|
| <p><b>overpass (2)</b> 83:19; 89:7<br/> <b>overpower (1)</b> 148:19<br/> <b>oversee (1)</b> 156:11<br/> <b>overseeing (1)</b> 183:5<br/> <b>oversight (1)</b> 222:4<br/> <b>oversized (1)</b> 250:15<br/> <b>overview (3)</b> 26:23; 108:16;245:13<br/> <b>overwhelmingly (1)</b> 181:9<br/> <b>own (24)</b> 14:12;19:1; 24:1;28:14;36:8;43:1, 2;94:8;110:20; 117:23;182:24;192:5; 196:6,14,16;200:10, 10;201:16;203:25; 205:20;211:15;216:6, 19;222:22<br/> <b>owned (4)</b> 203:14; 217:7,19;221:17<br/> <b>owner (10)</b> 100:22; 143:2;166:4;187:9; 221:25;224:15,16; 226:14;233:4;243:2<br/> <b>owners (2)</b> 35:6;116:1<br/> <b>owns (7)</b> 117:5;192:3; 200:11;210:2;218:22; 221:11,23</p>  | <p><b>parked (3)</b> 194:14; 230:15,23<br/> <b>parking (164)</b> 11:6,12, 12,13;13:2;15:8; 44:17;48:16;53:15, 19,23;54:4;55:17,22; 59:10,14,17;67:10; 71:12;80:6,7,16,20, 23;85:4,6,9,12,21,23; 88:24;91:16,17;93:6, 23;95:7;96:2,16; 106:7,8,9;109:16,17, 20,20,23;110:12; 111:6,10;114:3; 115:4,11,12,14,15,16, 16,19,24;116:13,15; 117:13,15,18,24,25; 119:12,15,16,24; 120:1,3,10,20;121:3; 123:20,22,24;124:5, 13;125:1,6;132:3; 134:14;141:18,19,20; 143:15,19,20;150:2,2, 18,21;151:2,9,11,21; 156:25;159:1,18,20; 160:2;161:25;162:1; 164:18,21,21;168:3,4, 7,10,13,15,25;169:4, 5,6,9,12;176:22; 178:23;179:3,4,6,14; 180:15,17,21,25; 183:8,10,25;184:12, 17;187:21,25;193:9, 9,10,12,13,15;195:16, 20;196:25;197:2; 198:21;203:5,10,11; 206:22;207:1,5,7; 212:13,23;213:12,19; 223:19;228:14; 229:18;231:5,7<br/> <b>part (26)</b> 25:7;34:1,4, 7,17;37:13,15;38:15; 46:20;65:11;83:19; 88:19;89:12;92:25; 94:5;108:6,13; 113:13;114:8;130:5; 135:22;136:22;175:3; 203:21;246:6;257:11<br/> <b>partial (1)</b> 120:4<br/> <b>particular (7)</b> 12:2; 147:5;152:8;161:13; 179:23;242:2;245:18<br/> <b>particularities (1)</b> 106:17<br/> <b>particularly (6)</b> 88:25; 90:19;104:12;178:14; 180:2;252:1<br/> <b>partner (5)</b> 8:3; 251:19,20;257:3,9<br/> <b>partnered (2)</b> 242:13; 254:5<br/> <b>partnering (1)</b> 254:6<br/> <b>partners (3)</b> 246:15,</p> | <p>18;253:25<br/> <b>partnership (3)</b> 250:25;254:1,9<br/> <b>parts (2)</b> 89:1;192:9<br/> <b>party (2)</b> 13:10;213:5<br/> <b>pass (4)</b> 100:8;208:3; 231:12;257:18<br/> <b>passed (2)</b> 163:11; 243:11<br/> <b>passenger (1)</b> 123:18<br/> <b>passes (8)</b> 5:25;9:5; 23:5;186:14;215:4; 220:14;232:6;258:12<br/> <b>past (12)</b> 15:11;67:1; 74:12;89:24;120:9, 18,18;184:5;185:6; 205:10;224:1;253:16<br/> <b>pastor (1)</b> 223:24<br/> <b>PATEL (20)</b> 221:2,8,8, 10,13,16,19,21,22,25; 222:2,10;224:11; 225:2,9,18,21;227:1, 16;232:8<br/> <b>Paterson (1)</b> 112:19<br/> <b>patient (2)</b> 154:18; 155:2<br/> <b>patients (2)</b> 146:16; 150:23<br/> <b>Patrick (1)</b> 10:16<br/> <b>patron (2)</b> 50:11; 85:13<br/> <b>patronize (1)</b> 86:14<br/> <b>patrons (5)</b> 46:10; 49:7,8;50:4;86:13<br/> <b>pattern (2)</b> 60:17; 225:10<br/> <b>Patterson (62)</b> 27:3, 22;42:14,16,19,20; 43:5,9,12,14,17; 44:15;51:15,20; 52:15;53:10,13;55:1, 5;56:11,14,18;57:6, 20,24;58:3;59:8,25; 60:7;61:6,16,19,21; 62:16,25;63:8,22; 64:16;65:6;67:3; 68:13,24;69:3,15,20; 70:8,21;71:5;76:12; 77:21;78:17;91:20; 92:9,18;95:11; 104:10;107:10;138:9; 155:4,12,16,17<br/> <b>Paul (1)</b> 176:6<br/> <b>paved (4)</b> 60:18; 63:12;88:1;188:9<br/> <b>paving (1)</b> 110:4<br/> <b>pay (4)</b> 34:3;42:9; 157:14,20<br/> <b>paying (2)</b> 157:16,22<br/> <b>payment (1)</b> 151:21<br/> <b>PE (2)</b> 27:14,22<br/> <b>peak (6)</b> 61:25;62:1, 15;71:14;127:17,18</p> | <p><b>Pearl (1)</b> 23:24<br/> <b>pedestrian (2)</b> 125:3; 132:7<br/> <b>Pena (1)</b> 259:23<br/> <b>pending (2)</b> 45:14,15<br/> <b>Penn (11)</b> 242:12; 246:8,9,10,20; 250:11;251:1,8; 252:10;257:2,4<br/> <b>Pennoni (1)</b> 10:25<br/> <b>Penns (1)</b> 29:16<br/> <b>Pennsauken (4)</b> 165:20;166:19; 209:21;215:21<br/> <b>Pennsylvania (2)</b> 107:16;170:8<br/> <b>people (45)</b> 33:5,23, 25;34:1;41:21,24,24; 42:6,9,11;46:14,16, 19;49:15;67:14; 93:24;95:21,23; 96:12,15;101:9; 133:13;146:10; 147:12;150:4;155:24; 161:11;166:18;169:8, 11;184:19,20;185:1, 15;189:19;202:21; 203:2;206:3,7; 223:19;230:5,6; 238:6;239:7;257:14<br/> <b>per (27)</b> 47:18;49:23; 50:4;56:6;59:12; 64:20;66:20;68:9; 69:21;70:12;71:17; 73:14;74:18;85:18; 115:5;120:10;121:11, 16;123:17;131:18; 135:5;141:10,17; 156:13;168:1,7,7<br/> <b>PERALA (1)</b> 212:2<br/> <b>Peralta (32)</b> 7:3; 209:4,6,7,14,14,20, 21,23,24;210:1,3,6,9, 15,18,22;211:1,5,8, 12,16,21,25;212:9,12, 15,18,21,24;213:2; 215:6<br/> <b>percent (12)</b> 51:13,13, 19,23;59:13;71:19; 72:3;113:10;123:21; 141:14;150:25,25<br/> <b>Perfect (2)</b> 164:10; 180:11<br/> <b>Performance (1)</b> 114:9<br/> <b>performed (3)</b> 64:6; 69:19;130:21<br/> <b>perhaps (2)</b> 146:14; 150:22<br/> <b>perimeter (1)</b> 176:25<br/> <b>period (1)</b> 206:18<br/> <b>permanent (2)</b> 48:10; 147:11</p> | <p><b>permissible (1)</b> 210:12<br/> <b>permit (15)</b> 19:4;21:3; 24:11,12;54:22;55:2; 59:1,4;114:19,24; 175:3;193:22,24; 198:18;247:20<br/> <b>permits (5)</b> 87:4,5; 115:18;140:11;175:8<br/> <b>permitted (30)</b> 12:1; 24:10,12,23;44:5,18, 20;45:5;48:4,7,23; 49:15;50:5;73:15,18; 97:8;113:6,9;115:15; 120:25;121:2,5; 132:24;145:16; 147:24;148:2,4; 213:12;229:16; 254:21<br/> <b>perpendicular (1)</b> 212:3<br/> <b>person (4)</b> 41:14; 158:3;203:13;227:11<br/> <b>personal (2)</b> 188:7; 222:22<br/> <b>personally (2)</b> 34:24; 41:17<br/> <b>personnel (1)</b> 34:12<br/> <b>pertaining (4)</b> 69:11; 136:10,11;140:17<br/> <b>pertains (1)</b> 103:12<br/> <b>pertinent (1)</b> 250:15<br/> <b>pharmacist (3)</b> 104:9; 156:16,17<br/> <b>pharmacy (14)</b> 104:4; 109:10,23,24;110:11; 122:7,12;125:21; 147:24;149:22,23; 151:14;156:18;157:3<br/> <b>Phase (7)</b> 69:18; 136:13,15,18,18,23; 137:1<br/> <b>Philadelphia (19)</b> 7:12;10:16,23;18:6; 232:10;241:14,18; 242:13,19;243:18; 244:10;245:11,21; 246:2,11;253:18; 254:6;255:11;256:20<br/> <b>Philly (3)</b> 39:2;224:9; 256:22<br/> <b>phone (1)</b> 230:14<br/> <b>phones (3)</b> 4:25;7:20; 75:25<br/> <b>photo (2)</b> 15:10; 233:25<br/> <b>photograph (5)</b> 13:1; 190:4,4;234:12; 243:15<br/> <b>photographs (6)</b> 14:24;19:5,6;243:23, 25;244:6<br/> <b>photos (3)</b> 15:5,5,5</p> |
| <p style="text-align: center;"><b>P</b></p> <p><b>PA (2)</b> 10:16;165:17<br/> <b>package (5)</b> 25:7; 108:13;243:25;244:2; 251:21<br/> <b>packaged (1)</b> 37:10<br/> <b>packages (3)</b> 247:9, 11;255:1<br/> <b>packet (1)</b> 256:11<br/> <b>page (14)</b> 44:2;45:4; 54:17,21;81:7;84:7; 109:14,25;113:4,13; 114:9;144:1;171:7,21<br/> <b>pages (2)</b> 54:20; 114:7<br/> <b>paid (3)</b> 38:7;62:23; 127:25<br/> <b>paint (3)</b> 230:12,13,17<br/> <b>painting (1)</b> 231:1<br/> <b>paired (1)</b> 253:21<br/> <b>paneling (1)</b> 111:2<br/> <b>panels (4)</b> 16:2,4; 111:10;142:12<br/> <b>par (1)</b> 147:2<br/> <b>paramount (2)</b> 146:1; 147:14<br/> <b>paraphrase (1)</b> 84:8<br/> <b>park (12)</b> 45:25; 86:14;194:12,24; 195:18;196:7;211:23; 212:16,19;227:15; 228:10;246:3</p> |   |  |  |  |

|   |   |  |   |  |
|---|---|--|---|--|
| <p><b>physical (1)</b> 246:14<br/> <b>physically (1)</b> 196:24<br/> <b>pick (1)</b> 138:6<br/> <b>picked (2)</b> 137:13; 138:3<br/> <b>pickup (1)</b> 137:25<br/> <b>pick-up (1)</b> 122:17<br/> <b>picture (5)</b> 14:1,23; 92:3;98:3;205:11<br/> <b>pictures (11)</b> 14:19; 16:1;17:2;38:24; 196:5,19,23;197:8,9, 13;233:21<br/> <b>piece (1)</b> 152:8<br/> <b>piggyback (2)</b> 22:3; 100:1<br/> <b>piggybacking (1)</b> 185:5<br/> <b>Pine (2)</b> 150:10; 259:23<br/> <b>Place (18)</b> 10:16; 30:18;34:14;35:2,3, 14,15;38:25;39:3,8; 49:18;90:7;100:5; 191:13;196:7;228:25; 229:2;257:3<br/> <b>places (2)</b> 100:10; 195:4<br/> <b>plan (105)</b> 16:20; 18:23;23:19;34:17; 35:17;38:15;45:18; 49:18;53:1;54:20; 60:5,12;61:7;64:21, 24;65:2,5;67:20; 75:22;78:11,11,12; 79:24,24;81:3;89:13, 14,18,19;90:22; 91:21,21;95:23; 98:25;99:18;105:11, 17,19,25;106:3,10; 109:1,3,14;115:13, 17;121:7,14;122:21; 126:16;128:1;130:15; 131:12,19,20,24; 132:12,12,17;133:5,9, 17;134:1;135:12; 139:15,18,19,23,25; 140:5;141:2,5,17; 142:20;143:4,8,23; 144:23;145:10;148:9; 149:1;151:3,18,24; 157:8;158:15;162:2; 175:4,12;181:22; 182:14;188:1,12; 193:8,19;199:25; 253:5,5;254:2,3,11; 258:20,25;259:5,15<br/> <b>planned (2)</b> 89:21; 95:19<br/> <b>planner (23)</b> 11:16; 26:20;27:5;45:1; 54:11;81:23;82:4,13; 98:25;106:18;112:21;</p> | <p>135:18;145:4,5,9; 165:1;176:11;242:20; 243:10;247:8;248:6, 24;249:2<br/> <b>planner's (1)</b> 98:5<br/> <b>planning (20)</b> 18:22; 27:6;43:7;79:5;81:12, 23;82:6,7;118:17; 120:5,14;144:6; 148:13;151:8;152:7; 193:19;235:10;249:4, 10,12<br/> <b>plans (46)</b> 25:10; 30:16;43:20;55:14, 19;56:9;59:4,22; 60:23;62:24;63:6; 64:21;65:12;70:15, 20;73:23;77:16;93:9, 15;106:14,14;108:3, 7,16,19;116:12; 121:19;123:25;125:6, 8;126:21;128:7; 129:7,9,21,24;135:3; 137:8;170:18;174:25; 178:22;188:21;210:4, 7,17;211:9<br/> <b>Planting (3)</b> 64:20; 65:1;131:18<br/> <b>plantings (2)</b> 66:11; 70:23<br/> <b>plat (2)</b> 139:8,9<br/> <b>plates (1)</b> 139:3<br/> <b>PLATT (66)</b> 6:21,24; 163:15,16,16,22; 164:7,14,14,15; 165:14,24;166:6,13, 21,25;167:3,8,12,17, 20,23;168:2,17,24; 169:2,5,7,11,16,21, 24;170:10,13,17,21, 24;171:2,10,22; 172:3,7,9,13,22; 173:1,4,6,10,12,15, 21,25;174:2,6,9,15, 21;175:7,14;176:8, 14,17,20;182:18; 186:15<br/> <b>players (1)</b> 246:12<br/> <b>playground (2)</b> 45:25; 236:14<br/> <b>please (44)</b> 7:20;10:6, 13;17:22;18:3;27:12, 19,19;28:7;29:7; 105:4;106:25;107:6, 11;108:22;112:10,16; 165:1,4,11;169:24; 170:2,4;171:5,5; 176:21;186:22;187:3; 196:20;197:24;198:5; 209:11,18;215:12,18; 216:5;220:25;221:6; 232:16,22;245:2,8; 248:8,14</p> | <p><b>plenty (5)</b> 112:5; 168:10;206:25;207:7; 213:19<br/> <b>plexiglass (1)</b> 229:9<br/> <b>plow (1)</b> 38:17<br/> <b>plumbing (1)</b> 175:6<br/> <b>Plus (9)</b> 90:17; 153:17;160:14,14; 162:3;213:23;218:24; 237:13;250:16<br/> <b>pm (7)</b> 8:10;17:10; 47:19,21;102:24; 103:1,4<br/> <b>pm*** (1)</b> 260:24<br/> <b>PO (1)</b> 165:20<br/> <b>pockets (1)</b> 132:10<br/> <b>podium (1)</b> 215:10<br/> <b>point (20)</b> 35:18; 40:20;44:8;48:15,19, 20;54:1;57:22;58:9; 70:24;71:13;73:2; 86:2;123:5;134:7; 166:22;219:15;226:3; 227:10,22<br/> <b>points (4)</b> 63:10;84:8; 129:8;152:18<br/> <b>pole (2)</b> 56:23;68:12<br/> <b>poles (1)</b> 96:21<br/> <b>police (4)</b> 35:12;47:2; 96:8,8<br/> <b>population (6)</b> 146:6; 147:4,6,18;150:1,23<br/> <b>porch (2)</b> 199:16; 201:21<br/> <b>portion (15)</b> 17:15; 21:10;54:21;98:21; 150:16;158:12; 166:12;183:22;193:5; 206:12;213:8;218:10; 229:14;234:20;256:7<br/> <b>position (5)</b> 29:18,23; 75:16;166:2;244:25<br/> <b>Positive (29)</b> 11:19; 45:3;86:18,20;88:19; 99:2;101:15;113:15; 146:4;147:15;149:9, 10;152:10;158:17; 161:9,15;184:2; 213:18;219:4;229:20; 242:23;250:19,21; 252:3;253:17,24; 254:17;256:13,16<br/> <b>positively (1)</b> 253:13<br/> <b>possession (1)</b> 50:15<br/> <b>possible (9)</b> 15:25; 35:16;47:11;62:2; 65:1;74:1;83:8; 133:2;242:3<br/> <b>Possibly (1)</b> 178:10<br/> <b>post (4)</b> 61:13;62:8, 14;127:14<br/> <b>post-development (5)</b> 60:11;61:25;62:10;</p> | <p>126:20;127:17<br/> <b>posted (1)</b> 4:6<br/> <b>potable (1)</b> 63:16<br/> <b>potential (2)</b> 36:7; 41:14<br/> <b>potentially (3)</b> 7:23; 36:3;193:8<br/> <b>power (2)</b> 148:15; 246:17<br/> <b>PP (5)</b> 10:8;27:22; 112:12;165:6;248:10<br/> <b>practice (4)</b> 43:2; 242:1;245:23;246:5<br/> <b>practicing (1)</b> 170:7<br/> <b>pre (3)</b> 61:13;62:15; 127:14<br/> <b>pre- (2)</b> 60:11;126:20<br/> <b>pre-development (4)</b> 62:1,6,9;127:18<br/> <b>preexisting (13)</b> 13:17;18:15;51:3,9, 11;52:4,10,20,24; 82:21;178:15;213:10; 234:9<br/> <b>prefer (3)</b> 139:10,11; 185:3<br/> <b>prejudice (4)</b> 8:7,12, 14;9:6<br/> <b>preliminary (21)</b> 23:18;25:14;78:11; 105:16;119:19,19; 134:13,19;135:21; 144:18,23;158:15,25; 159:3,7;160:6,14; 162:3;163:10;258:19, 25<br/> <b>Premier (1)</b> 259:20<br/> <b>premises (3)</b> 36:5; 42:6;66:23<br/> <b>premises' (1)</b> 66:25<br/> <b>prepare (2)</b> 108:3; 142:10<br/> <b>prepared (3)</b> 123:12; 170:17;243:3<br/> <b>presence (1)</b> 246:15<br/> <b>present (10)</b> 6:4;7:14; 8:8;26:12;34:20; 45:6;178:16;187:12; 216:11;255:8<br/> <b>presentation (2)</b> 9:21; 113:18<br/> <b>presented (4)</b> 116:2; 142:2;199:8;249:17<br/> <b>Presently (3)</b> 4:12,13; 198:8<br/> <b>preserve (1)</b> 66:15<br/> <b>president (1)</b> 164:23<br/> <b>pretty (5)</b> 199:5,23; 200:4;229:6;254:22<br/> <b>prevent (1)</b> 87:24<br/> <b>previously (3)</b> 11:1; 88:12;218:13<br/> <b>Price (12)</b> 242:17;</p> | <p>243:8;244:22;245:4, 10,10,16,20;246:10, 23;247:2;257:8<br/> <b>primarily (1)</b> 182:6<br/> <b>primary (5)</b> 48:14; 198:18;206:14,19; 246:15<br/> <b>principal (16)</b> 24:1,14; 25:9;26:24;28:12; 44:18,20;52:6,22; 70:4,10;74:20;113:6; 114:2;125:2;229:16<br/> <b>prior (9)</b> 62:24;64:6; 88:9;108:20;128:1; 130:15,21;139:7; 182:9<br/> <b>privacy (1)</b> 76:12<br/> <b>private (9)</b> 14:12; 94:17;132:8;137:9, 11,16;157:20;177:24; 178:7<br/> <b>privately (1)</b> 137:18<br/> <b>probably (20)</b> 32:17; 33:8;43:15;51:15,16; 67:16;74:13;135:21; 139:22;144:17; 153:20;156:19,22; 168:23;192:19;203:1; 208:5;229:1;239:13; 257:14<br/> <b>problem (15)</b> 43:23; 65:20;67:5;78:7; 133:12,25;135:10; 141:9;143:1;159:24; 184:13;231:4;237:22, 25;247:21<br/> <b>problems (1)</b> 206:3<br/> <b>procedure (1)</b> 38:3<br/> <b>procedures (2)</b> 30:17; 178:8<br/> <b>proceed (1)</b> 105:15<br/> <b>proceedings (2)</b> 102:23,25<br/> <b>process (17)</b> 12:19; 25:15;27:1;28:18,24; 29:20;30:1,4,13; 31:11,16,23,24; 34:18;41:15;81:7; 144:1<br/> <b>processed (1)</b> 36:3<br/> <b>processing (1)</b> 29:13<br/> <b>produce (1)</b> 229:8<br/> <b>product (15)</b> 33:7; 36:9;37:3,6;38:2; 39:4,8;40:17,22;41:2; 42:2;47:24;93:25; 101:4;205:25<br/> <b>productive (1)</b> 12:5<br/> <b>products (6)</b> 37:8; 45:20;46:8;48:3; 49:12,13<br/> <b>professional (18)</b> 21:15;27:6;42:20;</p> |
|---|---|--|---|--|



|  |  |  |  |   |
|--|--|--|--|---|
| <p>43:10;82:4,13;104:5;<br/>108:1;170:3,16;<br/>176:11;178:24;179:1;<br/>189:7,8;242:20;<br/>243:10;247:8<br/><b>professionals (3)</b><br/>98:8;169:25;248:1<br/><b>proffer (1)</b> 11:10<br/><b>prohibited (4)</b> 222:18,<br/>18;229:17;242:5<br/><b>project (25)</b> 25:11;<br/>61:1;63:20;64:9;<br/>95:17;97:7,10;<br/>104:14;105:15;<br/>106:16,17;108:4;<br/>110:9;112:21;119:18;<br/>124:7;127:3;130:13,<br/>24;145:9;151:20;<br/>152:15;157:12;185:9;<br/>213:20<br/><b>projects (5)</b> 58:18,21;<br/>76:19;132:25;158:5<br/><b>promise (1)</b> 35:19<br/><b>promote (12)</b> 86:21;<br/>87:6,8,22;88:9,15;<br/>90:11;177:17;250:25;<br/>251:2;254:3;255:3<br/><b>promotes (4)</b> 87:2;<br/>90:17;104:21;105:7<br/><b>promotion (3)</b> 145:24;<br/>149:10,11<br/><b>prong (6)</b> 86:20;<br/>181:6,18;252:2,16;<br/>253:3<br/><b>proof (3)</b> 44:24;49:9;<br/>192:25<br/><b>proofs (6)</b> 84:5;<br/>106:20;145:6,20;<br/>242:22;250:3<br/><b>proper (2)</b> 101:24;<br/>192:21<br/><b>properties (16)</b> 20:4;<br/>21:24;67:25;89:3;<br/>103:13,13,20,22;<br/>117:5;132:9;245:19;<br/>251:23;252:19,25;<br/>253:2;254:23<br/><b>property (94)</b> 9:16;<br/>11:23;12:3,4,15,23;<br/>18:9;19:17,20;20:3,<br/>10,21;23:15;66:22;<br/>67:23;80:25;83:15,<br/>18;84:1,3,13,23,24;<br/>87:25;88:2,3,7,11,22;<br/>89:24;92:2,10,15;<br/>98:19;105:14;111:12;<br/>112:4;115:25;116:1,<br/>23;117:6;118:15,18,<br/>24;125:18;129:7;<br/>152:8;164:16,19;<br/>166:15,16,23;169:2;<br/>176:24;178:12,16,24;<br/>183:20;185:13;187:9;</p> | <p>191:7,21;198:22;<br/>199:1,1,13,14;<br/>204:19;205:6;206:6;<br/>210:2,10,11,24;211:4,<br/>19;212:4;216:7,10;<br/>217:7,8;221:11;<br/>222:5,25;223:7,11;<br/>227:12;237:16;<br/>239:13;241:21;<br/>242:15;243:15,23;<br/>251:8<br/><b>property's (1)</b> 126:11<br/><b>proposal (15)</b> 46:20;<br/>82:14;84:15,22;<br/>86:21;87:6;89:6;<br/>90:14,17;109:4;<br/>116:18;119:6,8;<br/>154:3;167:17<br/><b>propose (5)</b> 26:9;<br/>99:4;109:15;130:11;<br/>172:19<br/><b>proposed (82)</b> 24:2;<br/>26:5;32:5,10;38:15;<br/>44:3,11;52:13;53:18;<br/>54:12;56:9;60:10;<br/>63:16;64:9,13;68:12,<br/>18,25;72:15,18,20;<br/>73:7,21;77:18;78:24;<br/>84:6,9;85:24;86:11;<br/>93:10,16;95:10;97:9;<br/>104:3,17;105:9;<br/>106:16;108:16;<br/>109:14,24;113:4,8;<br/>114:13;115:6,10;<br/>117:17;121:2,4,6,19;<br/>125:5;129:17,19;<br/>130:24;131:7,20;<br/>135:2;138:15,17,18,<br/>21,22;141:18,20;<br/>172:17;174:18;<br/>178:14,21;179:20;<br/>180:21;181:12;<br/>187:13,18;243:4,19;<br/>244:1,3,8,18;245:13;<br/>246:21;249:20<br/><b>proposes (1)</b> 113:11<br/><b>proposing (28)</b> 18:13;<br/>24:4;25:20;38:10;<br/>39:11;46:15;48:21;<br/>51:8,21;52:19;53:2,8;<br/>56:13;57:1;73:3;85:9,<br/>10,23;92:16;97:13;<br/>103:25;104:6;136:2;<br/>145:22;183:1;242:8;<br/>255:19,24<br/><b>prosecute (1)</b> 8:7<br/><b>prospective (1)</b> 181:3<br/><b>protects (1)</b> 15:1<br/><b>proud (2)</b> 246:18;<br/>256:19<br/><b>provide (50)</b> 27:6;<br/>42:17;45:2;49:11;<br/>53:17;54:17;55:6;</p> | <p>60:8;63:9;64:1,2,3;<br/>69:4,7,9;71:3;72:16;<br/>81:23;109:4;115:13;<br/>121:18;124:5,15,16;<br/>126:18;127:14;<br/>128:14,15;129:5;<br/>133:23;135:14;136:8;<br/>137:6;142:4;145:5;<br/>147:4;151:2,25;<br/>152:1;154:21,23;<br/>177:20;179:9;180:3,<br/>5,24;207:15;210:17;<br/>212:14;216:2;243:7<br/><b>provided (52)</b> 44:6,13,<br/>18;55:10,15;59:11,<br/>22;60:11;62:4;63:4,6,<br/>18;65:3;67:2;68:11;<br/>69:24;70:6,13;72:15,<br/>17;74:21;77:17;<br/>78:14,20,23;79:3;<br/>92:19;98:6;114:12;<br/>116:4;121:2,3,21;<br/>123:23,25;125:4;<br/>126:2,7,25;127:20;<br/>128:6,8;131:16,21;<br/>135:20;137:3,21,23;<br/>140:19,22;141:3;<br/>142:2<br/><b>provider (1)</b> 246:11<br/><b>provides (3)</b> 151:20;<br/>211:6;251:4<br/><b>providing (12)</b> 47:1;<br/>61:17;70:23;89:24;<br/>110:3;121:13;131:24;<br/>132:5;147:9;180:9;<br/>243:8;246:13<br/><b>provision (4)</b> 70:14;<br/>137:4;147:6,13<br/><b>provisions (1)</b> 67:11<br/><b>proximity (1)</b> 73:1<br/><b>PSE&amp;G (2)</b> 68:17;<br/>259:1<br/><b>public (60)</b> 5:2,2;<br/>17:11,15;21:6,6,10;<br/>45:24;47:6;48:15;<br/>88:16;90:20;94:6;<br/>98:15,20;104:25;<br/>116:2;118:6;119:13;<br/>124:12;132:9;142:3;<br/>145:23,23,24;146:1;<br/>147:14;149:11;152:2;<br/>158:9,9,12;164:4;<br/>177:18,23;178:7;<br/>180:12;183:18,21;<br/>192:24;193:2,5;<br/>206:9,9,12;213:6,8;<br/>218:7,10;226:14,15;<br/>229:14;230:17;231:4,<br/>8;234:20;251:2;<br/>252:18;256:3,6<br/><b>public's (1)</b> 222:11<br/><b>published (1)</b> 247:16<br/><b>pull (4)</b> 148:25;149:3;</p> | <p>230:2;247:19<br/><b>purchase (3)</b> 116:17;<br/>118:24,25<br/><b>purchased (3)</b> 118:15;<br/>201:24;205:16<br/><b>purchasing (5)</b><br/>116:22,25;119:22,<br/>23;195:18<br/><b>purpose (18)</b> 46:14;<br/>86:21;87:7;90:18,22;<br/>145:23,23;147:7;<br/>166:6;177:15,20;<br/>178:1;181:22;182:13;<br/>250:24;251:15;253:5;<br/>255:3<br/><b>purposes (17)</b> 50:9;<br/>61:2;67:7;83:2;88:15,<br/>17;94:18;127:4;<br/>135:7;151:8,23;<br/>177:12,13;179:24;<br/>180:11;250:22;<br/>254:16<br/><b>pursuant (2)</b> 242:6;<br/>251:3<br/><b>pursue (1)</b> 119:11<br/><b>pushing (1)</b> 21:24<br/><b>put (24)</b> 25:23;40:11;<br/>68:1;76:10,25;93:9;<br/>120:13;123:10,12;<br/>157:21;159:17;<br/>188:22;189:12;<br/>192:18;194:5;196:25;<br/>206:5;226:24;231:5;<br/>232:25;234:22;<br/>235:15;248:20;<br/>255:11<br/><b>putting (7)</b> 84:3;<br/>87:15;158:2;193:19;<br/>242:22;250:11;254:4</p> | <p>185:6;202:23;249:8<br/><b>R</b><br/><b>R-1 (2)</b> 176:24;<br/>179:22<br/><b>R-2 (3)</b> 11:23;187:10;<br/>193:7<br/><b>RA (2)</b> 107:2;165:6<br/><b>racks (1)</b> 229:8<br/><b>radiators (1)</b> 175:18<br/><b>railings (1)</b> 14:11<br/><b>raise (17)</b> 6:2;10:5;<br/>17:21;27:11,20;<br/>106:24;112:9;138:3;<br/>165:3;186:21;197:23;<br/>209:11;215:11;<br/>220:24;232:15;245:1;<br/>248:7<br/><b>raised (1)</b> 253:18<br/><b>raises (1)</b> 84:8<br/><b>ramp (1)</b> 83:17<br/><b>Rand (4)</b> 6:6;9:13,16;<br/>17:12<br/><b>ratable (1)</b> 97:25<br/><b>rather (1)</b> 224:15<br/><b>reach (2)</b> 179:8;<br/>237:13<br/><b>reached (1)</b> 34:16<br/><b>read (2)</b> 6:1;187:7<br/><b>Reading (2)</b> 4:4;86:3<br/><b>ready (10)</b> 6:21,24;<br/>7:2,5,8,11;23:9;<br/>98:15;103:24;146:22<br/><b>real (5)</b> 83:23;93:8;<br/>97:18;110:10;111:18<br/><b>realities (1)</b> 86:8<br/><b>realize (1)</b> 205:4<br/><b>realized (1)</b> 152:15<br/><b>really (36)</b> 14:22;<br/>15:9;31:12;38:25;<br/>42:1;46:16,18;67:24;<br/>70:25;74:9;83:2;<br/>86:10;87:21;88:8;<br/>95:24;100:3;101:5;<br/>117:24,25;124:7;<br/>157:22;159:20;168:7;<br/>185:10;191:8;193:10;<br/>196:1;228:23;235:1;<br/>246:16;250:7,9;<br/>251:10;254:7,24;<br/>255:4<br/><b>realms (1)</b> 104:20<br/><b>realtors (3)</b> 117:2,7,7<br/><b>rear (26)</b> 14:18,20;<br/>15:4,15,18,20;16:24;<br/>52:11,18;73:16,22;<br/>92:15;106:1;111:10;<br/>114:2;141:13,15,22;<br/>143:10;151:4;161:23;<br/>199:16,21;201:3;<br/>225:7;229:19<br/><b>reason (7)</b> 11:10;</p> |
|  |  | <p><b>Q</b><br/><b>qualifications (4)</b><br/>42:18;82:2;170:14;<br/>248:21<br/><b>qualified (1)</b> 176:10<br/><b>qualifies (1)</b> 157:12<br/><b>qualify (1)</b> 250:23<br/><b>quality (2)</b> 61:9;127:7<br/><b>quantity (3)</b> 59:18;<br/>61:9;127:7<br/><b>quarter (1)</b> 66:24<br/><b>queuing (1)</b> 77:20<br/><b>quick (9)</b> 21:11,17;<br/>28:6;93:8;108:15;<br/>110:10;111:19;<br/>213:13;216:22<br/><b>quicker (1)</b> 228:20<br/><b>quickly (4)</b> 15:24;<br/>111:18;180:15;<br/>248:15<br/><b>quiet (2)</b> 5:3;202:19<br/><b>quite (5)</b> 51:2;177:4;</p>   |  |   |

|   |   |   |  |   |
|---|---|---|--|---|
| <p>57:2;61:12;73:4;<br/>124:4;234:2;252:1<br/><b>reasonable (2)</b> 150:8;<br/>151:19<br/><b>Reasons (8)</b> 44:24;<br/>177:10;180:1,13;<br/>182:10;206:5;254:10,<br/>18<br/><b>rebuild (1)</b> 213:23<br/><b>recall (3)</b> 58:18,22;<br/>99:13<br/><b>receive (3)</b> 29:19;<br/>64:2;192:25<br/><b>received (2)</b> 139:7;<br/>140:13<br/><b>receives (1)</b> 66:23<br/><b>receiving (1)</b> 29:16<br/><b>Recently (3)</b> 82:10;<br/>202:1;204:15<br/><b>recharge (2)</b> 61:10;<br/>127:8<br/><b>recognized (1)</b> 249:12<br/><b>recommend (2)</b> 189:6;<br/>236:10<br/><b>recommendation (2)</b><br/>8:5;74:14<br/><b>recommended (1)</b><br/>25:4<br/><b>recommends (1)</b><br/>139:1<br/><b>reconcile (3)</b> 89:12;<br/>181:19;182:11<br/><b>reconciled (1)</b> 181:24<br/><b>record (33)</b> 8:8;9:10;<br/>10:14;15:25;18:4;<br/>29:7;40:11;93:9,10;<br/>99:8;102:24;103:1;<br/>107:7;112:17;159:6;<br/>165:12,15;168:20;<br/>173:13;176:23;187:4;<br/>198:6;209:19;215:19;<br/>221:7;232:23;241:16;<br/>242:22;244:25;245:9;<br/>247:25;248:21;250:4<br/><b>recreational (1)</b><br/>177:22<br/><b>recruit (1)</b> 42:6<br/><b>red (3)</b> 14:2;219:10;<br/>233:22<br/><b>redevelop (1)</b> 99:20<br/><b>Redevelopment (24)</b><br/>103:21;105:11,19,23,<br/>25;106:3;109:1;<br/>113:7;116:16,19;<br/>117:4;119:3,25;<br/>141:2,17;142:20;<br/>143:8;145:10;148:9;<br/>149:1,7;151:3,24;<br/>255:22<br/><b>reduce (1)</b> 178:23<br/><b>reducing (3)</b> 61:22;<br/>87:10;117:14<br/><b>reduction (5)</b> 51:21;</p> | <p>61:17,18,23;62:13<br/><b>refer (2)</b> 84:5;86:22<br/><b>reference (4)</b> 61:3;<br/>127:5;142:19,23<br/><b>referenced (3)</b> 63:6;<br/>128:7;247:18<br/><b>referencing (2)</b> 93:15;<br/>234:12<br/><b>referred (1)</b> 88:4<br/><b>referring (3)</b> 43:18;<br/>66:10;113:2<br/><b>reflect (1)</b> 8:8<br/><b>reflected (1)</b> 247:16<br/><b>reflective (1)</b> 111:7<br/><b>refresher (1)</b> 97:12<br/><b>refuse (1)</b> 137:15<br/><b>regard (1)</b> 101:21<br/><b>regarding (21)</b> 19:24;<br/>54:16,18;56:15;60:9;<br/>69:10;78:20,24;<br/>98:23;114:21;116:10,<br/>19;121:21;126:19;<br/>129:7;136:8;137:3;<br/>140:16;158:14;<br/>183:24;243:4<br/><b>region (1)</b> 254:7<br/><b>regional (2)</b> 89:23,23<br/><b>regular (6)</b> 4:3;37:23;<br/>60:19;142:15;210:10;<br/>226:4<br/><b>regulated (1)</b> 32:17<br/><b>regulates (1)</b> 67:9<br/><b>Regulating (1)</b> 259:2<br/><b>regulation (1)</b> 37:13<br/><b>regulations (15)</b><br/>30:19;32:6,6,14,16,<br/>20;33:13;35:10,13;<br/>36:11;49:2;66:14;<br/>96:15;137:18;254:12<br/><b>Regulatory (4)</b> 25:22;<br/>29:21;30:1,9<br/><b>rehab (5)</b> 18:14;20:8;<br/>21:20;22:2,7<br/><b>rehabbed (1)</b> 22:8<br/><b>rehabbing (1)</b> 20:13<br/><b>rehabilitate (1)</b> 210:5<br/><b>rehabilitating (1)</b><br/>180:6<br/><b>rehabilitation (4)</b><br/>153:25;154:6,9,15<br/><b>re-intensify (1)</b> 179:13<br/><b>related (22)</b> 64:15;<br/>88:9;90:17;99:3;<br/>131:9;150:24;151:3,<br/>10;158:17;163:25;<br/>183:20;184:3;188:21;<br/>193:4;206:10;213:7,<br/>10;218:12;234:19;<br/>242:12;256:5,10<br/><b>relationship (2)</b><br/>166:21;246:9<br/><b>relatively (1)</b> 149:21<br/><b>relief (22)</b> 23:18,19;</p> | <p>24:16,17,25;54:1;<br/>97:6;145:12;148:5,6,<br/>7;149:13,15;150:20,<br/>24;151:3,9,18,23;<br/>152:4,10;180:16<br/><b>remain (1)</b> 57:13<br/><b>remaining (1)</b> 129:4<br/><b>remediation (2)</b> 69:11;<br/>136:9<br/><b>reminded (1)</b> 143:3<br/><b>reminder (3)</b> 4:24;<br/>7:19;161:21<br/><b>Remington (2)</b> 43:19;<br/>113:3<br/><b>removal (2)</b> 66:10,13<br/><b>remove (2)</b> 51:25;<br/>124:25<br/><b>removed (8)</b> 14:4;<br/>65:4,5,9,11;80:21,23;<br/>81:2<br/><b>removing (1)</b> 125:24<br/><b>Remsa (16)</b> 27:5,22;<br/>81:25;82:3,4,11,12,<br/>14;86:6,9;91:1,3,7,11,<br/>18;98:5<br/><b>rendering (2)</b> 142:6;<br/>199:24<br/><b>renderings (2)</b> 142:2;<br/>170:18<br/><b>renote (2)</b> 160:24;<br/>163:23<br/><b>renovate (3)</b> 12:12;<br/>85:10;205:18<br/><b>renovated (2)</b> 182:22;<br/>246:3<br/><b>renovating (4)</b> 12:19;<br/>84:1;90:6;101:12<br/><b>renovation (1)</b> 171:16<br/><b>rent (1)</b> 169:9<br/><b>renting (5)</b> 110:16;<br/>137:19,19;184:18,25<br/><b>re-occupying (1)</b><br/>180:5<br/><b>reopen (4)</b> 217:2,25;<br/>218:16;219:12<br/><b>Repeat (1)</b> 165:14<br/><b>repetitive (2)</b> 88:20;<br/>90:12<br/><b>replace (3)</b> 57:25;<br/>58:6;142:24<br/><b>replaced (2)</b> 58:12;<br/>126:12<br/><b>replacing (1)</b> 58:14<br/><b>report (1)</b> 152:18<br/><b>reporter (1)</b> 92:12<br/><b>represent (3)</b> 103:10;<br/>181:16;249:1<br/><b>representative (3)</b><br/>41:18;100:21,25<br/><b>repurposing (1)</b><br/>105:13<br/><b>request (22)</b> 19:24;<br/>21:8;47:3;51:14;71:6,</p> | <p>8;74:3,14;121:6;<br/>122:10;131:23;<br/>141:23;158:15;<br/>159:18,24,25;161:1,<br/>21;164:2,3;206:19;<br/>247:24<br/><b>requested (17)</b> 13:7;<br/>59:23;70:16;97:7;<br/>106:20;121:14,20;<br/>124:1;125:7;132:19;<br/>158:14,18;183:24;<br/>184:3;188:2;242:24,<br/>25<br/><b>requesting (24)</b> 18:14;<br/>50:23;52:14;53:9;<br/>54:8;57:14,23;98:24;<br/>117:12;121:8,15,23;<br/>124:2;131:25;132:1;<br/>133:19;141:24;<br/>163:25;183:25;193:6;<br/>198:16;213:9;229:18;<br/>241:24<br/><b>requests (1)</b> 115:7<br/><b>require (19)</b> 7:21,22;<br/>24:25;26:14;30:19;<br/>72:25;85:8;105:16;<br/>117:24;120:3;122:2;<br/>146:11;156:10;169:9,<br/>12;179:2,14;180:21;<br/>255:19<br/><b>required (46)</b> 33:13,<br/>20;35:13;46:3;47:5,<br/>12;51:7,10,12;52:7,<br/>13,19;53:7;54:2,23;<br/>55:4;56:10;59:14;<br/>64:9,21,22;68:18,21;<br/>71:24;73:24,24;<br/>74:19;85:12,20;86:4;<br/>99:10;113:14;114:25;<br/>115:6,12;123:18,20,<br/>21;130:24;131:19;<br/>133:24;140:12;<br/>141:21;178:23;<br/>180:16;250:3<br/><b>requirement (14)</b><br/>26:1;51:19,23;82:24;<br/>85:6,15;92:24;<br/>124:17;139:14,20;<br/>140:9;141:15;142:17,<br/>18<br/><b>requirements (29)</b><br/>35:16;44:3;45:7,19,<br/>21,24;47:18;50:18;<br/>51:2;55:11,12;59:11;<br/>74:7;79:2;82:17;<br/>93:19;94:22;96:14;<br/>113:24;126:3,4;<br/>134:3;140:21;141:4,<br/>20;142:19;153:11;<br/>159:9;177:25<br/><b>requires (6)</b> 25:12;<br/>67:17;72:21;117:25;<br/>148:19;179:6</p> | <p><b>reserved (1)</b> 160:3<br/><b>residence (2)</b> 210:24;<br/>211:10<br/><b>resident (3)</b> 98:9;<br/>100:16;194:23<br/><b>residential (17)</b> 11:24;<br/>47:10;120:4;130:5;<br/>147:12;176:25;177:7,<br/>22;182:5,6,7;190:22;<br/>210:20;222:12,22;<br/>226:10,12<br/><b>residents (11)</b> 34:2,<br/>10;97:24;100:4;<br/>105:8;110:23;123:6;<br/>153:18;157:9;158:23;<br/>223:22<br/><b>resistant (1)</b> 68:20<br/><b>Resolution (8)</b> 25:5,6;<br/>31:3,5;55:16;239:25,<br/>25;247:18<br/><b>Resolutions (4)</b><br/>258:16,18,24;259:25<br/><b>respect (4)</b> 106:4;<br/>149:15;242:4;244:9<br/><b>respectfully (1)</b> 247:23<br/><b>respective (1)</b> 177:24<br/><b>Respon (2)</b> 219:17,18<br/><b>respond (2)</b> 54:19;<br/>96:9<br/><b>responded (1)</b> 49:4<br/><b>responding (1)</b> 58:4<br/><b>response (1)</b> 116:8<br/><b>responsibility (2)</b><br/>68:17;96:18<br/><b>responsible (3)</b> 64:7;<br/>130:22;131:2<br/><b>rest (9)</b> 129:12;<br/>153:21;190:21,22;<br/>228:1;238:16;240:12;<br/>252:21,23<br/><b>Restaurant (33)</b><br/>23:24;24:8,10;33:11;<br/>39:10;46:13,16;<br/>54:12;84:2;85:11,22;<br/>86:5,15;87:11;90:5,5;<br/>91:8,9;93:3;95:5;<br/>97:9;216:12,17,20;<br/>217:3,16,19,21,25;<br/>218:13,14,16,23<br/><b>restrict (1)</b> 50:11<br/><b>restricted (1)</b> 123:9<br/><b>result (4)</b> 83:5,9;<br/>151:22;181:17<br/><b>retail (30)</b> 23:21;24:5,<br/>13,18;25:20;26:4;<br/>33:5;34:1;41:21;44:4,<br/>17;45:5;46:2;48:9;<br/>50:5;55:8;85:1,7,8;<br/>87:5;89:16;90:11;<br/>93:18,18;104:4;<br/>118:2;122:7;147:24,<br/>24;149:2<br/><b>retailer (1)</b> 49:17</p> |
|---|---|---|--|---|

|   |  |  |  |   |
|---|--|--|--|---|
| <p><b>retailers (1)</b> 48:25<br/> <b>retraining (1)</b> 41:20<br/> <b>returning (2)</b> 12:5; 180:6<br/> <b>reuse (2)</b> 180:3; 181:11<br/> <b>reusing (2)</b> 88:3,21<br/> <b>reverse (1)</b> 148:9<br/> <b>review (19)</b> 25:4,9,13; 30:20;39:18,19; 43:15;45:19;46:12; 62:4;63:7;81:19; 116:2,21;127:20; 128:8;139:7;141:7; 144:15<br/> <b>reviewed (5)</b> 62:23; 64:6;127:25;130:21; 256:11<br/> <b>revise (2)</b> 59:25; 142:20<br/> <b>revised (16)</b> 43:22; 55:19;56:10;59:22; 64:22;70:15;73:23; 79:4;121:7,14,20; 123:25;125:7,8; 142:18,23<br/> <b>revitalization (1)</b> 151:24<br/> <b>revitalize (1)</b> 148:10<br/> <b>rewire (1)</b> 175:24<br/> <b>reworking (1)</b> 88:7<br/> <b>rides (1)</b> 188:7<br/> <b>riding (1)</b> 184:22<br/> <b>right (149)</b> 5:25;7:20; 10:5;14:5;17:21; 20:7;22:7;24:9;27:11, 20;30:11;31:2,14; 32:18;33:6,9,20; 37:22;39:20;40:4; 42:6;46:22;57:5,24; 58:19;59:2;60:18,18; 62:16;65:21,24;66:5; 68:5;70:24;75:10; 76:17,24;78:25; 89:24;91:24;96:25; 100:5,16,20;106:24; 108:12;109:15; 111:12;112:4,9,24; 116:23;117:5,8; 118:3,8,11;120:4; 121:24;131:25; 133:11;138:25; 143:16;154:3;156:19; 157:1,2;159:5; 160:23;161:6,13; 165:3;168:8,9;183:3; 184:25;186:21;188:7, 8,10,20,23;189:11; 191:10,15,17,21,23, 24;192:4,6,8,24; 194:9;196:8,14; 197:23;199:18,21; 200:16,20,21,24;</p> | <p>201:4,7,10;203:4,5, 15,19,20;206:23; 209:11;210:2;212:8; 215:11;219:10,17,17, 18;220:24;223:25; 224:3,9;227:6,9,12, 13;228:4,12,21; 230:13;231:6;232:15; 233:24;235:13;237:7, 16;238:3,5,10,17,20, 25;239:2;240:7,13; 245:1;248:7<br/> <b>rightcop (1)</b> 128:11<br/> <b>righthand (5)</b> 172:16; 173:18;192:8;224:7; 238:19<br/> <b>right-of-way (5)</b> 48:16; 57:18;83:17;89:4; 230:17<br/> <b>rights-of-way (1)</b> 68:20<br/> <b>risk (1)</b> 35:19<br/> <b>River (5)</b> 243:17; 244:10;250:16;253:1, 21<br/> <b>road (8)</b> 54:22,24; 55:2,4;114:24;115:1; 168:8;189:3<br/> <b>roadway (3)</b> 114:11, 11;130:6<br/> <b>roadways (1)</b> 114:13<br/> <b>role (1)</b> 90:3<br/> <b>Roll (1)</b> 4:7<br/> <b>roll-call (13)</b> 5:14; 8:16;22:17;102:3; 162:19;185:23; 208:10;214:14; 219:23;231:15; 240:20;257:21;260:2<br/> <b>roll-up (4)</b> 226:24; 227:2,4,5<br/> <b>Roman (27)</b> 84:7,17; 209:7,14,23,23;210:1, 3,6,9,15,18,22;211:1, 5,8,12,16,25;212:2,9, 15,18,21,24;213:2; 215:6<br/> <b>Ron (2)</b> 243:6;247:5<br/> <b>Ronald (1)</b> 243:2<br/> <b>roof (13)</b> 60:9,14,16, 19;126:19;242:5,5,9; 250:10;252:4;253:7, 9;254:10<br/> <b>roofing (2)</b> 223:9; 224:7<br/> <b>roof-mounted (2)</b> 247:10;249:21<br/> <b>roofs (1)</b> 243:21<br/> <b>roof-side (1)</b> 244:1<br/> <b>room (13)</b> 16:14,16; 30:14;31:15;110:20, 22;111:20;126:7; 153:17,19,20;203:22;</p> | <p>235:17<br/> <b>rooms (7)</b> 109:13; 110:19;112:5;153:3, 4;156:2;235:19<br/> <b>Rosado (1)</b> 259:23<br/> <b>rotation (1)</b> 214:7<br/> <b>round (1)</b> 206:6<br/> <b>round-the-clock (1)</b> 49:3<br/> <b>route (2)</b> 114:12,15<br/> <b>rowhome (1)</b> 20:3<br/> <b>rowhouse (1)</b> 210:11<br/> <b>Royden (2)</b> 150:12; 187:6<br/> <b>run (4)</b> 40:6;155:19; 188:24;192:20<br/> <b>rundown (1)</b> 205:17<br/> <b>running (5)</b> 7:24; 29:24;31:19;56:22; 206:7<br/> <b>runoff (4)</b> 61:25;62:1; 127:18,18<br/> <b>run-off (1)</b> 188:19<br/> <b>RUSH (88)</b> 6:18; 103:8,9;104:24; 105:4,5;107:11; 108:2,6,9,15;111:14; 112:8,22;113:16; 114:4,16,22;115:3,9, 22;116:5,11;117:10; 118:5;120:22;121:8, 15,25;122:3;123:11; 124:2,6,10,15,18,23; 125:8;126:5;128:2, 19;130:18,25;131:13; 132:1;133:9,21; 134:10,15,18,21; 135:17;136:6,12; 137:15;138:20;139:5, 10,16,21;140:14,22; 141:24;143:24;144:4, 10,13,16,21,24;145:2, 4;152:23,25;154:3; 155:12,17;156:2,17, 21;157:24;158:6; 159:8,23;160:17,22; 161:2;163:12<br/> <b>Rutgers (1)</b> 42:22</p> | <p><b>sales (2)</b> 33:25;46:7<br/> <b>SAM (2)</b> 221:2,8<br/> <b>same (26)</b> 24:15; 32:25;58:3;60:17; 64:15;111:9;123:5,5; 131:9;137:7;154:23; 155:19,19;173:17; 198:19;205:6;206:14, 20;222:13;228:17; 229:17;235:12; 253:11,25;254:15; 257:5<br/> <b>sanitary (6)</b> 63:17,18; 64:5;129:19,20; 130:20<br/> <b>sat (1)</b> 202:25<br/> <b>satisfactory (2)</b> 85:25; 86:16<br/> <b>satisfied (3)</b> 11:18; 44:7,7<br/> <b>satisfies (4)</b> 45:7; 105:9;180:14;181:17<br/> <b>satisfy (6)</b> 24:23;44:9; 67:12;85:25;86:13; 104:15<br/> <b>Saturday (2)</b> 32:25; 47:20<br/> <b>save (1)</b> 160:7<br/> <b>saving (2)</b> 161:25; 233:10<br/> <b>saw (4)</b> 111:21; 123:15;226:1;239:3<br/> <b>saying (7)</b> 8:4;37:24; 86:2;89:13;105:5; 133:10,24<br/> <b>scale (1)</b> 146:24<br/> <b>scaled (1)</b> 151:14<br/> <b>scale-type (1)</b> 147:3<br/> <b>scatter-shots (1)</b> 43:16<br/> <b>scheduled (1)</b> 4:3<br/> <b>school (6)</b> 170:6; 219:15;223:24; 229:23,25;236:15<br/> <b>schools (1)</b> 45:24<br/> <b>scope (1)</b> 249:19<br/> <b>screen (1)</b> 81:4<br/> <b>screened (1)</b> 49:7<br/> <b>screening (1)</b> 70:18<br/> <b>sealed (2)</b> 63:5;128:6<br/> <b>Sean (3)</b> 26:25;27:23; 29:8<br/> <b>seasons (1)</b> 245:21<br/> <b>seat (1)</b> 165:25<br/> <b>second (59)</b> 5:12,13; 8:14,15;14:6;22:15, 16;26:5,18,21;44:12; 53:19,20,55:7;79:19; 92:6;94:9,10;99:12, 22;101:19;102:2; 104:4;109:11;110:14; 123:6,12;162:17,18; 166:10;167:21; 171:21;173:13,14;</p> | <p>174:2,12;180:1; 185:20,21,23;208:8, 9;211:10;214:12,13; 217:9;219:22;231:13, 14;235:15;240:19; 251:6;252:16;253:3; 254:13;257:19,20; 260:1,20<br/> <b>second-floor (1)</b> 233:1<br/> <b>Secondly (1)</b> 146:14<br/> <b>Secretary (1)</b> 247:12<br/> <b>Section (43)</b> 44:5,6, 19,21;45:8,12;47:18; 49:23;56:6;59:12,15; 64:20;66:20;68:9; 69:5,22;70:12;71:17; 72:19;73:14;74:18; 79:2;106:5,10;115:5; 121:3,11,16;123:17, 24;131:18;132:18; 135:5,15;138:18; 141:10;175:3;222:23; 226:12,13,17;228:1; 242:6<br/> <b>Sections (1)</b> 140:17<br/> <b>secure (3)</b> 35:4; 49:12;123:19<br/> <b>secured (2)</b> 36:13; 49:1<br/> <b>securing (1)</b> 193:20<br/> <b>security (33)</b> 30:16; 33:19,21;34:11,12,13, 17,20,21;35:1,7,16; 47:3,4;49:6,8;50:10; 67:7;74:13;76:4;83:2, 7;84:13;87:19;94:18; 95:19,22,23,25;96:11, 21,22;135:7<br/> <b>seeing (11)</b> 15:12; 98:20;158:11;183:21; 193:5;195:24;208:3; 218:9;229:13;234:20; 256:6<br/> <b>seek (1)</b> 134:19<br/> <b>seeking (13)</b> 24:17; 135:21;145:12; 149:13;150:20;152:5; 164:17;177:5;206:13; 218:11;242:2,11; 244:8<br/> <b>seeks (1)</b> 44:21<br/> <b>seem (1)</b> 14:3<br/> <b>seemed (1)</b> 253:20<br/> <b>seems (4)</b> 56:18; 57:10;97:6;206:15<br/> <b>self-sustained (1)</b> 203:24<br/> <b>sell (6)</b> 188:5;189:15; 192:16,17;195:5; 227:13<br/> <b>selling (3)</b> 194:21,22; 206:4<br/> <b>semi-detached (1)</b></p> |
|---|--|--|--|---|

|   |  |   |   |  |
|---|--|---|---|--|
| <p>11:25<br/> <b>send (2)</b> 195:5,7<br/> <b>senior (9)</b> 109:8,13;<br/> 117:21;147:5,6,6,13,<br/> 18;156:9<br/> <b>seniors (9)</b> 117:23;<br/> 123:10;146:12;154:1,<br/> 4,8;155:7;156:4;<br/> 157:8<br/> <b>sense (1)</b> 97:23<br/> <b>sensitive (2)</b> 74:10,12<br/> <b>sent (3)</b> 197:5;205:3,6<br/> <b>separate (17)</b> 16:14,<br/> 16;24:14;40:18;94:7;<br/> 110:21;123:4,10;<br/> 139:13;158:21;162:5;<br/> 175:25;201:18;<br/> 204:13;211:10;227:6,<br/> 10<br/> <b>separated (2)</b> 200:12;<br/> 204:16<br/> <b>separately (1)</b> 171:5<br/> <b>September (2)</b> 4:4,7<br/> <b>serial (1)</b> 37:8<br/> <b>serve (5)</b> 104:1;<br/> 115:6;145:22;146:3;<br/> 150:21<br/> <b>served (5)</b> 88:2,11,12,<br/> 22;192:22<br/> <b>service (6)</b> 49:13;<br/> 61:5;94:5,7;149:12;<br/> 193:1<br/> <b>services (9)</b> 41:6;<br/> 104:14,16,19;105:13;<br/> 146:23;147:5;152:1;<br/> 155:20<br/> <b>set (10)</b> 55:16;93:19;<br/> 110:14;120:19;<br/> 141:12;178:13;180:1;<br/> 199:17;204:10;<br/> 217:15<br/> <b>setback (29)</b> 52:6,18;<br/> 73:9,10,13;80:21,25;<br/> 82:24;106:1,2,2,6;<br/> 114:2;141:22;143:10,<br/> 10,11,13;151:4;<br/> 161:23,23,24;199:5,<br/> 6;233:15,23;234:3,<br/> 16,17<br/> <b>setbacks (1)</b> 210:14<br/> <b>setting (1)</b> 170:1<br/> <b>set-up (1)</b> 94:2<br/> <b>seven (11)</b> 33:18;<br/> 103:12;104:18;<br/> 167:10;186:13;<br/> 208:25;215:3;220:13;<br/> 232:5;241:10;258:11<br/> <b>several (10)</b> 9:18,23;<br/> 41:22;42:3;155:21;<br/> 159:9;168:14;224:20;<br/> 249:6;250:12<br/> <b>sewer (7)</b> 63:17,18;<br/> 64:5;126:24;129:19,</p> | <p>20;130:20<br/> <b>shadow (1)</b> 148:21<br/> <b>shadows (1)</b> 132:10<br/> <b>shall (36)</b> 48:3,14,15,<br/> 25;49:2,6,11,15,17;<br/> 50:5,8,10;56:7;59:11,<br/> 13,15,17;64:14;65:5;<br/> 66:21;68:10;69:22;<br/> 70:2,13;71:19;74:19;<br/> 121:12,18;123:20,20;<br/> 125:3,3;135:7;<br/> 141:11,12,14<br/> <b>shape (1)</b> 225:13<br/> <b>shaping (1)</b> 178:8<br/> <b>shared (5)</b> 115:24;<br/> 119:14,15,21;256:24<br/> <b>shares (2)</b> 13:10;<br/> 213:4<br/> <b>sharing (1)</b> 33:12<br/> <b>shed (10)</b> 52:23;<br/> 198:16;199:2,15,18;<br/> 200:17;202:4;203:20,<br/> 21;204:20<br/> <b>sheet (3)</b> 43:21;<br/> 142:23;171:8<br/> <b>Sheridan (1)</b> 10:18<br/> <b>shield (1)</b> 67:3<br/> <b>shields (1)</b> 69:1<br/> <b>shift (1)</b> 33:17<br/> <b>shipping (1)</b> 202:10<br/> <b>shop (4)</b> 109:7;192:9,<br/> 9;229:25<br/> <b>shopping (1)</b> 183:1<br/> <b>shortage (1)</b> 116:13<br/> <b>shorter (2)</b> 33:2;<br/> 238:17<br/> <b>show (14)</b> 9:11;13:1;<br/> 17:2;60:22;110:8;<br/> 114:14;142:6;171:21;<br/> 175:4,9;177:9;181:7,<br/> 19,21<br/> <b>showering (1)</b> 153:21<br/> <b>showing (2)</b> 15:12;<br/> 75:23<br/> <b>shown (7)</b> 60:12;<br/> 63:11,17;126:21;<br/> 129:18;135:2;137:7<br/> <b>shows (2)</b> 91:23;<br/> 246:16<br/> <b>shrubs (1)</b> 70:15<br/> <b>shuttle (1)</b> 135:20<br/> <b>sick (1)</b> 161:11<br/> <b>side (55)</b> 13:13;14:5;<br/> 20:5;52:12,13;53:5;<br/> 70:24;71:14;73:16,<br/> 18,22;80:21;92:10;<br/> 94:11,13;106:2;<br/> 111:12,24,25;112:2,<br/> 3;114:3;122:10;<br/> 141:13,22;143:11;<br/> 151:4;152:11;161:23;<br/> 172:15,16;173:17,18;<br/> 191:10;192:8;197:10;</p> | <p>199:5,5,16,20,21;<br/> 201:21,21;218:25;<br/> 223:15,25;224:7;<br/> 225:15;233:17;<br/> 234:23;235:5;236:1;<br/> 238:19;250:21;252:9<br/> <b>sides (11)</b> 13:11,14;<br/> 20:4;87:19;112:2;<br/> 150:11;191:3;212:7,<br/> 18,21;225:14<br/> <b>sidewalk (25)</b> 56:9,12,<br/> 15,18;57:4,5,7,12,19;<br/> 58:1,7,12;59:5;106:7;<br/> 110:4;125:5,12;<br/> 126:10;133:16;<br/> 143:14;212:8;213:4;<br/> 223:19;230:23;231:1<br/> <b>sidewalks (5)</b> 56:7;<br/> 80:24;125:1,4,16<br/> <b>sign (2)</b> 23:23;238:13<br/> <b>sign (44)</b> 71:19,21,23;<br/> 72:5,11,18,22;73:1,7,<br/> 12;80:25;168:13;<br/> 231:5;242:5,9,11,12;<br/> 243:2,3;244:2;<br/> 246:21;247:5,9,10,<br/> 10;249:20,21,21;<br/> 250:14;252:6,13,20;<br/> 253:6,9,11,24;254:10,<br/> 18,19,25;255:17;<br/> 256:19;257:2,12<br/> <b>signature (28)</b> 45:20;<br/> 71:17;72:15;138:15,<br/> 17,18,20,21;139:1;<br/> 242:25;243:5,16,17;<br/> 244:7,8,9,13,18;<br/> 245:13;246:8;247:6,<br/> 15;250:9;251:11,18;<br/> 252:11;255:11;256:1<br/> <b>signature (5)</b> 62:24;<br/> 79:4,5;142:22,24<br/> <b>signatures (4)</b> 128:1;<br/> 130:15;139:8;140:11<br/> <b>signed (3)</b> 59:5;63:5;<br/> 128:6<br/> <b>significant (2)</b> 90:20;<br/> 181:1<br/> <b>significantly (1)</b><br/> 117:14<br/> <b>signs (12)</b> 241:25;<br/> 242:5;243:20;244:4;<br/> 250:17;251:12,24;<br/> 252:4,25;254:22,24;<br/> 256:10<br/> <b>Sikamer (3)</b> 106:15;<br/> 112:12,18<br/> <b>silence (2)</b> 4:24;7:19<br/> <b>similar (11)</b> 104:9,11;<br/> 118:18;155:13;244:7;<br/> 250:7;251:24,24,25;<br/> 252:11;254:23<br/> <b>similarly-sized (1)</b><br/> 255:25</p> | <p><b>simple (1)</b> 226:20<br/> <b>single (3)</b> 37:6,12;<br/> 198:17<br/> <b>single-family (8)</b><br/> 11:24;18:13,16;<br/> 19:25;21:14;199:15,<br/> 17;202:5<br/> <b>single-person (1)</b><br/> 179:16<br/> <b>sit (1)</b> 249:3<br/> <b>sit-down (1)</b> 86:10<br/> <b>site (95)</b> 11:7;12:8;<br/> 23:18,22,25;24:2,6,9,<br/> 11;25:1;26:2;28:15,<br/> 20;35:25;38:18;<br/> 39:10;45:18;54:20;<br/> 57:8;61:21;62:21;<br/> 65:5;69:12;78:11;<br/> 86:17;87:14;88:19,<br/> 23,24;90:4,19;92:5,<br/> 24;94:20,20,95:3;<br/> 96:1,17,24,25;97:11,<br/> 15,19;98:3,10,25;<br/> 104:17;105:7,17;<br/> 109:2,14;110:4;<br/> 115:11,17;116:15;<br/> 118:4;121:4,23;<br/> 122:23;123:3;126:8;<br/> 127:23;136:10,11;<br/> 140:18;143:3,4;<br/> 144:23;149:16;150:8,<br/> 8;151:1,5;158:15;<br/> 169:13;175:12;177:9;<br/> 178:14,16;179:13,24;<br/> 180:2,14;181:14;<br/> 188:1;193:8;199:25;<br/> 249:9;252:1,21,23;<br/> 258:19,25;259:4,15<br/> <b>sites (1)</b> 149:7<br/> <b>sits (2)</b> 200:4,24<br/> <b>sitting (3)</b> 195:14,<br/> 201:22;205:25<br/> <b>situated (1)</b> 70:6<br/> <b>situation (6)</b> 120:7;<br/> 155:13;181:5;222:5,<br/> 25;224:13<br/> <b>six (11)</b> 14:9;23:4;<br/> 33:18;84:7;102:15;<br/> 160:19;163:9;189:14;<br/> 238:15;239:10;<br/> 240:13<br/> <b>Sixers (6)</b> 245:13;<br/> 246:21;250:24;<br/> 253:18,22;254:5<br/> <b>six-foot (1)</b> 233:1<br/> <b>size (16)</b> 9:20;43:21;<br/> 72:25;73:6;103:22;<br/> 125:15;129:16,18;<br/> 145:21;153:2;212:11;<br/> 244:16,18;251:25;<br/> 252:13;253:7<br/> <b>sizes (1)</b> 153:13<br/> <b>slated (1)</b> 203:15</p> | <p><b>slats (3)</b> 76:10,12;<br/> 77:10<br/> <b>sleeping (1)</b> 153:20<br/> <b>sliding (1)</b> 77:18<br/> <b>slight (1)</b> 61:17<br/> <b>slightly (2)</b> 24:22;<br/> 51:13<br/> <b>slope (1)</b> 129:19<br/> <b>slot (1)</b> 163:20<br/> <b>slowly (2)</b> 170:4;<br/> 171:5<br/> <b>small (16)</b> 51:16;84:2;<br/> 85:14,18;87:11;<br/> 91:20;92:21;110:21;<br/> 151:14;153:17;177:6;<br/> 191:15,16;202:12;<br/> 223:9;229:7<br/> <b>smaller (8)</b> 71:22;<br/> 73:5;82:22;91:21;<br/> 141:16;153:5;155:18;<br/> 161:18<br/> <b>smallest (1)</b> 111:20<br/> <b>small-scale (1)</b> 149:22<br/> <b>smart (1)</b> 22:7<br/> <b>snapshot (1)</b> 145:13<br/> <b>SNEAD (3)</b> 10:8,15,15<br/> <b>snow (1)</b> 38:17<br/> <b>Soil (2)</b> 81:12;144:7<br/> <b>sold (3)</b> 37:12;40:22;<br/> 47:24<br/> <b>sole (2)</b> 166:4,4<br/> <b>Solicitor (2)</b> 10:1;<br/> 165:2<br/> <b>solid (2)</b> 111:11;137:4<br/> <b>solutions (1)</b> 155:10<br/> <b>somebody (5)</b> 37:25;<br/> 99:20;167:15;175:22;<br/> 195:13<br/> <b>somehow (2)</b> 21:22;<br/> 214:3<br/> <b>Someone (8)</b> 41:5;<br/> 91:16;100:16;101:14;<br/> 196:8;204:2,7;214:1<br/> <b>sometimes (9)</b> 5:1;<br/> 36:16;40:6;41:11,24;<br/> 183:10;194:25;195:1;<br/> 228:15<br/> <b>somewhat (3)</b> 36:19;<br/> 135:18;222:4<br/> <b>somewhere (4)</b> 32:21;<br/> 33:16;96:3;104:20<br/> <b>son (1)</b> 210:1<br/> <b>soon (3)</b> 26:10;<br/> 193:21,23<br/> <b>sore (1)</b> 100:2<br/> <b>Sorry (9)</b> 17:7;62:7;<br/> 79:11,12;87:8;105:4;<br/> 169:10;172:24;<br/> 204:22<br/> <b>sort (4)</b> 41:15;91:9;<br/> 192:13;225:11<br/> <b>Sounds (3)</b> 59:7;<br/> 186:17;250:13</p> |
|---|--|---|---|--|

|   |  |   |  |  |
|---|--|---|--|--|
| <p><b>south (6)</b> 83:21,22;<br/>89:7,8;150:14;253:17</p> <p><b>space (44)</b> 17:3;<br/>33:12;83:23;85:12,<br/>17,18,21;87:2;89:9;<br/>106:8;110:15,16;<br/>120:10;121:18,19,24;<br/>122:2,9,11;143:20;<br/>148:1,1;150:2;151:8,<br/>12,15;153:18,18;<br/>162:2;169:12;173:24;<br/>174:4;177:20,23;<br/>178:20;187:18,21;<br/>195:1;201:20;212:14;<br/>228:2,23;229:8;<br/>251:15</p> <p><b>spaced (1)</b> 132:9</p> <p><b>spaces (55)</b> 26:8;<br/>54:13;55:17,21,25;<br/>56:3;59:13,14;80:16,<br/>21,23;85:9,23;86:11,<br/>12;106:7,8,9;109:18,<br/>21;115:5,6,11,12,16,<br/>20;117:24;119:12,24;<br/>120:11,25;121:1,4,5,<br/>6,10,12;123:7,22,22;<br/>124:14;143:15,15;<br/>150:18,21;151:2,11;<br/>153:5;161:25;164:21;<br/>166:10;179:3,9;<br/>183:8;228:14</p> <p><b>Spanish (3)</b> 216:15,<br/>20;219:5</p> <p><b>Spanish-food (1)</b><br/>216:16</p> <p><b>spare (1)</b> 32:13</p> <p><b>speak (20)</b> 10:20;<br/>31:10;32:7;34:13;<br/>35:23;37:3;38:16;<br/>54:11;56:11;60:14;<br/>69:13;70:19;76:5;<br/>83:9;86:16;92:15;<br/>108:22;195:21;<br/>215:23;255:12</p> <p><b>speaking (1)</b> 5:3</p> <p><b>speaks (3)</b> 84:25;<br/>85:1;88:13</p> <p><b>Special (3)</b> 44:24;<br/>62:18;177:9</p> <p><b>specific (7)</b> 29:11;<br/>44:11;47:25;53:18;<br/>103:13;115:21;178:5</p> <p><b>specifically (9)</b> 12:2;<br/>35:1;38:4;41:20;<br/>54:2;96:14;98:1;<br/>106:5;135:12</p> <p><b>specified (1)</b> 59:14</p> <p><b>specify (1)</b> 69:1</p> <p><b>spelling (1)</b> 168:22</p> <p><b>spent (1)</b> 153:22</p> <p><b>spill (1)</b> 133:16</p> <p><b>spillage (3)</b> 67:20,25;<br/>132:8</p> | <p><b>spillover (1)</b> 47:10</p> <p><b>spirit (1)</b> 255:21</p> <p><b>spoke (1)</b> 255:4</p> <p><b>spot (3)</b> 63:10,11;<br/>168:7</p> <p><b>spots (5)</b> 54:4;168:15,<br/>25;169:9;184:23</p> <p><b>sprawl (1)</b> 87:25</p> <p><b>spread (1)</b> 155:18</p> <p><b>sprinter (1)</b> 36:16</p> <p><b>Spruce (1)</b> 259:2</p> <p><b>square (56)</b> 39:12;<br/>50:4;51:7,8,8;71:21;<br/>72:5;78:9,12,13;85:7,<br/>13;91:6,7;103:21,23;<br/>105:10;109:1,4;<br/>110:11,17,18;111:21;<br/>113:7;117:8;121:17;<br/>141:6,15;142:19;<br/>145:10;153:6,15,23;<br/>167:4,7,9,11,24;<br/>168:1;171:3;172:18,<br/>22,24,25;173:1,4,7,8,<br/>10,19;174:7;178:19;<br/>242:10;250:12;<br/>254:19,21</p> <p><b>stable (1)</b> 180:7</p> <p><b>staff (12)</b> 33:18;35:5;<br/>37:25;115:21;122:23;<br/>123:2;146:22;150:5,<br/>22;156:18,20;251:1</p> <p><b>stagnation (1)</b> 148:10</p> <p><b>staircase (1)</b> 110:13</p> <p><b>stairs (2)</b> 94:12;174:5</p> <p><b>stairway (1)</b> 94:12</p> <p><b>stand (1)</b> 27:19</p> <p><b>standard (5)</b> 30:16;<br/>38:3,10;110:1;153:14</p> <p><b>standards (11)</b> 24:24;<br/>97:20;114:9;121:10;<br/>123:23;136:5;140:2;<br/>250:3;252:22,24;<br/>253:8</p> <p><b>standing (3)</b> 82:6;<br/>107:18;176:14</p> <p><b>standpoint (1)</b> 152:7</p> <p><b>stands (3)</b> 30:11;<br/>85:24;86:15</p> <p><b>start (9)</b> 5:8;21:24;<br/>30:7;37:2;43:16;<br/>145:14;166:1;231:1;<br/>238:15</p> <p><b>started (1)</b> 96:7</p> <p><b>Starting (1)</b> 113:4</p> <p><b>startling (1)</b> 146:15</p> <p><b>starts (1)</b> 87:20</p> <p><b>state (60)</b> 10:13;18:3;<br/>25:17,24,25;27:2;<br/>28:18;29:6;30:4,8,18;<br/>32:3,5,14;33:14;<br/>35:12,18,20;37:13,<br/>24;42:21;45:10;47:5;<br/>49:1;57:18,19;58:17,</p> | <p>17,20;59:1;66:14;<br/>67:9,12;74:8;79:5;<br/>92:24;96:13;107:6,<br/>15;112:16;137:17;<br/>156:10;165:11;170:9,<br/>11;177:17;187:3;<br/>198:5;203:12;209:18;<br/>215:18;216:5;221:6;<br/>232:22;242:20;<br/>244:24;245:8;248:14,<br/>24;249:10</p> <p><b>stated (8)</b> 24:18;<br/>28:11;63:3,3;96:6;<br/>101:20;128:4;245:15</p> <p><b>state-of-the-art (2)</b><br/>38:25;97:13</p> <p><b>state's (1)</b> 31:22</p> <p><b>Station (3)</b> 165:17;<br/>191:20;259:3</p> <p><b>statistics (2)</b> 146:5,9</p> <p><b>statutes (1)</b> 49:2</p> <p><b>stay (1)</b> 46:17</p> <p><b>staying (2)</b> 202:6;<br/>246:17</p> <p><b>step (3)</b> 25:14;31:13;<br/>165:1</p> <p><b>steps (2)</b> 14:2,10</p> <p><b>Stevens (8)</b> 197:20;<br/>198:7,8;201:4,19;<br/>203:12,14;206:11</p> <p><b>stick (1)</b> 239:22</p> <p><b>Still (47)</b> 4:18,19;5:13,<br/>21,22;6:14;8:25;9:1;<br/>16:23,24;21:25;<br/>22:25;23:1;25:12;<br/>36:19;58:21;75:11;<br/>95:19;102:11,12;<br/>117:12;119:11;147:7;<br/>156:3;160:18;163:5,<br/>6;174:2,4;186:9,10;<br/>205:6,25;208:21,22;<br/>214:24,25;220:9,10;<br/>232:1,2;241:6,7;<br/>258:7,8;260:13,14</p> <p><b>stimulate (1)</b> 151:25</p> <p><b>stipulate (2)</b> 170:13;<br/>176:17</p> <p><b>stop (7)</b> 46:19;95:20;<br/>96:25;118:8;168:9;<br/>219:16;227:12</p> <p><b>stops (6)</b> 119:1;150:7,<br/>11,13,15;184:20</p> <p><b>storage (25)</b> 46:25;<br/>49:12;50:8;53:2;<br/>172:4;192:18;193:7,<br/>14,14;194:18,20;<br/>195:11,13;202:12;<br/>223:1;226:9,12,24;<br/>227:9,15;228:19,23;<br/>229:7,17,19</p> <p><b>storage-utility (1)</b><br/>172:2</p> <p><b>store (31)</b> 83:25;</p> | <p>84:14;100:5;187:11,<br/>12;189:16,18;192:16;<br/>193:15;194:11;195:4,<br/>14;218:22;219:14,16;<br/>221:23;222:14,14,24;<br/>223:2;225:7,20;<br/>226:17,19,21;228:11,<br/>22,25;229:24;230:1,9</p> <p><b>stored (1)</b> 196:3</p> <p><b>stores (1)</b> 149:2</p> <p><b>stories (2)</b> 18:12;52:3</p> <p><b>storing (1)</b> 190:12</p> <p><b>storm (6)</b> 62:2;64:5;<br/>89:5;126:24;127:19;<br/>130:20</p> <p><b>Stormwater (10)</b> 60:3;<br/>61:2,9,9;62:20;83:16;<br/>126:14;127:4,7,22</p> <p><b>story (4)</b> 26:6,19,22;<br/>52:3</p> <p><b>straight (2)</b> 114:8;<br/>122:17</p> <p><b>strategy (1)</b> 257:10</p> <p><b>Street (124)</b> 6:6,23;<br/>7:1,4,7,10;9:9,13,17;<br/>10:18,23;13:2;15:5;<br/>17:12;28:10;29:9;<br/>58:1;103:16,17,18,<br/>19;108:25;109:17;<br/>111:5;114:10,17,18,<br/>19;118:4,12;122:10,<br/>16;126:11;150:9,10,<br/>11,13;155:22;164:13,<br/>17;168:9,11;177:1;<br/>183:20;184:13;<br/>186:20;187:6,10;<br/>191:11,12,15,15,16;<br/>192:7;193:4;197:20;<br/>198:8,12;200:5,5;<br/>201:4,4,19;203:4,12,<br/>14;206:4,4,11;207:7,<br/>9,9;209:4;211:14,19;<br/>212:4,5,14,20,22;<br/>213:7;215:8,21;<br/>216:7;217:3;218:9,<br/>13;220:18;221:12,24;<br/>222:6,15,21;223:3,14,<br/>15,25;225:23;226:18;<br/>228:1,9,17;229:13;<br/>230:1,3;231:7;233:3;<br/>234:6,8,22;237:16;<br/>258:20,21,22;259:1,2,<br/>2,9,11,13,16,18,21,23</p> <p><b>Streets (4)</b> 109:25;<br/>114:9;197:10;235:7</p> <p><b>stretcher (1)</b> 110:13</p> <p><b>strict (1)</b> 32:15</p> <p><b>strides (1)</b> 117:14</p> <p><b>strikes (1)</b> 91:13</p> <p><b>stripped (1)</b> 175:22</p> <p><b>structural (1)</b> 74:19</p> <p><b>structure (14)</b> 12:5;<br/>70:5;93:11;109:5,15;</p> | <p>111:8;178:15;179:19;<br/>180:4,4,6;250:15;<br/>252:6;253:12</p> <p><b>structures (2)</b> 125:2;<br/>141:11</p> <p><b>struggling (1)</b> 155:2</p> <p><b>Stuart (2)</b> 163:16;<br/>164:14</p> <p><b>stuck (1)</b> 197:2</p> <p><b>studies (2)</b> 69:11;<br/>136:9</p> <p><b>studio (1)</b> 153:15</p> <p><b>stuff (2)</b> 38:22;256:25</p> <p><b>style (1)</b> 74:19</p> <p><b>subdivided (2)</b> 205:3;<br/>206:17</p> <p><b>subdivision (3)</b><br/>204:16,17;205:5</p> <p><b>subject (9)</b> 23:22;<br/>24:6;26:2;28:20;<br/>99:6;110:1,16;<br/>114:19;212:7</p> <p><b>submission (6)</b> 34:7;<br/>132:12;135:23;140:2,<br/>4;162:13</p> <p><b>submit (9)</b> 31:17;34:4;<br/>35:17;108:6;132:14;<br/>133:25;136:21;<br/>144:19;197:13</p> <p><b>submitted (18)</b> 19:4;<br/>30:20,24,25;43:21;<br/>66:5;93:16;108:20;<br/>116:18;119:6,7;<br/>131:20;132:13;137:2;<br/>170:21;241:19;<br/>247:12;256:11</p> <p><b>submitting (2)</b> 29:25;<br/>160:13</p> <p><b>subparagraph (1)</b><br/>86:24</p> <p><b>substantial (8)</b> 70:25;<br/>84:15;98:22;158:13;<br/>181:7,18;252:17;<br/>256:12</p> <p><b>substantially (3)</b><br/>90:21;115:11;182:22</p> <p><b>suburbs (1)</b> 100:19</p> <p><b>sudden (1)</b> 196:4</p> <p><b>sufficient (6)</b> 87:2;<br/>126:7;137:24;153:23;<br/>177:20;251:15</p> <p><b>suitability (3)</b> 86:16;<br/>88:20;179:23</p> <p><b>suitable (2)</b> 12:3;<br/>84:24</p> <p><b>suited (5)</b> 88:25;<br/>90:19;154:15;178:14;<br/>180:2</p> <p><b>summarized (1)</b> 45:9</p> <p><b>summarizing (1)</b><br/>82:19</p> <p><b>Summary (5)</b> 80:1;<br/>90:23;143:6;216:22,</p> |
|---|--|---|--|--|

|   |  |   |  |   |
|---|--|---|--|---|
| <p>25<br/> <b>summation (1)</b> 97:4<br/> <b>Sunday (3)</b> 32:25;<br/> 33:1;47:21<br/> <b>Sunshine (2)</b> 4:4,5<br/> <b>super (4)</b> 92:5,7;<br/> 252:5;253:12<br/> <b>supplies (1)</b> 134:1<br/> <b>supply (3)</b> 104:19;<br/> 150:2;175:1<br/> <b>Support (12)</b> 25:5;<br/> 29:20;31:3,5,25;<br/> 86:17;146:6;150:20;<br/> 152:1;177:10;207:5;<br/> 223:2<br/> <b>supported (1)</b> 29:24<br/> <b>support (1)</b> 246:1<br/> <b>suppose (2)</b> 99:5;<br/> 197:5<br/> <b>sure (33)</b> 22:8;29:14;<br/> 30:12;32:11;35:2;<br/> 36:13;38:22;39:5;<br/> 42:10;53:20;54:19;<br/> 60:24;62:13;65:12,<br/> 13;80:2;107:8,14;<br/> 108:18;116:14;<br/> 128:23;130:5;135:13;<br/> 154:13;157:24;158:1;<br/> 166:17;183:9;188:25;<br/> 199:7;247:17;248:23;<br/> 250:5<br/> <b>surface (3)</b> 71:18;<br/> 127:7;192:19<br/> <b>surplus (1)</b> 86:12<br/> <b>surrounded (4)</b> 95:14;<br/> 212:7,11;213:4<br/> <b>surrounding (12)</b><br/> 83:12,14;84:16;<br/> 104:2,20;179:7;<br/> 181:8,10;191:9;<br/> 252:19,24;253:10<br/> <b>surveillance (4)</b><br/> 46:25;47:1;49:3;<br/> 96:23<br/> <b>survey (3)</b> 63:6;128:7;<br/> 130:3<br/> <b>Surveying (1)</b> 42:24<br/> <b>surveyor (3)</b> 42:21,25;<br/> 128:14<br/> <b>swear (6)</b> 9:25;10:3;<br/> 27:7,10;112:7;220:21<br/> <b>swear/affirm (1)</b> 216:1<br/> <b>sworn (5)</b> 27:19;<br/> 93:12;111:16;165:2;<br/> 209:9<br/> <b>sworn/affirmed (15)</b><br/> 10:10;17:25;27:15,<br/> 25;107:3;112:13;<br/> 165:8;186:25;198:2;<br/> 209:15;215:15;221:3;<br/> 232:19;245:5;248:11<br/> <b>system (10)</b> 36:8;<br/> 37:14;46:25;49:3;</p> | <p>60:4;64:5;66:25;<br/> 83:20;126:15;130:20<br/> <b>systems (2)</b> 62:18;<br/> 66:21</p> <p style="text-align: center;"><b>T</b></p> <p><b>table (1)</b> 142:18<br/> <b>tables (1)</b> 46:18<br/> <b>Takeout (14)</b> 23:24;<br/> 24:7,10;39:10;46:16;<br/> 85:11,14;86:14;<br/> 87:11;90:5;91:11,13;<br/> 93:2;101:16<br/> <b>takout-only (1)</b> 39:13<br/> <b>talent (1)</b> 41:12<br/> <b>talk (14)</b> 11:16;33:15;<br/> 34:11;35:22;82:20;<br/> 85:3;86:23,24;89:3;<br/> 92:11;120:5;170:4;<br/> 171:5;247:5<br/> <b>talked (4)</b> 40:21;<br/> 218:21;250:6;252:11<br/> <b>talking (5)</b> 40:21,23;<br/> 225:15;235:25;<br/> 237:17<br/> <b>talks (2)</b> 85:12,17<br/> <b>tall (2)</b> 18:12;73:17<br/> <b>Tameeka (1)</b> 4:20<br/> <b>tamper (1)</b> 68:20<br/> <b>targeted (2)</b> 146:12;<br/> 147:5<br/> <b>tasked (1)</b> 256:8<br/> <b>tax (16)</b> 97:25;<br/> 116:24;117:1,5;<br/> 118:19;119:2;139:3,<br/> 3;157:13,13,17,18,24;<br/> 158:3,5;241:23<br/> <b>taxes (5)</b> 157:14,16,<br/> 20,22;158:4<br/> <b>Taylor (35)</b> 7:17,18;<br/> 197:20,20,22;198:1,2,<br/> 7,13,14;200:17;<br/> 201:8,11,14,17;<br/> 202:10,13,17,20;<br/> 203:6,13,19;204:3,15,<br/> 18;205:9,15;206:1,<br/> 24;207:3,18,20,24;<br/> 208:6;209:2<br/> <b>Taylor's (1)</b> 199:14<br/> <b>TBD (1)</b> 53:16<br/> <b>Team (1)</b> 63:25<br/> <b>technically (1)</b> 250:11<br/> <b>technology (2)</b> 35:14;<br/> 42:24<br/> <b>telling (1)</b> 133:20<br/> <b>template (1)</b> 126:6<br/> <b>temporary (2)</b> 187:12,<br/> 13<br/> <b>ten (10)</b> 32:21;<br/> 205:18;233:18;<br/> 239:14,15,16,19;<br/> 240:2,3;253:16</p> | <p><b>tenant (6)</b> 26:8,11,12;<br/> 224:11,16,16<br/> <b>tenants (4)</b> 26:19;<br/> 168:4;179:10;217:7<br/> <b>terms (8)</b> 89:17;<br/> 145:11;148:5;153:23;<br/> 177:8;181:2;243:5;<br/> 244:18<br/> <b>testified (18)</b> 10:10;<br/> 11:1;17:25;27:16,25;<br/> 107:3,18;112:14;<br/> 165:8;186:25;192:15;<br/> 198:3;209:16;215:15;<br/> 221:3;232:19;245:5;<br/> 248:12<br/> <b>testify (5)</b> 9:24;10:4;<br/> 11:10;106:13,19<br/> <b>testifying (1)</b> 133:25<br/> <b>testimony (58)</b> 11:20;<br/> 13:4;25:18;26:20;<br/> 27:6;40:11;44:14;<br/> 45:2;47:6;60:9;65:3,<br/> 7;67:2;68:11;69:10;<br/> 70:6;72:17;74:21;<br/> 77:17;78:20,23;79:3;<br/> 81:23;90:24;91:5;<br/> 97:21;98:6,7,23;<br/> 113:14;114:5;115:13;<br/> 116:4,9;118:18;<br/> 121:21;126:19;<br/> 133:22;136:8;137:3,<br/> 23;140:16,22;141:2;<br/> 145:5;149:14;150:16;<br/> 158:13;166:1;183:23;<br/> 211:22;218:14,19;<br/> 243:7,8;244:15;<br/> 250:4;256:10<br/> <b>Thanks (2)</b> 56:5;<br/> 215:4<br/> <b>theirs (1)</b> 65:22<br/> <b>theme (1)</b> 111:9<br/> <b>therapists (1)</b> 246:14<br/> <b>therefore (1)</b> 24:25<br/> <b>thinking (4)</b> 76:1;<br/> 134:15;205:7;228:18<br/> <b>third (21)</b> 8:4;11:5,11;<br/> 12:21;26:6,18,22;<br/> 44:12;53:19,21;55:7;<br/> 94:10;99:12,22;<br/> 104:5;109:11,25;<br/> 110:15;123:7;173:24;<br/> 174:3<br/> <b>through (1)</b> 30:15<br/> <b>Though (5)</b> 44:16;<br/> 75:10;77:13;97:10;<br/> 185:2<br/> <b>thought (8)</b> 80:5;<br/> 109:6;110:25;138:1;<br/> 168:14;224:19;225:1,<br/> 4<br/> <b>thoughts (1)</b> 194:17<br/> <b>thousand (1)</b> 250:12<br/> <b>three (27)</b> 34:8;36:17;</p> | <p>79:21;85:18,19;<br/> 106:11;116:24;119:1;<br/> 156:13;160:14;<br/> 164:20,22;167:18;<br/> 168:6;171:19;177:13;<br/> 182:25;183:25;<br/> 191:17;201:18;<br/> 202:22;205:9;225:14;<br/> 228:15;233:18,18;<br/> 242:16<br/> <b>three-foot (2)</b> 234:16,<br/> 17<br/> <b>three-story (2)</b> 26:4,10<br/> <b>throughout (4)</b> 12:10;<br/> 33:10;43:7;175:18<br/> <b>throwing (1)</b> 37:25<br/> <b>Thus (2)</b> 123:22;<br/> 141:18<br/> <b>tie (1)</b> 156:24<br/> <b>Tied (2)</b> 147:20;154:5<br/> <b>ties (1)</b> 145:20<br/> <b>times (9)</b> 20:13;47:5;<br/> 49:6;82:9;96:3;<br/> 146:19;184:5;235:22,<br/> 24<br/> <b>tiny (1)</b> 200:15<br/> <b>tired (1)</b> 90:5<br/> <b>tobacco (2)</b> 46:8,9<br/> <b>today (13)</b> 15:12;<br/> 38:23;85:23,24;<br/> 198:9;200:19;201:16;<br/> 202:18;205:19;<br/> 218:21;223:12,18;<br/> 234:21<br/> <b>together (2)</b> 145:21;<br/> 256:24<br/> <b>tolling (1)</b> 164:6<br/> <b>tonight (39)</b> 5:7;7:24,<br/> 25;9:9,11;17:14;21:7;<br/> 26:23;34:5,20;64:2;<br/> 82:14;98:17,23;<br/> 103:25;106:11;<br/> 133:22;135:18,22;<br/> 158:9;159:7;183:18,<br/> 23;193:3,6;198:16;<br/> 206:9,13,19;213:6,9;<br/> 216:2;218:8,11;<br/> 229:11,15;234:18;<br/> 256:4,8<br/> <b>tonight's (2)</b> 163:25;<br/> 166:7<br/> <b>took (1)</b> 190:5<br/> <b>top (4)</b> 147:20,21;<br/> 172:19;234:12<br/> <b>torn (1)</b> 201:23<br/> <b>total (8)</b> 33:17;78:13;<br/> 109:3;110:17;117:11;<br/> 121:1;156:2;254:20<br/> <b>totally (1)</b> 203:24<br/> <b>totals (1)</b> 85:22<br/> <b>touch (4)</b> 105:18;<br/> 135:18;145:5;180:15<br/> <b>towards (5)</b> 100:11;</p> | <p>109:8;147:15;149:9;<br/> 189:3<br/> <b>town (2)</b> 66:14,17<br/> <b>townhome (1)</b> 13:8<br/> <b>townhouse (1)</b> 12:1<br/> <b>towns (2)</b> 65:15;66:19<br/> <b>tracked (5)</b> 37:9,12,<br/> 15,17;38:2<br/> <b>traditional (1)</b> 159:19<br/> <b>traffic (7)</b> 33:10;69:5;<br/> 125:3;135:15;136:1,<br/> 4,5<br/> <b>trailers (1)</b> 48:11<br/> <b>train (1)</b> 41:15<br/> <b>trained (1)</b> 42:11<br/> <b>training (4)</b> 29:21;<br/> 41:13,22;250:25<br/> <b>transit (3)</b> 150:19;<br/> 183:2;226:15<br/> <b>translate (1)</b> 215:24<br/> <b>translation (1)</b> 216:2<br/> <b>Transportation (10)</b><br/> 54:23;59:20;81:14;<br/> 116:3;117:21,23;<br/> 118:7;119:13;124:8,<br/> 12<br/> <b>trap (2)</b> 15:19;16:25<br/> <b>trash (18)</b> 20:20;37:1,<br/> 21,23,23;38:1,10,11;<br/> 69:21,24;70:13;81:3;<br/> 137:5,7,14,15,25;<br/> 194:18<br/> <b>travel (2)</b> 184:20;<br/> 229:25<br/> <b>Tree (10)</b> 65:14,16;<br/> 66:2,6,12;238:25;<br/> 239:11,12,21,22<br/> <b>trees (9)</b> 65:4,4,8,11;<br/> 66:16;70:14;92:4,6;<br/> 131:22<br/> <b>trench (1)</b> 126:25<br/> <b>triangle (1)</b> 238:13<br/> <b>triggering (2)</b> 82:17;<br/> 148:6<br/> <b>triggers (3)</b> 24:15;<br/> 73:7;148:4<br/> <b>triplexes (1)</b> 12:2<br/> <b>troopers (1)</b> 255:6<br/> <b>trouble (1)</b> 182:21<br/> <b>truck (1)</b> 205:13<br/> <b>trucks (4)</b> 137:25;<br/> 138:3,4;230:3<br/> <b>true (7)</b> 78:8;216:2,<br/> 23,24;217:1,21;<br/> 245:15<br/> <b>try (4)</b> 96:8;134:7;<br/> 210:18;215:25<br/> <b>trying (17)</b> 15:24;<br/> 21:2;22:1;66:15;<br/> 71:14;99:18;100:18;<br/> 157:1;160:20;161:5;<br/> 223:4;224:20;226:21;<br/> 228:8;233:14;237:13;</p> |
|---|--|---|--|---|

|   |   |   |   |  |
|---|---|---|---|--|
| <p>255:22<br/><b>T's (1)</b> 159:13<br/><b>turn (6)</b> 11:15;32:4;<br/>99:15;109:14;160:9;<br/>238:10<br/><b>turned (1)</b> 135:8<br/><b>turning (3)</b> 126:6;<br/>202:3;205:22<br/><b>turns (1)</b> 224:18<br/><b>twice (3)</b> 137:12,16;<br/>138:13<br/><b>twin (1)</b> 201:22<br/><b>two (62)</b> 6:16;7:23;<br/>11:3;12:19;16:24;<br/>18:12;24:14;37:22;<br/>52:2,22;58:22;60:4;<br/>63:16;78:6;82:15;<br/>89:1;94:2;104:8;<br/>111:8;116:19;121:5;<br/>126:15;140:4;143:7;<br/>145:15;147:21,25;<br/>148:3;150:11,13;<br/>156:12,13;164:21;<br/>166:9;167:21;168:12;<br/>172:17;198:18;200:2,<br/>6,8,12,12;201:7,10,<br/>24;205:14;206:14,19;<br/>208:5,6;210:19,20;<br/>222:17;228:16;<br/>229:16;230:22;<br/>233:10;244:16;<br/>252:10;254:7,24<br/><b>two-part (1)</b> 95:24<br/><b>two-way (2)</b> 114:11;<br/>234:22<br/><b>Tying (1)</b> 149:12<br/><b>type (21)</b> 20:14;25:2;<br/>32:18;44:11;53:18;<br/>55:19;59:18;110:20;<br/>121:22;122:5;149:4,<br/>6;152:3;155:13,19;<br/>179:15;188:19;194:4;<br/>233:11;236:15;<br/>254:14<br/><b>types (5)</b> 29:13;37:23;<br/>83:8;98:1;153:4<br/><b>typical (6)</b> 32:8;38:11;<br/>67:13;71:10;76:18;<br/>136:5<br/><b>typically (5)</b> 124:20;<br/>132:25;139:17;178:3;<br/>214:6<br/><b>typologies (1)</b> 12:9</p> | <p>21;45:8;84:17;85:10;<br/>86:2;89:21;96:5,13;<br/>121:2;132:23;137:17;<br/>139:24;140:9;146:3;<br/>157:21;183:14;<br/>210:12;226:13;<br/>250:22;253:8<br/><b>underground (1)</b><br/>56:22<br/><b>underlined (1)</b> 39:18<br/><b>underlying (1)</b> 182:8<br/><b>undersized (2)</b> 24:22;<br/>73:5<br/><b>Understood (11)</b><br/>15:13;53:4;128:2;<br/>130:12,17,18;131:10;<br/>133:21;134:10;136:6;<br/>140:14<br/><b>underutilized (2)</b><br/>12:13;105:14<br/><b>unfair (1)</b> 26:14<br/><b>unfortunate (1)</b> 146:19<br/><b>unions (1)</b> 41:23<br/><b>unique (2)</b> 181:25;<br/>222:5<br/><b>unit (26)</b> 11:5,6,11,14;<br/>12:21;14:3;16:6;<br/>168:1,7;171:4,8,20;<br/>172:20,21,23,25;<br/>173:1,16,18,19,20,23;<br/>174:6,7,8;229:19<br/><b>units (7)</b> 12:19;16:12;<br/>154:14;173:15,22;<br/>179:15;191:9<br/><b>University (2)</b> 42:22;<br/>170:6<br/><b>unknown (3)</b> 26:13;<br/>44:13;55:8<br/><b>unless (13)</b> 40:12;<br/>45:17;71:13;81:21;<br/>95:17;121:7;132:23;<br/>152:24;167:15;<br/>169:17;174:22;<br/>230:25;240:10<br/><b>unlike (1)</b> 180:23<br/><b>unlivable (1)</b> 185:14<br/><b>unload (3)</b> 226:17;<br/>228:10;230:4<br/><b>unloading (1)</b> 121:22<br/><b>unmarked (1)</b> 36:15<br/><b>unmet (1)</b> 105:12<br/><b>unnecessary (1)</b><br/>85:16<br/><b>unproductive (1)</b> 90:3<br/><b>unreasonable (1)</b><br/>159:25<br/><b>unregulated (1)</b> 50:15<br/><b>up (59)</b> 9:11;11:21;<br/>15:22;18:25;19:10,<br/>11;28:4,5;34:1;41:10;<br/>56:2;57:10;84:2;<br/>87:11;94:3;101:13;<br/>108:14;137:13;138:3,</p> | <p>6;140:15;148:15;<br/>153:3;154:12;165:1,<br/>13;169:22;170:1,4;<br/>171:6;174:5,24;<br/>176:9;193:19;194:5;<br/>205:14;207:12;210:5;<br/>217:15;218:23,24;<br/>219:13,17,18;224:17;<br/>225:5;226:24;228:16;<br/>229:10;230:11;231:5;<br/>234:5;235:16;236:17;<br/>244:22;248:2;253:19;<br/>256:19;257:2<br/><b>update (2)</b> 30:10;<br/>141:9<br/><b>updated (3)</b> 100:5;<br/>247:14;251:12<br/><b>upgrade (1)</b> 84:22<br/><b>upgrades (1)</b> 131:3<br/><b>upon (5)</b> 43:14;47:3;<br/>124:6;160:18;218:18<br/><b>upper (4)</b> 85:4;<br/>110:18;137:23;<br/>210:21<br/><b>upstairs (1)</b> 12:20<br/><b>up-to-par (1)</b> 252:24<br/><b>urban (2)</b> 87:25;<br/>148:14<br/><b>use (200)</b> 7:21;9:18,<br/>22;11:16;12:3,6,9;<br/>18:15;19:1,25;21:9,<br/>15;23:17,17;24:10,<br/>12,15,19,23;25:2,3;<br/>26:12,15;28:20;32:5,<br/>10;38:1,19;44:3,5,17,<br/>22,22;45:5;48:2;<br/>53:18;54:17,18;<br/>55:10;59:19;62:7;<br/>70:10,11;74:10,13;<br/>75:24;76:10;78:24;<br/>80:16,16,20;83:10,<br/>24;84:4,7,9,10,18,25;<br/>86:22;87:4;88:10,13,<br/>25;89:10,15;90:18;<br/>98:24;99:10;105:20,<br/>23;106:6;109:5;<br/>113:14;114:6;116:10;<br/>120:6;126:2;141:18;<br/>143:9,13;144:22,25;<br/>145:16,17,21,25;<br/>146:6,17,21;147:3,8,<br/>16,24,24,25;148:2,4,<br/>6,25;149:9;152:3;<br/>158:14,18;161:21,24;<br/>164:18,19;171:17,17;<br/>172:2,2;176:21;<br/>177:6,8,10,11,12,14,<br/>16;178:2,4,10,11,15,<br/>22;179:6,12,17,20,21;<br/>180:2,5,7,11;181:20,<br/>23;182:1,4,6,9,11;<br/>183:15,24;187:12,13,<br/>14,25;188:7;192:13;</p> | <p>193:6;198:19;204:5;<br/>206:13,15,20;207:5;<br/>213:12;218:12,18;<br/>222:11,17,18,21,22,<br/>25;226:9,17;228:16,<br/>18,19;229:15,16;<br/>241:20;242:2,4,14,<br/>24;249:10,24;250:22;<br/>252:2,22;253:22;<br/>254:11,16;255:4;<br/>256:9;257:10,11,16;<br/>258:19;259:4,6,8,12,<br/>14,19,22<br/><b>used (21)</b> 30:18;<br/>36:16;153:20;176:4;<br/>187:14,14;188:5;<br/>191:18;201:22;206:2;<br/>216:11;218:15;<br/>219:14,17,18;223:1,<br/>7;224:7;226:9;<br/>233:11;249:7<br/><b>user (1)</b> 151:13<br/><b>users (1)</b> 101:4<br/><b>uses (38)</b> 24:14;<br/>26:21;44:12,18,18;<br/>48:18;74:12;78:25;<br/>82:15;84:16,19;85:1,<br/>5;87:3,5;98:2;99:11;<br/>113:6;121:17;141:11;<br/>149:4;151:25;177:7,<br/>23;178:20;180:21,22;<br/>181:12,13;198:18;<br/>206:14,20;222:17;<br/>229:16;251:17;<br/>252:10,25;253:11<br/><b>using (4)</b> 20:18;<br/>123:5;227:12;228:9<br/><b>usually (6)</b> 36:16;<br/>122:24;138:5;154:10;<br/>155:1;184:20<br/><b>utilities (10)</b> 16:2;<br/>63:15,17;88:2,12,23;<br/>129:15;144:8;172:5;<br/>175:9<br/><b>utility (6)</b> 16:14,16;<br/>56:22,23;131:12;<br/>243:5<br/><b>utilization (2)</b> 131:22;<br/>150:17<br/><b>utilize (5)</b> 41:6;53:1;<br/>115:16,19;121:5<br/><b>utilized (2)</b> 104:5;<br/>119:9<br/><b>utilizing (2)</b> 61:11;<br/>127:9</p> | <p>202:23,23,24;205:17;<br/>206:2<br/><b>vacated (1)</b> 111:5<br/><b>van (1)</b> 36:16<br/><b>vandalism (1)</b> 175:23<br/><b>variance (137)</b> 7:21;<br/>9:18,22;23:17,18,19;<br/>24:16,17,25;44:22;<br/>50:23;51:14;52:14;<br/>53:9,14;54:17,18;<br/>56:10,57:15,23;<br/>59:22;60:2;65:19;<br/>67:14;68:2,8;71:24;<br/>72:13,25;73:8,23;<br/>74:4,14,16;80:8,13;<br/>82:15,18;83:3,4,10;<br/>84:4;98:24,24;<br/>105:18,20,24;106:1,1,<br/>2,2;113:8,12,12,14;<br/>114:1,3,7;115:8;<br/>116:10;117:13;120:2,<br/>3,21;121:6,8,14,15,<br/>21,23;124:1,2,19;<br/>125:7,24;132:19;<br/>133:2,5,18;134:5,6;<br/>141:22,25;143:8,9,<br/>17;144:22;145:6,17,<br/>18;159:18;160:6,25;<br/>161:22,25;164:18,18,<br/>21;176:21,22;177:5,<br/>8,11,11;180:15,16,17;<br/>187:25;193:6;198:19;<br/>206:14,20,21;241:20,<br/>20;242:2,3,24,25;<br/>246:22;249:24,25;<br/>250:7;254:13,15;<br/>255:19,20;256:9;<br/>258:19;259:4,10,14,<br/>14,17,19,20<br/><b>variances (36)</b> 9:18,<br/>19;13:7,20;51:4;80:2,<br/>15;82:19,21,25;83:5,<br/>8;90:16;99:3;105:18;<br/>106:6,20,21;143:6,<br/>13;145:1,15;158:14,<br/>18;163:10;183:24;<br/>184:3;198:20;199:10;<br/>210:13;213:10;<br/>222:16;228:9;229:16;<br/>250:20;254:14<br/><b>variations (2)</b> 257:9,<br/>16<br/><b>variety (4)</b> 87:3;<br/>151:25;177:21;<br/>251:16<br/><b>various (2)</b> 178:7;<br/>213:10<br/><b>vehicle (3)</b> 59:10;<br/>61:4;127:6<br/><b>vehicles (7)</b> 49:20;<br/>77:19;126:7;187:11,<br/>12;195:17,18<br/><b>vehicular (1)</b> 132:6</p> |
| <p style="text-align: center;"><b>U</b></p> <p><b>ugly (1)</b> 148:22<br/><b>ultimately (2)</b> 97:7,10<br/><b>ummet (1)</b> 104:15<br/><b>unable (1)</b> 45:16<br/><b>unanimous (1)</b> 7:22<br/><b>under (25)</b> 15:1;<br/>24:16;30:20;44:5,19,</p>  | <p style="text-align: center;"><b>V</b></p> <p><b>vacant (20)</b> 12:4,16;<br/>21:20,21;103:24;<br/>104:18;105:12;109:3;<br/>177:4;180:4;182:20;<br/>190:1,2;192:2,3;</p>   |   |   |  |

|  |   |  |  |   |
|--|---|--|--|---|
| <p>vendors (3) 226:16; 228:10,15<br/>veneer (1) 142:9<br/>Ventnor (1) 248:17<br/>verge (1) 205:16<br/>verification (2) 30:18; 139:6<br/>Vernick's (2) 43:19; 113:3<br/>versus (2) 151:10; 155:23<br/>vertical (5) 63:3; 128:4,4,11;137:24<br/>viable (3) 104:23; 105:7;180:7<br/>Vice-Chairman (97) 4:11;8:19,20;12:22; 15:14;20:2,7,11; 21:18,25;22:13,20, 21;75:6,9,13,24;76:3, 7,14,16;77:8;93:5; 99:17;100:2;101:18, 21,25;102:5,6; 122:13,19;155:15,24; 161:4;162:18,22,23; 169:18;174:23;176:1, 4;184:4,8,11;185:5; 186:1,2;188:18; 192:21;193:18,23; 194:1,4,13;195:1; 196:18,22;200:6,9; 203:11;208:13,14; 213:15;214:16,17; 220:1,2;224:6;225:6, 10;227:3,19;228:5; 229:4,9;230:20; 231:11,18,19;234:14; 236:3,12;237:4,9,15, 20,23;240:10,19,23, 24;247:1;257:24,25; 260:5,6<br/>Vid (23) 27:4,23; 43:23,25;44:1;60:13, 16,21,24;66:10,17; 70:9;71:11;72:2; 74:22,25;75:4;78:6, 15;93:17;94:25; 95:13;96:20<br/>video (3) 46:25;47:1; 49:3<br/>view (9) 70:24;178:9; 198:24;199:1,19,20, 21,23;200:3<br/>Village (1) 246:2<br/>Vine (1) 259:18<br/>Vineland (1) 221:9<br/>vinyl (10) 75:6,10,14, 17;76:11;77:12; 235:11;237:17,18,19<br/>vinyl-coated (1) 87:18<br/>violate (1) 151:7<br/>Vision (4) 6:5;9:7,12; 17:12</p> | <p>visit (2) 154:25;155:1<br/>visiting (1) 118:2<br/>visual (8) 87:9,23; 152:16,17,20;162:7, 9;251:13<br/>visually (1) 101:11<br/>vitality (1) 253:14<br/>voice (3) 165:15; 170:4;171:6<br/>vote (15) 5:14;7:22; 8:6,16;22:17;102:3; 162:20;185:23; 208:10;214:14; 219:23;231:15; 240:20;257:21;260:2<br/>voted (1) 32:12</p> <hr/> <p style="text-align: center;"><b>W</b></p> <hr/> <p>wage (3) 34:3;42:10; 90:9<br/>wait (5) 49:16,20; 65:7;78:3;113:16<br/>waiting (10) 6:14,15; 25:23;116:20;118:18, 19;119:2;175:21; 224:20;255:7<br/>waive (1) 164:8<br/>waiver (22) 54:8,8; 64:22;69:25;70:15; 71:4,7,8;80:8,10; 81:4;106:9;121:20; 131:23,25;132:1; 143:22;162:2;188:2; 193:8;259:5,15<br/>waivers (7) 51:5;80:2, 6;81:2;98:24;143:7; 158:15<br/>waives (1) 164:6<br/>walk (5) 34:18;161:7; 176:21;184:21;250:2<br/>walkable (1) 105:7<br/>walked (3) 205:13; 239:4,5<br/>walking (5) 116:3; 150:8;183:2;219:15, 16<br/>wall (5) 71:18,20,23; 213:5;242:11<br/>wall-mounted (4) 135:1;244:3;247:10; 249:21<br/>walls (2) 13:10; 142:14<br/>Walnut (1) 259:2<br/>WANAMAHER (7) 10:8,22,22,25;11:21, 22;12:17<br/>wants (9) 31:13;35:3; 99:20;192:13,16; 196:7;202:3;216:23; 219:12<br/>warehouse (1) 227:21</p> | <p>warehousing (2) 222:8,11<br/>warm (1) 214:3<br/>warrant (1) 152:4<br/>warranted (1) 152:12<br/>warranting (1) 113:11<br/>warrants (1) 182:16<br/>waste (12) 37:1,3,4, 18,19,24;38:4,6,12; 137:4,13;149:19<br/>watched (1) 229:2<br/>water (17) 16:2,9,11; 19:16,18;60:15; 63:17;129:17,17; 175:17,19;188:23; 189:2,5;192:20; 244:12;252:12<br/>waterfront (3) 254:6; 255:22,23<br/>way (22) 5:3;39:4,4; 43:15;50:6;85:11; 92:16;93:6,6;94:18, 20,21,25;95:7,14; 119:22;150:6;196:11; 200:12;202:16;204:7; 230:14;235:11;237:3, 8;238:4,21<br/>Way/9 (2) 7:13;256:5<br/>wear-with-all (1) 25:10<br/>Wednesday (1) 4:7<br/>weeds (3) 57:9; 223:13;230:11<br/>week (4) 137:12,12, 16;138:13<br/>Welcome (4) 4:2,23; 43:24;107:23<br/>welcoming (1) 218:23<br/>welfare (10) 88:16; 104:22;145:25; 149:11,12;177:19; 180:12;181:18;251:3, 5<br/>well-constructed (1) 101:16<br/>well-lit (1) 92:22<br/>well-needed (1) 161:14<br/>well-suited (1) 252:2<br/>west (4) 83:24;89:9; 221:9;256:1<br/>what's (22) 15:7;26:5; 32:15;46:15;51:7; 85:24;86:4,8;88:4; 89:2;133:24;142:11; 145:19;152:18;158:5, 20;188:12;193:18; 197:11;237:5;247:7, 18<br/>wheel (1) 138:5<br/>wheeled (1) 138:2<br/>Wheels (1) 122:24<br/>Whenever (2) 148:7;</p> | <p>226:19<br/>wherever (1) 125:3<br/>whichever (2) 71:22; 141:16<br/>whole (12) 31:17; 71:3;94:16;96:24,25; 105:21;200:10; 202:21;219:2;222:16; 238:16;239:5<br/>whose (1) 168:12<br/>wide (7) 56:7,9;57:2, 3;59:5;125:5;222:6<br/>wider (1) 57:19<br/>width (7) 9:19;51:9; 82:23;106:7;121:10; 125:4;143:14<br/>wil (1) 172:3<br/>William (3) 103:9; 251:8;259:15<br/>Williams (1) 122:16<br/>willing (7) 11:9;21:19; 123:10;133:23; 146:23;159:17;223:4<br/>Wilson (57) 6:13; 23:16;33:6;39:2; 48:20;54:24;56:15; 57:18;58:19;76:9,19; 77:1,7;83:21;87:16; 88:11,22;95:4;98:19; 100:3,14;101:13; 220:19,19,23;221:10, 14,17,20,22;222:1,3; 223:8,17,21;224:3,10, 13,25;225:4,11,19,22; 226:6;227:2,5,17,21, 25;228:7,13,22; 229:6;230:7;231:3, 10;232:7<br/>WILTSEY (21) 6:7; 9:14,15;10:4,24; 12:18,24;13:4,9,12, 16,19,24;14:16,19; 15:3,13,17;16:22; 17:8,18<br/>win (1) 98:8<br/>wind (1) 228:16<br/>windows (9) 35:8; 71:20;111:10,24,25; 112:2,3,5;142:13<br/>wishes (1) 11:5<br/>within (23) 24:19; 32:19;46:3;48:4; 57:17;68:19;83:16; 104:20;113:6;116:3, 17;120:18;129:25; 141:21;145:10;147:1; 149:8;150:7;160:15; 161:2;181:20;182:5; 183:2<br/>without (9) 8:4,7,12, 14;9:6;68:21;133:17; 171:14;200:20<br/>witness (11) 10:24;</p> | <p>106:22;107:20; 169:17;174:22; 198:14;220:22; 242:17;243:9,10; 244:23<br/>witnesses (9) 9:23; 27:19;106:11,12; 111:15;112:7;164:22; 209:9;242:17<br/>wonderful (1) 82:18<br/>wondering (1) 257:1<br/>words (1) 83:4<br/>work (28) 13:23; 19:12,14,15;21:1,3; 28:4;35:24;41:23,24; 42:1,11;97:20; 107:12;110:2;155:5; 160:18;183:5,5; 194:8;204:4;223:23; 230:6,8,8;233:11; 236:20;253:20<br/>worked (4) 245:24; 253:19;254:7;257:11<br/>workers (1) 149:3<br/>working (15) 28:17, 22;29:18;41:25; 97:24;116:16,24; 117:2,3,4,6;118:3; 119:3,4;155:4<br/>works (2) 205:21; 231:4<br/>worries (1) 6:15<br/>worse (2) 58:10;153:9<br/>worship (1) 46:1<br/>wrapping (1) 151:5<br/>Wright (5) 224:7,10, 14,18;228:2<br/>written (3) 85:12; 86:10;139:6<br/>wrong (1) 159:11<br/>wrought (1) 206:6</p> <hr/> <p style="text-align: center;"><b>X</b></p> <hr/> <p>XVIII (2) 62:21;127:23</p> <hr/> <p style="text-align: center;"><b>Y</b></p> <hr/> <p>yard (37) 14:10;17:3; 52:6,11,12,13,18,19; 53:5;73:22;80:21; 82:24;106:1,1,2; 114:2,2,3;141:12,13, 15,21;143:10,10,11; 151:4;161:23,23,24; 198:20;201:21;206:7, 21;224:25;225:4; 233:18;239:5<br/>yards (2) 13:13; 141:22<br/>Yays (1) 260:22<br/>year (6) 47:1;49:4; 120:18;141:14;195:9;</p> |
|--|---|--|--|---|



|   |  |  |  |   |
|---|--|--|--|---|
| <p>223:8<br/><b>year-round (3)</b> 70:13, 17;81:4<br/><b>years (22)</b> 22:6; 23:25;49:9;58:9; 82:7;88:1;99:19; 146:17;160:15; 166:17;184:21;202:1; 204:5;205:18;217:18; 221:19,20;226:10; 233:10;249:3,7; 253:16<br/><b>yellow (3)</b> 190:7; 219:10;230:14<br/><b>yes' (2)</b> 49:4;188:4<br/><b>Yordys (9)</b> 7:3;209:3, 6,14,20,20;211:17,21; 212:12<br/><b>York (3)</b> 107:16; 170:6,9<br/><b>youth (1)</b> 246:1<br/><b>Ysbal (1)</b> 4:16</p>  | <p><b>08110 (1)</b> 209:25<br/><b>08360 (1)</b> 221:9</p>  | <p><b>15 (6)</b> 33:16;73:2; 101:6;179:2;187:19; 222:7<br/><b>1542 (1)</b> 259:7<br/><b>1575 (3)</b> 7:3;209:4; 213:7<br/><b>163 (1)</b> 9:17<br/><b>174 (1)</b> 72:2<br/><b>178 (1)</b> 201:25<br/><b>18 (2)</b> 121:13;199:3<br/><b>19 (1)</b> 110:19<br/><b>1900 (4)</b> 18:20,21; 19:21;20:1<br/><b>1900's (1)</b> 21:13<br/><b>19066 (1)</b> 165:18<br/><b>19116 (1)</b> 18:6<br/><b>19122 (1)</b> 10:16<br/><b>1929 (2)</b> 63:5;128:6<br/><b>1956 (1)</b> 226:7<br/><b>1983 (2)</b> 128:21; 140:5<br/><b>1988 (2)</b> 63:4;128:5<br/><b>1990-1991 (1)</b> 205:15<br/><b>1991 (1)</b> 248:24<br/><b>1995 (1)</b> 249:1<br/><b>1-bedroom (5)</b> 11:6,8; 164:20;167:18; 182:25<br/><b>1-bedrooms (1)</b> 168:6<br/><b>1-story (1)</b> 198:16</p>                                | <p><b>2357 (1)</b> 215:20<br/><b>23rd (1)</b> 28:10<br/><b>24 (4)</b> 43:21;72:1,3; 254:21<br/><b>247 (1)</b> 156:12<br/><b>245 (1)</b> 165:20<br/><b>25 (8)</b> 52:7;68:10,13, 15;71:21;141:14; 169:1;225:25<br/><b>250 (1)</b> 50:4<br/><b>25th (1)</b> 43:19<br/><b>25-year (4)</b> 62:2,14, 14;127:19<br/><b>264 (1)</b> 259:13<br/><b>26-foot (1)</b> 222:6<br/><b>27 (1)</b> 249:2<br/><b>27th (3)</b> 258:20,21,21<br/><b>28 (5)</b> 54:13;55:21; 85:9,23;86:10<br/><b>29 (1)</b> 245:21<br/><b>2907 (1)</b> 9:9<br/><b>2937 (1)</b> 10:22<br/><b>2-bedroom (1)</b> 11:3<br/><b>2-bedrooms (1)</b> 12:20<br/><b>2nd (1)</b> 259:1<br/><b>2-stories (1)</b> 148:18</p>   | <p><b>390 (1)</b> 111:21<br/><b>3-story (1)</b> 199:15</p>  |
| <p style="text-align: center;"><b>Z</b></p>   | <p style="text-align: center;"><b>1</b></p> <p><b>1 (16)</b> 29:17;63:13; 69:18;136:13,15,18, 23;137:1;140:16; 146:6;164:17;172:20, 25;173:1;199:10; 241:23<br/><b>1,000 (1)</b> 51:7<br/><b>1,277 (2)</b> 254:19,20<br/><b>1,338 (1)</b> 18:11<br/><b>1/2 (1)</b> 73:3<br/><b>10 (11)</b> 50:4;53:8; 59:13;66:22;67:1; 80:24;101:6;113:10, 10;123:21;179:2<br/><b>10,000 (1)</b> 121:17<br/><b>10,900 (1)</b> 110:17<br/><b>10.7 (1)</b> 52:14<br/><b>10:00 (1)</b> 47:21<br/><b>10:45 (1)</b> 260:24<br/><b>100 (4)</b> 59:14;72:4; 123:21;187:11<br/><b>105.77 (1)</b> 51:10<br/><b>1058 (1)</b> 164:17<br/><b>1060 (3)</b> 6:4;8:1; 221:14<br/><b>108 (1)</b> 259:16<br/><b>11 (1)</b> 144:1<br/><b>11.3 (1)</b> 53:8<br/><b>1120 (1)</b> 28:10<br/><b>1178 (1)</b> 107:9<br/><b>119 (1)</b> 112:19<br/><b>12 (18)</b> 81:7;85:8,21; 86:11;109:17;115:6; 117:19;119:12;121:3; 144:1;150:2,21; 151:2,10;156:20,21; 187:10,19<br/><b>120 (1)</b> 209:24<br/><b>120-some (1)</b> 120:11<br/><b>1221 (1)</b> 23:16<br/><b>1237 (1)</b> 10:16<br/><b>1254 (1)</b> 9:17<br/><b>1257 (1)</b> 10:18<br/><b>13 (3)</b> 81:7;85:22; 113:3<br/><b>13,960 (1)</b> 103:23<br/><b>13,964 (1)</b> 109:4<br/><b>1302 (1)</b> 18:5<br/><b>137 (3)</b> 115:5;117:11; 151:10<br/><b>139.01 (1)</b> 241:22<br/><b>13-ish (1)</b> 5:6<br/><b>14 (7)</b> 7:9;123:22; 220:18;221:11;222:6; 226:18;229:12<br/><b>1428 (2)</b> 233:4; 234:19<br/><b>14th (1)</b> 222:20</p> | <p style="text-align: center;"><b>2</b></p> <p><b>2 (13)</b> 44:2;63:13; 72:4;84:17;113:4,13; 136:18,23;137:1; 173:15,16,18;199:11<br/><b>2,048 (1)</b> 242:10<br/><b>2.0 (1)</b> 132:21<br/><b>2.9 (1)</b> 52:19<br/><b>20 (6)</b> 33:8;52:13; 58:9;121:12;166:17; 203:1<br/><b>200 (2)</b> 22:5;51:10<br/><b>2003 (1)</b> 107:17<br/><b>2005 (1)</b> 170:5<br/><b>2012 (1)</b> 42:25<br/><b>2013 (1)</b> 43:1<br/><b>2021 (2)</b> 29:14;119:4<br/><b>2022 (2)</b> 29:14;89:18<br/><b>2023 (1)</b> 31:1<br/><b>2024 (7)</b> 4:4,7;5:9; 43:20;113:3;258:18, 24<br/><b>2035 (3)</b> 6:12;23:16; 98:19<br/><b>21 (1)</b> 49:9<br/><b>212 (7)</b> 103:14,15,16, 17,18,19,20<br/><b>2201 (1)</b> 233:2<br/><b>222 (1)</b> 165:23<br/><b>23,443 (1)</b> 51:8<br/><b>230F (1)</b> 80:6</p> | <p style="text-align: center;"><b>3</b></p> <p><b>3 (28)</b> 7:13;23:16; 45:4;52:19;63:13; 111:4;113:13;114:7; 132:23;141:13; 173:15,16,19,20,23; 174:6,7,8;199:9; 200:2;201:25;204:20, 21,23;205:1,2,4; 256:5<br/><b>3,182 (1)</b> 178:19<br/><b>3,374 (1)</b> 78:12<br/><b>3,400-square (1)</b> 24:5<br/><b>3,475 (1)</b> 78:13<br/><b>3,600 (1)</b> 117:7<br/><b>30 (5)</b> 52:3,3;58:9; 146:17;184:21<br/><b>31 (1)</b> 258:22<br/><b>316 (1)</b> 259:18<br/><b>32 (1)</b> 258:22<br/><b>33 (1)</b> 258:22<br/><b>3300 (4)</b> 6:23;164:13, 16;183:20<br/><b>33rd (1)</b> 168:10<br/><b>35 (1)</b> 113:9<br/><b>3508 (1)</b> 221:23<br/><b>35th (9)</b> 7:10;220:18; 221:11;222:6,15,21; 226:18;228:1;229:12<br/><b>36 (1)</b> 43:22<br/><b>360 (1)</b> 96:23<br/><b>365 (2)</b> 47:1;49:3<br/><b>38 (2)</b> 109:13;156:2<br/><b>383 (1)</b> 254:20<br/><b>388 (2)</b> 111:21,23</p> | <p style="text-align: center;"><b>4</b></p> <p><b>4 (12)</b> 4:7;63:13; 73:17;114:7,9;200:2; 204:22,23;205:4,8; 206:16;221:15<br/><b>4,100 (1)</b> 167:7<br/><b>40 (2)</b> 85:13;187:11<br/><b>40,000 (1)</b> 51:7<br/><b>40:55D-2 (1)</b> 86:23<br/><b>40:55D-2a (1)</b> 251:4<br/><b>400 (11)</b> 6:25;129:25; 130:3,6,9;153:6,15; 186:20;187:9;191:22; 193:4<br/><b>4035 (1)</b> 209:21<br/><b>405 (1)</b> 165:17<br/><b>408 (4)</b> 197:20;198:8; 201:19;206:11<br/><b>40th (1)</b> 29:9<br/><b>41 (1)</b> 156:1<br/><b>410 (1)</b> 201:21<br/><b>412 (2)</b> 29:8;201:22<br/><b>44 (1)</b> 82:7<br/><b>4500 (1)</b> 201:20<br/><b>459 (4)</b> 17:20;18:8,9; 21:7<br/><b>48th (1)</b> 215:20<br/><b>498 (1)</b> 259:9<br/><b>4-foot (5)</b> 56:9;57:1, 12;125:5;202:15<br/><b>4th (4)</b> 163:21;164:2, 5,11<br/><b>4-Unit (1)</b> 258:22</p> |
| <p><b>Zayed (1)</b> 259:17<br/><b>zero (1)</b> 52:7<br/><b>Zion (1)</b> 20:9<br/><b>Zone (29)</b> 11:23,24; 24:24;44:5,19;45:6; 85:1;87:4,7;89:14; 90:22;103:21,22; 105:23;113:6,7; 145:16,19;147:25; 148:2,4;149:8; 181:22;182:5,7,14; 187:10;213:12;253:5<br/><b>zoned (4)</b> 24:11,12; 25:2;176:24<br/><b>Zoning (38)</b> 4:2,23; 18:10;44:3;67:20; 78:10;79:6,9,11,16; 82:8;83:6,9;84:25; 88:17;89:14,17; 90:22;142:18,23,25; 147:7;162:4;169:25; 175:4;180:18;181:3, 21,22;182:8,12,14; 187:8;193:7;210:12, 19;242:7;247:20<br/><b>Zoning/Administrative (1)</b> 79:8<br/><b>zoom (2)</b> 17:6;98:4</p> | <p style="text-align: center;"><b>5</b></p> <p><b>5 (11)</b> 23:21;24:2,5, 11,13;71:19;72:3; 132:24;139:25; 141:13;204:22<br/><b>5:00 (1)</b> 47:21<br/><b>5:30 (1)</b> 17:10<br/><b>5:40 (1)</b> 8:10<br/><b>50 (3)</b> 52:8;121:2; 200:4<br/><b>501c3 (1)</b> 157:19<br/><b>501-C3 (1)</b> 157:21<br/><b>505 (4)</b> 6:6,9;13,16; 17:12<br/><b>50-foot (1)</b> 199:6<br/><b>516 (1)</b> 187:5<br/><b>521 (1)</b> 259:20<br/><b>525 (1)</b> 103:18<br/><b>527 (1)</b> 103:17<br/><b>529 (1)</b> 103:16<br/><b>531 (1)</b> 103:19<br/><b>55 (3)</b> 111:3;152:19; 205:25<br/><b>55.2 (1)</b> 113:11</p>  |  |  |   |

|   |   |   |  |  |
|---|---|---|--|--|
| <p><b>5-feet (1)</b> 125:4<br/> <b>5-foot (1)</b> 57:2<br/> <b>5-story (4)</b> 104:1;<br/> 109:5;111:3;113:8</p>  | <p><b>80.4 (1)</b> 51:13<br/> <b>800 (2)</b> 39:12;167:25<br/> <b>800-square (1)</b> 24:7<br/> <b>812 (2)</b> 163:14;164:1<br/> <b>812-814 (1)</b> 6:20<br/> <b>814 (2)</b> 163:14;164:1<br/> <b>818 (1)</b> 259:5<br/> <b>860 (1)</b> 106:5<br/> <b>870 (1)</b> 106:10<br/> <b>870-189C (1)</b> 141:10<br/> <b>870-197F (1)</b> 73:14<br/> <b>870-197H (1)</b> 74:18<br/> <b>870-223 (1)</b> 140:17<br/> <b>870-224 (1)</b> 140:17<br/> <b>870-23 (1)</b> 44:21<br/> <b>870-230F (1)</b> 115:5<br/> <b>870-230Z (1)</b> 59:12<br/> <b>870-231B1 (1)</b> 121:3<br/> <b>870-231B1c (1)</b><br/> 121:12<br/> <b>870-231C1c (1)</b><br/> 121:16<br/> <b>870-234 (2)</b> 59:16;<br/> 123:24<br/> <b>870-234A (1)</b> 123:17<br/> <b>870-241C (1)</b> 56:6<br/> <b>870-243A10 (1)</b> 66:20<br/> <b>870-243A15b (1)</b> 68:9<br/> <b>870-243D2 (1)</b> 132:19<br/> <b>870-243H (1)</b> 135:5<br/> <b>870-244B (2)</b> 64:20;<br/> 131:19<br/> <b>870-253 (2)</b> 138:19;<br/> 242:6<br/> <b>870-253L (1)</b> 72:19<br/> <b>870-253O12b (1)</b><br/> 71:18<br/> <b>870-255A2a (1)</b> 69:22<br/> <b>870-255A2f (1)</b> 70:12<br/> <b>870-274 (2)</b> 69:6;<br/> 135:16<br/> <b>870-38 (3)</b> 44:6;45:8;<br/> 79:2<br/> <b>870-38A (1)</b> 45:12<br/> <b>870-38J2a (1)</b> 47:18<br/> <b>870-38L (1)</b> 49:23<br/> <b>870-38Q (1)</b> 44:5<br/> <b>870-77 (1)</b> 44:19<br/> <b>88 (1)</b> 51:20<br/> <b>89.5 (1)</b> 150:25<br/> <b>8-foot (1)</b> 73:21<br/> <b>8th (1)</b> 198:11</p> | <p><b>932 (1)</b> 258:22<br/> <b>958 (1)</b> 198:11<br/> <b>958-960 (1)</b> 258:20<br/> <b>960 (1)</b> 258:21<br/> <b>964-966 (1)</b> 258:21<br/> <b>966 (1)</b> 258:21<br/> <b>998 (1)</b> 221:8</p> |  |  |
| <p style="text-align: center;"><b>6</b></p>   |   |   |  |  |
| <p><b>6 (10)</b> 29:17;40:24;<br/> 41:6;54:17,20;69:23,<br/> 25;73:3,15;237:8<br/> <b>6.5 (1)</b> 73:3<br/> <b>60 (1)</b> 150:25<br/> <b>600 (1)</b> 167:25<br/> <b>611 (1)</b> 103:14<br/> <b>613-615 (1)</b> 103:14<br/> <b>617 (4)</b> 6:17;103:7,<br/> 15;158:10<br/> <b>620 (1)</b> 173:19<br/> <b>65 (1)</b> 146:11<br/> <b>661 (5)</b> 7:6;215:8;<br/> 216:7;218:9,13<br/> <b>67 (1)</b> 202:1<br/> <b>6-feet (1)</b> 235:11<br/> <b>6-foot (5)</b> 206:6;<br/> 235:9;236:11;237:2,<br/> 17</p>  |   |   |  |  |
| <p style="text-align: center;"><b>7</b></p>   |   |   |  |  |
| <p><b>7 (2)</b> 54:20,21<br/> <b>7,297 (1)</b> 110:11<br/> <b>7:25 (1)</b> 102:24<br/> <b>7:35 (2)</b> 103:1,4<br/> <b>700 (1)</b> 259:23<br/> <b>7-11 (1)</b> 230:1<br/> <b>72 (1)</b> 103:14<br/> <b>720 (2)</b> 173:8,10<br/> <b>73 (1)</b> 103:15<br/> <b>75 (2)</b> 18:11;103:16<br/> <b>750 (1)</b> 141:15<br/> <b>75ERS (1)</b> 242:14<br/> <b>76 (2)</b> 103:17;257:4<br/> <b>762 (1)</b> 259:11<br/> <b>76ers (13)</b> 7:12;<br/> 232:10;241:14,19;<br/> 242:19;244:25;<br/> 245:11,18,21;246:12;<br/> 255:23;256:16;<br/> 257:13<br/> <b>76ERS' (1)</b> 244:16<br/> <b>77 (1)</b> 103:18<br/> <b>78 (1)</b> 103:19<br/> <b>788 (2)</b> 173:19;174:8<br/> <b>790 (1)</b> 91:7<br/> <b>790-square (1)</b> 85:14<br/> <b>795 (1)</b> 91:6<br/> <b>7th (4)</b> 17:10,13;<br/> 197:12;259:16</p> |   |   |  |  |
| <p style="text-align: center;"><b>8</b></p>   |   |   |  |  |
| <p><b>8:00 (1)</b> 47:19<br/> <b>80 (3)</b> 51:12,18,23</p>   | <p style="text-align: center;"><b>9</b></p> <p><b>9 (2)</b> 4:4;248:17<br/> <b>9:00 (1)</b> 47:19<br/> <b>900 (1)</b> 259:1<br/> <b>90-foot (1)</b> 222:6<br/> <b>90's (1)</b> 249:8<br/> <b>92 (1)</b> 103:20<br/> <b>929 (3)</b> 172:25;173:3,<br/> 4</p>   |   |  |  |