PLANNING BOARD BOROUGH OF MONTVALE COUNTY OF BERGEN
---------------------------------------- X
BLOCK 1103, LOT 5 and BLOCK 403, LOT 1:
METROPOLITAN HOME DEVELOPMENT AT :
WERIMUS, LLC, 87 and 91 Spring Valley :
Road, Amended Site Plan and Major Soil:
Movement Application

Tuesday, May 21, 2019
Council Chambers
12 Mercedes Drive Montvale, New Jersey Commencing 7:45 p.m.
B E F OR E:
JOHN DePINTO, CHAIRMAN
FRANK STEFANELLI, VICE CHAIRMAN
ROSE CURRY, COUNCIL PRESIDENT
JIMMY D'AGOSTINO, absent
JOHN CULHANE
WILLIAM LINTNER
MAGGIE O'NEILL
DANTE TEAGNO, absent
ROBERT ZITELLI
ROBERT REGAN, BOARD ATTORNEY
ANDREW HIPOLIT, BOROUGH ENGINEER LORRAINE HUTTER, BOARD SECRETARY JEFFREY FETTE, CONSTRUCTION CODE OFFICIAL DARLENE GREEN, PLANNER
MAYOR GHASSALI, absent
A P P E A R A N C E :
BEATTIE PADOVANO
BY: ANTIMO A. DEL VECCHIO, ESQ.
50 Chestnut Ridge Road, Suite 208
Montvale, New Jersey 07645
(201) 573-1810

Attorneys for the Applicant

Donna Lynn J. Arnold, C.C.R. Computerized Transcription Services

CHAIRMAN DePINTO: Montvale Planning Board
will come to order.
(Open Public Meetings Act)
CHAIRMAN DePINTO: Roll call.
MS. HUTTER: Mr. Culhane.
MR. CULHANE: Here.
MS. HUTTER: Council Member Curry.
COUNCILWOMAN CURRY: Here.
MS. HUTTER: Mr. D'Agostino.
Mr. Fette.
MR. FETTE: Here.
MS. HUTTER: Mayor Ghassali. Mr. Lintner.

MR. LINTNER: Here.
MS. HUTTER: Ms. O'Neill.
MS. O'NEILL: Here.
MS. HUTTER: Mr. Stefanelli.
MR. STEFANELLI: Here.
MS. HUTTER: Mr. Teagno.
Mr. Zitelli.
MR. ZITELLI: Here.
MS. HUTTER: Chairman DePinto.
CHAIRMAN DePINTO: Here.
(Agenda)
CHAIRMAN DePINTO: We're going to be
moving on to Metropolitan Home Development.
MS. HUTTER: For the record, Ms. Curry is recused.

MR. REGAN: Yes, D Variance relief. The Mayor is not here so Councilwoman Curry is leaving the dais.

CHAIRMAN DePINTO: All right. I'll read by title only and I'll call for a motion to introduce and a second.

Borough of Montvale Planning Board resolution granting preliminary and final major subdivision approval, variance relief and major soil movement permit and approval of an Environmental Impact Statement to Metropolitan Homes Development Corporation at Werimus, LLC.

Anyone care to introduce?
MR. CULHANE: So move.

CHAIRMAN DePINTO: Mr. Culhane.

Is there a second?

MR. LINTNER: Second.

CHAIRMAN DePINTO: Mr. Lintner.

Mr. Regan, any changes?

MR. REGAN: Yes, there are a number of changes that have been requested by a number of people for this resolution and the first one is on Page 3,
it's the third line from the end of Paragraph 1. It reads currently the 2006 preliminary approval was never finalized. A suggested revision there to delete finalize and insert constructed.

The next change is on Page 10, Paragraph 11 on that page. Again, $I$ hope the paragraphs are coming out the same way because there have been a number of different iterations. The paragraph numbers remain the same but may be just on a different page.

Paragraph 11, the third line states, "he noted that the property slopes higher away from Spring Valley Road. That's kind of an awkward wording. I suggest striking higher away and substitute up, you know, that the property slopes up from Spring Valley Road.

The next one is on Page 13, Paragraph 19, the second line, it currently reads the row of giant, row of giant green arborvitae suggested change it to row of Green Giant arborvitae which is the correct wording.

The next one is on Page 19. This an easy one. It refers to the Board Exhibit 10. The report of Board Planner Green dated, it's not February 25 th, it's February 26 th.

Page 21, it's just a clarifying provision in the
middle of page -- in the middle of Paragraph 35.
CHAIRMAN DePINTO: I'm sorry. What page
is this?
MR. REGAN: Page 21, the middle of
Paragraph 35. It states, he noted that the seven homes to front on the new cul-de-sac off Spring Valley Road adjoin multi-family development to the north and is isolated from the west less than 10 feet, insert the words less residential so it would read less intense residential.

Then we go to Page 24 and $I$ might need some input from Chris on this. This is the variance pertaining to the wall location. Originally $I$ had in the second paragraph of the Paragraph $D$, the applicant proposes a, a modular block wall. And the requested change is, the applicant proposes a stacked fieldstone or cobble wall.

Would that work, Chris? MR. DOUR: In lieu of the block wall? MR. REGAN: Yeah. MR. DOUR: Yeah. MR. REGAN: We'll make that change so it would read, the applicant proposes a stacked fieldstone or cobble wall.

That's on Page 24.

Then we go to Page 33. The applicant has requested that in Paragraph 1, this is the Condition 1. It talks about the two homeowner associations. At the end of the, after the second sentence they're requesting a third sentence to read as follows, the developer may elect to have one homeowner association but shall provide the Board with notice of its decision to only form one home owners' association for the entire project.

I don't have a problem with that. I, I believe the testimony was that there would be two homeowner associations but if there's one, I don't see it being an issue for the Board.

CHAIRMAN DePINTO: I don't either.
Anyone have a problem with that?
MR. ZITELLI: No.
MR. REGAN: That's on Page 33.
Page 34, this is also on Condition 1. There is a sentence that reads the obligations of the respective homeowner association shall include maintenance, inspection, repair and replacement of all components of the storm water system. There's been a request by a Board Member to insert the following and I'm going to read it. I think it's a good change.
It will read as follows, in addition the
respective association will have the further obligation of adhering to the requisite reporting requirements in the storm water maintenance manual. I think that was understood to be the case but this spells it out and makes it crystal clear.

I'll read that again. In addition, the respective association will have a further obligation of adhering to the requisite reporting requirements in the storm water maintenance manual.

And the last change is on Page 35, Condition 6 . It talks about reference to section 57-52(b). It should be Section 57-53, 53(b) as the land use procedure law.

I think that's it on my part. CHAIRMAN DePINTO: Thank you.

Any other changes, corrections from Board Members?

Hearing none, do we have a motion to introduce and a second?

MS. HUTTER: Yes. For the record the people that have missed meetings but also read the transcripts are Maggie O'Neill, Frank Stefanelli and John Culhane.

CHAIRMAN DePINTO: Okay. Thank you.
Mr. Del Vecchio, do you have any other changes
or corrections that you want to request?
MR. DEL VECCHIO: Just one. I think it's an easy one, Mr. Chairman. On Page 1, in two places, the name of the applicant, the word corporation should be struck. The proper name of the applicant is Metropolitan Home Development at Werimus, LLC.

MR. REGAN: The problem I had with that, Andy, the application says Metropolitan Home Development Corporation at Werimus, LLC and so do the plans.

MR. DEL VECCHIO: We will amend both accordingly in the Resolutiion of Compliance and we will, you know, amend the application on our feet to correct, to reflect that.

MR. REGAN: I looked at that and then $I$ went to the application. I said I got, because I said I got that wrong.

MR. DEL VECCHIO: I did the same thing but my client pointed it out the proper name doesn't have corporation although he signed both of those documents initially.

MR. REGAN: Well, he got it wrong or whatever and the engineer got it wrong.

MR. DEL VECCHIO: I don't know. I'm not blaming -- engineers never get anything wrong. It's
not you.
MR. REGAN: All right. We'll make that change but could you send a letter --

MR. DEL VECCHIO: Yes.
MR. REGAN: -- to Lorraine with a copy to
me?
MR. DEL VECCHIO: Yes.

CHAIRMAN DePINTO: Mr. Del Vecchio, do you
have anything else on this?

MR. DEL VECCHIO: Nothing else, Mr.
Chairman?

CHAIRMAN DePINTO: Board Members have
anything?
Roll call vote, please.
MS. HUTTER: Mr. Culhane.
MR. CULHANE: Yes.

MS. HUTTER: Mr. Fette.

MR. FETTE: Yes.

MS. HUTTER: Mr. Lintner.
MR. LINTNER: Yes.

MS. HUTTER: Ms. O'Neill.
MS. O'NEILL: Yes.

MS. HUTTER: Mr. Stefanelli.
MR. STEFANELLI: Yes.
MS. HUTTER: Mr. Zitelli.

MR. ZITELLI: Yes.
MS. HUTTER: Chairman DePinto.
CHAIRMAN DePINTO: Yes.
Okay. Thank you.
MR. DEL VECCHIO: Thank you.
(The hearing adjourns 8:02 p.m.)

C $\begin{array}{lllllllllll}\mathrm{E} & \mathrm{R} & \mathrm{T} & \mathrm{I} & \mathrm{F} & \mathrm{I} & \mathrm{C} & \mathrm{A} & \mathrm{T} & \mathrm{E}\end{array}$

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

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

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LICENSE NO. XIOO991
MY COMMISSION EXPIRES 08/04/19
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| 0 | 9 | BOROUGH ${ }_{[2]}-1: 1$, 1:16 | COUNTY $_{[1]}-1: 2$ <br> crystal ${ }_{[1]}-7: 5$ | $\begin{gathered} 3: 13 \\ \text { ESQ } \end{gathered}$ |
| :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & \hline 07645_{[1]}-1: 21 \\ & 08 / 04 / 19_{[1]}-11: 18 \end{aligned}$ | 91[1]-1:4 | BY ${ }_{[1]}-1: 20$ | $\begin{aligned} & \text { cul }_{[1]}-5: 6 \\ & \text { cul-de-sac }_{[1]}-5: 6 \\ & \text { CULHANE }_{[4]}-1: 12, \\ & 2: 6,3: 17,9: 16 \end{aligned}$ | Exhibit [1]-4:22 <br> EXPIRES ${ }_{[1]}$ - 11 |
|  | A | C |  |  |
| 1 | $\begin{gathered} \text { absent }[3]-1: 12, \\ 1: 14,1: 18 \end{gathered}$ | $\begin{aligned} & \text { C.C. } R_{[2]}-1: 24,11: 17 \\ & \text { care }[1]-3: 16 \end{aligned}$ | $\begin{array}{r} \text { Culhane [4] - 2:5, } \\ 3: 18,7: 23,9: 15 \end{array}$ |  |
| 1 [6] - 1:3, 4:1, 6:2, |  |  |  | ```family [1] - 5:7 February [2] - 4:23, 4:24 feet [2]-5:8, 8:13``` |
|  | accordingly ${ }_{[1]}-8: 12$ | case [1]-7:4 | CURRY ${ }_{[2]}-1: 11,2: 8$ <br> Curry [3] - 2:7, 3:2, 3:5 |  |
| $10[3]-4: 5,4: 22,5: 8$ | accurate $\left.{ }^{1}\right]$-11:3 | $\begin{aligned} & \text { CERTIFY }_{[2]}-11: 2, \\ & 11: 6 \end{aligned}$ |  |  |
| $11[2]-4: 5,4: 10$ $1103[1]-1: 3$ | Act $[1]$ - $2: 3$ action [2]-11:8, |  |  |  |
| $110{ }_{[1]}-1: 3$ |  | CHAIRMAN ${ }_{[16]}$ - $1: 10,1: 11,2: 1,2: 4,$ |  | $\begin{aligned} & \operatorname{FETTE}_{[3]}-1: 17,2: 11, \\ & 9: 18 \end{aligned}$ |
| $\begin{aligned} & \mathbf{1 2}[1]-1: 8 \\ & \mathbf{1 3}[1]-4: 16 \end{aligned}$ | addition [2] - 6:25, 7:6 | $\begin{aligned} & 2: 23,2: 25,3: 7,3: 18, \\ & 3: 21.5: 2.6: 14.7: 15 \end{aligned}$ | $\begin{aligned} & \text { D'AGOSTINO }_{[1]} \text { - } \\ & \text { 1:12 } \end{aligned}$ | Fette [2]-2:10, 9:17 fieldstone [2]-5:16, |
| 19[2] - 4:16, 4:21 | adhering [2]-7:2, 7:8 <br> adjoin [1] - 5:7 <br> adjourns [1] - 10:6 | $\begin{aligned} & 3: 21,5: 2,6: 14,7: 15, \\ & 7: 24,9: 8,9: 12,10: 3 \end{aligned}$ |  |  |
| 2 |  | Chairman [4]-2:22, | D'Agostino [1] - 2:9 <br> dais [1] - 3:6 | $5: 24$ <br> final [1]-3:11 |
|  | Agenda [1] - 2:24 <br> amend [2]-8:11, 8:13 | Chambers [1] - 1:7 | DANTE [1] - 1:14 | finalize [1]-4:4 |
| 2006[1]-4:2 |  |  | DARLENE [1] - 1:17 | finalized [1] - 4:3 |
| 201[1]-1:22 | Amended [1] - 1:5 | change $[7]-4: 5,4: 18$, | $\begin{aligned} & \text { date }[1]-11: 5 \\ & \text { dated }[1]-4: 23 \end{aligned}$ | financially [1] - 11:10 |
| 2019[1]-1:7 | ANDREW $_{[1]}-1: 16$ | $\begin{aligned} & 5: 16,5: 22,6: 24, \\ & 7: 10,9: 3 \end{aligned}$ |  | first ${ }_{[1]}$ - $3: 25$ |
| 208[1]-1:21 |  |  | de [1] - 5:6 | following [1]-6:23 |
| $21[3]-1: 7,4: 25,5: 4$$24[2]-5: 11,5: 25$ | Andy ${ }_{[1]}$ - 8:8 <br> ANTIMO [1] - 1:20 <br> applicant $[6]-5: 14$, | $\begin{gathered} \text { changes }[4]-3: 22, \\ 3: 24,7: 16,7: 25 \end{gathered}$ | decision [1] - 6:8 | follows [2] - 6:5, 6:25 |
|  |  |  | $\begin{aligned} & \mathrm{DEL}[9]-1: 20,8: 2, \\ & 8: 11,8: 18,8: 24,9: 4, \end{aligned}$ | foregoing [1] - 11:2 |
| 25th [1] - 4:23 | 5:16, 5:23, 6:1, 8:4, | Chestnut ${ }_{[1]}-1: 21$ <br> Chris [2]-5:12, 5:18 |  | form ${ }_{[1]}-6: 8$ |
| 26th [1] - 4:24 | 8:5 |  | 9:7, 9:10, 10:5 | forth [1] - 11:5 |
|  | Applicant [1]-1:22 application [3] - 8:8, 8:13, 8:16 | clarifying ${ }_{[1]}-4: 25$ <br> clear [1]-7:5 | Del ${ }_{[2]}-7: 25,9: 8$delete $[1]-4: 3$ | Frank [1] - 7:22 |
| 3 |  |  |  | FRANK ${ }_{[1]}$ - 1:11 |
| 3[1] - 3:25 | Application ${ }_{[1]}-1: 5$ | client ${ }_{[1]}$ - 8:19 <br> cobble [2]-5:17, 5:24 | DePinto [17]-1:10, | front ${ }_{[1]}-5: 6$ <br> FURTHER [1] - 11:6 |
| $\begin{aligned} & 33_{[2]}-6: 1,6: 17 \\ & 34[1]-6: 18 \\ & 35[3]-5: 1,5: 5,7: 10 \end{aligned}$ | $\begin{aligned} & \text { approval }[3]-3: 12 \text {, } \\ & 3: 13,4: 2 \end{aligned}$ | CODE ${ }_{[1]}-1: 17$ <br> coming [1] - 4:6 <br> Commencing [1]-1:9 | 2:25, 3:7, 3:18, 3:21, |  |
|  |  |  | $5: 2,6: 14,7: 15, ~ 7: 24$, $9.8, ~ 9: 12, ~ 10: 2, ~$ 10.3 | G |
|  | $\begin{aligned} & \text { arborvitae [2] - 4:18, } \\ & 4: 19 \end{aligned}$ | Commencing [1]-1:9 COMMISSION [1] -11:18 | developer $[1]-6: 6$ | GHASSALI $_{[1]}-1: 18$ |
| 4 | Arnold ${ }_{[1]}-1: 24$ |  | development [1] - 5:7 | Ghassali [1]-2:12 giant [2] - 4:17, 4:18 |
| 403 [1] - 1:3 | ARNOLD ${ }_{[1]}$ - 11:17 <br> association [5] - 6:6, 6:8, 6:20, 7:1, 7:7 <br> associations [2]-6:3, | Compliance [1] - 8:12 components [1] - 6:22 | DEVELOPMENT [1] - 1:4 | Giant ${ }_{[1]}-4: 19$ |
| 5 |  | $\begin{aligned} & \text { Computerized [1] - } \\ & \text { 1:25 } \end{aligned}$ | Development $[4]-$ $3: 1,3: 14,8: 6,8: 9$ | GREEN [1] - 1:17 <br> green ${ }_{[1]}-4: 18$ <br> Green [2] - 4:19, 4:23 |
| $\begin{aligned} & \mathbf{5}_{[1]}-1: 3 \\ & \mathbf{5 0}_{[1]}-1: 21 \end{aligned}$ | 6:12 <br> AT [1] - 1:4 <br> ATTORNEY ${ }_{[1]}-1: 15$ | $\begin{aligned} & \text { Condition }[3]-6: 2 \text {, } \\ & 6: 18,7: 10 \\ & \text { constructed }[1]-4: 4 \end{aligned}$ | different [2]-4:8, 4:9 $\mathbf{D O}_{[1]}-11: 6$ |  |
| $\begin{aligned} & \text { 53(b }{ }_{[1]}-7: 12 \\ & 57-52(b)[1]-7: 11 \end{aligned}$ | attorney [2]-11:7, | CONSTRUCTION ${ }_{[1]}$ - 1:17 | Donna[1]-1:24 <br> DONNA ${ }_{[1]}$ - 11:17 | H |
| $\begin{aligned} & \text { 57-52(b) }{ }_{[1]}-7: 11 \\ & 57-53_{[1]}-7: 12 \\ & 573-1810[1]-1: 22 \end{aligned}$ | Attorneys [1]-1:22 <br> awkward [1] - 4:12 | copy [1] - 9:5 <br> Corporation [2] - $3: 15,8: 9$ | DOUR [2] - 5:19, 5:21 <br> Drive [1] - 1:8 | ```hearing [2] - 7:18, 10:6 herein [1] - 11:5 higher [2] - 4:11, 4:13 HIPOLIT [1] - 1:16``` |
| 6 | B |  | E |  |
| $6[1]-7: 10$ | BEATTIE ${ }_{[1]}-1: 20$ <br> BERGEN ${ }_{[1]}-1: 2$ <br> blaming [1]-8:25 <br> block [2] - 5:15, 5:19 <br> BLOCK [2]-1:3 <br> Board [9]-2:1, 3:10, <br> 4:22, 4:23, 6:7, 6:13, <br> 6:23, 7:16, 9:12 <br> BOARD ${ }_{[3]}-1: 1,1: 15$, 1:16 <br> Borough [1] - 3:10 | 8:20 <br> correct [2]-4:19, 8:14 | ```easy[2]-4:21, 8:3 either [1]-6:14 elect [1]-6:6 employee [2] - 11:7, 11:9 end [2] - 4:1, 6:4``` |  |
| 7 |  | $\begin{aligned} & \text { corrections [2]-7:16, } \\ & 8: 1 \end{aligned}$ |  | home [1] - 6:8 <br> Home [3]-3:1, 8:6, 8:8 |
| 7:45 [1] - 1:9 |  | Council [2] - 1:7, 2:7 <br> COUNCIL[1]-1:11 <br> Councilwoman [1] - 3:5 |  | HOME [1] - 1:4 homeowner [4]-6:3, |
| 8 |  |  | ENGINEER ${ }_{[1]}-1: 16$ <br> engineer ${ }_{[1]}$ - 8:23 | homes [1] - 5:6 <br> Homes [1] - 3:14 |
| $\begin{aligned} & 87[1]-1: 4 \\ & 8: 02[1]-10: 6 \end{aligned}$ |  | COUNCILWOMAN ${ }_{[1]}$ |  |  |
|  |  | $\begin{aligned} & -2: 8 \\ & \text { counsel }[2]-11: 7 \text {, } \\ & 11: 9 \end{aligned}$ | engineers [1]-8:25 <br> entire [1] - 6:9 <br> Environmental $[1]$ - | hope [1] - 4:6 <br> HUTTER $[18 \mathrm{~d}-1: 16$, 2:5, 2:7, 2:9, 2:12, |


| $\begin{aligned} & \text { 2:15, 2:17, 2:19, } \\ & \text { 2:22, 3:2, 7:20, 9:15, } \end{aligned}$ | M | New [2] - 1:8, 1:21 next [3]-4:5, 4:16, | $\begin{aligned} & 3: 10 \\ & \text { plans }[1]-8: 10 \end{aligned}$ | Ridge ${ }_{[1]}-1: 21$ <br> Road [5] - 1:5, 1:21, |
| :---: | :---: | :---: | :---: | :---: |
| $\begin{aligned} & 9: 17,9: 19,9: 21, \\ & 9: 23,9: 25,10: 2 \end{aligned}$ | Maggie ${ }_{[1]}-7: 22$ MAGGIE [1] - 1:13 maintenance [3] - | $\begin{aligned} & 4: 21 \\ & \text { NO }_{[1]}-11: 18 \end{aligned}$ none [1] - 7:18 | pointed ${ }_{[1]}-8: 19$ preliminary $[2]-3: 11$, 4:2 | $\begin{aligned} & \text { 4:12, 4:15, 5:7 } \\ & \text { ROBERT [2]-1:14, } \\ & 1: 15 \end{aligned}$ |
| I | 6:21, 7:3, 7:9 | north [1] - 5: | PRESIDENT ${ }_{[1]}-1: 11$ | oll $[2]-2: 4,9: 14$ |
| ```Impact [1]-3:13 include [1] - 6:20 input [1]-5:12 insert [3] - 4:4, 5:8, 6:23 inspection [1] - 6:21 intense [1]-5:10 interested \({ }_{[1]}\) - 11:10 introduce [3] - 3:8, 3:16, 7:18 isolated \({ }_{[1]}-5: 8\) issue \({ }_{[1]}-6: 13\) iterations [1] - 4:8``` | major $_{[2]}-3: 11,3: 12$ noted $_{[2]}-4: 10,5: 5$ <br> Major $_{[1]}-1: 5$ nothing $_{[1]}-9: 10$ <br> manual $_{[2]}-7: 3,7: 9$ notice ${ }_{[1]}-6: 7$ <br> MAYOR $_{[1]}-1: 18$ number <br> $[3]-3: 23$,  <br> Mayor $_{[2]}-2: 12,3: 5$ $3: 24,4: 7$ <br> meetings $_{[1]}-7: 21$ numbers ${ }_{[1]}-4: 8$ <br> Meetings $_{[1]}-2: 3$  |  | 6:15, 8:7 <br> procedure [1] - 7:13 | $\begin{aligned} & \text { ROSE }_{[1]}-1: 11 \\ & \text { row }[3]-4: 17,4: 18 \end{aligned}$ |
|  |  |  | proceedings ${ }_{[1]}-11: 3$ | S |
|  |  |  | proper $[2]-8: 5,8: 19$ <br> property ${ }_{[2]}-4: 11$, | sac [1]-5:6 <br> second $[7]-3: 9,3: 19$, |
|  | Member [2]-2:7, 6:23 <br> Members [2]-7:17 | 0 | 4:14 propo | $\begin{aligned} & 3: 20,4: 17,5: 14,6: 4, \\ & 7: 19 \end{aligned}$ |
|  | 9:12 <br> Mercede | $\begin{aligned} & \text { O'Neill [3] - 2:15, 7:22, } \\ & 9: 21 \end{aligned}$ | $5: 16,5: 23$ <br> provide ${ }_{[1]}-6: 7$ | $\begin{aligned} & \text { SECRETARY }_{[1]}- \\ & 1: 16 \end{aligned}$ |
|  | Metropolitan [4]-3:1, <br> 3:14, 8:6, 8:8 <br> METROPOLITAN ${ }_{[1]}$ - | $\begin{aligned} & \text { O'NEILL [3] - 1:13, } \\ & 2: 16,9: 22 \\ & \text { obligation }[2]-7: 2, \end{aligned}$ | $\begin{aligned} & \text { provision [1] - 4:25 } \\ & \text { Public }[1]-2: 3 \end{aligned}$ | $\begin{aligned} & \text { Section [2]- }-7: 11, \\ & 7: 12 \\ & \text { see }[1]-6: 12 \end{aligned}$ |
|  |  | 7.7 | R | [1] - 9:3 |
|  |  | OF [2]-1:1, 1:2 | read [8]-3:7, 5:9, | 6:5, 6:19 |
| $\operatorname{JEFFREY}_{[1]}-1: 17$ <br> Jersey [2] - 1:8, 1:21 | missed [1] - 7:21 <br> modular [1]-5:15 | OFFICIAL [1] - 1:17 one $[9]-3: 25,4: 16$, | $\begin{aligned} & 5: 23,6: 5,6: 24,6: 25, \\ & 7: 6,7: 21 \end{aligned}$ | $\begin{aligned} & \text { Services }[1]-1: 25 \\ & \text { set }{ }_{[1]}-11: 5 \end{aligned}$ |
| JIMMY [1] - 1:12 | MONTVALE ${ }_{[1]}$ - 1:1 | 4:21, 6:6, 6:8, 6:12, | reads [3]-4:2, 4:1 | seven [1]-5:5 |
| $\begin{aligned} & \text { John [1] - } 7: 23 \\ & \text { JOHN }[2]-1: 10,1: 12 \end{aligned}$ | $\begin{gathered} \text { Montvale [4] - 1:8, } \\ 1: 21,2: 1,3: 10 \end{gathered}$ | $\begin{aligned} & \text { 8:2, 8:3 } \\ & \text { Open }[1]-2: 3 \end{aligned}$ | $\begin{aligned} & \text { 6:19 } \\ & \text { record [2] - 3:2, 7:20 } \end{aligned}$ | shall [2]-6:7, 6:20 <br> signed $[1]-8: 20$ |
| K | motion [2] - 3:8, 7:18 move [1] - 3:17 | originally $[1]-5: 13$ | reference [1] -7: | slopes [2]-4:11, 4:14 |
| kind ${ }_{[1]}-4: 12$ | Movement ${ }_{[1]}$ - 1:5 | '1] - | refers $[1]-4: 22$ reflect $[1]-8: 14$ | Soil [1] - 1:5 <br> soil $[1]-3: 12$ |
| L | moving [1] - 3: | P | Regan $[1]-3: 22$ REGAN ${ }_{[12]}$-1:15, | sorry ${ }_{[1]}-5: 2$ <br> spells [1]-7:5 |
| $\begin{aligned} & \text { land }[1]-7: 12 \\ & \text { last }[1]-7: 10 \\ & \text { law }[1]-7: 13 \\ & \text { leaving }[1]-3: 5 \\ & \text { less }_{[3]}-5: 8,5: 9 \\ & \text { letter }_{[1]}-9: 3 \\ & \text { LICENSE }_{[1]}-11: 18 \\ & \text { lieu }{ }_{[1]}-5: 19 \\ & \text { line }[3]-4: 1,4: 10 \text {, } \\ & \text { 4:17 } \\ & \text { Lintner }[3]-2: 13 \text {, } \\ & 3: 21,9: 19 \\ & \text { LINTNER }[4]-1: 13 \text {, } \\ & 2: 14,3: 20,9: 20 \\ & \text { LLC }[4]-1: 4,3: 15 \text {, } \\ & 8: 6,8: 9 \\ & \text { location }[1]-5: 13 \\ & \text { looked }[1]-8: 15 \\ & \text { LORRAINE }[1]-1: 16 \\ & \text { Lorraine }[1]-9: 5 \\ & \text { LOT }[2]-1: 3 \\ & \text { LYNN }[1]-11: 17 \\ & \text { Lynn }[1]-1: 24 \end{aligned}$ | $\begin{aligned} & \text { 2:14, 2:18, 2:21, 3:4, } \\ & 3: 17,3: 20,3: 23,5: 4, \\ & 5: 19,5: 20,5: 21, \\ & 5: 22,6: 16,6: 17,8: 2, \\ & 8: 7,8: 11,8: 15,8: 18, \\ & 8: 22,8: 24,9: 2,9: 4, \\ & 9: 5,9: 7,9: 10,9: 16, \\ & 9: 18,9: 20,9: 24, \\ & 10: 1,10: 5 \\ & \text { MS }_{[19]}-2: 5,2: 7,2: 9, \\ & 2: 12,2: 15,2: 16, \\ & 2: 17,2: 19,2: 22,3: 2, \\ & 7: 20,9: 15,9: 17, \\ & 9: 19,9: 21,9: 22, \\ & 9: 23,9: 25,10: 2 \\ & \text { multi }[1]-5: 7 \\ & \text { multi-family } \\ & \text { MY }{ }_{[1]}-5: 7-11: 18 \\ & \hline \quad \mathbf{N} \\ & \hline \end{aligned}$ | $\begin{aligned} & \text { p.m }{ }_{[2]}-1: 9,10: 6 \\ & \text { PADOVANO }{ }_{[1]}-1: 20 \\ & \text { page }{ }_{[4]}-4: 6,4: 9,5: 1 \text {, } \\ & 5: 2 \\ & \text { Page }[13]-3: 25,4: 5 \text {, } \\ & 4: 16,4: 21,4: 25,5: 4 \text {, } \\ & 5: 11,5: 25,6: 1,6: 17 \text {, } \\ & 6: 18,7: 10,8: 3 \\ & \text { paragraph }[2]-4: 8 \text {, } \\ & 5: 14 \\ & \text { Paragraph }[8]-4: 1 \text {, } \\ & 4: 5,4: 10,4: 16,5: 1 \text {, } \\ & 5: 5,5: 14,6: 2 \\ & \text { paragraphs }[1]-4: 6 \\ & \text { part }[1]-7: 14 \\ & \text { parties }[1]-11: 8 \\ & \text { people }[2]-3: 24,7: 21 \\ & \text { permit }[1]-3: 13 \\ & \text { pertaining }[1]-5: 13 \\ & \text { place }[1]-11: 4 \\ & \text { places }[1]-8: 3 \\ & \text { Plan }[1]-1: 5 \\ & \text { PLANNER }[1]-1: 17 \\ & \text { Planner }[1]-4: 23 \\ & \text { PLANNING }[1]-1: 1 \\ & \text { Planning }[2]-2: 1 \text {, } \end{aligned}$ | $\begin{aligned} & 3: 4,3: 23,5: 4,5: 20 \\ & 5: 22,6: 17,8: 7,8: 15 \\ & 8: 22,9: 2,9: 5 \\ & \text { relative }[2]-11: 7,11: 9 \\ & \text { relief }[2]-3: 4,3: 12 \\ & \text { remain }[1]-4: 8 \\ & \text { repair }[1]-6: 21 \\ & \text { replacement }[1]-6: 21 \\ & \text { report }[1]-4: 22 \\ & \text { reported }[1]-11: 4 \\ & \text { reporting }[2]-7: 2,7: 8 \\ & \text { request }[2]-6: 23,8: 1 \\ & \text { requested }[3]-3: 24, \\ & 5: 15,6: 2 \\ & \text { requesting }[1]-6: 5 \\ & \text { requirements }[2]- \\ & 7: 3,7: 8 \\ & \text { requisite }[2]-7: 2,7: 8 \\ & \text { residential }[2]-5: 9, \\ & 5: 10 \\ & \text { Resolution }[1]-8: 12 \\ & \text { resolution }[2]-3: 10, \\ & 3: 25 \\ & \text { respective }[3]-6: 20, \\ & 7: 1,7: 7 \\ & \text { revision }[1]-4: 3 \end{aligned}$ | $\begin{aligned} & \text { Spring }[4]-1: 4,4: 11, \\ & 4: 14,5: 6 \\ & \text { stacked }[2]-5: 16, \\ & 5: 23 \\ & \text { Statement }[1]-3: 14 \\ & \text { states }[2]-4: 10,5: 5 \\ & \text { STEFANELLI }[3]- \\ & 1: 11,2: 18,9: 24 \\ & \text { Stefanelli }[3]-2: 17, \\ & 7: 22,9: 23 \\ & \text { stenographically }[1]- \\ & 11: 4 \\ & \text { storm }[3]-6: 22,7: 3, \\ & 7: 9 \\ & \text { striking }[1]-4: 13 \\ & \text { struck }[1]-8: 5 \\ & \text { subdivision }[1]-3: 11 \\ & \text { substitute }[1]-4: 13 \\ & \text { suggest }[1]-4: 13 \\ & \text { suggested }[2]-4: 3, \\ & 4: 18 \\ & \text { Suite }[1]-1: 21 \\ & \text { system }[1]-6: 22 \end{aligned}$ |


| T | $\begin{gathered} \text { ZITELLI }_{[4]}-1: 14, \\ 2: 21,6: 16,10: 1 \end{gathered}$ |
| :---: | :---: |
| talks [2]-6:3, 7:11 <br> Teagno [1] - 2:19 <br> TEAGNO [1] - 1:14 <br> testimony [2]-6:11, 11:3 <br> third $[3]-4: 1,4: 10$, 6:5 <br> title [1] - 3:8 <br> transcript [1]-11:3 <br> Transcription [1] - 1:25 <br> transcripts [1]-7:22 <br> true [1]-11:2 <br> Tuesday [1]-1:7 <br> two [3]-6:3, 6:11, 8:3 |  |
| U |  |
| understood [1] - 7:4 up [2]-4:13, 4:14 |  |
| V |  |
| ```Valley [4]-1:4, 4:12, 4:14, 5:6 Variance [1] - 3:4 variance [2]-3:12, 5:12 VECCHIO [9]-1:20, 8:2, 8:11, 8:18, 8:24, 9:4, 9:7, 9:10, 10:5 Vecchio [2] - 7:25, 9:8 VICE [1] - 1:11 vote [1]-9:14``` |  |
| W |  |
| $\begin{aligned} & \text { wall }[5]-5: 13,5: 15 \text {, } \\ & 5: 17,5: 19,5: 24 \\ & \text { water }[3]-6: 22,7: 3 \text {, } \\ & 7: 9 \\ & \text { Werimus }[3]-3: 15 \text {, } \\ & 8: 6,8: 9 \\ & \text { WERIMUS }[1]-1: 4 \\ & \text { west }[1]-5: 8 \\ & \text { WILLIAM }[1]-1: 13 \\ & \text { word }[1]-8: 4 \\ & \text { wording }[2]-4: 12 \text {, } \\ & 4: 20 \\ & \text { words }[1]-5: 9 \end{aligned}$ |  |
| X |  |
| XI00991 [1] - 11:18 |  |
| Z |  |
| Zitelli [2]-2:20, 9:25 |  |

