

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

TOWNSHIP OF CHATHAM
BOARD OR ADJUSTMENT

IN THE MATTER OF: : TRANSCRIPT
:
APPLICATION #BOA 13-62-105 : OF
NEW CINGULAR WIRELESS PCS, LLC :
63 Buxton Road :
Block 62, Lot 105 : PROCEEDINGS
X

Thursday, July 17, 2014
Municipal Building
58 Meyersville Road
Chatham, New Jersey
Commencing at 8:21 p.m.

BOARD MEMBERS PRESENT:

- TONY VIVONA, Chairman
- WILLIAM STYPLE
- JON WESTON
- THOMAS V. POLISE
- KATE KENNY
- TINA ROMANO
- RICK WILLIAMS

ALSO PRESENT:

- MARY ANN FASANO, Acting Planning Administrator
- ROB O'BRIEN, Township Engineer
- ROBERT A. MICHAELS, Township Planner
- BRUCE A. EISENSTEIN, Consulting Engineer

IRIS LaROSA,
Certified Shorthand Reporter

Job No. CS1884563

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

STEPHEN H. SHAW, ESQ.

Attorney for the Board

PINILIS HALPERN, LLP

BY: JUDITH FAIRWEATHER, ESQ.

Attorneys for the Applicants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1 CHAIRMAN VIVONA: Let me introduce it back
2 in.

3 Okay. Next hearing is Calendar BOA
4 13-62-105, New Cingular Wireless, 63 Buxton Road.

5 MS. FAIRWEATHER: Judy Fairweather on
6 behalf of New Cingular Wireless.

7 MR. SHAW: Perhaps before the Board
8 proceeds I just wanted to mention something, that there
9 have been several pieces of correspondence which people
10 have sent to the Board. That correspondence is not
11 admissible. It's all classified as hearsay. It's not
12 supposed to be considered.

13 There was also a letter from a township
14 resident who also is an attorney which was submitted.
15 I will at some point perhaps later in the evening, if
16 we get to that point, go through it, but it is in
17 addition to being hearsay, it's also legally incorrect
18 as to what it is asserting, in terms of how the
19 Telecommunications Act case law is to be applied.

20 Essentially, there is New Jersey case law
21 that says that the case law involved in the
22 Telecommunications Act is not relevant to findings and
23 determinations by the Board of Adjustment, and there's
24 a use variance -- and, again, we'll get into it later,
25 but number one, is any correspondence this Board

1 received from a resident outlining what their positions
2 and concerns are cannot be considered by the Board
3 because it's hearsay evidence. It has to be presented
4 as testimony to the Board. And, again, later on
5 assuming we get to the deliberations point we will have
6 a full discussion of all of the legal standards, which
7 are applicable for the Board when you're discussing
8 what would be an appropriate decision, but I don't want
9 to get into a detailed response to something which
10 really shouldn't have been considered by the Board in
11 the first place, but I will address some of the
12 concepts that were raised when we get into the legal
13 discussion later on.

14 BOARD MEMBER KENNY: So his statement that
15 he's an attorney representing himself that's not --
16 that doesn't circumvent?

17 MR. SHAW: That doesn't circumvent the fact
18 that he's still presenting testimony in the form of how
19 he's interpreting and applying the law. And someone
20 who is an attorney is no more entitled to submit
21 hearsay evidence than, you know, any other township
22 resident.

23 BOARD MEMBER KENNY: So if someone is on
24 vacation and they want to give information is there a
25 way to legally do that if they're not here, since you

1 can't sent a letter?

2 MR. SHAW: As an objector, you know, there
3 is no real way of making that kind of presentation. I
4 mean, you really need to be present to make the
5 objection. But, again, I would note that, you know,
6 that letter has two things: Number one, it's his
7 opinion as to what they feel it is, which is clearly
8 hearsay; the other is, there is a discussion of case
9 law in it, and certainly if someone wanted to submit,
10 you know, a memorandum of law as to how something
11 should be applied, you know, that needs to be
12 addressed. So I will address it in that context, but
13 it really is not admissible into evidence.

14 CHAIRMAN VIVONA: Okay.

15 MS. FAIRWEATHER: Okay. Can I start?

16 CHAIRMAN VIVONA: Yes, Ma'am.

17 MS. FAIRWEATHER: I'm sure that you
18 remember, but where we left off was I brought our civil
19 engineer, Tony, back. And Tony, I'm going to remind
20 you that you're under oath, to just go over the changes
21 in the plans that were submitted -- recently submitted,
22 and only the changes in the plans and not rehash the
23 whole site plan again, okay, Mr. Gaultieri?

24 MR. GAULTIERI: Okay.

25 A N T O N I O A. G U A L T I E R I, having been

1 previously sworn, testifies as follows:

2 BY MS. FAIRWEATHER:

3 Q. And what were the changes that were on the
4 plans?

5 A. Okay. Last time we were here we went over
6 the plans that were dated 4/21 Rev 2. Since we were
7 here we heard all your comments, all your concerns, and
8 we reissued a set of plans dated 6/5 of 2014 per CBA
9 comments. And those plans have been submitted to
10 address all those comments.

11 Q. Can you just list the changes that were on
12 the plans, please?

13 And, Tony, just for the record, the plans
14 that you're showing, the sheets that you're referring
15 to, those are exactly what was submitted to the Board,
16 you haven't made any additional changes to them?

17 A. Correct.

18 Q. Okay. And Tony, you're going to have to
19 speak loudly?

20 A. Okay.

21 Q. Last time I was here you wanted me to
22 present the boards to the public? Same case? Okay.

23 Just to kind of so we're all on the same
24 page I'm going to start page one through -- and go
25 through the entire set.

1 Drawing Z-01, which is dated 6/5/14
2 Revision 3 per ZBA comments, these are the same
3 drawings that were sent. The only major change on this
4 drawing was showing the proposed 12-foot wide AT&T
5 construction easement as staked during the Saturday
6 walk that we had. Those where the stakes that were
7 on-site basically transferred onto this plan as per the
8 engineer's request. Then I'll get into a little bit
9 further detail on the other sheets.

10 Okay. The major set of changes occur on
11 drawing Z-2, again, dated 6/5/14 per ZBA comments
12 revision three. And this kind of addresses all of the
13 engineer's concerns for the most part that was
14 addressed in the letter that we received from H.
15 McDonald from John Ruschke on May 16, 2014.

16 And what we did here was we showed all the
17 topography, the topo on-site, including spot
18 elevations. We, again, delineated the 12-foot access,
19 temporary construction easement. We delineated all the
20 trees on the property that were around the construction
21 area. And we addressed the main items. There was a
22 couple of items that concerned from a constructability
23 issue to the site, for example, you know, how we're
24 going to get equipment in and out, what areas are we
25 disturbing, whenever we're going over a mulch area how

1 we're going to be addressing that. So, basically, all
2 the mulched areas are going to be -- that were going to
3 be within that 12-foot access easement are going to be
4 removed and leveled for us to be able to get access in
5 here.

6 We are putting two layers of three-quarter
7 inch plywood, or something similar to that along that
8 12-foot strip, so when we drive our vehicles on that
9 we're not driving on the grass directly. There is some
10 buffer between the vehicles and the ground.

11 The other major item is we talked about the
12 fencing. We are replacing the wooden fencing that
13 exists on three sides, and we're replacing it with
14 like-and-kind as far as the height. So long the
15 northern side we're replacing that with a 6-foot high
16 stockade fence. Along the western side we're replacing
17 that with a 6-foot fence.

18 On the eastern side there's an existing
19 8-foot fence there, we're replacing that with a 8-foot
20 stockade fence. And at the Board's request along the
21 south side we're going to be adding a 6-foot stockade
22 fence. So the entire American Water property will have
23 a stockade fence all the way around.

24 Also, as requested, we're putting two
25 wooden 6-foot gates. Right now there's just a piece of

1 -- 12-foot section of stockade fence that's in front of
2 the chain-link fence, or gates that are there. We're
3 going to have gates there as well.

4 Q. And Tony -- oh, I'm sorry. Finish that
5 sheet. I want to go back to what you said about the
6 construction.

7 A. Okay. There are also in some of the mulch
8 beds there are smaller plantings that we are going to
9 temporarily remove and relocate. Everything that we
10 are going to remove and relocate will be replanted in
11 like and kind. Obviously, if things don't take because
12 of the time of year that we're going to be doing
13 construction we'll come back and replace whatever
14 doesn't take.

15 The other major item that was addressed was
16 the vehicles and how we're going to construct this,
17 what kind of equipment we're going to be using to do
18 this. And there was some talk back and forth. So we
19 went through, we talked to the construction manager
20 that was going to be on site, and there's on the
21 drawing the cell site installation notes details the
22 type of equipment, size, weight, and anticipated trips
23 that we're going to take long that path, and what's
24 going to happen during during the construction period.
25 So it outlines per the engineer's request how we're

1 doing it, what equipment we're using, duration, what's
2 going to be on-site, what's not going to be on-site.
3 So I think that kind of details out pretty clearly on
4 how this is going to get -- because I think somebody
5 had mentioned are you driving a cement truck back here
6 to pour concrete. Obviously, we're not going to do
7 that. There's a method on a couple of different ways
8 we can do that. So I think that's pretty clearly laid
9 out on the drawings.

10 Q. And the next sheet?

11 A. There is one other item on this sheet.
12 Last time -- oh, one more item on the construction
13 access. Because the easement is near some trees we
14 wanted to go ahead and provide additional trunk armor
15 protection, which is wooden -- two-by-fours that are
16 wrapped around the trees. Just in case a truck,
17 something hits the tree at least there's some
18 protection to the tree so we're not damaging the tree.
19 Again, we're taking that extra measure just to make
20 sure that nothing is happening to those.

21 In addition there's a lot of discussion on
22 temporary generator power and noise and how we're going
23 to get that. We've gone back, and one of the things
24 that we're going to do is we're going to provide backup
25 power with batteries. We have an existing easement

1 that already comes to the property that we have access
2 to. We're going to have a temporary construction
3 easement but we will not need a -- an access easement
4 to bring in a generator. Once the site -- if the site
5 loses power and the batteries exhaust and we need to
6 generate this site we will bring batteries and replace
7 the batteries that are in these cabinets to be able to
8 re-start the site. So it's a little bit more labor
9 intensive, but based on the concerns we wanted to take
10 a different approach and come out with the same type of
11 end use.

12 The only other item here that changed is
13 the proposed work light that's on a timer. Instead of
14 building a frame inside that, the sound barrier is wood
15 and we're going to attach it to the wood structure.
16 And that's addressed in the other drawings.

17 But I think this for the most part
18 addresses the main items of concerns. The only item
19 that didn't make it on this plan, and we talked to the
20 engineer earlier, was the soil and erosion control
21 notes that are provided by the town, they'll be added
22 to these drawings when they get resubmitted.

23 CHAIRMAN VIVONA: Okay. The work light you
24 just mentioned that's going to be inside the enclosure?

25 THE WITNESS: Yes. It's inside. Before it

1 was shown on a frame. We have a wood sound barrier.
2 Instead of building another frame inside there, because
3 this space gets tighter and tighter every time you add
4 more stuff to it we're just going to mount it on the
5 inside.

6 CHAIRMAN VIVONA: So there won't be any
7 light on the outside of the --

8 THE WITNESS: No, not at all. It's just a
9 work light if a worker goes here if they need to they
10 can just turn the timer on 15, 20 minutes, however long
11 they're going to be there and then it shuts off. And we
12 got away from the motion sensor based on concerns that
13 something flies through and activates it, so we just
14 took care of that.

15 Drawing Z-03 dated 6/5 per ZBA comment.
16 Nothing changed from the last submission on this
17 drawing at all, okay. Z-04, dated 6/5, Rev 3, per CBA
18 comments. Again, the only thing that changed here is
19 the light. If you look at detail 7, Z-04, and you
20 compare it to the other drawings, the frame got removed
21 and just got mounted right to the back wall.

22 We introduced another sheet dated Z-05,
23 again, dated 6/5/14 per ZBA comments Rev 3. There's a
24 lot of questions and concerns on how is the sound
25 barrier built? What is the foundation look like? How

1 is it all going to work? And we kind of threw some
2 details here to kind of show height, width, size,
3 structurally, what we need from a foundation standpoint
4 and so forth, and we worked with ply wall to get some
5 of their notes and materials to be able to say here's
6 how this stuff gets put together, but at the end of the
7 day when we pull the trigger with ply wall in getting
8 this sound barrier design they will design a sound
9 enclosure system specifically for this site.

10 So we're showing some generic sizes here.
11 If you notice we don't call out the panel type, the
12 cleat, how all that stuff gets together, that's all
13 going to be designed to be able to hit the sound rating
14 that we need based on their specs.

15 So that's why there aren't designs shown
16 here at this level. We will have that design when we
17 file for building permit under construction drawings,
18 all that stuff will be shown. And the only other
19 detail that I talked about earlier is the trunk armor
20 detail and how that gets installed and so forth.

21 MS. FAIRWEATHER: Thank you, Tony.

22 BOARD MEMBER POLISE: Based on that last
23 drawing, it says 9, 6 now. Wasn't it going to be a
24 9-foot wall? Did it go up another 6 inches?

25 MS. FAIRWEATHER: It was always 9, 6.

1 BOARD MEMBER POLISE: I thought it was 9
2 feet.

3 CHAIRMAN VIVONA: 10-foot wide. How long
4 is it?

5 THE WITNESS: 17 feet.

6 BOARD MEMBER KENNY: Could you just restate
7 what you said about the generator? That was -- if the
8 batteries run out you'll replace the batteries rather
9 than bring in a temporary generator, is that what you
10 said?

11 THE WITNESS: That's correct.

12 MS. FAIRWEATHER: And Tony, AT&T knew the
13 concern that people had with noise and decided that
14 they would adjust with needed batteries?

15 THE WITNESS: Correct.

16 BOARD MEMBER POLISE: How long is the
17 battery lifetime?

18 THE WITNESS: The batteries limits, they
19 provide eight hours of backup power.

20 BOARD MEMBER POLISE: Three replacements a
21 day?

22 MS. FAIRWEATHER: Hopefully not for many
23 days, but, yes.

24 BOARD MEMBER POLISE: Do you know how big
25 those batteries are?

1 THE WITNESS: Generally they would be
2 similar to like a car battery, that size.

3 BOARD MEMBER POLISE: Do they come on a
4 rack or do you bring them in?

5 THE WITNESS: It would be individually.
6 They're stacked and they're all interconnected. So
7 it's a little labor intensive, but you come through the
8 existing easement that's there, you put them in,
9 connect them, take the discharge batteries out.

10 BOARD MEMBER POLISE: Do you know how many
11 batteries there are?

12 THE WITNESS: Depending on how much power
13 the site has to create eight hours, it depends.

14 BY MS. FAIRWEATHER:

15 Q. In your professional opinion what do you
16 think?

17 A. If I have to estimate, about 6 to 8 per
18 cabinet.

19 BOARD MEMBER POLISE: And how many
20 cabinets?

21 THE WITNESS: Two.

22 CHAIRMAN VIVONA: How do they bring them in
23 by hand, a hand truck or something like that.

24 THE WITNESS: Yes.

25 CHAIRMAN VIVONA: No machinery?

1 THE WITNESS: No. Correct.

2 BOARD MEMBER POLISE: So would you take
3 down the whole tower while you're doing it?

4 THE WITNESS: No, this -- it works no
5 different than your car, like when you're replacing the
6 battery in your car. You disconnected it, disconnect
7 the connections to the battery, pull the battery out,
8 put another battery out in, and reconnect it.

9 BOARD MEMBER POLISE: Well, I understand
10 that, but you'll be doing that 16 times. While you're
11 doing it you lost power, right?

12 THE WITNESS: Well, the site will be down
13 at that point any way.

14 BOARD MEMBER POLISE: Then the site goes
15 down for an hour while you're working, you wait eight
16 hours and come back and do it again?

17 THE WITNESS: Correct.

18 BOARD MEMBER POLISE: It just seems very
19 labor intensive?

20 THE WITNESS: It is, but based on the
21 concerns that we had here we felt that this is, you
22 know, yes, it is a lot more labor intensive, but I
23 think it serves the purpose to serve the community a
24 little bit better.

25 BOARD MEMBER POLISE: So does this get

1 written in as a method of --

2 MS. FAIRWEATHER: Condition of approval?

3 Yes. It's absolutely fine.

4 THE WITNESS: Yes, it's right on the
5 drawings.

6 BOARD MEMBER POLISE: And it's saying no
7 generator?

8 THE WITNESS: Yes.

9 CHAIRMAN VIVONA: The fence to the
10 enclosure is that going to be natural, or is it going
11 to be stained, or -- I know the antennas, the wires
12 will all be painted the same color of the tank to make
13 them less visible, but how about the enclosure?

14 MS. FAIRWEATHER: The fence all the way
15 around?

16 CHAIRMAN VIVONA: Yeah. Is it going to be
17 a natural pressure treated fence, or is it going to be
18 stained?

19 MS. FAIRWEATHER: Whatever you would like.
20 Whatever the Board would like.

21 Generally, it's a board-on-board, it's a
22 board fence. They can stain it, they can paint it.
23 They can do whatever the Board would prefer.

24 CHAIRMAN VIVONA: Okay. And I guess it's
25 the same with the enclosure. It's wood, so --

1 MS. FAIRWEATHER: Right.

2 THE WITNESS: Exactly.

3 CHAIRMAN VIVONA: Anybody else?

4 BOARD MEMBER POLISE: Mr. Ruschke's letter
5 on May 16th. "Two: A copy of the deed of the permit
6 utility easement from Buxton Road to the water tank
7 should be provided. Permanent utility easement should
8 be revised as necessary to address future maintenance
9 of the wireless telecommunication facilities."

10 So are you saying that the batteries mean
11 that you don't have to do any revisions to the
12 easement?

13 MS. FAIRWEATHER: Yes.

14 BOARD MEMBER POLISE: And there's no
15 modifications involved at all in the easement?

16 THE WITNESS: No. None.

17 BOARD MEMBER POLISE: Why is he asking a
18 for a copy of the deed, though?

19 MS. FAIRWEATHER: I don't know.

20 BOARD MEMBER POLISE: Is that something
21 that will be produced?

22 MS. FAIRWEATHER: The deed shows who the
23 property owner is. We supplied a copy of our lease to
24 shows that we have a right to lease the property.

25 We're not the property owner. I wasn't sure.

1 MR. SHAW: They would not provide a copy of
2 the easement agreement itself to the owner. They did
3 provide a copy of the redacted license lease agreement
4 which established that there was the right to provide
5 access.

6 BOARD MEMBER POLISE: And that access is
7 whatever that is. That's pretty narrow. What is that,
8 just grass? It's not road, right?

9 MS. FAIRWEATHER: No.

10 MR. SHAW: That's the area where the
11 existing driveway is?

12 THE WITNESS: Right. And then there's
13 grass across the back.

14 MS. FAIRWEATHER: And then it goes across
15 the back, grass in the back, yes.

16 CHAIRMAN VIVONA: I think that whole thing
17 was just designated as a walk-through. There's no
18 machinery that will go in there. Just so that the
19 maintenance guys can walk around and have access to it
20 without having to walk through the front of the
21 property, and if they start changing batteries it will
22 be like hand truck, so no tractors or anything will be
23 going back there.

24 BOARD MEMBER POLISE: I just find it hard
25 to believe that three times a day in the middle of the

1 winter with an ice storm they're going to be carrying
2 batteries from the back of a house up the slope of a
3 hill.

4 MS. FAIRWEATHER: I have to tell you,
5 they're willing to do that, rather than just trying to
6 put up a generator when people don't want to.

7 BOARD MEMBER POLISE: They're willing to
8 say they're going to do it, but it's not really
9 practical.

10 MS. FAIRWEATHER: More practical than
11 putting a generator there. What we're trying to do is
12 any issues that come up that we can try to solve we're
13 trying to solve them. And in AT&T's opinion that's the
14 way to solve the issue of the -- think about it, we had
15 two noise experts that were here for three months.
16 This is a way to get rid of some of the noise, and even
17 though under DEP it's allowed, it's an emergency and
18 all that, that's still we know not good enough for the
19 residents. So we're trying hard to deal with every
20 issue we possibly can.

21 BOARD MEMBER POLISE: I understand that,
22 but it just doesn't seem like a workable solution to
23 me. It's not pragmatic, and after the first winter the
24 policy will change and there will be a generator
25 on-site.

1 MS. FAIRWEATHER: Well, we can't do that
2 without coming back here.

3 CHAIRMAN VIVONA: Right. That will be part
4 of the Resolution. Bob?

5 MR. MICHAELS: I assume that the stockade
6 fence as proposed will have the finished side facing
7 the residents, though?

8 MS. FAIRWEATHER: Oh, yes.

9 MR. SHAW: Just out of curiosity, is there
10 any particular less obvious color that you might be
11 recommending in terms of staining?

12 MR. MICHAELS: Just a natural wood stain.
13 I mean, I don't think that's probably the best.

14 BOARD MEMBER KENNY: I mean, can we do
15 board-on-board, though, instead of the stockade?

16 MR. MICHAELS: Well, I mean, a
17 board-on-board fence is usually done when you want the
18 good side on both sides. I don't think we care what it
19 looks like from the inside of the enclosure, so a
20 stockade fence usually provides more of a screening,
21 and as long as it's facing the residents --

22 BOARD MEMBER KENNY: It does provide more
23 of a screening?

24 MR. MICHAELS: In my opinion it does.
25 Sometimes board-on-board you can see between the boards

1 sometimes, and it's usually used if you want to have it
2 -- to look the same on both sides, but with the
3 stockade fence, as long as the good side is facing the
4 residents that's all that we would care about.

5 BOARD MEMBER KENNY: I just thought it
6 looked nicer than a stockade, if you're blocking more
7 than --

8 MR. MICHAELS: I think it blocks more than
9 the view.

10 BOARD MEMBER KENNY: I think staining is
11 just asking for maintenance issues, really.

12 MR. MICHAELS: Well, all wood fences have
13 to be maintained, either painted or stained. So either
14 way, I mean, unless it's a vinyl fence then they all
15 require maintenance.

16 BOARD MEMBER STYPLE: What's the life
17 expectancy of a wooden fence, five years?

18 BOARD MEMBER KENNY: I think it's 15
19 because I don't do anything to my fence and it's
20 falling apart, and it's 15 years. But I mean, usually
21 you don't stain around here usually, you just put up a
22 fence. Then it rots, and then you put it up again.

23 BOARD MEMBER ROMANO: Will there be
24 landscaping or anything kind of surrounding this wooden
25 closure?

1 THE WITNESS: We're not proposing anything
2 new. There is existing landscaping around the American
3 Water property. We're looking to whatever we're
4 disturbing we're going to replace in like-and-kind, but
5 that's all we're proposing because we are within the
6 American Water property, which it's like a
7 hundred-by-a-hundred diamond shape. We're inside the
8 fence, we're not outside the fence.

9 MS. FAIRWEATHER: So their property, if we
10 went to do landscaping around it, would be other
11 people's property.

12 BOARD MEMBER ROMANO: Okay.

13 CHAIRMAN VIVONA: Getting back to the
14 fence, the stockade fence that's there now is I think
15 just a natural sort of like grays?

16 THE WITNESS: Yes, it's weathered.

17 CHAIRMAN VIVONA: Any other questions from
18 the Board? Should we open it up to the public or --

19 MR. SHAW: Yes.

20 CHAIRMAN VIVONA: Okay. There's no other
21 questions from the Board or professionals that are --
22 anybody who has questions about the testimony that Tony
23 just gave you're welcome to it, but it's directly to
24 his testimony. So, when you come up state your name
25 and your address?

1 MS. MESSING: Haylee Messing, 60 Buxton
2 Lane, New Jersey.

3 You said there were two gates going in?

4 THE WITNESS: Correct.

5 MS. MESSING: Okay. Are they both in the
6 front, or there's one in the front and one in the back?

7 THE WITNESS: It's just easier if I show
8 you. One of the questions that was raised last time,
9 there's -- the water tank is enclosed by a chain-link
10 fence all the way around. There's an existing stockade
11 fence here, here. There's a piece of stockade fence
12 that comes across where the two gates are. This is the
13 stockade fence that we're going to be removing that
14 we're going to be putting a stockade gate in that
15 location. It's the same place where the access for
16 American Water has their two chain-link gates.

17 MS. MESSING: So where do you enter with
18 the batteries?

19 THE WITNESS: Okay. They're going to come
20 in here. There's an existing easement that comes along
21 the property line, that follows basically the driveway
22 coming up to the back, then it comes across this way.
23 So if we need regular maintenance, anything that needs
24 to be done back here it's going to be using that
25 existing easement coming through the back and coming

1 across through these two existing gates that are here.

2 MS. MESSING: Now, is this easement, is
3 this paved, is this grass?

4 THE WITNESS: Grass, this is all grass.

5 MS. MESSING: So what happens when we have
6 tons of snow? People are just going to have to walk
7 through the snow carrying these batteries every eight
8 hours to bring them in there?

9 THE WITNESS: As needed, yes.

10 MS. MESSING: And if the driveway isn't
11 shoveled or plowed all the way they're just going to
12 have to manage to get through the inclement weather?

13 THE WITNESS: Correct. And you're assuming
14 that that's going to happen if you're going to have an
15 outage at the same time.

16 MS. MESSING: Well, you know what, I mean,
17 that's generally when you do have outages is when the
18 weather is inclement, so I would make that assumption.
19 If you're putting this in because you're expecting
20 emergencies when there's emergencies it's usually the
21 weather is bad. You know, on a beautiful day we don't
22 have emergencies, generally.

23 In terms of the equipment, has anybody
24 looked at the amount of impervious coverage, whether
25 you need a variance for that? Because when AT&T

1 proposed this in 2002 they needed a variance for
2 impervious coverage. Has that been added up to make
3 sure that that's not an issue with this? Have you gone
4 through all the cement slabs that are in there?

5 THE WITNESS: Okay. The area that we're
6 installing here that's impervious is this 10-by-17
7 area. All utilities are all underground.

8 MS. MESSING: Okay. So that's not -- so
9 that's the battery cabinet. It's all the equipment.
10 It's everything that's involved?

11 THE WITNESS: Correct. It's the 10-by-17
12 -- it's this area here.

13 MS. MESSING: So it's just one structure?

14 THE WITNESS: That's it.

15 MS. MESSING: Okay. And then in terms of
16 the tree protection the armor that you're talking about
17 how far out from the trunk does that come?

18 THE WITNESS: It's right up against the
19 trunk itself. It's to protect on Z-05, and here's --
20 those are just a typical detail. It's basically from
21 grade it's 5 feet up, and basically it's two by fours
22 wrapped in either twine or metal wire around the trees
23 just to provide that additional protection. We're not
24 anticipating coming that close to the trees, but God
25 forbid something should happen the trees do have some

1 sort of protection.

2 MS. MESSING: Several years back I was the
3 Chairwoman of the tree protection committee in the
4 township and we generally -- our recommendation was
5 always to keep any heavy equipment off the roots going
6 from the crown of the tree, down. And we got that from
7 extensive studies that says once you're on those roots
8 it does impact the tree. Won't impact it this year or
9 next year, but five years down the line that can damage
10 the trees.

11 Are the planks that you're putting down
12 driving the trucks over? Are those going over the
13 roots of the trees that are in the crown of it?

14 THE WITNESS: One of the things that we
15 showed on here is the 12-foot wide easement, and we
16 gave a detailed breakdown of the size of the trucks.
17 And we're at the 8-to-10-foot width at max with minimal
18 passes. And we're going to provide two layers of
19 three-quarters plywood, an inch and a half over the
20 grass area.

21 So any load that comes on here is going to
22 be distributed out. We're not directly over the roof.
23 This could be some distribution. Then based upon talk
24 with the different folks and experts on the way to do
25 that that will provide enough protection for the trees

1 that was not damaged.

2 MS. MESSING: Okay. But it just seems
3 counter-intuitive that if you're putting the armor on
4 you do think that this equipment is getting close
5 enough that it could potentially damage the tree, which
6 would mean you're close enough you're on the roots,
7 which would damage the tree anyway.

8 MS. FAIRWEATHER: I'm going to object right
9 there. He's explained several times that the equipment
10 isn't going. That they don't expect to go near the
11 trees. He just went into a detailed explanation about
12 the roots, and the way -- he's just not saying what she
13 wants. He's already answered the questions.

14 MS. MESSING: No. I object to that,
15 because I have a lot of training with trees, and I know
16 that I've seen a lot of trees die. And these are
17 mature trees. We don't need to lose more mature trees.
18 And this is a valid question. No, I'm asking. I want
19 to know that those tree roots are protected.

20 MS. FAIRWEATHER: And he just explained to
21 you how --

22 MS. MESSING: No, he didn't say that the
23 trees were protected. He told that the bark -- that
24 the trunk was protected, and I'm talking about the
25 roots, because if those are damaged you will lose the

1 tree.

2 MS. FAIRWEATHER: I understand that. And
3 he explained how there's wood, and plywood going to be
4 there. They're not going directly over the roots.

5 MS. MESSING: They are going over the
6 roots. He's showing me these are the trees. I'm not
7 exactly sure what the dimensions of these trees are, if
8 they're mature, but your plywood even though it's being
9 distributed it's still going over the roots, it's still
10 putting weights on the roots. It can still potentially
11 damage the trees.

12 MS. FAIRWEATHER: I understand, and you
13 gave your opinion, he gave his.

14 MS. MESSING: It's not an opinion. I'm
15 stating facts.

16 MS. FAIRWEATHER: That's fine, but if he's
17 not going to say what you said, he's already extended
18 to you in the way he believes.

19 MS. MESSING. He doesn't have to. He's
20 answering questions. I'm asking questions; he's
21 answering questions. And he's telling me that there
22 will be pressure on the roots of the trees, which could
23 potentially damage the trees. So he answered the
24 question. Thank you.

25 BOARD MEMBER KENNY: Just to get back to

1 the question she asked about the concrete pads, there
2 are other concrete pads in that square, though,
3 correct, other than the 10-by-17-foot? The ones
4 existing cabinets by others, and then concrete pad with
5 hatches?

6 THE WITNESS: Right. The existing cabinets
7 that are within the American Water area, those are
8 existing.

9 BOARD MEMBER KENNY: Right. So just to
10 clarify, even calculating all those ones that are
11 existing and the new one that there's still no
12 impervious coverage issues?

13 THE WITNESS: Right. I mean, we're only
14 adding 170 square feet to a hundred by a hundred area.

15 BOARD MEMBER KENNY: Okay. Thank you.

16 CHAIRMAN VIVONA: Great. Next, please?

17 MR. BRENNAN: Jim Brennan, One Macevoy
18 Avenue.

19 Can you just refresh my memory? How tall
20 are the cabinets that the fence is being installed to
21 shield?

22 THE WITNESS: We covered all this last
23 time.

24 MR. BRENNAN: You did, I just don't
25 remember.

1 THE WITNESS: Drawing Z-02 has all the
2 cabinet sizes. The batteries are 84-inches tall, and
3 the two per cell are 37-inches tall.

4 MR. BRENNAN: A 6-foot fence won't cover
5 these cabinets, will it?

6 THE WITNESS: No, it's not that it's a
7 6-foot fence, these cabinets are covered by a 9-foot-6
8 sound barrier.

9 MR. BRENNAN: Thank you.

10 CHAIRMAN VIVONA: Anybody else with
11 questions? (No response.) No more questions for the
12 engineer? (No response.) Okay.

13 MS. FAIRWEATHER: Mr. Chair, I have my last
14 witness, my planner.

15 CHAIRMAN VIVONA: Okay.

16 MS. FAIRWEATHER: Jim? Raise your right
17 hand, sir.

18 CHAIRMAN VIVONA: Do you swear to tell the
19 truth, the whole truth, and nothing but the truth so
20 help you God?

21 THE WITNESS: I do.

22 CHAIRMAN VIVONA: Please state your name,
23 your company, and your qualifications, please?

24 J I M D O W L I N G, having been duly sworn,
25 testifies as follows:

1 THE WITNESS: Sure. My name is Jim
2 Dowling. I'm employed by Jacobs Engineers, which is
3 located in Morristown, New Jersey. I'm a member of the
4 American Institute of Certified Planners. I'm a
5 licensed professional planner in the state of New
6 Jersey. I've got nearly 30 years, it pains me to say,
7 nearly 30 years experience as a planner. I've
8 testified before Zoning, Planning Boards on many
9 occasions before New Jersey, and I've been qualified as
10 an expert on every occasion before.

11 CHAIRMAN VIVONA: Have you been before this
12 Board?

13 THE WITNESS: I believe I have a number of
14 years ago, not recently.

15 CHAIRMAN VIVONA: Okay. Just throw this
16 out. Before we start we'll take a 10-minute break, or
17 five-minute break.

18 MS. FAIRWEATHER: Sure.

19 CHAIRMAN VIVONA: Give everyone a fresh
20 start. Okay. Five-minute break.

21 (A recess is taken at 8:58 p.m.)

22 (Back on the record at 9:05 p.m.)

23 CHAIRMAN VIVONA: Okay. We're going to
24 start the tape, so please sit down. You can now
25 continue with Mr. Dowling, please.

1 DIRECT EXAMINATION BY MS. FAIRWEATHER:

2 Q. Jim, I need to ask you a question. You
3 have reviewed -- can you please explain to me what
4 you've done in preparation for this meeting? And you
5 as my planner with the variances that I'm requesting
6 can you please address them also? And I'm basically
7 turning it over to you.

8 A. Sure. That's correct. Yes. We have
9 reviewed all of the materials that have been submitted
10 as part of the application. I've been at most of the
11 meetings in the audience, and the ones I haven't been
12 at I've read the transcripts. I've visited the site on
13 numerous occasions and the surrounding neighborhoods.
14 I've developed my opinion on the matter, and I've also
15 met with the team and spoken to the design team on
16 numerous occasions as well to inform my opinion.

17 What I'm going to do tonight, and I'll try
18 and be quick, I'm going to rely a lot on the testimony
19 that's come earlier in the case, but I'm going to try
20 to provide an overview and a summary to much of what
21 we've heard so far, and then I'm certainly happy at the
22 end to answer any questions from the Board or from the
23 public. But, again, the proposal we're talking about
24 tonight is to add the antennas to this approximately
25 105-foot water tower, 105 foot to the top of the walls,

1 and then there's a slight dome on top of it so it goes
2 up to approximately 110 feet.

3 So we'll be adding the antennas to that 12
4 antennas, approximately 4 feet by 1 foot by about half
5 a foot thick. We'll be adding a cable tray with
6 coaxial cables within it on that tower, and then on the
7 ground as we heard earlier we'd be putting the concrete
8 platform which is approximately 10 feet by 17 feet, and
9 on top of that would be the equipment cabinets, the
10 electronics, and they would be encased within a
11 nine-and-a-half-foot tall sound enclosure, which is
12 uncovered. It has no roof on it. So it would just be
13 the walls.

14 We heard about the construction easement,
15 the maintenance easement, so I won't mention much about
16 that. What I'd like to do is talk a little bit about
17 the context within which this application sits, and I
18 have an aerial photograph which I can mark.

19 MS. FAIRWEATHER: Jim, I'm going to stop
20 you right there, because I'm not sure what we're on.

21 MR. SHAW: We're on A-58.

22 (Exhibit A-58, photo board, was received
23 and marked.)

24 THE WITNESS: And today's the 17th?

25 MS. FAIRWEATHER: Yes.

1 CHAIRMAN VIVONA: Do we have that picture?

2 MS. FAIRWEATHER: Yes, you have the packet
3 of his --

4 THE WITNESS: I don't believe you have this
5 aerial, no.

6 MS. FAIRWEATHER: But not the aerial?

7 THE WITNESS: Not the aerial.

8 BY MS. FAIRWEATHER:

9 Q. Can you tell us about the aerial, Jim?

10 A. Sure. This is an aerial photograph that's
11 provided to us from New Jersey, from the state itself.
12 It's digital. It's a 2012 photo, and it shows the
13 general area of the application. And what we've also
14 done is superimposed topography on it, so we can see
15 the topography. So the topo lines are the dark ones in
16 this location.

17 Is it better that I stand on this side or
18 -- where I am now is good?

19 So the proposed water tower on Buxton Lane
20 is located obviously within a single-family residential
21 neighborhood, primarily one-to-2 story residential
22 homes. It's on top of the ridge line, which is running
23 northeast to southwest, which is approximately 480 feet
24 at the top of the ridge, approximately 200 feet at the
25 bottom of the ridge, which continues the Passaic river.

1 So we're talking about a differential of approximately
2 280 vertical feet in that location. The ridge drops
3 off sharply to the southeast, down towards the river,
4 and obviously more gradually towards the northwest.

5 There's a number of municipalities that
6 surround this area: New Providence is to the south;
7 Summit's at the east; Berkeley Heights to the
8 southwest; and Chatham Borough to the northeast.

9 And an important characteristic of this
10 area, much of Chatham Township in fact, it's a fact,
11 that it's covered heavily with very mature deciduous
12 trees. Many of them 60, 70, perhaps 80 feet in height,
13 but with large thick trunks, but very mature deciduous
14 trees for the most part.

15 As to the site itself, the site is
16 accessed, as you know, from Buxton Road. It's a site
17 that's approximately a quarter acres in size, 10,000
18 square feet. The lot itself is located in the
19 southwest corner enclosed within Lot 104. It's
20 effectively a land lot, lot.

21 There's adjoining lots. Lot number 3 on
22 Huron Drive to the west, and then Lot number 2 on Huron
23 Drive is at the very corner at the diamond itself.
24 Touches at the diamond.

25 In regard to distances of homes in those

1 nearby homes the home on Lot number 3 is approximately
2 125 to 130 feet from the water tower.

3 The home on Lot number 2 is approximately
4 140 feet to 150 feet. From the water tower and home on
5 Lot 62, which is the lot that has the construction
6 easement, the maintenance easement through it, that's
7 the closest zone to the water tower itself, which is
8 approximately 45 to 50 feet from the water tower
9 itself.

10 There's also homes down on Kincaid Lane,
11 and those homes are more on the order of approximately
12 400 feet away from the tower itself, and a substantial
13 drop in elevation as well.

14 In regard to the zoning on the site, the
15 site itself is zoned R-3. It's a one-family dwelling
16 district, conventional lot, minimum lot size of \$20,000
17 square feet, two and a half stories, 50-foot front
18 yard, 50-foot rear yard, and 15-foot side yard.

19 As I said, the principally permitted use is
20 one family. It also allows municipal parks and
21 playgrounds as a permitted use. It also allows
22 accessory uses, uses such that are incidental to the
23 residential use such as garages and sheds are permitted
24 accessory uses, pools are permitted accessory uses.

25 In fact, it allows farm animals on much

1 larger lots than the 20,000 square feet. And things
2 like off-street parking and even home based businesses
3 are permitted.

4 There is a wireless ordinance within
5 Chatham Township that controls cell towers, and
6 wireless uses. And effectively it says that says that
7 no tower shall be located closer than 100 feet from a
8 residential district. So, effectively by saying that
9 it means that a wireless use, if you can't be 100 feet
10 from a residential district, you certainly can't be
11 located within a residential district.

12 So that's not permitted within the context
13 of that R-3 Zone District. Now, that's a conditionally
14 permitted, not a permitted use, but it will be
15 conditionally permitted if you met that requirement of
16 not being within 800 feet.

17 Now, there is a district that you are
18 conditionally permitted in. It's the P-1-1, which is
19 on municipal property, in the professional
20 institutional district. It would be a conditionally
21 permitted use. And there's not a -- that district does
22 not fall within close proximity to this site in any
23 way. It's a distance away from us.

24 In regard to the variances that we're in
25 front of the Board for, as I said, we're not permitted

1 in a residential district so obviously we need a D-1
2 Use Variance for a use in a district restricted against
3 such use. We also need a number of bulk variances. We
4 need, as for the antennas we need front yard and rear
5 yard variances, because we intrude into the 50-foot
6 required zone setback. The tower itself is
7 pre-existing nonconforming, so we would be a foot
8 closer to those, or a foot further into those zones.

9 For the equipment itself we need a rear
10 yard setback and a side-yard setback "C" Variance. And
11 then in terms of the height if we were conditionally
12 permitted and we're going as a conditional use we can
13 go up to 150 feet, but we're not a permitted use in
14 this district, and we would need to meet the underlying
15 zoning which would be a 35-foot maximum height limit,
16 so we don't meet that as well.

17 There had been over the five, six, I don't
18 recall exactly how many meetings, evidence introduced
19 as to alternative sites that have been reviewed over
20 the course of the application. And I'll just briefly
21 mention them quickly. The testimony of the RF expert
22 and the work he had done in that regard is on the
23 record already, but there is another site which had a
24 number of water tanks on Longwood Avenue, Highwinds
25 Avenue, which is approximately 4,200 feet to the

1 northeast, and that is just over the boundary,
2 municipal boundary. It's in Chatham Borough. It might
3 be very much close to the Borough and Township line.

4 At that site the ground elevation is
5 approximately 50 feet less than we're locating the
6 proposed site. The trees at that site are also higher
7 than the towers themselves. That's located in an R-1
8 Zone district in the Borough, and that's the zone
9 district that would not allow that use, so they would
10 need a use variance in that location, and there are
11 homes within 65 to 75 feet of that location.

12 There is other sites down towards the
13 Passaic river on power towers that had been examined,
14 and the radio frequency engineer had discussed a number
15 of them in New Providence. One of them I believe in
16 Chatham. There was a tower, existing power tower in
17 Oakwood Park, which was in -- there was testimony it
18 was described as being on green acres property. That
19 is in an R-2 Zone district that it would not be a
20 permitted use in that zone district, and I believe the
21 RF engineers' testimony was that that would not meet
22 the coverage requirements necessary for this site as
23 defined by AT&T.

24 There was also another site, JCP&L number
25 four, which was in New Providence near the sanitary

1 facility. Again, that did not meet the coverage in an
2 R-2 Zone district and would not be permitted in that
3 location either.

4 There was another one at JCP&L, number
5 three site in New Providence, in an R-2 Zone district
6 again, was not a permitted use, and it did not meet the
7 coverage requirements.

8 There was JCP&L tower west of number three.
9 I don't know if it ever had its own name, but it's
10 directly west. That already has a carrier on it, and
11 it was unavailable. That is in Chatham. It would be
12 in an R-2 Zone district, which would not be a permitted
13 district. That would require a use variance as well.
14 And that would not meet the coverage requirements being
15 at the bottom of the slope.

16 And then there was JCP&L tower number two,
17 west of number three. That one was in New Providence
18 in an R-2 Zone. Would be not permitted use in that
19 location, and that tower didn't have any access. It
20 was sort of in an abandoned river and it was surrounded
21 by wetlands, so access would be exceptionally limited.

22 There was also a site that was explored
23 called the Merck Alternative site on Passaic Avenue, in
24 the Merck Facility in the city of Summit, and that was
25 approximately 8,600 feet northwest of our proposed

1 site, and it would be located on a 60-foot building.
2 And apparently that's already near an existing or
3 proposed AT&T site. And it would be in a PROD, Plant
4 Research Office Development District, and in that
5 district that would not be a permitted use, that would
6 require a use variance, as well.

7 In regard to the "D" Variance, and I'll
8 talk about the "D" and the "C" Variances separately,
9 what I'd like to do is talk a bit about the proofs
10 attached to them that the Board needs to make.

11 In regard to the positive criteria the
12 Board needs to conclude that special reasons exist for
13 the grant of the variance and that the general welfare
14 would be served by the grant of that variance. And
15 there's been case law in New Jersey that's indicated
16 that wireless communications is not necessarily an
17 inherently beneficial use, however, what that case did
18 indicate is that the grant of an FCC license, which
19 AT&T does have, does show that the general welfare is
20 advanced by that use. So the grant of this variance,
21 this "D" Variance would advance the general welfare.

22 Additionally, it's my belief that this site
23 is particularly suited to this use for a number of
24 reasons: The first being that we have this existing
25 105- to 110-foot water tower located on this site to

1 use as a tower.

2 The approximate ground elevation at the
3 site is 480 feet, so it's a high site that allows us to
4 cover both sides of this ridge. There's very few large
5 built structures located in very close proximity that
6 might block the signals, so that's positive.

7 We've heard testimony from the RF engineer
8 that there are gaps in services on both sides of the
9 ridge, on the top of the ridge, as well as on the
10 bottom of the ridge, and that this location meets the
11 requirements, the service requirements to cover it.

12 It's also important that this tank is
13 structurally capable of holding these antennas that
14 we're able to affix our antennas to it. In addition to
15 that we have a willing landlord who's willing to rent
16 it to us, so we have those two things happening at the
17 same place.

18 Additionally, there's sufficient ground
19 space at this tower to enable us to add the equipment
20 at the ground, as well as having these construction and
21 access easements. So there's a number of reasons,
22 there's parking in the driveway, which we've agreed to
23 provide in order for the technician to park.

24 And finally there's, as I said before,
25 there's very, very dense tree cover in the surrounding

1 area, which helps ameliorate any of views to this
2 facility.

3 So for those reasons I believe this site is
4 particularly suited.

5 In regard to the negative criteria, the
6 first question is the question do we create a
7 substantial detriment to the public good? And I
8 believe we don't. The addition to the equipment to the
9 water tower, as well as at the ground plane, the
10 cabinets and the enclosure I believe is a minor change
11 on that site.

12 This use itself, in my opinion, is a
13 passive use. No smoke, odor, glare, dust associated
14 with it. There's minimal traffic associated with it,
15 as we've heard from a qualified traffic engineer
16 earlier several months ago that it's visited every four
17 to six weeks on average, and it's using a regular
18 vehicle, and he'll have the capability of parking in
19 the driveway so as not to block the roadway or take up
20 parking on the roadway.

21 We have heard from noise experts both AT&T
22 and the Board's that this noise certainly will not
23 exceed the state limits. We've heard that noise at the
24 property line fence will have sum hum, and I believe
25 those are the exact words at the time of the lowest

1 ambient noise, which is two in the morning, I believe.
2 And that noise at the house, the adjoining house would
3 be immeasurable in that the neighbor will not hear the
4 cell phone equipment at the house. And that came from
5 the Board's noise expert.

6 We've also heard from a licensed appraiser
7 in the state of New Jersey who spoke to property value,
8 and it was his professional opinion that the grant of
9 this variance would not affect the property value on
10 the adjoining homes.

11 Another question, obviously, on the
12 potential installation of this facility is the question
13 of visual quality. We're talking about the 12
14 antennas, the cable tray, and effectively the noise
15 shelter from a visual perspective. The equipment
16 inside of it won't be visible to anybody, so that's
17 really out of play here.

18 What I'd like to do is talk a bit about it
19 and then I'll show you some photo simulations that I've
20 prepared and submitted to the Board, but again the
21 trees in this particular area on the order of 60 to 70
22 feet in height based based on my observation and
23 estimations. They are not as high as the top of the
24 tower, but they're pretty high.

25 Now, for six to seven months of the year

1 these trees are in full leaf. Just about now, or next
2 month they'll be at their maximum. So during this time
3 the tower itself is honestly difficult defined visually
4 depending on where you are. It has a light color and
5 it tends to blend into the sky on a nice blue sky day.

6 As I said, there are multiple trees
7 surrounding it, on the property itself, outside the
8 fence, on adjoining properties, on undeveloped lots the
9 side of the hillside stretching down to the Passaic
10 River, and on near the fronts of lots, on streets.

11 There's a lot of street trees, many of them
12 mature, many of them large. So during foliage season
13 based on my observations and driving around the area
14 the addition of the antennas and the cabinets inside
15 the enclosure at the back of the property will be very
16 difficult to see, very limited visibility, so a very
17 small change in the visual environment.

18 Now, for the remaining five to six months,
19 let's say, of the year the leaves are either coming
20 down, or coming back. So during that period of time
21 and probably the worst case time of the year would be
22 the middle of the winter would be January and February,
23 almost all the leaves would be down, or the dead leaves
24 only hang.

25 So, obviously in that instance during that

1 time the water tower itself becomes more visible. The
2 antennas at the top of it would be more visible to some
3 degree, as well. But still even in that case the views
4 will be ameliorated by the existing trees. We are
5 painting the equipment on the tower to match the tower.
6 We are not -- the antennas themselves will not project
7 above the top of the tower, so they will effectively be
8 an elevation on the tower most of the time when viewed,
9 except for some angles where one might be able to see
10 the projection of approximately a foot. But on the
11 tower itself it does not create any significant or
12 large change again, given the large size of the tower
13 that's there already.

14 Now, the noise barrier itself, nine and a
15 half feet high. There was a question if it had been 9
16 feet earlier. I recall it as being 9,6 six since the
17 relative beginning. That would be located in the
18 southern corner of the site, 5 feet from the property
19 line.

20 It's a wooden structure. We heard it would
21 be stained some wooden color or painted a wooden color,
22 that that will be three and a half feet taller than the
23 6-foot fence. So depending on the particular location
24 on the adjoining properties portions of that will be
25 visible. That will be ameliorated, however, by the

1 fact that on the adjoining property Lot 3, I believe it
2 is, there is a shed in that very back corner that
3 adjoins it, and that shed is on the order of ten- to
4 11-feet tall at the ridge line, and before it starts
5 setting back to go to the ridge line it's probably on
6 the order of 8 feet or so.

7 So to some degree that shed will block
8 views from that property towards this equipment
9 shelter, equipment enclosure. There's also large trees
10 on that property which the trunks of those trees will
11 block views to it to a certain degree.

12 I should also point out that in the
13 township that accessory structures such as sheds are
14 permitted up to 15 feet in height, and up to 150 square
15 feet in area. So in some ways this enclosure is akin
16 to a shed that a property owner could place on their
17 property. So, in that regard it's similar.

18 So for the most part it's my opinion that
19 the antennas will have some small level of visibility,
20 depending on the location. That that will be
21 ameliorated by the trees to a large degree. That the
22 equipment shed might have some small level of
23 visibility, and that primarily will be very limited to
24 the adjoining properties, the three or four adjoining
25 properties, and perhaps one or two properties on

1 Kincaid looking back up on the hill since it will be on
2 the back property line in the winter time, and even
3 though there is that limited visibility the question is
4 not can you see something at all, but the question is
5 do you create a substantial detriment by seeing it?
6 And it's my opinion that you don't. And what I'd like
7 to do after sort of that introduction is show some
8 photo simulations, which the Board has.

9 CHAIRMAN VIVONA: Would you mind passing
10 that around while you're doing your simulations,
11 please?

12 MS. FAIRWEATHER: Do you mean to the Board
13 or the public?

14 CHAIRMAN VIVONA: Well, both. I'd like to
15 start with the Board, if you don't mind, and then we'll
16 pass to the public.

17 MS. FAIRWEATHER: By the look on your face
18 when he handed it to the public --

19 THE WITNESS: So there's two sets of photo
20 simulations: One set was done last August, so just
21 about a year ago under full tree cover, and then
22 another set was done, I believe it was earlier in
23 March. And I'm going to go through the ones from
24 August last year rather quickly, because honestly it's
25 very difficult to see anything given the full tree

1 coverage and leaf coverage, but I just want to show you
2 sort of the extent of that coverage.

3 MR. SHAW: Now, I know you distributed them
4 in smaller size to the Board, but you should mark them
5 also for our purposes.

6 THE WITNESS: What are we up to?

7 MR. SHAW: The first one would be A-59.

8 MS. FAIRWEATHER: And Jim, what would we
9 call that?

10 THE WITNESS: This is summer photo
11 simulation board number one, A-59.

12 (Exhibit A-59, was received and marked.)

13 THE WITNESS: Here's a view. Top is the
14 existing conditions, bottom is the proposed conditions.
15 And what we do is we superimposed at scale on a digital
16 photograph the changes that occur. And what you can
17 notice is that the coverage, the tree coverage is
18 exceptionally heavy in the middle. It's difficult to
19 find the tower at all in that.

20 The addition, we have added some antennas
21 along here, but photo simulation of them are obscured
22 by the trees. So, I think the take away from this
23 first one which is from Buxton Road nearby the facility
24 is that it's -- there's very heavy tree coverage in the
25 summertime.

1 MS. FAIRWEATHER: Let's hand that to the
2 Board.

3 BOARD MEMBER KENNY: Do we have the photo
4 on the bottom in our packet or just the top?

5 THE WITNESS: You should have both.

6 BOARD MEMBER KENNY: And it's one and two?

7 THE WITNESS: It's one and two. So number
8 one, I'm sorry, this is number one, it's just not
9 visible at all. And then number two is a close-up of
10 that and it's not visible in that instance, as well.
11 Okay?

12 Then the next one is A --

13 MS. FAIRWEATHER: 60. And we will call
14 that?

15 THE WITNESS: Summer photo Board simulation
16 board number two.

17 (Exhibit A-60, was received and marked.)

18 Ask the?

19 THE WITNESS: And if we look at view number
20 three, again, we're on Buxton. We've gone past the
21 site. The water tower is in this location. It's
22 hidden by the trees. It's difficult to see under the
23 tree cover and you really can't make out anything about
24 it at all.

25 And then photo simulation at the bottom

1 under four, which in effect is really just this
2 photograph, because the tower itself is completely
3 obscured in this instance. We're looking for Kincaid
4 Lane at the building on Kincaid, and the tower is
5 located behind on that location. So nothing would be
6 visible under that circumstance.

7 And then A-61 is a view from Huron.

8 (Exhibit A-61, was received and marked.)

9 MS. FAIRWEATHER: And is that summer board
10 number three?

11 THE WITNESS: Yes, summer board number
12 three. And that's from Huron, and I believe that's Lot
13 number three to the right. Looking at the tower.
14 Again, the top of the tower is obscured in the area
15 where the cabinets are, and the enclosure are behind
16 the house back in this far corner over here. So they
17 wouldn't be visible from the public right-of-way. And
18 that's what these photos are from the public
19 right-of-way.

20 I think sort of the most interesting set
21 would be of a worst-case situation which would be the
22 ones that I did in March. And this is going to be
23 Exhibit A-62.

24 (Exhibit A-62, was received and marked.)

25 THE WITNESS: And this is photo simulation,

1 winter photo simulation board we'll call it, A-62,
2 number one, and in this instance, you know, we really
3 had the opportunity to provide a simulation which you
4 can actually see the tower. It's not obscured simply
5 by trees.

6 So, again, from a similar location on
7 Buxton looking at the tower the tower obviously is more
8 visible in the wintertime and it's a blue sky day and
9 the leaves are down from the trees. And if you look at
10 the lower simulation we can see in this instance there
11 will be one sector of antennas which would be visible
12 in this location, the other ones would be around to the
13 sides and back of the tower. And the equipment shelter
14 enclosure would not be visible in this one from Buxton
15 Lane. So the visibility, the change of visibility from
16 those antennas is not significant.

17 The next one is A-62.

18 MR. SHAW: Three.

19 MS. FAIRWEATHER: Three. And that's winter
20 photo number two?

21 (Exhibit A-63, was received and marked.)

22 THE WITNESS: Yes. Here's a closer view,
23 directly adjoining the site, looking southwest from
24 Buxton Road, and the existing conditions on the top,
25 proposed conditions on the bottom. And here you can

1 see the addition of that one primary sector on that
2 side. Wires coming from it and going back around. The
3 cable trays on the other, towards the other side of the
4 tower and would not be visible. And, again, the
5 equipment or the radio shed or the radio enclosure at
6 the ground level is behind the tower in this instance,
7 so it would not be visible from the public
8 right-of-way.

9 I will also point out that in this photo it
10 becomes apparent that there are other telecommunication
11 sites on this tower, and you can see that whip antennas
12 projecting above the top of it. And that's A-63.

13 Then there's A-64.

14 (Exhibit A-64, was received and marked.)

15 MS. FAIRWEATHER: And that's winter number
16 three?

17 THE WITNESS: Yes. A little further down
18 Buxton looking back at it again, and in this instance,
19 again, there's heavy tree trunks at the bottom. It's
20 difficult to see what's going on towards the bottom and
21 with the fence in that location, and we are slightly
22 below the elevation there, but at the top of the tower
23 one could barely make out the addition of the antennas
24 which would be located below the very top of the tower
25 in this simulation number A-64.

1 And then A-65.

2 (Exhibit A-65, was received and marked.)

3 THE WITNESS: A-65 we've moved on to Huron
4 Road by number 29. Looking at the tower existing
5 conditions on the top. You can also notice in this one
6 that the tower has the dome, and that the walls come up
7 to a certain level and the tower climbs above that.
8 But in this instance we've attempted to superimpose
9 some of the antennas near the top, but it's very
10 difficult to see anything, because even with the leaves
11 down there is some very, very heavy branch coverage in
12 that area. So the addition of the antennas in this
13 view would not be very apparent or significant,
14 especially since they're going to be painted as well.
15 So that's A-65.

16 Then we have A-66.

17 (Exhibit A-66, was received and marked.)

18 MS. FAIRWEATHER: And that's winter five?

19 THE WITNESS: Yes. And the existing
20 conditions at the top of that. Proposed conditions
21 towards the bottom of it. In this one, again, there's
22 some heavy tree coverage even though the leaves are
23 down, but the cable tray's apparent going across it
24 with the addition of antennas, also in that general
25 location. And, again, from the public right-of-way in

1 this photo, and from what I can tell from driving and
2 walking the area that the equipment enclosure itself
3 will not be visible from the public right-of-way from
4 any of these adjoining streets in this area.

5 MS. FAIRWEATHER: And, Jim, just for the
6 record, the size of the antennas and the cable tray and
7 everything that you superimposed on the water tank you
8 took from the site plan and they're dimensionally
9 correct; correct?

10 THE WITNESS: Right. They're 4-feet tall,
11 by about a foot wide, and about 6 inches. And then
12 they'd be attached. And then finally down below the
13 site on Kincaid --

14 MS. FAIRWEATHER: And that's A-67? And
15 it's winter number 6?

16 (Exhibit A-67, was received and marked.)

17 THE WITNESS: Yes, if you say so. And now
18 we're looking up the hill where we're elevation-wise
19 below the tower looking up the hill at it, and in this
20 instance we've superimposed antennas and they're barely
21 visible here. Also, there's a -- there's the
22 equipment, the wires going up the side of it enclosed
23 within the steel that will be painted.

24 And then finally we've superimposed the
25 enclosure, the enclosure structure. It was my opinion

1 from below in the wintertime that that would be visible
2 from this area down below to some degree. And in this
3 one we just painted it or had it shown as brown or a
4 wood color.

5 So that effectively is the photo
6 simulations. So as I said, it's my belief that, you
7 know, the antennas themselves are, certainly during the
8 summer, are full leaf, will be nearly invisible from
9 the public right-of-way. During the winter they're
10 more visible, but given that they're not above the top
11 of the tower, given that they're painted, given that
12 there still is very heavy tree coverage they will not
13 be very visible, and that the shed enclosure at the
14 ground level will be visible to some degree by the
15 adjoining properties, but that will again be
16 ameliorated by the adjacent shed on adjoining lot
17 number three, as well as by trees. So, that's sort of
18 in regard to the substantial detriments associated with
19 the application.

20 The next question is, do we impair the zone
21 plan or zone ordinance? That's the last question for
22 the "D" Variance. And I believe we don't. I'd start
23 by suggesting or stating that this site is already a
24 communications site. That there is at least two fire
25 department, Chatham Township Fire Department antennas.

1 I believe that there's a township antenna. There's a
2 PSE&G antenna on it, so it's a communication site.
3 It's obviously a utility site, because it's used by the
4 water company. And in many ways wireless communication
5 is a kin to a utility use in terms of its activity at
6 least. You know, in its financial sense it's not, it's
7 more akin to a commercial use, but in terms of the
8 activity it generates it's certainly akin to a utility
9 use. So, because of that I believe we're consistent
10 with the use on this site. The utility use on this
11 site, as well as the communication use on this site.

12 We're a passive use, as I said before, and
13 use characteristics at the site will change very, very
14 little were this variance granted.

15 I'll also point out that under the
16 conditional, the ordinance that covers or permits
17 conditionally these uses not in this zone but
18 conditionally permits them, that that ordinance does
19 encourage collocation. So this is a collocation. So
20 we are consistent with that.

21 We're located in a search ring that is
22 residentially zoned and it's basically residentially
23 built out. So there's not a lot of options or other
24 locations for us to go, or if we move to some other
25 location as we heard from some of the earlier sites

1 that were examined, aside from the fact that they don't
2 work from a coverage perspective they'd have the same
3 use variance issues, residential proximity issues,
4 visibility issues. They'd be very, very similar.

5 And the other thing is we've attempted to
6 ameliorate the impacts that we understand exist, that
7 we've been told exist to the maximum extent possible.

8 The antennas are below the top. They're
9 painted to match. We've put the noise attenuating
10 structure. We have parking in the driveway. We moved
11 the equipment to the corner. So, in my opinion we will
12 not substantially impair the zone plan or zoning
13 ordinance.

14 So, I believe we meet the requirement for
15 the "D" Variance. Special reasons exist: We've showed
16 you general welfare; we're particularly suited; no
17 substantial detriment; and we don't substantially
18 impair the zone plan or zoning ordinance.

19 Next is a "C" Variance. As I said, front
20 yard, rear yard for the antennas. Rear yard and side
21 yard for the equipment. The height 35 foot underlying
22 where the hundred foot. And that's effectively the "C"
23 Variances.

24 The test for the "C" Variances are very
25 similar. We need to show that the purposes of

1 municipal land use law will be advanced. That, again,
2 no substantial detriment. That the benefits will
3 outweigh the detriments, and there will be no
4 substantial impairment of the zone plan and zone
5 ordinance.

6 First of all, I believe that the purposes
7 of the municipal land use law will be advanced.
8 There's a number of them that I believe we advance. We
9 advance purpose (B) which is safety from fire, flood,
10 panic, and other natural and man-made disasters. I
11 believe we also advance purpose "C," which is to
12 provide adequate light, air, and open space by virtue
13 of collocation. We're locating on an existing
14 facility. We don't need to build an additional tower
15 which might compromise light, air, and open space.

16 And finally I believe we are advancing
17 purpose number "I," which is "to promote a desirable,
18 visual environment through creative development
19 techniques and good civic design and arrangements.
20 We're doing that by ameliorating the impact to the
21 maximum extent possible. We're locating below the top
22 of the tower in a location of heavy trees. We're
23 painting the equipment. We've arranged the site in a
24 very most suitable way to ameliorate and improve the
25 visual environment.

1 So, I believe we do advance the purposes of
2 the municipal land use law. I believe, again, that
3 there is no substantial detriment associated with the
4 "C" Variances. The "C" Variance is really a function
5 of the pre-existing nature of this site. The tower in
6 the middle of it is nonconforming to begin with. So by
7 locating on that tower we're in nonconformance by
8 putting the enclosure for the equipment in the corner
9 of the site. We need to do that to avoid being too
10 close to the tower to leave an area of access around
11 the tower.

12 So for those reasons we're forced to move
13 towards the property line. We're really limited as
14 where we can go. As I said, the visual change is very
15 limited, certainly, and that's true also relative to
16 these bulk variances.

17 So for those reasons I believe there's no
18 substantial detriment. The benefits, I believe, will
19 be -- will outweigh the detriments associated with the
20 grant of this variance. Some of the benefits in my
21 perspective is the improved access to
22 telecommunication. We will clearly serve the general
23 welfare by grant of the license that AT&T holds. The
24 increased competition among carriers. By locating here
25 sort of allows people to choose among carriers that

1 might have very good or better service, and also the
2 emergency benefit use on the site.

3 So, I think given that we're really
4 creating minimal change those are some good benefits.
5 And then finally, we will not substantially impair the
6 zone plan ordinance as a result of these "C" Variances.

7 Again, as I said, we're a communications
8 and utility site. So we're consistent with that.
9 We're a passive use. And as I said, our search area
10 really encompasses the like areas. So were we to go
11 anywhere else it would be comparable in that regard.
12 So, that's the "D" Variance and the "C" Variance.

13 Now, when Boards consider wireless
14 applications the Courts have also added another test
15 that they might want to consider, and it's called the
16 Sica balancing test. And there's four prongs to the
17 Sica balancing test: The first one is to identify the
18 public interest at stake. And I just started talking
19 about that: Access to telecom, emergency use,
20 competition among carriers. Using the existing
21 structures I think is a benefit.

22 Now, that's a benefit to the larger public,
23 obviously. Now, in regard to the neighborhood
24 interest, the people sitting behind me, obviously they
25 might disagree with that, or they have some interest in

1 their own regard. Their interest might be to minimize
2 noise. It certainly might be to minimize any increase
3 of activity on the site. It might be to maintain the
4 residential character of that site. It might be to
5 minimize any visual change on that site. So, those are
6 some of the interests we're dealing with here.

7 The next step in Sica is to identify the
8 detrimental effects. We've heard from the noise and
9 the RF experts, and what's emitting from this site is
10 below the established Federal or State standards. The
11 activity at the site is described by the team as
12 minimal. There's minimal traffic. There's no
13 reduction of parking on the street, and the visual
14 change is very small. So, I don't necessarily see a
15 lot of detrimental effects associated with this.

16 The next question is if there are
17 detrimental effects can they be ameliorated? People
18 brought up the issue of noise. So, we have moved the
19 cabinets and we've included the noise barrier. We've
20 attempted to deal with that.

21 We're not looking at antennas above the top
22 of the tower. I think that helps in terms of the
23 visual quality. The cables are concealed on the tower.
24 The equipment will be painted to match. We're parking
25 in the driveway. So I think we've taken some

1 good-faith efforts to ameliorate impacts.

2 As we heard earlier, no emergency
3 generator. Batteries will be carried in. So we've
4 gone through some great lengths to do that. And then
5 finally in the Sica balancing test the Board needs to
6 sort of do the math to sort of determine on balance if
7 the benefits outweigh the detriments. And in my
8 opinion the benefits do outweigh the detriments. And
9 that's a choice, and a decision that each Board member
10 will have to make as well.

11 So those are the variances. I'm going to
12 throw something else on the table quickly. There's
13 been some back and forth between Ms. Fairweather and
14 the Board attorney concerning something called the
15 Middle Class Tax Relief and Job Creation Act of 2012.
16 And what that did is it included a section, Section
17 6409(A) related to collocation of wireless
18 communication facilities on existing facilities. Why
19 it was in that Act I couldn't even tell you, but it
20 was. And I'm going to read a piece of it to you, and
21 it says, a state or local government may not deny and
22 shall approve any request for collocation, removal or
23 replacement of transmission equipment on an existing
24 wireless tower or base station provided this action
25 does not substantially change the physical dimensions

1 of the tower or base station.

2 Now, after that in January of 2013 the FCC
3 released a public notice that was an interpretation of
4 that Act, and it was public notice DA-12-2047, and it
5 called Interpretation of 6409(A). And the primary
6 question that asked is what does it mean to
7 substantially change the physical dimensions of the
8 tower or base station.

9 And in that guidance memorandum the FCC
10 provided an interpretation of substantial change, and
11 they did that by looking at other similar instances
12 where they made interpretations of substantial change.
13 And it was a four-prong test that they provided in that
14 interpretation, in that memorandum.

15 The first is the question have you
16 increased the height of the facility, of the tower base
17 station by more than ten percent. And in this
18 instance, in the instance of our application, the
19 answer is no to that.

20 The second question is, are you using a
21 standard number of equipment cabinets or one shelter?
22 And the answer in this instance again, the Buxton Road
23 application is yes we are.

24 Then the third prong was, are you providing
25 -- are you protruding, excuse me, more than 20 feet

1 from the existing structure. In this instance again
2 we're not, we're protruding one, one and a half feet
3 maybe from the tower.

4 And then finally the next question is, are
5 you excavating beyond the current tower site or
6 leasehold or associated easements? And, again, we're
7 not doing that. So effectively based on that
8 interpretation, if you meet each of those prongs you're
9 considered a collocation without any substantial
10 change. And in that instance what that means is that
11 the local government entity needs to provide an
12 administrative approval for the application.

13 And it is AT&T's contention that pursuant
14 to this interpretation of 6409 of the Middle Class Tax
15 Relief Job Create Act that this facility does deserve
16 an administrative approval based on that.

17 So in summary, what I've done is I've
18 provided proofs for the "D" Variances, and the "C"
19 Variances. And we've gone through the Sica balancing
20 test, and I believe we meet all those. But I've also
21 added in the additional Section 6409 interpretation,
22 which I'm sure Ms. Fairweather and Mr. Shaw will have
23 some discussion about as well.

24 So under either circumstances it's my
25 professional opinion that we do meet the test of the

1 variance, and it will be my recommendation to the Board
2 that, you know, they deliberate and their deliberation
3 approves this application. So I think that's what I
4 have to say for now, and I'm happy to answer any
5 questions the Board or the public might have.

6 MR. SHAW: Well, excuse me. I've got one
7 first, which is, if you look at the site plan I believe
8 you'll see that there are five equipment cabinets, is
9 that not correct?

10 THE WITNESS: I don't know off the top of
11 my head. Yes, I'll take you're -- what you're say. I
12 believe that's what the testimony was earlier.

13 MR. SHAW: And if you read in full what the
14 second requirement is for the test for substantial
15 increase it says, "Substantial and concise occurs if
16 the mounting of the proposed antenna would involve the
17 installation of more than the standard number of new
18 equipment cabinets for the technology involved not to
19 exceed four."

20 THE WITNESS: Or one shelter.

21 MR. SHAW: Right. So you have five
22 equipment shelter -- you have five equipment cabinets
23 enclosed; is that not correct?

24 THE WITNESS: Well, within one shelter,
25 though.

1 MR. SHAW: The language says not to exceed
2 four, doesn't it?

3 THE WITNESS: It does say that.

4 MR. SHAW: So you are proposing five, is
5 that not correct?

6 THE WITNESS: Right.

7 MR. SHAW: So by definition, therefore, you
8 are making a substantial change so this is not
9 administrative approval, you're required to get a use
10 variance; isn't that correct?

11 THE WITNESS: My interpretation is that all
12 one shelter it's either one of those two: The number
13 of equipment cabinets or one shelter.

14 MR. SHAW: Or it could be read as
15 consecutive, and it's including the fact that if you
16 had two shelters you'd be in violation. So this is
17 also not a shelter, this as a sound barrier structure;
18 correct?

19 THE WITNESS: I think it's as much a
20 shelter as it is a sound barrier.

21 BOARD MEMBER POLISE: What is the
22 definition of a shelter, does it have a roof?

23 THE WITNESS: There is no definition of a
24 shelter that I know of.

25 BOARD MEMBER WESTON: What is the status of

1 the interpretation of the FCC ruling on the
2 collocation? Has that actually been adopted as a
3 regulation or ruling yet, or is that still open? I
4 know the comment period was closed in March.

5 THE WITNESS: The interpretation?

6 BOARD MEMBER WESTON: Yes.

7 THE WITNESS: I'm not aware. I don't know
8 the answer. I don't know if any of the attorneys may
9 know.

10 BOARD MEMBER WESTON: So that may not be a
11 final decision.

12 MS. FAIRWEATHER: I can give a legal
13 opinion on that. 6409 was adopted and is a regulation.
14 The FCC comments to it and a public notice on that has
15 not been adopted yet. It's the FCC's opinion of what
16 6409 means and it's in the process of being adopted,
17 but it has not been adopted.

18 BOARD MEMBER WESTON: That I think is an
19 important point to me. I just find that in some of the
20 readings I've done it's -- someone made the remark that
21 there's 103 percent. Certainty that wireless carrier
22 representatives will show up to a local government like
23 what we just heard. So I'm curious about where in the
24 -- why does that come up at the very end when we've
25 gone through a whole host of physical planning

1 discussions? And this is the topic that's very close
2 to me in my own interpretation event.

3 When we take a physical planning approach
4 to things and we look at land use and we look at light
5 and air, which is in many respects we all know that's
6 boiler plate in zoning regulations. I mean, I've done
7 this professionally as well. Why do we -- if
8 everything is so good how come we have a room full of
9 people here who have not walked out and say I'm happy?
10 I'm not really getting at this point why these physical
11 issues, cookie cutter, cookie cutter approaches do not
12 address the issues that I see as on the table, which is
13 I think a legitimate community concern about what the
14 benefit for the local people in this area are. And I
15 think that brings us back to the pluses and the minus
16 equation. So I didn't really see the particular
17 relevance of the collocation argument at this staying
18 of the game. That's my comment.

19 MS. FAIRWEATHER: Just for the record,
20 though, for that, the idea of the collocation in the
21 6409 has been before, at least in correspondence, back
22 and fort between the Board Attorney and myself.

23 BOARD MEMBER WESTON: Well, they left me
24 off the memo.

25 MS. FAIRWEATHER: I'm sorry.

1 BOARD MEMBER WESTON: I'm over it now.
2 But, I think these are legitimate questions. I know
3 this has been a concern of mine. I've looked this up
4 months ago, and have been following it. I did not get
5 -- I have not found anything that has changed its
6 official status as far as the interpretation goes.

7 I'm totally familiar with the nature of
8 legislation, regulation, interpretation, and I'm not
9 sure that is something that is universally understood.
10 I -- it's not a secret, but it's not something most
11 people do day in and day out. So I just want to put
12 that out there.

13 BOARD MEMBER POLISE: If I may, you
14 mentioned a number of times gaps in coverage. I don't
15 think we have ever demonstrated that there is a gap in
16 coverage. There's a gap in what AT&T perceives as
17 their criteria, but we haven't had any complaint from
18 anyone here about gaps in coverage ever in eight
19 months.

20 So I don't know that your argument that
21 this will be a benefit to the community really holds
22 any water, because no one's going to gain any coverage
23 from this tower installation. We haven't demonstrated
24 anywhere that there is a gap in coverage, only a gap in
25 AT&T's criteria. So you say gap in coverage, but it's

1 really not a gap in coverage.

2 THE WITNESS: Can I answer that?

3 BOARD MEMBER POLISE: Sure.

4 THE WITNESS: I believe the Board's own
5 expert said there was a gap in coverage, whether it was
6 at the bottom of the ridge I believe he indicated, it
7 was a substantial gap. The question was at the top of
8 the ridge and he posed the question to the Board that
9 it was up to them to make the choice or decision
10 whether it was a substantial gap or not.

11 BOARD MEMBER POLISE: I recall a gap in
12 AT&T's criteria, but not a gap in coverage. Your
13 criteria wasn't met in certain areas, but we haven't
14 gotten one complaint in eight months here about any
15 loss of AT&T coverage. So when you say there's a gap
16 in coverage I don't know if that's really technically
17 correct, because the gap means the criteria. So there
18 is no benefit to the community if everybody has
19 service.

20 MS. FAIRWEATHER: The benefit to the
21 community is a legal question. The New Jersey Supreme
22 Court has a case that says it's a community at large.
23 It's not just the municipality. And the whole
24 discussion when Ivonne was here for several months was
25 how is a gap determined? And it's determined by the

1 standard set by the wireless carrier at the Neg 85.
2 And it was Ivonne's opinion, and agreed to by Dr.
3 Eisenstein that is the standard way for all carriers to
4 identify gaps in this coverage.

5 BOARD MEMBER POLISE: Okay. I'm just
6 talking common sense. If everybody's got coverage then
7 we don't meet the criteria for coverage, but we have
8 it, we have it. And putting a tower out there it
9 really doesn't do anything. It won't make a
10 difference. But it really won, but that's my opinion.

11 The other thing is, you talked about
12 parking in the driveway. I thought we got past that
13 and you said that AT&T was going to park in the circle
14 because the driveway was to the really not a permanent
15 solution based on whatever the deal is?

16 MS. FAIRWEATHER: Well, we had talked about
17 it and we said that they can. We have a contingent
18 part on the driveway or in the circle. It doesn't
19 matter to the tech where he parked, whatever the Board
20 would prefer, whether the circle or the driveway, it
21 doesn't matter.

22 BOARD MEMBER KENNY: I just have a question
23 about that 6409, is it?

24 MR. SHAW: Yes.

25 BOARD MEMBER KENNY: Has there been a case

1 that you know of where a Board has said, okay, based on
2 that argument?

3 MR. SHAW: I have not found one. That
4 doesn't mean that one doesn't exist. Again, it's my
5 opinion that the language speaks of two factors:
6 Number of new equipment calendars, new equipment
7 cabinets, and/or a new equipment shelter. And we have
8 five new equipment cabinets here. So I believe the
9 Board does continue to have jurisdiction to exercise on
10 this application.

11 BOARD MEMBER KENNY: Do you know? Do the
12 two of you know whether any Board has approved based on
13 that just solely that argument?

14 Ms. FAIRWEATHER: I can tell you because I
15 do all of AT&T's. Since 6409 came out the Boards
16 across the state have handled it in many different
17 ways. There have been Boards that have said that
18 because it says administrative approval on the FCC
19 notice and many Boards follow that because they believe
20 that it will be adopted into regs, and plus we're ruled
21 basically by the FCC so they follow their guidelines,
22 many Boards have taken the position that
23 administratively a zoning officer have the right to
24 waive the site plan approval, so they ask to come
25 before the Board to discuss the site plan for site plan

1 approval.

2 There are municipalities that say you're
3 not a permitted use, we understand we can't deny you,
4 however, we have site plan issues, we're worried about
5 plantings, how it looks and things like that and we
6 want to be able to have an input on that. And there's
7 some municipalities, and since this has come out I've
8 done many 6409 sites that have said, you know what,
9 it's an existing structure, administrative Lee it's
10 okay for the zoning office to do it. So they're
11 completely all over the board. All of them.

12 BOARD MEMBER KENNY: Okay.

13 CHAIRMAN VIVONA: My one comment is the
14 co-existing, it seems to me the way it sounds is
15 co-existing on another cellular tower, not a water
16 tower.

17 MR. SHAW: I can answer that for you,
18 though. They do define a base tower very, very
19 broadly. And so because there are several flip
20 antennas for communications involving, I believe it's a
21 couple of the fire departments, police department,
22 PSE&G, in terms of whether the water tank itself is
23 classified as a base structure for a cellular tower
24 because of those existing uses on it it does qualify
25 under the language of that as a base tower.

1 CHAIRMAN VIVONA: One other thing. Dr.
2 Eisenstein, you might be able to answer it better.
3 When there's a 911 call and if there's a gap in AT&T's
4 coverage can that be picked up by the first available
5 carrier, or if you're dialing from an AT&T phone does
6 it jump to the next available 911 frequency, or --

7 DR. EISENSTEIN: There's two aspects of
8 tat. One aspect is: It could jump if there's a
9 comparable technology. So AT&T is a GSM provider.
10 T-Mobile is the other GSM provider in this area. So if
11 the phones were compatible and at the right frequency a
12 911 call could jump to a T-Mobile site if they had
13 coverage in the area, which I don't know. I don't know
14 if they do or not.

15 The second part of the story is, however,
16 there's a 1999 law which is the emergency 911 law,
17 which has to do with location of a 911 call to within a
18 hundred meters. And if they don't have adequate
19 coverage then it would not be possible to locate the
20 phone absent a GPS in your phone.

21 So since there are a number of legacy
22 phones that do not have GPS in there the interpretation
23 of the 1999 E-911 is that the providers have to supply
24 adequate coverage so that there would be enough power
25 at the -- at the hand-held to adequately triangulate

1 and give them the location that they need.

2 So there's two aspects: A gap can be
3 defined as a gap in coverage for voice. It's also a
4 gap in coverage under the E-911 law, the 1999 law, and
5 also under recent court interpretations can also be a
6 gap in coverage for digital data. So there's a number
7 of new things that constitute a gap that go after the
8 1996 Telecommunications Act.

9 CHAIRMAN VIVONA: Okay. Thanks.

10 MR. MICHAELS: I have a question, Mr.
11 Chairman. I understand that your photo simulations you
12 had to take them from public rights-of-way. But what
13 is your opinion of the visual impact of the antennas
14 from the rear yards of those homes that are on Huron?
15 Because they're backed right up to it from the rear
16 yards and rear windows of their homes. Do you have any
17 opinion on what the visual impact from those locations
18 would be?

19 THE WITNESS: Yeah. Obviously, it's
20 private property is I haven't been on the property, but
21 I've been on the water tower site. I've walked behind
22 the fence. I've been in the site itself, and I've been
23 on the public right-of-ways. You know, I gave the
24 distance -- to from the tower to those properties
25 earlier, and it's effectively the two adjoining

1 properties, if we presume that the person with the
2 easement is not an Objector in that regard, but it's
3 Lot number 3, presumably, Block 62, and Lot number 2
4 Block 62.

5 You know, the antennas themselves will be
6 somewhat visible, much less so in the summertime,
7 obviously when there's leaves on the trees. They're
8 not above the top of the tower. They only project
9 approximately a foot on the tower, and they will be
10 painted similar to the tower. So the antennas
11 themselves will be visible to some degree again.
12 Exactly how much will depend on where you are on the
13 site, how you move across the site, whether you're
14 looking out the window, or whether you're looking up in
15 the air. But the basic fact is that the tower's there
16 already, and they don't expand sort of the profile of
17 the tower in any substantial way.

18 So I don't think they're very visible. The
19 equipment shed or the shelter that holds the radios I
20 believe for the most part from Lot number 2, which is
21 the furthers away one, will not be visible at all. It
22 will be very low amount of visibility. Lot number 3
23 has the best opportunity to see that enclosure shelter,
24 but I believe again that is also ameliorated by the
25 fact that there's a 6-foot fence there, so we're

1 talking about three and a half feet now off the top of
2 that shelter or that enclosure. And then on Lot number
3 3 in that very corner directly adjacent to it almost on
4 the property line is a large shed, which at its peak is
5 at least 10 feet in height. Footprint, you know,
6 again, I wasn't on the property, but it's at least a
7 10-foot-by-10-foot shed, I would guess. So that's
8 going to block a lot of views to it as well.

9 So it will be somewhat visible, but it's at
10 the very corner of the site. Again, I don't believe
11 that it's going to be the predominant visual feature.

12 And the question I ask myself is, what's
13 the margin, what's the amount of change in the
14 visibility? I mean, antennas it's a little bit easier
15 because they're in front of the tower, so that's not a
16 big change. Here on the ground it's a bit more of a
17 change, because it's -- it's not -- it doesn't have
18 something existing behind it, except for the trees
19 which are very substantial. And then that shed in
20 front of it. So that's what I believe, again, based on
21 my observations.

22 MR. MICHAELS: So I guess in your opinion,
23 then, I guess bringing it to the zoning terms about
24 substantial detriment to the public good how does that
25 affect your opinion concerning the detriment?

1 THE WITNESS: Yeah, I don't believe that
2 that's a substantial detriment. Again, it's not can
3 you see something but it's what is the degree and the
4 amount of change that would constitute a substantial
5 detriment?

6 And really, substantial detriment there's
7 no real definition of it. In some ways it's in the eye
8 of the beholder and each of the Board Members, or the
9 planners, or the courts to decide, but again the
10 antennas on -- they occupy very small percentage of the
11 viewshed of that existing water tower. So that's
12 clearly not a substantial detriment.

13 The enclosure at the ground level, again,
14 it's approximately 100 feet away from the house. It
15 will be blocked to a large degree by the existing shed
16 in the corner of the property, and there are trees on
17 the property as well, and there are trees, substantial
18 amount of trees behind it. So I don't believe that's a
19 substantial detriment, as well.

20 MR. MICHAELS: The question concerning that
21 Section 604 -- I mean, 6409, number four, it says, "The
22 mounting of the proposed antenna would involve
23 excavation outside the current tower site, defined as
24 the current boundaries of the leased or owned property
25 surrounding the tower, and any access or utility

1 currently related to the site.

2 The installation of the equipment in that
3 10-by-17 area, that is currently outside the current
4 footprint of the tower itself?

5 THE WITNESS: Of the tower, yes.

6 MR. MICHAELS: And it says here, "Defined
7 as the current boundaries of the leased or owned
8 property."

9 AT&T doesn't currently lease it, they are
10 proposing to lease the property, correct? And they
11 aren't leasing the entire property? That's what you
12 understand?

13 MS. FAIRWEATHER: AT&T has a lease. The
14 lease is contingent upon getting approval, but the
15 lease does exist, yes.

16 MR. MICHAELS: Does the lease encompass the
17 current boundaries of the property?

18 MS. FAIRWEATHER: When you're looking at
19 that specific part of whether or not there's a material
20 change the way that it's seen is that is it in the
21 footprint of the compound? The compound meaning the
22 fenced area. So it's still within that area.

23 MR. MICHAELS: So it's your -- I mean, is
24 there somewhere where that's written that that would be
25 included, that the current enclosed area is what's

1 intended by the wording here, "Current boundaries of
2 the leased or owned property"?

3 MS. FAIRWEATHER: Yes. Is there something
4 written specifically that says that? I don't know. I
5 can take a look, but that's how it's interpreted, it's
6 interpreted in the existing compound. And a fenced
7 area is considered a compound.

8 MR. MICHAELS: And the fenced area is the
9 entire site?

10 MS. FAIRWEATHER: Yes, because that's the
11 entire water site that contains the water tank and the
12 equipment. If you liken it to a tower, a wireless
13 tower that's fenced in with equipment that fence is the
14 whole site, the whole area, not just where the monopole
15 is and the equipment. So it's the whole fenced area.

16 MR. MICHAELS: There are a number of times
17 where there is an existing tower and a new carrier
18 comes into that and they build in their own equipment
19 area, they put it in their own equipment area, but it's
20 not within the same location as the other carrier's
21 equipment. So that would be an expansion in that
22 instance; correct?

23 MS. FAIRWEATHER: If they punch out the
24 fence, yes, it's an expansion of the fenced-in area.
25 But if they go within the fenced-in area it's still

1 considered within the compound. They obviously can't
2 go on top of the existing equipment.

3 MR. MICHAELS: Understood. I don't have
4 any other questions at this time.

5 CHAIRMAN VIVONA: So, if we were to make --
6 if we have to abide by 6409 and we were to make a -- I
7 don't remember, a condition that you will be the only
8 company to co-exist on that tank, does 6409 bypass
9 that, which means that next guy can come in and claim
10 6409 and next thing you know there's four or five
11 enclosures on that site?

12 MR. SHAW: That's concisely what it can be
13 construed as. But, again, my position is if you read
14 the language it says, "A substantial increase in the
15 size of the tower is substantial. Mounting of the
16 proposed antenna would involve the installation, more
17 than the standard number of equipment cabinets for the
18 technology involved, not to exceed four."

19 So, and the second standard is, if there's
20 no more than one more equipment shelter then that's a
21 second standard. So, again, I would interpret that
22 language as this is a substantial increase because
23 there are five equipment cabinets.

24 MS. FAIRWEATHER: And the way that we
25 interpreted that it says, "The standard equipment

1 used." And because of all the various frequencies that
2 AT&T has that would be the standard equipment area, and
3 with the fencing around it. In our mind that is
4 considered a shelter area, because it's the standard
5 equipment used and it's completely fenced in in the
6 fence.

7 MR. SHAW: And it says, "not to exceed
8 four." So --

9 MS. FAIRWEATHER: It's debatable. We can
10 go back and forth. We have.

11 MR. SHAW: But ultimately what will happen
12 is a discussion now because it's an issue that needed
13 to be addressed with the planning testimony, but once
14 we get through the entire case that is one of the
15 issues which this Board -- it's not my opinion. That
16 may be how I'm interpreting it, but it has to be
17 fact-finding by the Board to include whether it is or
18 isn't a substantial change in accordance with the
19 regulations. And that could all come out at the end in
20 terms of the overall discussions.

21 BOARD MEMBER KENNY: I just had a question.
22 Would you consider it a substantial detriment if one of
23 the homeowners -- if the equipment shed blocked a view
24 that one of the homeowners had that they would no
25 longer have because of the height of the equipment?

1 THE WITNESS: If the shelter enclosure
2 around the equipment you're saying?

3 BOARD MEMBER KENNY: The
4 nine-and-a-half-foot tall sound barrier.

5 THE WITNESS: I guess it would depend on
6 the particular view and the characteristics of --

7 BOARD MEMBER KENNY: Say you're on top of a
8 ridge and you have a view of the skyline, and now you
9 no longer, that's obstructed in some way?

10 THE WITNESS: Well, I mean, I know where
11 you're -- I heard the question earlier to the appraiser
12 about the view of Manhattan off the skyline, and you
13 know, what -- the times I've been to the site since
14 then I've been out there. I haven't been on the
15 property again. I've said that a number of times, but
16 I've looked. And it's my estimation and I was -- from
17 some locations I was able to see over 20 miles away a
18 portion of the new World Trade Center from not that
19 property but the property with the easements.

20 It's my estimation that there's very, very
21 limited views in that direction. And one -- much of
22 that view is blocked by the water tower already. That
23 the equipment shed or the shelter, I'm sorry, the
24 equipment shed -- the shed on Lot number 3 is already
25 there, and it's a large shed. And that's blocking

1 views to a large degree. And then the significant
2 amount of trees on Lot number 3's property, and the
3 trees that are on the back of the ridge going down. So
4 it's my assessment that that view's very limited to
5 begin with, and it might be, you know, at night you
6 might be able to see some lights, but it's not a clear
7 view, and if it's not a clear day you don't see it.

8 So, it's my assessment that we're not
9 changing that view substantially. If we had a -- if we
10 were closer to something, if there was just a big wide
11 open expansive view then it might be different, but I
12 think that view is limited to begin with in that
13 instance.

14 BOARD MEMBER KENNY: But it is taller than
15 what is presently there?

16 THE WITNESS: Well, the shed -- I believe,
17 the shed that's on Lot 3 would be taller than this.

18 BOARD MEMBER KENNY: Well, the equipment
19 shed is taller than nothing?

20 THE WITNESS: Than what's there. Than
21 nothing.

22 BOARD MEMBER KENNY: So something is being
23 blocked that previously had been seen?

24 THE WITNESS: Yes.

25 BOARD MEMBER KENNY: Would you agree to

1 that?

2 THE WITNESS: Yes.

3 BOARD MEMBER KENNY: Okay. We'll leave it
4 there.

5 BOARD MEMBER POLISE: I just had one, if
6 you're done.

7 BOARD MEMBER KENNY: I'm done.

8 BOARD MEMBER POLISE: A number of times in
9 your statement you said there was no noise in the
10 houses, but we have proven there will be noise in the
11 yards from this structure. So, I guess my question to
12 you is, isn't that a detriment? And that would be a
13 detriment if you're in your yard and you have that
14 noise from the structure?

15 THE WITNESS: Well, what I said, and I
16 think it was a part from a letter from the Board's
17 noise expert that there would be a slight hum at the
18 property line.

19 BOARD MEMBER POLISE: Somewhere between the
20 house and the property line it would drop-off, they
21 couldn't substantiate where, but in the yard you will
22 hear it?

23 THE WITNESS: Right. And at the house you
24 would not. I think that's what he said. So it's a
25 slight hum. No, in my mind that's not a substantial

1 detriment.

2 A neighbor could install an
3 air-conditioning unit as of right that could be similar
4 or worse.

5 BOARD MEMBER POLISE: Okay. I can't agree
6 with what you're saying. I'm just saying, okay, I can
7 see I'm not going to change your mind.

8 THE WITNESS: I understand.

9 BOARD MEMBER STYPLE: I'm a little curious
10 about the property owner that gave permission for AT&T
11 to access the site. Again, is this written permission?

12 MS. FAIRWEATHER: We have a lease.

13 BOARD MEMBER STYPLE: And if this property
14 owner chooses to sell and move in a few years?

15 MS. FAIRWEATHER: It's an easement, so it
16 goes with the property.

17 UNIDENTIFIED VOICE: What was the answer?

18 MS. FAIRWEATHER: It's an easement. It
19 runs with the property.

20 BOARD MEMBER KENNY: But the permission to
21 park in the driveway doesn't, I would imagine?

22 MS. FAIRWEATHER: I honestly would have to
23 look at the agreement much more closely for that. I
24 don't know.

25 BOARD MEMBER KENNY: But you previously

1 said there's no money being exchanged?

2 MS. FAIRWEATHER: There is for the
3 easement.

4 BOARD MEMBER KENNY: Not for the parking in
5 the driveway?

6 MS. FAIRWEATHER: No, we have an easement
7 with them and we're paying an easement price, an
8 easement amount.

9 BOARD MEMBER KENNY: But it hasn't been
10 increased with the permission to park in the driveway?

11 MS. FAIRWEATHER: Not to my knowledge. I
12 didn't negotiate the lease. The easement was there.
13 It was in existence before I started this. So I assume
14 not because it came up during the hearing.

15 BOARD MEMBER KENNY: So that may be an
16 issue that another owner may not allow them to park in
17 the driveway.

18 MS. FAIRWEATHER: If that is an issue we
19 can revise the easement that will be filed with the
20 county to make parking a part of it. So it would have
21 to run with the land.

22 BOARD MEMBER POLISE: Can you do that?

23 MS. FAIRWEATHER: You can do anything.

24 BOARD MEMBER POLISE: You can take
25 someone's driveway away?

1 MS. FAIRWEATHER: We're not taking it away,
2 we're using it as part of the easement. And as part of
3 that easement we're allowed to park a vehicle on it.
4 No different than using an easement to bring equipment
5 across. That would just be part of the easement use.

6 BOARD MEMBER POLISE: So, if they leave a
7 car in the driveway and they drove away what happens
8 then?

9 MS. FAIRWEATHER: Who leaves the property?

10 BOARD MEMBER POLISE: The people who live
11 there.

12 MS. FAIRWEATHER: That's a pretty big
13 driveway. I would bet that they can pull a little SUV
14 in there. Not a little SUV, an SUV in there. I'm sure
15 it can handle two vehicles.

16 BOARD MEMBER KENNY: But I understand now
17 the easement is in the driveway, so that's why you can
18 park there?

19 MS. FAIRWEATHER: Right, because we have to
20 access the back. So it goes down the driveway and
21 around the side, so it's an easement.

22 BOARD MEMBER KENNY: So it has nothing do
23 with him being nice to you or anything like that?
24 You're exerting your right to use your easement?

25 MS. FAIRWEATHER: I don't know what we're

1 exerting. I don't deal with the property owner. I
2 don't know. We have an easement.

3 BOARD MEMBER KENNY: Okay.

4 CHAIRMAN VIVONA: Anybody else have any
5 questions or statements before we open it to the
6 public? All right.

7 Ladies and gentlemen, at this time you can
8 ask questions of Mr. Dowling about the testimony he
9 gave. If it's not related to what he said you've got
10 to kind of hold back on it. So the floor is yours.

11 CHAIRMAN VIVONA: And when you come up you
12 know the drill: State your name, and your address,
13 please.

14 MR. MESSING: Jay Messing, 60 Buxton Road.
15 I guess my question would be similar to Mr. Polise. I
16 hope I said that right.

17 BOARD MEMBER POLISE: Polise.

18 MS. MESSING: Polise, excuse me -- about
19 kind of benefit to the public. So, I went on-line and
20 looked at AT&T's coverage map. So this is how they
21 market to the public. And I'd just be curious of your
22 view on this in terms of where the gaps are, because --

23 MS. FAIRWEATHER: I'm going to object to
24 this.

25 MR. MESSING: I haven't finished. How can

1 you object when I haven't finished?

2 MS. FAIRWEATHER: Because you're asking him
3 about gaps and something on the Internet. He didn't
4 testify to any of that. He's testifying as a planner
5 for what's proposed on the site plans. He's not
6 testifying to anything else.

7 UNIDENTIFIED VOICE: It was talked about.
8 It was discussed.

9 UNIDENTIFIED VOICE: He brought it up.
10 (Multiple members of the public speak.)

11 MR. SHAW: Why don't you see if you can
12 formulate it into a question.

13 MR. MESSING: Well, my question would be,
14 where are the gaps in coverage?

15 MR. SHAW: Well, that I would say is a
16 question that he's not qualified to answer. That's a
17 question that EMF serves, as far as details.

18 This planner is basically providing his
19 testimony based upon the other expert who they had who
20 provided testimony as to gaps and gaps in coverage, and
21 the public, and the Board asked extensive questions
22 about that. And the Board, after all the public
23 comment, is going to have to review that testimony and
24 evaluate that issue itself.

25 MR. MESSING: Fair enough. Okay. It's

1 just confusing when all the questions go around, and
2 there's a lot of different issues covered, like parking
3 in the driveway. I live across the street. They never
4 park in the driveway. The water company doesn't park
5 in the driveway. So I just don't know where to ask
6 questions, but, okay.

7 I'll make a comment when there's public
8 comment section.

9 MR. SHAW: Right. And then the Board will
10 have to address those gap questions from the various
11 testimony that was given and try to resolve those
12 issues itself.

13 MR. MESSING: Okay. Perfect. Thank you.

14 BOARD MEMBER KENNY: And I think the
15 parking would be something that would happen if it was
16 approved going forward, parking in the driveway. So
17 that has nothing to do with anything -- it has nothing
18 to do with what's going on there now.

19 MR. MESSING: Okay. I'd just be curious if
20 that would be enforced.

21 BOARD MEMBER KENNY: Yeah. Probably
22 neighborhood enforcement.

23 MR. WEISGERBER: Brad Weisgerber, 11 Huron.
24 A lot of times throughout your statement you said that
25 the shed on the property would block the equipment

1 cabinet. And you also said that you didn't go on to my
2 property, which is Lot number 3?

3 THE WITNESS: Right.

4 MR. WEISGERBER: So how did you have an
5 angle to see that the shed would block where this
6 equipment cabinet is?

7 THE WITNESS: Well, I could stand on the
8 other side of it and look back at your house. It's
9 directly adjoining the proposed location.

10 MR. WEISGERBER: What other location did
11 you stand?

12 THE WITNESS: I stood directly behind the
13 fence of the water tower, and inside the water tower
14 property.

15 MR. WEISGERBER: But then you'd be looking
16 at the opposite direction at the shed, right?

17 THE WITNESS: I'd be behind it looking
18 towards your house.

19 MR. WEISGERBER: So, I would say from 95
20 percent of my backyard the angle in which you look at
21 the shed the shed blocks the woods, the shed doesn't
22 block the property where the water tower is, and where
23 the water tower equipment will be housed in the corner
24 there. So, I'm just questioning since you aren't going
25 on my property or my next door neighbor's property I

1 don't think the angle you saw was properly assessing
2 whether or not it would block anything.

3 And also if the shed was removed, since it
4 is an older shed, you know, it's on my property. It
5 can be removed. It completely takes the shed out of
6 the equation. At that point you would still see the
7 equipment cabinet and it would still be above the
8 current fence line; correct?

9 THE WITNESS: If the shed were removed?

10 MR. WEISGERBER: Yes.

11 THE WITNESS: Yes, yes, but it will be
12 occupying -- some space of that view would have already
13 been occupied by the shed. So it wouldn't be new area
14 that would be blocked, it would be the area that's
15 blocked by your existing shed. Some amount of it.

16 MR. WEISGERBER: I didn't understand. So
17 if I remove the shed I'd be removing --

18 THE WITNESS: The shed will overlap to some
19 degree with this proposed structure, right? To some
20 amount, and we might disagree on the amount, right?

21 MR. WEISGERBER: Yeah.

22 THE WITNESS: Because it directly adjoins
23 it, so it does overlap to some amount, right? So it's
24 already, that piece of the equipment enclosure that
25 it's blocking is already -- the view's blocked. So you

1 remove your shed. It's not a new area. It would have
2 been blocked to begin with. It's the other portion of
3 the enclosure that would be blocking the view.

4 MR. WEISGERBER: I guess the view from my
5 yard it would not be blocking anything. My shed,
6 according to you is partially blocking the view of the
7 equipment cabinet?

8 THE WITNESS: That's right.

9 MR. WEISGERBER: So the view from my yard
10 minus the shed would be 100 percent?

11 THE WITNESS: The equipment, right,
12 exactly, but that's -- in my mind that's no different
13 than seeing a shed in your backyard.

14 MR. WEISGERBER: Well, that's my choice
15 whether I want to see it.

16 THE WITNESS: And that's -- I'm telling you
17 my opinion. You're telling me yours, and I'm telling
18 you mine. And this is my opinion.

19 MR. WEISGERBER: And my opinion is
20 different from your opinion on what a detriment is.
21 Maybe I want to look at the shed, maybe I don't.
22 Whether or not I want to look at your equipment cabinet
23 that has nothing to do with my choice. So detriment is
24 an opinion. So I just wanted to ask you where you were
25 getting your angle while talking about blocking this

1 view.

2 MS. PETERSEN: Christina Petersen, 37 Huron
3 Drive.

4 In your testimony you emphasize that there
5 wouldn't be a visual detriment because the trees are
6 largely covering the water tower, but you also stated
7 that this was a better location than others because the
8 antennas were going to be above the tree line. And my
9 question to you is, how can it be both ways?

10 THE WITNESS: I'm not sure I understand.

11 MS. PETERSEN: When you were comparing it
12 to the Borough water towers you said, "This is a better
13 location because the trees are lower and they're not
14 covering the antennas," something to that extent?

15 THE WITNESS: I think I said that the trees
16 at the other site were taller than the tower, than the
17 water tower itself. And that the Buxton Tower the
18 trees were below the top of the tower, right?

19 MS. PETERSEN: If -- well, use your eyes,
20 or look at the pictures and see if you think the trees
21 are below the tower or not?

22 THE WITNESS: Well, we're looking up at it.
23 It's not a flat angle. We're looking up at it, so it
24 appears that way, but believe me, AT&T wouldn't propose
25 to build this facility at the top of this water tank if

1 the trees were blocking it. It just wouldn't happen.
2 They wouldn't be here to do that. It would block the
3 signal.

4 MS. PETERSEN: Dr. Eisenstein, do cell
5 towers work on line-of-sight, is that correct?

6 DR. EISENSTEIN: Not exactly.

7 MS. PETERSEN: Not exactly?

8 DR. EISENSTEIN: To work on line-of-sight,
9 just think about it. We're not in line-of-sight when
10 you're inside a building, or when you're around the
11 corner and you can't see it.

12 MS. PETERSEN: Trees aren't a clutter
13 factor?

14 DR. EISENSTEIN: They create clutter, and
15 if they're close to the antenna they would block the
16 signal much worse than the tree canopy which is lower
17 where you're projecting over the canopy.

18 MS. PETERSEN: Okay. I would still just
19 suggest that we can look at the pictures, because from
20 my house which is the highest point in Chatham the
21 trees are blocking the top of the tower and the
22 antennas, you know, where the antenna locations would
23 be. Thank you.

24 I have one quick question of our Board
25 Attorney. You did mention that you were going to

1 respond at least to the legal questions regarding --

2 MR. SHAW: Well, I was planning to do that
3 once we get to the point when there's going to be a
4 review of all of the legal issues and proofs, which I
5 will be doing later on, but I will say at this juncture
6 it's not going to be happening this evening.

7 MS. PETERSEN: Personally, as somebody
8 interested in understanding what the criteria are, I
9 would really like to to hear it tonight before we go so
10 we understand what we're able to consider in our
11 comments.

12 MR. SHAW: It needs to go through the
13 normal process of the procedure, which is the applicant
14 will be presenting the conclusions of their case, their
15 legal argument and closing, then we will then have
16 deliberations, and during the deliberations is the
17 point where we'll have a detailed discussion of all of
18 that.

19 MS. PETERSEN: All right. Thank you.

20 CHAIRMAN VIVONA: It's better to have the
21 full discussion than the cliff note of it, because
22 you'll get better answers out of it.

23 MS. PETERSEN: All right. Thank you.

24 MS. FLICKINGER: Deborah Flickinger, 7
25 Kincaid Lane.

1 During the course of your testimony you
2 made a couple of references to the general welfare of
3 the community. What is your definition of general
4 welfare?

5 THE WITNESS: Well, the general welfare
6 comes from a court case in Fair Lawn. And effectively
7 what they said is that if you have a license from the
8 FCC, right, if you buy, in fact, a license to serve
9 wireless service to a particular area, just by grant,
10 the virtue of that license alone means you serve the
11 general welfare.

12 You know, what is the exact definition of
13 general welfare? I honestly -- it's a big concept I
14 would say, I don't know. Maybe an attorney has a more
15 definitive definition of it, but I can tell you that
16 the courts have said that we have a license and that we
17 do serve the general welfare. And that's definitive.

18 MS. FLICKINGER: Thank you. I am a
19 long-standing AT&T client. My son attends college in
20 Gettysburg. His cell does not -- his mobile line does
21 not get reception there. So what I did is I called
22 AT&T Client Service and I said to them, "I'm trying to
23 reach my son on a consistent basis and he doesn't have
24 service there. What can you do for me? Are you going
25 to put another tower there," so on and so forth. And

1 they said, "I can provide you a booster for his room,"
2 and that was the answer.

3 So, to Mr. Polise's point, how many people
4 have come back to you and said we have a lapse in
5 coverage? I would state that I have a lapse in
6 coverage. I've represented that and that was your
7 response.

8 So I just question the credibility of the
9 argument. Okay?

10 MR. PANDIRI: Samir Pandiri, 3 Kincaid
11 Lane, Chatham.

12 A couple of questions for you, if you don't
13 mind. So in your first part of your -- you talked
14 about eight or nine different sites that were
15 considered by AT&T. And you said that they weren't
16 appropriate. Is that your opinion, or is that AT&T's
17 opinion?

18 THE WITNESS: That was the opinion of the
19 radio frequency engineer who represented AT&T.

20 MR. PANDIRI: Okay. So you were just
21 repeating?

22 THE WITNESS: I was repeating his
23 testimony, right.

24 MR. PANDIRI: So you don't actually know if
25 those sites are good sites or not?

1 THE WITNESS: I'm sorry? Say that again.
2 I don't know if --

3 MR. PANDIRI: You don't specifically know
4 if those other eight or nine locations were not
5 appropriate sites or not?

6 THE WITNESS: Well, I know that he said
7 from a radio frequency perspective, from AT&T's
8 perspective they were not. I know that they were all
9 in similar zoning situations, as this is. They're in
10 zone districts that would require a use variance at the
11 Zoning Board. So they're comparable in that sense.

12 I don't know if those sites were available
13 or unavailable. One of them was not available. One of
14 them was on green acres property, which means it's
15 encumbered, so it's most likely not available.

16 So, it's my sense that they're all similar
17 in situations to this one. They have residences in,
18 you know, nearby, and they're in residential zones for
19 the most part. And they don't meet the radio frequency
20 requirements that AT&T has set out.

21 MR. PANDIRI: Okay. And I'm just trying to
22 understand what you answered, because I think you
23 answered that those eight or ten sites were
24 considered -- they were not appropriate.

25 I'm just trying to understand, is that your

1 opinion, or is that what you heard from somebody in
2 AT&T and you're just repeating that?

3 THE WITNESS: That's the testimony on the
4 record in the earlier meetings from a qualified expert,
5 they're from a radio frequency perspective that they
6 were not the appropriate sites.

7 MR. PANDIRI: That's fine. So I'm just
8 asking, so it's not really your opinion?

9 THE WITNESS: That they were inappropriate?
10 Yes.

11 MR. PANDIRI: So as a layman sitting here I
12 kind of got the feeling that you thought that maybe
13 they were inappropriate. I'm just trying to
14 understand, is it you personally feel that or is it
15 somebody else's expert opinion that that you're
16 representing?

17 THE WITNESS: I haven't done -- let me say
18 this: I have not done a technical analysis on each of
19 those sites from a land use perspective to make that
20 determination myself if they're inappropriate.

21 They're at least comparable to this site in
22 that they have similar circumstances in terms of the
23 zoning requirements and the land use.

24 MR. PANDIRI: Okay. So, would it be fair
25 to say that that was actually not your opinion when you

1 expressed that those were not appropriate sites?

2 THE WITNESS: I don't know if I said "not
3 appropriate," or not.

4 MR. PANDIRI: I think you said something
5 like those sites were considered, but they were not
6 usable, or they were not appropriate, or somehow they
7 didn't fit?

8 THE WITNESS: They were excluded for radio
9 frequency reasons.

10 MR. PANDIRI: But that's not your opinion?

11 THE WITNESS: The radio frequency
12 exception? No, that's not my opinion, that's the RF
13 expert.

14 MR. PANDIRI: So you don't really know if
15 that's really true or not, other than what the expert
16 said?

17 THE WITNESS: I know that he's put it on
18 the record and it's, you know, there's been testimony
19 from the Board's expert that -- that those sites didn't
20 do the same thing that this site did as well. So it's
21 his testimony, it's not my testimony with regard to
22 radio frequency.

23 MR. PANDIRI: Okay. I'm just trying to
24 understand that.

25 And the other question was, in terms of the

1 visibility, and clearly, you know, your favorite color
2 could be blue and mine could be red, but having said
3 all of that, you know, you mention they're -- I guess
4 there's a fire and a police something?

5 THE WITNESS: There's a couple of antennas.
6 There's at least four up there already.

7 MR. PANDIRI: Are those for commercial use?
8 Are they charging people for that?

9 THE WITNESS: One of them is a utility, so
10 theoretically, yeah, PSE&G.

11 MR. PANDIRI: So, they're using that --
12 they're charging people for the service?

13 THE WITNESS: No, no. You pay for your
14 electric service and they use the antenna to support
15 their operations.

16 MR. PANDIRI: So it's really more their
17 internal communication, right?

18 THE WITNESS: Yes.

19 MR. PANDIRI: It's not external?

20 THE WITNESS: Not that I know.

21 MR. PANDIRI: So you guys are charging,
22 right? So it might be a little different.

23 THE WITNESS: Yes. AT&T is a commercial
24 entity.

25 MR. PANDIRI: But wouldn't that be

1 different? It's not the same, right?

2 THE WITNESS: A commercial entity is not
3 the same as a utility or a fire department, no.

4 MR. PANDIRI: No, but I mean, so you kind
5 of said the communications, that it's the same, but I'm
6 trying to understand --

7 THE WITNESS: I didn't say that, no. I
8 didn't say that. I said that we're consistent with the
9 communication use on the site is what I said.

10 MR. PANDIRI: So I have a dish antenna on
11 my house. So does that communication -- so can you put
12 a tower up on my roof? Is that what you're trying to
13 tell me?

14 THE WITNESS: No, that's not what I'm
15 trying to tell you.

16 MR. PANDIRI: Okay. I guess I don't
17 understand. I can't quite make the judgment from how
18 having a radio tower, or whatever, for a police
19 department gives AT&T the right to use that for
20 commercial purposes, as opposed to Version was already
21 there and then AT&T wanted to get up there, maybe I
22 understand that difference. That's what I'm trying to
23 understand.

24 THE WITNESS: Well, I'll trying to explain
25 it to you. I'm making a land use argument that there

1 are communication facilities on that water tower
2 already, and that we are consistent with that in terms
3 of the communication facility. That's the argument.
4 You might disagree with that, but that's the argument.

5 MR. PANDIRI: So I'm asking as a matter of
6 law.

7 THE WITNESS: I'm not a lawyer, so --

8 MR. PANDIRI: But you're making that
9 argument, so maybe I'll make the argument that doesn't
10 sound right to me, because ones for, you know, for very
11 limited use, the other one's for commercial purposes
12 where you're charging people for that service, so maybe
13 it's not the same.

14 MS. FAIRWEATHER: I'm going to object here,
15 Mr. Shaw. They're supposed to be asking questions. He
16 doesn't agree. He's absolutely right to his opinion,
17 but --

18 MR. SHAW: I think he has answered what
19 your question was, so, you know, if you want to state
20 your opinion the time for doing that would be when we
21 get to the public comment period, and you can state why
22 you feel that way yourself.

23 MR. PANDIRI: Okay. That's great. Thanks.

24 THE WITNESS: Okay.

25 MS. WEISGERBER: Katie Weisgerber, 11 Huron

1 Drive. I am the resident and Lot 3, 11 Huron Drive.
2 And I know there was a question earlier from Mr.
3 Michael's about, you know, what would be the detriment
4 potentially to the adjoining property. And this is
5 what -- and I chose a different day. I'm just saying
6 this is what my view is.

7 MR. SHAW: What I would suggest to you is
8 that's actually direct evidence that you would want to
9 present yourself. Unless there's a question that
10 you're going to closet to the witness from that --

11 MS. WEISGERBER: I do have a question.

12 MR. SHAW: Why don't you try the question.

13 MS. WEISGERBER: Okay. I can turn it back
14 around, but from my yard looking up I see only tower.
15 After Super-Storm Sandy there were a number of trees
16 that fell down and are now halved in my backyard.
17 Their sole purpose was to block this water tower. They
18 no longer exist, so all I see is tower. In the summer,
19 in the winter, every single day of every single year.

20 Now, once these cells are put into place I
21 will see them every single day of every single year.
22 Do you consider that to be a detriment to my property?
23 To my experience within my property?

24 THE WITNESS: Do I? No.

25 MS. WEISGERBER: No?

1 THE WITNESS: No.

2 MS. WEISGERBER: No? Not at all?

3 THE WITNESS: No.

4 MS. WEISGERBER: I disagree.

5 CHAIRMAN VIVONA: Maybe now would be a good
6 time to see the picture.

7 MS. WEISGERBER: When can we submit this?
8 I chose a blue sky day.

9 MR. SHAW: When we get to public comment,
10 essentially going to be as soon as we get completed
11 with this witness, then you can present those
12 photographs, everything else that you have that you
13 want to, and to testify as to how you feel that this
14 does have a substantial negative impact. That's
15 testimony for you. And as soon as we get done with
16 questions to the planner it will be open to the public
17 for comment discussion, otherwise, I suspect at this
18 time it will be at the next meeting.

19 MS. WEISGERBER: Thank you.

20 MS. VON RYDINGSVARD: Ursula Von
21 Rydingsvard, 59 Buxton. I have a quick question about
22 the photographs. I think it was 059? I think. It's
23 the one that has all the trees. I don't see it in a
24 nutshell, who determined the angles of where the
25 photographs are being taken?

1 THE WITNESS: I took the photos myself. So
2 I chose the locations.

3 MS. VON RYDINGSVARD: So, I'm curious as to
4 why you chose to take the photographs from the
5 right-hand side of the street, which would naturally
6 shield the water tower, as opposed to taking it from
7 the left-hand side of the street, which is actually
8 where my property is on 59, and you can see a pretty
9 good chunk of the water tower from the left-hand side.

10 I'm just curious as to why you chose to
11 shield it as much as possible, which again is a very
12 subjective thing. People look through a lens and you
13 can take a photograph.

14 THE WITNESS: Well, I didn't choose to
15 shield it. What I did is I went through the area and
16 tried to take photographs that I thought would be
17 representative views. And they are representative of
18 somebody's view. It may not be yours.

19 And my testimony is that, you know, the
20 view will change depending on the location. Some
21 locations the tower itself would be more visible, other
22 locations will be less visible. But the point I'm
23 making is that the addition of these antennas to the
24 tower, even if it's more visible perhaps from one
25 location, a little less visible from another location,

1 isn't a big change in that visual environment.

2 The fact that the tower, this large, 105,
3 110-foot tower is there already is the predominant
4 visual element in that area. And that adding antennas
5 on the front of it that aren't above the top of it, and
6 that only project out a foot from it and that will be
7 painted the same color as it, it does not substantially
8 change the visual environment. I guess that's the
9 point I was trying to make.

10 And the view will change depending on where
11 you're looking from, and I did not attempt to choose
12 only places where you couldn't see it from. That was
13 not my intent, whatsoever.

14 MS. FAIRWEATHER: And Jim, you went and
15 took them in the winter, too.

16 THE WITNESS: Yes. That's an important
17 question.

18 MS. VON RYDINGSBARD: Just for the record,
19 the word "detriment," this is all semantics. Your
20 opinion about what is detrimental is obviously very
21 different from ours. And I would just like everybody
22 to take note of that that I actually consider those
23 panels on that tower to be detrimental. So --

24 CHAIRMAN VIVONA: All right. Ladies and
25 gentlemen, it's almost eleven o'clock. If we have a

1 couple of quick ones for Mr. Dowling that will be
2 great.

3 MS. HAYLEE MESSING: I just have a quick
4 question about the trees. These panels are going all
5 the way at the top of the tower. When AT&T came in 10
6 years ago the panels were going to be 20 feet lower,
7 but they were moved up to 20 feet in ten years because
8 of the trees growing. So what happens in ten years
9 when the trees have continued to grow, will the panels
10 then be put above the tower?

11 THE WITNESS: Well, I don't know that they
12 were moved up because of the trees growing?

13 MS. MESSING: It was in testimony?

14 THE WITNESS: And I have no knowledge of
15 why they were moved up, whether it was the trees, or
16 was it because other sites came on-line, or a
17 combination of the two things, but, you know, if, you
18 know, I can't say what's going to happen in the future.
19 I don't know. And if that were to happen they'd have
20 to come back in and go through this entire process
21 again. The approval is at a very specific location on
22 that tower. It's at 2 or 3 feet below the top of the
23 sides of the tower. So, I can't --

24 MS. MESSING: I think it's closer up,
25 because I think they're 4-foot antennas, and they're

1 like 101 feet, and the tower goes up to 105, so I think
2 they're like right at the top?

3 THE WITNESS: No. They're a foot or two
4 below the top side of the tower. The tower itself, as
5 I said, is a dome, so the very top of the tower is at
6 least another 5 feet above those sides before it begins
7 to dome. So then they're certainly below the top by my
8 estimation was 2 feet.

9 MS. MESSING: Okay. But as the trees grow
10 those antennas, whether you have to come back or not,
11 go above, and then that becomes a detriment because we
12 have already said before that it wasn't a detriment if
13 they weren't above and sticking up and more of an
14 eyesore?

15 THE WITNESS: Would that be a detriment
16 above? It's certainly less of a detriment to not be
17 above, in my mind.

18 MR. BRENDLE: Gerry Brendle, 16 Huron. If
19 this approval were to go through is this a case that
20 would make this location more attractive for additional
21 commercial use for others?

22 THE WITNESS: I don't know. If they sat
23 through one of these meetings I would imagine not.

24 (Laughter.)

25 It's all dependant on the carrier's network

1 and they're all very, very different. So sometimes,
2 you know, sometimes they do go together, because it
3 works for the networks, other times they don't. So I
4 can't really hazard a guess as to other carriers
5 whether it would be more attractive or not.

6 If they were to go here they would need to
7 go again through the same exact process. The question
8 then would be, would they -- would these antennas be
9 where they want to be so they wouldn't be any good?
10 Would the water company give them ground space to do
11 it? Those are questions that I don't know the answer
12 to.

13 MR. BRENDLE: Thank you.

14 MS. WEISGERBER: Katie Weisgerber. This
15 has been a fairly lengthy process for us, so I'm just
16 wondering since we started this, this whole process
17 last Fall, have there been any new tower locations that
18 is have come up, or anything else that's been secured
19 that we should be made aware of?

20 THE WITNESS: That would impact this
21 application?

22 MS. WEISGERBER: Correct. That could in
23 any way change some of those maps that we had seen
24 earlier or anything like that.

25 THE WITNESS: I mean, there was the site

1 N-90, is that s that the site, the Summit site? But we
2 have talked about that as part of --

3 MS. FAIRWEATHER: We have talked about
4 that.

5 THE WITNESS: Not to my knowledge.

6 MR. WEISGERBER: Okay. What about the
7 tower on River Road at the Chatham Township Fire
8 Department?

9 THE WITNESS: I'm not aware of it. I'm not
10 involved in it.

11 MR. WEISGERBER: It's not anything you know
12 about that AT&T was there?

13 THE WITNESS: No, I don't know everything
14 that AT&T does.

15 MS. WEISGERBER: Okay.

16 MR. BABBIT: Andrew Babbit, 72 Buxton. So
17 one of the problems you said was that there's gaps in
18 the coverage at the bottom of the ridge, right?

19 THE WITNESS: Uh-hmm.

20 MR. BABBIT: And then from the pictures
21 over here, I think, so how many antennas are there
22 going to be?

23 THE WITNESS: 12.

24 MR. BABBIT: And they're going to go 360
25 around?

1 OTHE WITNESS: There in three sectors of
2 four. So they're evenly -- these three sectors are
3 sort of evenly distributed.

4 MR. BABBIT: I saw one was facing basically
5 our house, which is -- I don't know, north southwest?

6 THE WITNESS: Yes. One will face sort of
7 southeast; one faces northeast; and one faces sort of
8 southwest.

9 MR. BABBIT: So that would cover your
10 bottom of time ridge? Because it looks from the
11 pictures that you have there that it does not cover
12 these at all.

13 THE WITNESS: No. These were designed and
14 located in a very specific location in order to get the
15 coverage that AT&T needs to fulfill their service and
16 their gap. And there was testimony earlier that that
17 sort of gave very specific information about that.

18 MR. SAROE: George Saroe, 8 Kincaid Lane.
19 I don't mean to be the one to bring this up, but is the
20 significant detriment the reduction of property value
21 that occurs when structures like this are put within a
22 close-knit neighborhood?

23 THE WITNESS: I mean, that could be one
24 consideration, yeah.

25 MR. SAROE: It's on everybody's mind.

1 THE WITNESS: That's why we brought an
2 appraiser to testify.

3 MR. SAROE: Okay. That -- everybody
4 listened to that, so we know about that.

5 CHAIRMAN VIVONA: All right. Ladies and
6 gentlemen, it's the witching hour. We've got nothing
7 else? Okay.

8 MS. FAIRWEATHER: So, Mr. Chair, my planner
9 is done.

10 CHAIRMAN VIVONA: Yes, Ma'am. There's no
11 more questions from the public for the planner, so
12 we're done for this. Next step for you you're not
13 bringing anybody else, right?

14 MS. FAIRWEATHER: No, I'm --

15 CHAIRMAN VIVONA: Just your closing
16 arguments?

17 MS. FAIRWEATHER: No. I'm finished.

18 MR. SHAW: Next step would be public
19 comment. Again, the next meeting that the Board has is
20 August 21st. Meeting starts at 7:30. There either may
21 or may not be other applications on that might take a
22 little bit of time also.

23 UNIDENTIFIED VOICE: Can't that be changed?
24 Because there's so many people on vacation in August.

25 UNIDENTIFIED VOICE: Yeah, they postponed

1 the last one because their planner was away.

2 UNIDENTIFIED VOICE: There has to be due
3 process here for the residents and it doesn't feel like
4 that's happening.

5 UNIDENTIFIED VOICE: I plan to be away on
6 the 12th. After 12 months of this --

7 UNIDENTIFIED VOICE: And they canceled last
8 time within hours before the meeting.

9 MS. FAIRWEATHER: Is it possible to have
10 the meeting at the beginning of the month for them to
11 be able -- because the end is a tough time. Most
12 people are away.

13 MR. SHAW: You mean in September?

14 MS. FAIRWEATHER: I was thinking of August
15 just to have it.

16 UNIDENTIFIED VOICE: People are away in
17 August. We go on vacation.

18 UNIDENTIFIED VOICE: Most of the people
19 have have families here and they go away on vacation in
20 August. They don't have the luxury to go away in
21 September.

22 MR. SHAW: It's applicant's decision as to
23 whether or not -- we have a time frame within which
24 we're supposed to take action on an application. The
25 applicant is going to have to give us an extension for

1 action through the next meeting. If the applicants
2 were willing to forego -- I mean, it's the applicant's
3 decision as to whether we proceed.

4 UNIDENTIFIED VOICE: Why is that?

5 MS. FAIRWEATHER: Well, because honestly
6 it's the law. I understand you guys are really angry.

7 UNIDENTIFIED VOICE: But the law states due
8 process, too. We have not had an opportunity to voice
9 our opinions appropriately because your testimony has
10 consumed the vast preponderance of these meetings.

11 UNIDENTIFIED VOICE: And because you
12 cancelled last month hours before everyone was
13 expecting to be here.

14 MS. FAIRWEATHER: By me turning to you and
15 talking to you has nothing to do with trying to tell
16 you anything other than all I was going to say was what
17 the municipal law says. An application has to be heard
18 within a certain time, and Mr. Shaw's right, they need
19 our approval to be able to carry it.

20 (The public speaks.)

21 MS. FAIRWEATHER: Please. Don't start
22 yelling at me. Please let me finish. Don't start
23 yelling at me, please.

24 I understand that. We have been really
25 trying hard. I know you guys don't want this. I know

1 you hate it. We have been trying really hard to
2 accommodate things, and your right, my witness has
3 taken a long time, so have your questions. I get that
4 most of you have are going to be away in August. I
5 turned to tell you that we will carry to September. I
6 didn't want to be attacked.

7 Let's finish the procedure, please. You
8 guys get to September to put your case on in front of
9 Board the way we got to do it also.

10 MS. MESSING: So it's September what?

11 MR. SHAW: So the matter is going to be
12 carried to September 18th. No further notice will be
13 required.

14 CHAIRMAN VIVONA: All right. Motion to
15 end.

16 BOARD MEMBER ROMANO: Motion.

17 CHAIRMAN VIVONA: All right. We're closed.
18 We're done.

19 (The hearing on this application concludes
20 at 11:02 p.m.)

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I, IRIS LA ROSA, a Notary Public and Certified Shorthand Reporter of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place, and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor 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 the action.

IRIS LA ROSA, CSR, RPR
Certificate No. 30XI 00162800
Dated:

0	150 38:4 40:13 49:14 16 8:15 17:10 114:18 16th 19:5 17 1:7 15:5 27:6,11 31:3 35:8 82:3 170 31:14 17th 35:24 18th 121:12 1996 78:8 1999 77:16,23 78:4	4	65 3:16 41:11 56:1,2 56:3,15 66 3:17 56:16,17 67 57:14,16
00162800 122:16 01 8:1 02 32:1 03 13:15 04 13:17,19 05 13:22 27:19 059 110:22 Othe 117:1	2	4 35:4 57:10 113:25 4,200 40:25 4/21 7:6 400 38:12 45 38:8 480 36:23 44:3	7
1	2 7:6 8:11 36:21 37:22 38:3 41:19 42:2,5,12,18 79:3 79:20 113:22 114:8 20 13:10 66:25 86:17 113:6,7 20,000 38:16 39:1 200 36:24 2002 27:1 2012 36:12 65:15 2013 66:2 2014 1:7 7:8 8:15 21st 118:20 25/113 3:19 280 37:2 29 56:4	5	7 13:19 100:24 70 37:12 46:21 72 116:16 75 41:11 7:30 118:20
1 35:4 40:1 41:7 1-1 39:18 10 15:3 27:6,11 28:17 31:3 33:16 35:8 80:5,7,7 82:3 113:5 10,000 37:17 100 3:22 39:7,9 81:14 97:10 101 114:1 102 3:22 103 70:21 104 37:19 105 1:5 34:25,25 43:25 112:2 114:1 108/115 3:23 11 49:4 94:23 108:25 109:1 110 3:23 35:2 43:25 112:3 116 3:24 117 3:24 11:02 121:20 12 8:4,18 9:3,8 10:1 28:15 35:3 46:13 116:23 119:6 12-2047 66:4 125 38:2 12th 119:6 13-62-105 1:4 4:4 130 38:2 140 38:4 15 13:10 23:18,20 38:18 49:14	3	5 27:21 48:18 114:6 50 38:8,17,18 40:5 41:5 51 3:10 52 3:11 53 3:12,13 54 3:14 55 3:15 56 3:16,17 58 1:8 3:9 35:21,22 59 3:10 51:7,11,12 110:21 111:8	8
	3 8:2 13:17,23 37:21 38:1,15 39:13 49:1 79:3,22 80:3 86:24 87:17 95:2 102:10 109:1 113:22 3's 87:2 30 33:6,7 30xi 122:16 31 3:20 32 3:5 35 3:9 40:15 60:21 360 116:24 37 32:3 98:2	6	8 9:19,19 16:17 28:17 49:6 117:18 8,600 42:25 80 37:12 800 39:16 84 32:2 85 74:1 8:21 1:9 8:58 33:21
		6 3:4 9:15,17,21,25 14:23,24,25 16:17 32:4,7,7 48:23 57:11,15 79:25 6/5 7:8 13:15,17 6/5/14 8:1,11 13:23 60 3:11 25:1 37:12 43:1 46:21 52:13,17 92:14 604 81:21 61 3:12 53:7,8 62 1:5 3:13 38:5 53:23,24 54:1,17 79:3,4 63 1:5 3:14 4:4 54:21 55:12 64 3:15 55:13,14,25 6409 65:17 66:5 67:14,21 70:13,16 71:21 74:23 75:15 76:8 81:21 84:6,8 84:10	9
		6 3:4 9:15,17,21,25 14:23,24,25 16:17 32:4,7,7 48:23 57:11,15 79:25 6/5 7:8 13:15,17 6/5/14 8:1,11 13:23 60 3:11 25:1 37:12 43:1 46:21 52:13,17 92:14 604 81:21 61 3:12 53:7,8 62 1:5 3:13 38:5 53:23,24 54:1,17 79:3,4 63 1:5 3:14 4:4 54:21 55:12 64 3:15 55:13,14,25 6409 65:17 66:5 67:14,21 70:13,16 71:21 74:23 75:15 76:8 81:21 84:6,8 84:10	9 14:23,24,25 15:1 32:7 48:15 9,6 48:16 90 116:1 911 77:3,6,12,16,17 77:23 78:4 92 3:20 94 3:21 95 95:19 98 3:21 9:05 33:22
		6 3:4 9:15,17,21,25 14:23,24,25 16:17 32:4,7,7 48:23 57:11,15 79:25 6/5 7:8 13:15,17 6/5/14 8:1,11 13:23 60 3:11 25:1 37:12 43:1 46:21 52:13,17 92:14 604 81:21 61 3:12 53:7,8 62 1:5 3:13 38:5 53:23,24 54:1,17 79:3,4 63 1:5 3:14 4:4 54:21 55:12 64 3:15 55:13,14,25 6409 65:17 66:5 67:14,21 70:13,16 71:21 74:23 75:15 76:8 81:21 84:6,8 84:10	a
		6 3:4 9:15,17,21,25 14:23,24,25 16:17 32:4,7,7 48:23 57:11,15 79:25 6/5 7:8 13:15,17 6/5/14 8:1,11 13:23 60 3:11 25:1 37:12 43:1 46:21 52:13,17 92:14 604 81:21 61 3:12 53:7,8 62 1:5 3:13 38:5 53:23,24 54:1,17 79:3,4 63 1:5 3:14 4:4 54:21 55:12 64 3:15 55:13,14,25 6409 65:17 66:5 67:14,21 70:13,16 71:21 74:23 75:15 76:8 81:21 84:6,8 84:10	abandoned 42:20 abide 84:6 able 9:4 12:7 14:5 14:13 44:14 48:9 76:6 77:2 86:17 87:6 100:10 119:11 120:19 absent 77:20 absolutely 18:3 108:16

<p>access 8:18 9:3,4 11:13 12:1,3 20:5,6 20:19 25:15 42:19 42:21 44:21 62:10 62:21 63:19 81:25 89:11 91:20</p> <p>accessed 37:16</p> <p>accessory 38:22,24 38:24 49:13</p> <p>accommodate 121:2</p> <p>accurate 122:6</p> <p>acres 37:17 41:18 103:14</p> <p>act 4:19,22 65:15,19 66:4 67:15 78:8</p> <p>acting 1:17</p> <p>action 65:24 119:24 120:1 122:11,13</p> <p>activates 13:13</p> <p>activity 59:5,8 64:3 64:11</p> <p>add 13:3 34:24 44:19</p> <p>added 12:21 27:2 51:20 63:14 67:21</p> <p>adding 9:21 31:14 35:3,5 112:4</p> <p>addition 4:17 11:21 44:14 45:8 47:14 51:20 55:1,23 56:12 56:24 111:23</p> <p>additional 7:16 11:14 27:23 61:14 67:21 114:20</p> <p>additionally 43:22 44:18</p> <p>address 5:11 6:12 7:10 19:8 24:25 34:6 71:12 92:12 94:10</p> <p>addressed 6:12 8:14 8:21 10:15 12:16 85:13</p> <p>addresses 8:12 12:18</p>	<p>addressing 9:1</p> <p>adequate 61:12 77:18,24</p> <p>adequately 77:25</p> <p>adjacent 58:16 80:3</p> <p>adjoining 37:21 46:2,10 47:8 48:24 49:1,24,24 54:23 57:4 58:15,16 78:25 95:9 109:4</p> <p>adjoins 49:3 96:22</p> <p>adjust 15:14</p> <p>adjustment 1:1 4:23</p> <p>administrative 67:12,16 69:9 75:18 76:9</p> <p>administratively 75:23</p> <p>administrator 1:17</p> <p>admissible 4:11 6:13</p> <p>adopted 70:2,13,15 70:16,17 75:20</p> <p>advance 43:21 61:8 61:9,11 62:1</p> <p>advanced 43:20 61:1,7</p> <p>advancing 61:16</p> <p>aerial 35:18 36:5,6,7 36:9,10</p> <p>affect 46:9 80:25</p> <p>affix 44:14</p> <p>ago 33:14 45:16 50:21 72:4 113:6</p> <p>agree 87:25 89:5 108:16</p> <p>agreed 44:22 74:2</p> <p>agreement 20:2,3 89:23</p> <p>ahead 11:14</p> <p>air 61:12,15 71:5 79:15 89:3</p> <p>akin 49:15 59:7,8</p> <p>allow 41:9 90:16</p>	<p>allowed 21:17 91:3</p> <p>allows 38:20,21,25 44:3 62:25</p> <p>alternative 40:19 42:23</p> <p>ambient 46:1</p> <p>ameliorate 45:1 60:6 61:24 65:1</p> <p>ameliorated 48:4,25 49:21 58:16 64:17 79:24</p> <p>ameliorating 61:20</p> <p>american 9:22 24:2 24:6 25:16 31:7 33:4</p> <p>amount 26:24 79:22 80:13 81:4,18 87:2 90:8 96:15,20,20,23</p> <p>analysis 104:18</p> <p>andrew 3:24 116:16</p> <p>angle 95:5,20 96:1 97:25 98:23</p> <p>angles 48:9 110:24</p> <p>angry 120:6</p> <p>animals 38:25</p> <p>ann 1:17</p> <p>answer 34:22 66:19 66:22 68:4 70:8 73:2 76:17 77:2 89:17 93:16 102:2 115:11</p> <p>answered 29:13 30:23 103:22,23 108:18</p> <p>answering 30:20,21</p> <p>answers 100:22</p> <p>antenna 59:1,2 68:16 81:22 84:16 99:15,22 106:14 107:10</p> <p>antennas 18:11 34:24 35:3,4 40:4 44:13,14 46:14 47:14 48:2,6 49:19 51:20 54:11,16</p>	<p>55:11,23 56:9,12,24 57:6,20 58:7,25 60:8,20 64:21 76:20 78:13 79:5,10 80:14 81:10 98:8,14 99:22 106:5 111:23 112:4 113:25 114:10 115:8 116:21</p> <p>anticipated 10:22</p> <p>anticipating 27:24</p> <p>antonio 3:3</p> <p>anybody 19:3 24:22 26:23 32:10 46:16 92:4 118:13</p> <p>anyway 29:7</p> <p>apart 23:20</p> <p>apparent 55:10 56:13,23</p> <p>apparently 43:2</p> <p>appears 98:24</p> <p>applicable 5:7</p> <p>applicant 100:13 119:25</p> <p>applicant's 119:22 120:2</p> <p>applicants 2:5 120:1</p> <p>application 1:4 34:10 35:17 36:13 40:20 58:19 66:18 66:23 67:12 68:3 75:10 115:21 119:24 120:17 121:19</p> <p>applications 63:14 118:21</p> <p>applied 4:19 6:11</p> <p>applying 5:19</p> <p>appraiser 46:6 86:11 118:2</p> <p>approach 12:10 71:3</p> <p>approaches 71:11</p> <p>appropriate 5:8 102:16 103:5,24 104:6 105:1,3,6</p>
---	---	--	--

<p>appropriately 120:9 approval 18:2 67:12 67:16 69:9 75:18,24 76:1 82:14 113:21 114:19 120:19 approve 65:22 approved 75:12 94:16 approves 68:3 approximate 44:2 approximately 34:24 35:2,4,8 36:23,24 37:1,17 38:1,3,8,11 40:25 41:5 42:25 48:10 79:9 81:14 area 8:21,25 20:10 27:5,7,12 28:20 31:7,14 36:13 37:6 37:10 45:1 46:21 47:13 49:15 53:14 56:12 57:2,4 58:2 62:10 63:9 71:14 77:10,13 82:3,22,22 82:25 83:7,8,14,15 83:19,19,24,25 85:2 85:4 96:13,14 97:1 101:9 111:15 112:4 areas 8:24 9:2 63:10 73:13 argument 71:17 72:20 75:2,13 100:15 102:9 107:25 108:3,4,9,9 arguments 118:16 armor 11:14 14:19 27:16 29:3 arranged 61:23 arrangements 61:19 aside 60:1 asked 31:1 66:6 93:21 asking 19:17 23:11 29:18 30:20 93:2 104:8 108:5,15</p>	<p>aspect 77:8 aspects 77:7 78:2 asserting 4:18 assessing 96:1 assessment 87:4,8 associated 45:13,14 58:18 62:3,19 64:15 67:6 assume 22:5 90:13 assuming 5:5 26:13 assumption 26:18 at&t 8:4 15:12 26:25 41:23 43:3,19 45:21 62:23 72:16 73:15 74:13 77:5,9 82:9,13 85:2 89:10 98:24 101:19,22 102:15,19 103:20 104:2 106:23 107:19,21 113:5 116:12,14 117:15 at&t's 21:13 67:13 72:25 73:12 75:15 77:3 92:20 102:16 103:7 attach 12:15 attached 43:10 57:12 attacked 121:6 attempt 112:11 attempted 56:8 60:5 64:20 attends 101:19 attenuating 60:9 attorney 2:3 4:14 5:15,20 65:14 71:22 99:25 101:14 122:10,12 attorneys 2:5 70:8 attractive 114:20 115:5 audience 34:11 august 50:20,24 118:20,24 119:14 119:17,20 121:4</p>	<p>available 77:4,6 103:12,13,15 avenue 31:18 40:24 40:25 42:23 average 45:17 avoid 62:9 aware 70:7 115:19 116:9</p> <p style="text-align: center;">b</p> <p>b 3:7 61:9 babbit 3:24 116:16 116:16,20,24 117:4 117:9 back 4:1 6:19 10:5 10:13,18 11:5,23 13:21 17:16 20:13 20:15,15,23 21:2 22:2 24:13 25:6,22 25:24,25 28:2 30:25 33:22 47:15,20 49:2 49:5 50:1,2 53:16 54:13 55:2,18 65:13 71:15,21 85:10 87:3 91:20 92:10 95:8 102:4 109:13 113:20 114:10 backed 78:15 backup 11:24 15:19 backyard 95:20 97:13 109:16 bad 26:21 balance 65:6 balancing 63:16,17 65:5 67:19 barely 55:23 57:20 bark 29:23 barrier 12:14 13:1 13:25 14:8 32:8 48:14 64:19 69:17 69:20 86:4 base 65:24 66:1,8,16 76:18,23,25 based 12:9 13:12 14:14,22 17:20</p>	<p>28:23 39:2 46:22,22 47:13 67:7,16 74:15 75:1,12 80:20 93:19 basic 79:15 basically 8:7 9:1 25:21 27:20,21 34:6 59:22 75:21 93:18 117:4 basis 101:23 batteries 11:25 12:5 12:6,7 15:8,8,14,18 15:25 16:9,11 19:10 20:21 21:2 25:18 26:7 32:2 65:3 battery 15:17 16:2 17:6,7,7,8 27:9 beautiful 26:21 beds 10:8 beginning 48:17 119:10 begins 114:6 behalf 4:6 beholder 81:8 belief 43:22 58:6 believe 20:25 33:13 36:4 41:15,20 45:3 45:8,10,24 46:1 49:1 50:22 53:12 58:22 59:1,9 60:14 61:6,8,11,16 62:1,2 62:17,18 67:20 68:7 68:12 73:4,6 75:8 75:19 76:20 79:20 79:24 80:10,20 81:1 81:18 87:16 98:24 believes 30:18 beneficial 43:17 benefit 63:2,21,22 71:14 72:21 73:18 73:20 92:19 benefits 61:2 62:18 62:20 63:4 65:7,8 berkeley 37:7 best 22:13 79:23</p>
--	---	--	---

<p>bet 91:13</p> <p>better 17:24 36:17 63:1 77:2 98:7,12 100:20,22</p> <p>beyond 67:5</p> <p>big 15:24 80:16 87:10 91:12 101:13 112:1</p> <p>bit 8:8 12:8 17:24 35:16 43:9 46:18 80:14,16 118:22</p> <p>blend 47:5</p> <p>block 1:5 44:6 45:19 49:7,11 79:3,4 80:8 94:25 95:5,22 96:2 99:2,15 109:17</p> <p>blocked 81:15 85:23 86:22 87:23 96:14 96:15,25 97:2</p> <p>blocking 23:6 86:25 96:25 97:3,5,6,25 99:1,21</p> <p>blocks 23:8 95:21</p> <p>blue 47:5 54:8 106:2 110:8</p> <p>boa 1:4 4:3</p> <p>board 1:1,10 2:3 3:9 3:10,11,12,13,14,15 3:16,17 4:7,10,23 4:25 5:2,4,7,10,14 5:23 7:15 14:22 15:1,6,16,20,24 16:3,10,19 17:2,9 17:14,18,25 18:6,20 18:21,21,22,23 19:4 19:14,17,20 20:6,24 21:7,21 22:14,15,15 22:17,17,22,25,25 23:5,10,16,18,23 24:12,18,21 30:25 31:9,15 33:12 34:22 35:22 39:25 43:10 43:12 46:20 50:8,12 50:15 51:4,11 52:2 52:3,6,15,16 53:9</p>	<p>53:11 54:1 65:5,9 65:14 68:1,5 69:21 69:25 70:6,10,18 71:22,23 72:1,13 73:3,8,11 74:5,19 74:22,25 75:1,9,11 75:12,25 76:11,12 81:8 85:15,17,21 86:3,7 87:14,18,22 87:25 88:3,5,7,8,19 89:5,9,13,20,25 90:4,9,15,22,24 91:6,10,16,22 92:3 92:17 93:21,22 94:9 94:14,21 99:24 103:11 118:19 121:9,16</p> <p>board's 9:20 45:22 46:5 73:4 88:16 105:19</p> <p>boards 7:22 22:25 33:8 63:13 75:15,17 75:19,22</p> <p>bob 22:4</p> <p>boiler 71:6</p> <p>booster 102:1</p> <p>borough 37:8 41:2,3 41:8 98:12</p> <p>bottom 36:25 42:15 44:10 51:14 52:4,25 54:25 55:19,20 56:21 73:6 116:18 117:10</p> <p>boundaries 81:24 82:7,17 83:1</p> <p>boundary 41:1,2</p> <p>brad 3:21 94:23</p> <p>branch 56:11</p> <p>break 33:16,17,20</p> <p>breakdown 28:16</p> <p>brendle 114:18,18 115:13</p> <p>brennan 3:20 31:17 31:17,24 32:4,9</p>	<p>briefly 40:20</p> <p>bring 12:4,6 15:9 16:4,22 26:8 91:4 117:19</p> <p>bringing 80:23 118:13</p> <p>brings 71:15</p> <p>broadly 76:19</p> <p>brought 6:18 64:18 93:9 118:1</p> <p>brown 58:3</p> <p>bruce 1:18</p> <p>buffer 9:10</p> <p>build 61:14 83:18 98:25</p> <p>building 1:7 12:14 13:2 14:17 43:1 53:4 99:10</p> <p>built 13:25 44:5 59:23</p> <p>bulk 40:3 62:16</p> <p>businesses 39:2</p> <p>buxton 1:5 4:4 19:6 25:1 36:19 37:16 51:23 52:20 54:7,14 54:24 55:18 66:22 92:14 98:17 110:21 116:16</p> <p>buy 101:8</p> <p>bypass 84:8</p>	<p>cable 35:5 46:14 55:3 56:23 57:6</p> <p>cables 35:6 64:23</p> <p>calculating 31:10</p> <p>calendar 4:3</p> <p>calendars 75:6</p> <p>call 14:11 51:9 52:13 54:1 77:3,12 77:17</p> <p>called 42:23 63:15 65:14 66:5 101:21</p> <p>canceled 119:7</p> <p>cancelled 120:12</p> <p>canopy 99:16,17</p> <p>capability 45:18</p> <p>capable 44:13</p> <p>car 16:2 17:5,6 91:7</p> <p>care 13:14 22:18 23:4</p> <p>carried 65:3 121:12</p> <p>carrier 42:10 70:21 74:1 77:5 83:17</p> <p>carrier's 83:20 114:25</p> <p>carriers 62:24,25 63:20 74:3 115:4</p> <p>carry 120:19 121:5</p> <p>carrying 21:1 26:7</p> <p>case 4:19,20,21 6:8 7:22 11:16 34:19 43:15,17 47:21 48:3 53:21 73:22 74:25 85:14 100:14 101:6 114:19 121:8</p> <p>cba 7:8 13:17</p> <p>cell 10:21 32:3 39:5 46:4 99:4 101:20</p> <p>cells 109:20</p> <p>cellular 76:15,23</p> <p>cement 11:5 27:4</p> <p>center 86:18</p> <p>certain 49:11 56:7 73:13 120:18</p> <p>certainly 6:9 34:21 39:10 45:22 58:7</p>
		<p>c</p> <p>c 2:1 40:10 43:8 60:19,22,24 61:11 62:4,4 63:6,12 67:18 122:1,1</p> <p>cabinet 16:18 27:9 32:2 95:1,6 96:7 97:7,22</p> <p>cabinets 12:7 16:20 31:4,6,20 32:5,7 35:9 45:10 47:14 53:15 64:19 66:21 68:8,18,22 69:13 75:7,8 84:17,23</p>	

<p>59:8 62:15 64:2 114:7,16 certainty 70:21 certificate 122:16 certified 1:21 33:4 122:3 certify 122:5,9 chain 10:2 25:9,16 chair 32:13 118:8 chairman 1:11 4:1 6:14,16 12:23 13:6 15:3 16:22,25 18:9 18:16,24 19:3 20:16 22:3 24:13,17,20 31:16 32:10,15,18 32:22 33:11,15,19 33:23 36:1 50:9,14 76:13 77:1 78:9,11 84:5 92:4,11 100:20 110:5 112:24 118:5 118:10,15 121:14 121:17 chairwoman 28:3 change 8:3 21:24 45:10 47:17 48:12 54:15 59:13 62:14 63:4 64:5,14 65:25 66:7,10,12 67:10 69:8 80:13,16,17 81:4 82:20 85:18 89:7 111:20 112:1,8 112:10 115:23 changed 12:12 13:16,18 72:5 118:23 changes 6:20,22 7:3 7:11,16 8:10 51:16 changing 20:21 87:9 character 64:4 characteristic 37:9 characteristics 59:13 86:6 charging 106:8,12 106:21 108:12</p>	<p>chatham 1:1,8 37:8 37:10 39:5 41:2,16 42:11 58:25 99:20 102:11 116:7 choice 65:9 73:9 97:14,23 choose 62:25 111:14 112:11 chooses 89:14 chose 109:5 110:8 111:2,4,10 christina 3:21 98:2 chunk 111:9 cingular 1:4 4:4,6 circle 74:13,18,20 circumstance 53:6 circumstances 67:24 104:22 circumvent 5:16,17 city 42:24 civic 61:19 civil 6:18 claim 84:9 clarify 31:10 class 65:15 67:14 classified 4:11 76:23 clear 87:6,7 clearly 6:7 11:3,8 62:22 81:12 106:1 cleat 14:12 client 101:19,22 cliff 100:21 climbs 56:7 close 27:24 29:4,6 39:22 41:3 44:5 52:9 62:10 71:1 99:15 117:22 closed 70:4 121:17 closely 89:23 closer 39:7 40:8 54:22 87:10 113:24 closest 38:7 closet 109:10 closing 100:15 118:15</p>	<p>closure 23:25 clutter 99:12,14 coaxial 35:6 college 101:19 collocation 59:19,19 61:13 65:17,22 67:9 70:2 71:17,20 color 18:12 22:10 47:4 48:21,21 58:4 106:1 112:7 combination 113:17 come 10:13 12:10 16:3,7 17:16 21:12 24:24 25:19 27:17 34:19 56:6 70:24 71:8 75:24 76:7 84:9 85:19 92:11 102:4 113:20 114:10 115:18 comes 12:1 25:12,20 25:22 28:21 83:18 101:6 coming 22:2 25:22 25:25,25 27:24 47:19,20 55:2 commencing 1:9 comment 13:15 70:4 71:18 76:13 93:23 94:7,8 108:21 110:9 110:17 118:19 comments 7:7,9,10 8:2,11 13:18,23 70:14 100:11 commercial 59:7 106:7,23 107:2,20 108:11 114:21 committee 28:3 common 74:6 communication 59:2,4,11 65:18 106:17 107:9,11 108:1,3 communications 43:16 58:24 63:7 76:20 107:5</p>	<p>community 17:23 71:13 72:21 73:18 73:21,22 101:3 company 32:23 59:4 84:8 94:4 115:10 comparable 63:11 77:9 103:11 104:21 compare 13:20 comparing 98:11 compatible 77:11 competition 62:24 63:20 complaint 72:17 73:14 completed 110:10 completely 53:2 76:11 85:5 96:5 compound 82:21,21 83:6,7 84:1 compromise 61:15 concealed 64:23 concept 101:13 concepts 5:12 concern 15:13 71:13 72:3 concerned 8:22 concerning 65:14 80:25 81:20 concerns 5:2 7:7 8:13 12:9,18 13:12 13:24 17:21 concise 68:15 concisely 84:12 conclude 43:12 concludes 121:19 conclusions 100:14 concrete 11:6 31:1,2 31:4 35:7 condition 18:2 84:7 conditional 40:12 59:16 conditionally 39:13 39:15,18,20 40:11 59:17,18</p>
--	--	--	---

conditioning 89:3 conditions 51:14,14 54:24,25 56:5,20,20 confusing 94:1 connect 16:9 connections 17:7 consecutive 69:15 consider 63:13,15 85:22 100:10 109:22 112:22 consideration 117:24 considered 4:12 5:2 5:10 67:9 83:7 84:1 85:4 102:15 103:24 105:5 consistent 59:9,20 63:8 101:23 107:8 108:2 constitute 78:7 81:4 construct 10:16 constructability 8:22 construction 8:5,19 8:20 10:6,13,19,24 11:12 12:2 14:17 35:14 38:5 44:20 construed 84:13 consulting 1:18 consumed 120:10 contains 83:11 contention 67:13 context 6:12 35:17 39:12 contingent 74:17 82:14 continue 33:25 75:9 continued 113:9 continues 36:25 control 12:20 controls 39:5 conventional 38:16 cookie 71:11,11 copy 19:5,18,23 20:1,3	corner 37:19,23 48:18 49:2 53:16 60:11 62:8 80:3,10 81:16 95:23 99:11 correct 7:17 15:11 15:15 17:1,17 25:4 26:13 27:11 31:3 34:8 57:9,9 68:9,23 69:5,10,18 73:17 82:10 83:22 96:8 99:5 115:22 correspondence 4:9 4:10,25 71:21 counsel 122:10,12 counter 29:3 county 90:20 couple 8:22 11:7 76:21 101:2 102:12 106:5 113:1 course 40:20 101:1 court 73:22 78:5 101:6 courts 63:14 81:9 101:16 cover 32:4 44:4,11 44:25 50:21 52:23 117:9,11 coverage 26:24 27:2 31:12 41:22 42:1,7 42:14 51:1,1,2,17 51:17,24 56:11,22 58:12 60:2 72:14,16 72:18,22,24,25 73:1 73:5,12,15,16 74:4 74:6,7 77:4,13,19 77:24 78:3,4,6 92:20 93:14,20 102:5,6 116:18 117:15 covered 31:22 32:7 37:11 94:2 covering 98:6,14 covers 59:16 create 16:13 45:6 48:11 50:5 67:15	99:14 creating 63:4 creation 65:15 creative 61:18 credibility 102:8 criteria 43:11 45:5 72:17,25 73:12,13 73:17 74:7 100:8 cross 3:2 crown 28:6,13 cs1884563 1:25 csr 122:15 curiosity 22:9 curious 70:23 89:9 92:21 94:19 111:3 111:10 current 67:5 81:23 81:24 82:3,7,17,25 83:1 96:8 currently 82:1,3,9 cutter 71:11,11	dealing 64:6 debatable 85:9 deborah 3:22 100:24 decide 81:9 decided 15:13 deciduous 37:11,13 decision 5:8 65:9 70:11 73:9 119:22 120:3 deed 19:5,18,22 define 76:18 defined 41:23 47:3 78:3 81:23 82:6 definition 69:7,22 69:23 81:7 101:3,12 101:15 definitive 101:15,17 degree 48:3 49:7,11 49:21 58:2,14 79:11 81:3,15 87:1 96:19 deliberate 68:2 deliberation 68:2 deliberations 5:5 100:16,16 delineated 8:18,19 demonstrated 72:15 72:23 dense 44:25 deny 65:21 76:3 dep 21:17 department 58:25 58:25 76:21 107:3 107:19 116:8 departments 76:21 depend 79:12 86:5 dependant 114:25 depending 16:12 47:4 48:23 49:20 111:20 112:10 depends 16:13 described 41:18 64:11 description 3:8
		d	
		d 3:1 32:24 40:1 43:7,8,21 58:22 60:15 63:12 67:18 da 66:4 damage 28:9 29:5,7 30:11,23 damaged 29:1,25 damaging 11:18 dark 36:15 data 78:6 date 122:8 dated 7:6,8 8:1,11 13:15,17,22,23 122:17 day 14:7 15:21 20:25 26:21 47:5 54:8 72:11,11 87:7 109:5,19,21 110:8 days 15:23 dead 47:23 deal 21:19 64:20 74:15 92:1	

<p>deserve 67:15 design 14:8,8,16 34:15 61:19 designated 20:17 designed 14:13 117:13 designs 14:15 desirable 61:17 detail 8:9 13:19 14:19,20 27:20 detailed 5:9 28:16 29:11 100:17 details 10:21 11:3 14:2 93:17 determination 104:20 determinations 4:23 determine 65:6 determined 73:25 73:25 110:24 detriment 45:7 50:5 60:17 61:2 62:3,18 80:24,25 81:2,5,6 81:12,19 85:22 88:12,13 89:1 97:20 97:23 98:5 109:3,22 112:19 114:11,12 114:15,16 117:20 detrimental 64:8,15 64:17 112:20,23 detriments 58:18 61:3 62:19 65:7,8 developed 34:14 development 43:4 61:18 dialing 77:5 diamond 24:7 37:23 37:24 die 29:16 difference 74:10 107:22 different 11:7 12:10 17:5 28:24 75:16 87:11 91:4 94:2 97:12,20 102:14</p>	<p>106:22 107:1 109:5 112:21 115:1 differential 37:1 difficult 47:3,16 50:25 51:18 52:22 55:20 56:10 digital 36:12 51:15 78:6 dimensionally 57:8 dimensions 30:7 65:25 66:7 direct 3:2 34:1 109:8 direction 86:21 95:16 directly 9:9 24:23 28:22 30:4 42:10 54:23 80:3 95:9,12 96:22 disagree 63:25 96:20 108:4 110:4 disasters 61:10 discharge 16:9 disconnect 17:6 disconnected 17:6 discuss 75:25 discussed 41:14 93:8 discussing 5:7 discussion 5:6,13 6:8 11:21 67:23 73:24 85:12 100:17 100:21 110:17 discussions 71:1 85:20 dish 107:10 distance 39:23 78:24 distances 37:25 distributed 28:22 30:9 51:3 117:3 distribution 28:23 district 38:16 39:8 39:10,11,13,17,20 39:21 40:1,2,14</p>	<p>41:8,9,19,20 42:2,5 42:12,13 43:4,5 districts 103:10 disturbing 8:25 24:4 doing 10:12 11:1 17:3,10,11 50:10 61:20 67:7 100:5 108:20 dome 35:1 56:6 114:5,7 door 95:25 dowling 3:5 33:2,25 92:8 113:1 dr 74:2 77:1,7 99:4 99:6,8,14 drawing 8:1,4,11 10:21 13:15,17 14:23 32:1 drawings 8:3 11:9 12:16,22 13:20 14:17 18:5 drill 92:12 drive 9:8 37:22,23 98:3 109:1,1 driveway 20:11 25:21 26:10 44:22 45:19 60:10 64:25 74:12,14,18,20 89:21 90:5,10,17,25 91:7,13,17,20 94:3 94:4,5,16 driving 9:9 11:5 28:12 47:13 57:1 drop 38:13 88:20 drops 37:2 drove 91:7 due 119:2 120:7 duly 32:24 duration 11:1 dust 45:13 dwelling 38:15</p>	<p>earlier 12:20 14:19 34:19 35:7 45:16 48:16 50:22 59:25 65:2 68:12 78:25 86:11 104:4 109:2 115:24 117:16 easement 8:5,19 9:3 11:13,25 12:3,3 16:8 19:6,7,12,15 20:2 25:20,25 26:2 28:15 35:14,15 38:6 38:6 79:2 89:15,18 90:3,6,7,8,12,19 91:2,3,4,5,17,21,24 92:2 easements 44:21 67:6 86:19 easier 25:7 80:14 east 37:7 eastern 9:18 effect 53:1 effectively 37:20 39:6,8 46:14 48:7 58:5 60:22 67:7 78:25 101:6 effects 64:8,15,17 efforts 65:1 eight 15:19 16:13 17:15 26:7 72:18 73:14 102:14 103:4 103:23 eisenstein 1:18 74:3 77:2,7 99:4,6,8,14 either 23:13,13 27:22 42:3 47:19 67:24 69:12 118:20 electric 106:14 electronics 35:10 element 112:4 elevation 38:13 41:4 44:2 48:8 55:22 57:18 elevations 8:18 eleven 112:25</p>
e			
<p>e 2:1,1 3:1,7 6:25 77:23 78:4 122:1,1</p>			

<p>else's 104:15 emergencies 26:20 26:20,22 emergency 21:17 63:2,19 65:2 77:16 emf 93:17 emitting 64:9 emphasize 98:4 employed 33:2 employee 122:10,12 enable 44:19 encased 35:10 enclosed 25:9 37:19 57:22 68:23 82:25 enclosure 12:24 14:9 18:10,13,25 22:19 35:11 45:10 47:15 49:9,15 53:15 54:14 55:5 57:2,25 57:25 58:13 62:8 79:23 80:2 81:13 86:1 96:24 97:3 enclosures 84:11 encompass 82:16 encompasses 63:10 encourage 59:19 encumbered 103:15 enforced 94:20 enforcement 94:22 engineer 1:17,18 6:19 12:20 32:12 41:14 44:7 45:15 102:19 engineer's 8:8,13 10:25 engineers 33:2 41:21 enter 25:17 entire 7:25 9:22 82:11 83:9,11 85:14 113:20 entitled 5:20 entity 67:11 106:24 107:2</p>	<p>environment 47:17 61:18,25 112:1,8 equation 71:16 96:6 equipment 8:24 10:17,22 11:1 26:23 27:9 28:5 29:4,9 35:9 40:9 44:19 45:8 46:4,15 48:5 49:8,9,22 54:13 55:5 57:2,22 60:11 60:21 61:23 62:8 64:24 65:23 66:21 68:8,18,22,22 69:13 75:6,6,7,8 79:19 82:2 83:12,13,15,18 83:19,21 84:2,17,20 84:23,25 85:2,5,23 85:25 86:2,23,24 87:18 91:4 94:25 95:6,23 96:7,24 97:7,11,22 erosion 12:20 especially 56:14 esq 2:2,5 essentially 4:20 110:10 established 20:4 64:10 estimate 16:17 estimation 86:16,20 114:8 estimations 46:23 evaluate 93:24 evening 4:15 100:6 evenly 117:2,3 event 71:2 everybody 73:18 112:21 118:3 everybody's 74:6 117:25 evidence 5:3,21 6:13 40:18 109:8 exact 45:25 101:12 115:7</p>	<p>exactly 7:15 19:2 30:7 40:18 79:12 97:12 99:6,7 examination 34:1 examined 41:13 60:1 example 8:23 excavating 67:5 excavation 81:23 exceed 45:23 68:19 69:1 84:18 85:7 exception 105:12 exceptionally 42:21 51:18 exchanged 90:1 excluded 105:8 excuse 66:25 68:6 92:18 exercise 75:9 exerting 91:24 92:1 exhaust 12:5 exhibit 35:22 51:12 52:17 53:8,23,24 54:21 55:14 56:2,17 57:16 exist 43:12 60:6,7,15 75:4 82:15 84:8 109:18 existence 90:13 existing 9:18 11:25 16:8 20:11 24:2 25:10,20,25 26:1 31:4,6,8,11 40:7 41:16 43:2,24 48:4 51:14 54:24 56:4,19 61:13 62:5 63:20 65:18,23 67:1 76:9 76:14,15,24 80:18 81:11,15 83:6,17 84:2 96:15 exists 9:13 expand 79:16 expansion 83:21,24 expansive 87:11</p>	<p>expect 29:10 expectancy 23:17 expecting 26:19 120:13 experience 33:7 109:23 expert 33:10 40:21 46:5 73:5 88:17 93:19 104:4,15 105:13,15,19 experts 21:15 28:24 45:21 64:9 explain 34:3 107:24 explained 29:9,20 30:3 explanation 29:11 explored 42:22 expressed 105:1 extended 30:17 extension 119:25 extensive 28:7 93:21 extent 51:2 60:7 61:21 98:14 external 106:19 extra 11:19 eye 81:7 eyes 98:19 eyesore 114:14</p> <hr/> <p style="text-align: center;">f</p> <hr/> <p>f 122:1 face 50:17 117:6 faces 117:7,7 facilities 19:9 65:18 65:18 108:1 facility 42:1,24 45:2 46:12 51:23 61:14 66:16 67:15 98:25 108:3 facing 22:6,21 23:3 117:4 fact 5:17 37:10,10 38:25 49:1 60:1 69:15 79:15,25 85:17 101:8 112:2</p>
---	--	---	---

<p>factor 99:13</p> <p>factors 75:5</p> <p>facts 30:15</p> <p>fair 93:25 101:6 104:24</p> <p>fairly 115:15</p> <p>fairweather 2:5 3:4 3:5 4:5,5 6:15,17 7:2 14:21,25 15:12 15:22 16:14 18:2,14 18:19 19:1,13,19,22 20:9,14 21:4,10 22:1,8 24:9 29:8,20 30:2,12,16 32:13,16 33:18 34:1 35:19,25 36:2,6,8 50:12,17 51:8 52:1,13 53:9 54:19 55:15 56:18 57:5,14 65:13 67:22 70:12 71:19,25 73:20 74:16 75:14 82:13,18 83:3,10,23 84:24 85:9 89:12,15 89:18,22 90:2,6,11 90:18,23 91:1,9,12 91:19,25 92:23 93:2 108:14 112:14 116:3 118:8,14,17 119:9,14 120:5,14 120:21</p> <p>faith 65:1</p> <p>fall 39:22 115:17</p> <p>falling 23:20</p> <p>familiar 72:7</p> <p>families 119:19</p> <p>family 36:20 38:15 38:20</p> <p>far 9:14 27:17 34:21 53:16 72:6 93:17</p> <p>farm 38:25</p> <p>fasano 1:17</p> <p>favorite 106:1</p> <p>fcc 43:18 66:2,9 70:1,14 75:18,21 101:8</p>	<p>fcc's 70:15</p> <p>feature 80:11</p> <p>february 47:22</p> <p>federal 64:10</p> <p>feel 6:7 104:14 108:22 110:13 119:3</p> <p>feeling 104:12</p> <p>feet 15:2,5 27:21 31:14 35:2,4,8,8 36:23,24 37:2,12,18 38:2,4,4,8,12,17 39:1,7,9,16 40:13 40:25 41:5,11 42:25 44:3 46:22 48:15,16 48:18,22 49:4,6,14 49:15 57:10 66:25 67:2 80:1,5 81:14 113:6,7,22,25 114:1 114:6,8</p> <p>fell 109:16</p> <p>felt 17:21</p> <p>fence 9:16,17,19,20 9:22,23 10:1,2 18:9 18:14,17,22 22:6,17 22:20 23:3,14,17,19 23:22 24:8,8,14,14 25:10,11,11,13 31:20 32:4,7 45:24 47:8 48:23 55:21 78:22 79:25 83:13 83:24 85:6 95:13 96:8</p> <p>fenced 82:22 83:6,8 83:13,24,25 85:5</p> <p>fences 23:12</p> <p>fencing 9:12,12 85:3</p> <p>file 14:17</p> <p>filed 90:19</p> <p>final 70:11</p> <p>finally 44:24 57:12 57:24 61:16 63:5 65:5 67:4</p> <p>financed 83:15</p>	<p>financial 59:6</p> <p>financially 122:13</p> <p>find 20:24 51:19 70:19</p> <p>finding 85:17</p> <p>findings 4:22</p> <p>fine 18:3 30:16 104:7</p> <p>finish 10:4 120:22 121:7</p> <p>finished 22:6 92:25 93:1 118:17</p> <p>fire 58:24,25 61:9 76:21 106:4 107:3 116:7</p> <p>first 5:11 21:23 43:24 45:6 51:7,23 61:6 63:17 66:15 68:7 77:4 102:13</p> <p>fit 105:7</p> <p>five 23:17 28:9 33:17,20 40:17 47:18 56:18 68:8,21 68:22 69:4 75:8 84:10,23</p> <p>flat 98:23</p> <p>flickinger 3:22 100:24,24 101:18</p> <p>flies 13:13</p> <p>flip 76:19</p> <p>flood 61:9</p> <p>floor 92:10</p> <p>foliage 47:12</p> <p>folks 28:24</p> <p>follow 75:19,21</p> <p>following 72:4</p> <p>follows 7:1 25:21 32:25</p> <p>foot 8:4,18 9:3,8,15 9:17,19,19,21,25 10:1 14:24 15:3 28:15,17 31:3 32:4 32:7,7 34:25,25 35:4,5,11 38:17,18 38:18 40:5,7,8,15</p>	<p>43:1,25 48:10,23 57:11 60:21,22 79:9 79:25 80:7,7 86:4 112:3,6 114:3</p> <p>footprint 80:5 82:4 82:21</p> <p>forbid 27:25</p> <p>forced 62:12</p> <p>forego 120:2</p> <p>foregoing 122:5</p> <p>form 5:18</p> <p>formulate 93:12</p> <p>fort 71:22</p> <p>forth 10:18 14:4,20 65:13 85:10 101:25 122:8</p> <p>forward 94:16</p> <p>found 72:5 75:3</p> <p>foundation 13:25 14:3</p> <p>four 41:25 45:16 49:24 53:1 63:16 66:13 68:19 69:2 81:21 84:10,18 85:8 106:6 117:2</p> <p>fours 11:15 27:21</p> <p>frame 12:14 13:1,2 13:20 119:23</p> <p>frequencies 85:1</p> <p>frequency 41:14 77:6,11 102:19 103:7,19 104:5 105:9,11,22</p> <p>fresh 33:19</p> <p>front 10:1 20:20 25:6,6 38:17 39:25 40:4 60:19 80:15,20 112:5 121:8</p> <p>fronts 47:10</p> <p>fulfill 117:15</p> <p>full 5:6 47:1 50:21 50:25 58:8 68:13 71:8 100:21</p> <p>function 62:4</p>
--	---	---	---

<p>further 8:9 40:8 55:17 121:12 122:9 further 79:21 future 19:8 113:18</p>	<p>given 48:12 50:25 58:10,11,11 63:3 94:11 gives 107:19 glare 45:13 go 4:16 6:20 7:24 10:5 11:14 14:24 20:18 29:10 40:13 49:5 50:23 59:24 62:14 63:10 78:7 83:25 84:2 85:10 94:1 95:1 100:9,12 113:20 114:11,19 115:2,6,7 116:24 119:17,19,20 god 27:24 32:20 goes 13:9 17:14 20:14 35:1 72:6 89:16 91:20 114:1 going 6:19 7:18,24 8:24,25 9:1,2,2,3,21 10:3,8,10,12,16,17 10:20,23,24 11:2,2 11:4,6,22,24,24 12:2,15,24 13:4,11 14:1,13,23 18:10,10 18:16,17 20:23 21:1 21:8 24:4 25:3,13 25:14,19,24 26:6,11 26:14,14 28:5,12,18 28:21 29:8,10 30:3 30:4,5,9,17 33:23 34:17,18,19 35:19 40:12 50:23 53:22 55:2,20 56:14,23 57:22 65:11,20 72:22 74:13 80:8,11 87:3 89:7 92:23 93:23 94:16,18 95:24 98:8 99:25 100:3,6 101:24 108:14 109:10 110:10 113:4,6,18 116:22,24 119:25 120:16 121:4,11</p>	<p>good 21:18 22:18 23:3 36:18 45:7 61:19 63:1,4 65:1 71:8 80:24 102:25 110:5 111:9 115:9 gotten 73:14 government 65:21 67:11 70:22 gps 77:20,22 grade 27:21 gradually 37:4 grant 43:13,14,18 43:20 46:8 62:20,23 101:9 granted 59:14 grass 9:9 20:8,13,15 26:3,4,4 28:20 grays 24:15 great 31:16 65:4 108:23 113:2 green 41:18 103:14 ground 9:10 35:7 41:4 44:2,18,20 45:9 55:6 58:14 80:16 81:13 115:10 grow 113:9 114:9 growing 113:8,12 gsm 77:9,10 guess 18:24 80:7,22 80:23 86:5 88:11 92:15 97:4 106:3 107:16 112:8 115:4 guidance 66:9 guidelines 75:21 guy 84:9 guys 20:19 106:21 120:6,25 121:8</p>	<p>halved 109:16 hand 16:23,23 20:22 32:17 52:1 77:25 111:5,7,9 handed 50:18 handle 91:15 handled 75:16 hang 47:24 happen 10:24 26:14 27:25 85:11 94:15 99:1 113:18,19 happening 11:20 44:16 100:6 119:4 happens 26:5 91:7 113:8 happy 34:21 68:4 71:9 hard 20:24 21:19 120:25 121:1 hatches 31:5 hate 121:1 haylee 3:19 25:1 113:3 hazard 115:4 he'll 45:18 head 68:11 hear 46:3 88:22 100:9 heard 7:7 34:21 35:7,14 44:7 45:15 45:21,23 46:6 48:20 59:25 64:8 65:2 70:23 86:11 104:1 120:17 hearing 4:3 90:14 121:19 hearsay 4:11,17 5:3 5:21 6:8 heavily 37:11 heavy 28:5 51:18,24 55:19 56:11,22 58:12 61:22 height 9:14 14:2 37:12 40:11,15 46:22 49:14 60:21</p>
<p>g</p> <p>g 6:25 32:24 gain 72:22 game 71:18 gap 72:15,16,24,24 72:25 73:1,5,7,10 73:11,12,15,17,25 77:3 78:2,3,4,6,7 94:10 117:16 gaps 44:8 72:14,18 74:4 92:22 93:3,14 93:20,20 116:17 garages 38:23 gate 25:14 gates 9:25 10:2,3 25:3,12,16 26:1 gaultieri 3:3 6:23,24 general 36:13 43:13 43:19,21 56:24 60:16 62:22 101:2,3 101:5,11,13,17 generally 16:1 18:21 26:17,22 28:4 generate 12:6 generates 59:8 generator 11:22 12:4 15:7,9 18:7 21:6,11,24 65:3 generic 14:10 gentlemen 92:7 112:25 118:6 george 3:24 117:18 gerry 114:18 getting 14:7 24:13 29:4 71:10 82:14 97:25 gettysburg 101:20 give 5:24 33:19 70:12 78:1 115:10 119:25</p>	<p>h</p> <p>h 2:2 3:7 8:14 half 28:19 35:4,11 38:17 48:15,22 67:2 80:1 86:4 halpern 2:4</p>		

<p>66:16 80:5 85:25 heights 37:7 held 77:25 help 32:20 helps 45:1 64:22 hereinbefore 122:8 hidden 52:22 high 9:15 44:3 46:23 46:24 48:15 higher 41:6 highest 99:20 highwinds 40:24 hill 21:3 50:1 57:18 57:19 hillside 47:9 hit 14:13 hits 11:17 hmm 116:19 hold 92:10 holding 44:13 holds 62:23 72:21 79:19 home 38:1,3,4 39:2 homeowners 85:23 85:24 homes 36:22 37:25 38:1,10,11 41:11 46:10 78:14,16 honestly 47:3 50:24 89:22 101:13 120:5 hope 92:16 hopefully 15:22 host 70:25 hour 17:15 118:6 hours 15:19 16:13 17:16 26:8 119:8 120:12 house 21:2 46:2,2,4 53:16 81:14 88:20 88:23 95:8,18 99:20 107:11 117:5 housed 95:23 houses 88:10 hum 45:24 88:17,25</p>	<p>hundred 24:7,7 31:14,14 60:22 77:18 huron 37:22,22 53:7 53:12 56:3 78:14 94:23 98:2 108:25 109:1 114:18</p> <hr/> <p style="text-align: center;">i</p> <hr/> <p>ice 21:1 idea 71:20 identify 63:17 64:7 74:4 imagine 89:21 114:23 immeasurable 46:3 impact 28:8,8 61:20 78:13,17 110:14 115:20 impacts 60:6 65:1 impair 58:20 60:12 60:18 63:5 impairment 61:4 impervious 26:24 27:2,6 31:12 important 37:9 44:12 70:19 112:16 improve 61:24 improved 62:21 inappropriate 104:9 104:13,20 inch 9:7 28:19 inches 14:24 32:2,3 57:11 incidental 38:22 inclement 26:12,18 include 85:17 included 64:19 65:16 82:25 including 8:17 69:15 incorrect 4:17 increase 64:2 68:15 84:14,22</p>	<p>increased 62:24 66:16 90:10 indicate 43:18 indicated 43:15 73:6 individually 16:5 inform 34:16 information 5:24 117:17 inherently 43:17 input 76:6 inside 12:14,24,25 13:2,5 22:19 24:7 46:16 47:14 95:13 99:10 install 89:2 installation 10:21 46:12 68:17 72:23 82:2 84:16 installed 14:20 31:20 installing 27:6 instance 47:25 52:10 53:3 54:2,10 55:6,18 56:8 57:20 66:18,18,22 67:1,10 83:22 87:13 instances 66:11 institute 33:4 institutional 39:20 intended 83:1 intensive 12:9 16:7 17:19,22 intent 112:13 interconnected 16:6 interest 63:18,24,25 64:1 interested 100:8 122:13 interesting 53:20 interests 64:6 internal 106:17 internet 93:3 interpret 84:21 interpretation 66:3 66:5,10,14 67:8,14</p>	<p>67:21 69:11 70:1,5 71:2 72:6,8 77:22 interpretations 66:12 78:5 interpreted 83:5,6 84:25 interpreting 5:19 85:16 introduce 4:1 introduced 13:22 40:18 introduction 50:7 intrude 40:5 intuitive 29:3 invisible 58:8 involve 68:16 81:22 84:16 involved 4:21 19:15 27:10 68:18 84:18 116:10 involving 76:20 iris 1:20 122:3,15 issue 8:23 21:14,20 27:3 64:18 85:12 90:16,18 93:24 issues 21:12 23:11 31:12 60:3,3,4 71:11,12 76:4 85:15 94:2,12 100:4 item 9:11 10:15 11:11,12 12:12,18 items 8:21,22 12:18 ivonne 73:24 ivonne's 74:2</p> <hr/> <p style="text-align: center;">j</p> <hr/> <p>j 32:24 jacobs 33:2 january 47:22 66:2 jay 3:20 92:14 jcp&l 41:24 42:4,8 42:16 jersey 1:8 4:20 25:2 33:3,6,9 36:11 43:15 46:7 73:21</p>
--	---	---	---

<p>122:4 jim 3:5,20 31:17 32:16 33:1 34:2 35:19 36:9 51:8 57:5 112:14 job 1:25 65:15 67:15 john 8:15 jon 1:12 judgment 107:17 judith 2:5 judy 4:5 july 1:7 jump 77:6,8,12 junction 100:5 jurisdiction 75:9</p>	<p>19:19 21:18 26:16 26:21 29:15,19 37:16 42:9 51:3 54:2 58:7 59:6 68:2 68:10 69:24 70:4,7 70:8,9 71:5 72:2,20 73:16 75:1,11,12 76:8 77:13,13 78:23 79:5 80:5 83:4 84:10 86:10,13 87:5 89:24 91:25 92:2,12 94:5 96:4 99:22 101:12,14 102:24 103:2,3,6,8,12,18 105:2,14,17,18 106:1,3,20 108:10 108:19 109:2,3 111:19 113:11,17 113:18,19 114:22 115:2,11 116:11,13 117:5 118:4 120:25 knowledge 90:11 113:14 116:5</p>	<p>lapse 102:4,5 large 37:13 44:4 47:12 48:12,12 49:9 49:21 73:22 80:4 81:15 86:25 87:1 112:2 largely 98:6 larger 39:1 63:22 larosa 1:20 laughter 114:24 law 4:19,20,21 5:19 6:9,10 43:15 61:1,7 62:2 77:16,16 78:4 78:4 108:6 120:6,7 120:17 lawn 101:6 lawyer 108:7 layers 9:6 28:18 layman 104:11 leaf 47:1 51:1 58:8 lease 19:23,24 20:3 82:9,10,13,14,15,16 89:12 90:12 leased 81:24 82:7 83:2 leasehold 67:6 leasing 82:11 leave 62:10 88:3 91:6 leaves 47:19,23,23 54:9 56:10,22 79:7 91:9 lee 76:9 left 6:18 71:23 111:7 111:9 legacy 77:21 legal 5:6,12 70:12 73:21 100:1,4,15 legally 4:17 5:25 legislation 72:8 legitimate 71:13 72:2 lengths 65:4 lengthy 115:15</p>	<p>lens 111:12 letter 4:13 6:1,6 8:14 19:4 88:16 level 14:16 49:19,22 55:6 56:7 58:14 81:13 leveled 9:4 license 20:3 43:18 62:23 101:7,8,10,16 licensed 33:5 46:6 life 23:16 lifetime 15:17 light 12:13,23 13:7,9 13:19 47:4 61:12,15 71:4 lights 87:6 liken 83:12 limit 40:15 limited 42:21 47:16 49:23 50:3 62:13,15 86:21 87:4,12 108:11 limits 15:18 45:23 line 25:21 28:9 36:22 41:3 45:24 48:19 49:4,5 50:2 62:13 80:4 88:18,20 92:19 96:8 98:8 99:5,8,9 101:20 113:16 lines 36:15 link 10:2 25:9,16 list 7:11 listened 118:4 little 8:8 12:8 16:7 17:24 35:16 55:17 59:14 80:14 89:9 91:13,14 106:22 111:25 118:22 live 91:10 94:3 llc 1:4 llp 2:4 load 28:21 local 65:21 67:11 70:22 71:14</p>
k			
<p>kate 1:13 katie 3:23 108:25 115:14 keep 28:5 kenny 1:13 5:14,23 15:6 22:14,22 23:5 23:10,18 30:25 31:9 31:15 52:3,6 74:22 74:25 75:11 76:12 85:21 86:3,7 87:14 87:18,22,25 88:3,7 89:20,25 90:4,9,15 91:16,22 92:3 94:14 94:21 kin 59:5 kincaid 38:10 50:1 53:3,4 57:13 100:25 102:10 117:18 kind 6:3 7:23 8:12 9:14 10:11,17 11:3 14:1,2 23:24 24:4 92:10,19 104:12 107:4 knew 15:12 knit 117:22 know 5:21 6:2,5,10 6:11 8:23 15:24 16:10 17:22 18:11</p>	<p>l l 6:25 32:24 la 122:3,15 labor 12:8 16:7 17:19,22 ladies 92:7 112:24 118:5 laid 11:8 land 37:20 61:1,7 62:2 71:4 90:21 104:19,23 107:25 landlord 44:15 landscaping 23:24 24:2,10 lane 25:2 36:19 38:10 53:4 54:15 100:25 102:11 117:18 language 69:1 75:5 76:25 84:14,22</p>	l	

<p>locate 77:19 located 33:3 36:20 37:18 39:7,11 41:7 43:1,25 44:5 48:17 53:5 55:24 59:21 117:14 locating 41:5 61:13 61:21 62:7,24 location 25:15 36:16 37:2 41:10,11 42:3 42:19 44:10 48:23 49:20 52:21 53:5 54:6,12 55:21 56:25 59:25 61:22 77:17 78:1 83:20 95:9,10 98:7,13 111:20,25 111:25 113:21 114:20 117:14 locations 59:24 78:17 86:17 99:22 103:4 111:2,21,22 115:17 long 9:14 10:23 13:10 15:3,16 22:21 23:3 101:19 121:3 longer 85:25 86:9 109:18 longwood 40:24 look 13:19,25 23:2 50:17 52:19 54:9 68:7 71:4,4 83:5 89:23 95:8,20 97:21 97:22 98:20 99:19 111:12 looked 23:6 26:24 72:3 86:16 92:20 looking 24:3 50:1 53:3,13 54:7,23 55:18 56:4 57:18,19 64:21 66:11 79:14 79:14 82:18 95:15 95:17 98:22,23 109:14 112:11 looks 22:19 76:5 117:10</p>	<p>lose 29:17,25 loses 12:5 loss 73:15 lost 17:11 lot 1:5 11:21 13:24 17:22 29:15,16 34:18 37:18,19,20 37:20,21,22 38:1,3 38:5,5,16,16 47:11 49:1 53:12 58:16 59:23 64:15 79:3,3 79:20,22 80:2,8 86:24 87:2,17 94:2 94:24 95:2 109:1 lots 37:21 39:1 47:8 47:10 loudly 7:19 low 79:22 lower 54:10 98:13 99:16 113:6 lowest 45:25 luxury 119:20</p> <hr/> <p style="text-align: center;">m</p> <hr/> <p>m 32:24 ma'am 6:16 118:10 macevoy 31:17 machinery 16:25 20:18 main 8:21 12:18 maintain 64:3 maintained 23:13 maintenance 19:8 20:19 23:11,15 25:23 35:15 38:6 major 8:3,10 9:11 10:15 making 6:3 69:8 107:25 108:8 111:23 man 61:10 manage 26:12 manager 10:19 manhattan 86:12</p>	<p>map 92:20 maps 115:23 march 50:23 53:22 70:4 margin 80:13 mark 35:18 51:4 marked 35:23 51:12 52:17 53:8,24 54:21 55:14 56:2,17 57:16 market 92:21 mary 1:17 match 48:5 60:9 64:24 material 82:19 materials 14:5 34:9 math 65:6 matter 1:3 34:14 74:19,21 108:5 121:11 mature 29:17,17 30:8 37:11,13 47:12 max 28:17 maximum 40:15 47:2 60:7 61:21 mcdonald 8:15 mean 6:4 19:10 22:13,14,16 23:14 23:20 26:16 29:6 31:13 50:12 66:6 71:6 75:4 80:14 81:21 82:23 86:10 107:4 115:25 117:19,23 119:13 120:2 meaning 82:21 means 39:9 67:10 70:16 73:17 84:9 101:10 103:14 measure 11:19 meet 40:14,16 41:21 42:1,6,14 60:14 67:8,20,25 74:7 103:19 meeting 34:4 110:18 118:19,20 119:8,10</p>	<p>120:1 meetings 34:11 40:18 104:4 114:23 120:10 meets 44:10 member 5:14,23 14:22 15:1,6,16,20 15:24 16:3,10,19 17:2,9,14,18,25 18:6 19:4,14,17,20 20:6,24 21:7,21 22:14,22 23:5,10,16 23:18,23 24:12 30:25 31:9,15 33:3 52:3,6 65:9 69:21 69:25 70:6,10,18 71:23 72:1,13 73:3 73:11 74:5,22,25 75:11 76:12 85:21 86:3,7 87:14,18,22 87:25 88:3,5,7,8,19 89:5,9,13,20,25 90:4,9,15,22,24 91:6,10,16,22 92:3 92:17 94:14,21 121:16 members 1:10 81:8 93:10 memo 71:24 memorandum 6:10 66:9,14 memory 31:19 mention 4:8 35:15 40:21 99:25 106:3 mentioned 11:5 12:24 72:14 merck 42:23,24 messing 3:19,20 25:1,1,5,17 26:2,5 26:10,16 27:8,13,15 28:2 29:2,14,22 30:5,14,19 92:14,14 92:18,25 93:13,25 94:13,19 113:3,13 113:24 114:9</p>
---	---	--	---

<p>121:10 met 34:15 39:15 73:13 metal 27:22 meters 77:18 method 11:7 18:1 meyersville 1:8 michael's 109:3 michaels 1:18 22:5 22:12,16,24 23:8,12 78:10 80:22 81:20 82:6,16,23 83:8,16 84:3 middle 20:25 47:22 51:18 62:6 65:15 67:14 miles 86:17 mind 50:9,15 85:3 88:25 89:7 97:12 102:13 114:17 117:25 mine 72:3 97:18 106:2 minimal 28:17 45:14 63:4 64:12,12 minimize 64:1,2,5 minimum 38:16 minor 45:10 minus 71:15 97:10 minute 33:16,17,20 minutes 13:10 mobile 77:10,12 101:20 modifications 19:15 money 90:1 monopole 83:14 month 47:2 119:10 120:12 months 21:15 45:16 46:25 47:18 72:4,19 73:14,24 119:6 morning 46:1 morristown 33:3 motion 13:12 121:14,16</p>	<p>mount 13:4 mounted 13:21 mounting 68:16 81:22 84:15 move 59:24 62:12 79:13 89:14 moved 56:3 60:10 64:18 113:7,12,15 mulch 8:25 10:7 mulched 9:2 multiple 47:6 93:10 municipal 1:7 38:20 39:19 41:2 61:1,7 62:2 120:17 municipalities 37:5 76:2,7 municipality 73:23</p> <hr/> <p style="text-align: center;">n</p> <hr/> <p>n 2:1 3:1 6:25,25 32:24 116:1 name 24:24 32:22 33:1 42:9 92:12 narrow 20:7 natural 18:10,17 22:12 24:15 61:10 naturally 111:5 nature 62:5 72:7 near 11:13 29:10 41:25 43:2 47:10 56:9 nearby 38:1 51:23 103:18 nearly 33:6,7 58:8 necessarily 43:16 64:14 necessary 19:8 41:22 need 6:4 12:3,5 13:9 14:3,14 25:23 26:25 29:17 34:2 40:1,3,4 40:4,9,14 41:10 60:25 61:14 62:9 78:1 115:6 120:18</p>	<p>needed 15:14 26:9 27:1 85:12 needs 6:11 25:23 43:10,12 65:5 67:11 100:12 117:15 neg 74:1 negative 45:5 110:14 negotiate 90:12 neighbor 46:3 89:2 neighbor's 95:25 neighborhood 36:21 63:23 94:22 117:22 neighborhoods 34:13 neither 122:9,11 network 114:25 networks 115:3 never 94:3 new 1:4,8 4:4,6,20 24:2 25:2 31:11 33:3,5,9 36:11 37:6 41:15,25 42:5,17 43:15 46:7 68:17 73:21 75:6,6,7,8 78:7 83:17 86:18 96:13 97:1 115:17 122:4 nice 47:5 91:23 nicer 23:6 night 87:5 nine 35:11 48:14 86:4 102:14 103:4 noise 11:22 15:13 21:15,16 45:21,22 45:23 46:1,2,5,14 48:14 60:9 64:2,8 64:18,19 88:9,10,14 88:17 nonconformance 62:7 nonconforming 40:7 62:6 normal 100:13</p>	<p>north 117:5 northeast 36:23 37:8 41:1 117:7 northern 9:15 northwest 37:4 42:25 notary 122:3 note 6:5 100:21 112:22 notes 10:21 12:21 14:5 notice 14:11 51:17 56:5 66:3,4 70:14 75:19 121:12 number 3:8 4:25 6:6 33:13 37:5,21,22 38:1,3 40:3,24 41:14,24 42:4,8,16 42:17 43:23 44:21 51:11 52:7,8,9,16 52:19 53:10,11,13 54:2,20 55:15,25 56:4 57:15 58:17 61:8,17 66:21 68:17 69:12 72:14 75:6 77:21 78:6 79:3,3 79:20,22 80:2 81:21 83:16 84:17 86:15 86:24 87:2 88:8 95:2 109:15 numerous 34:13,16 nutshell 110:24</p> <hr/> <p style="text-align: center;">o</p> <hr/> <p>o 6:25,25 32:24 o'brien 1:17 o'clock 112:25 oakwood 41:17 oath 6:20 object 29:8,14 92:23 93:1 108:14 objection 6:5 objector 6:2 79:2 obscured 51:21 53:3 53:14 54:4</p>
--	---	---	--

<p>observation 46:22 observations 47:13 80:21 obstructed 86:9 obvious 22:10 obviously 10:11 11:6 36:20 37:4 40:1 46:11 47:25 54:7 59:3 63:23,24 78:19 79:7 84:1 112:20 occasion 33:10 occasions 33:9 34:13,16 occupied 96:13 occupy 81:10 occupying 96:12 occur 8:10 51:16 occurs 68:15 117:21 odor 45:13 office 43:4 76:10 officer 75:23 official 72:6 oh 10:4 11:12 22:8 okay 4:3 6:14,15,23 6:24 7:5,18,20,22 8:10 10:7 12:23 13:17 18:24 24:12 24:20 25:5,19 27:5 27:8,15 29:2 31:15 32:12,15 33:15,20 33:23 52:11 74:5 75:1 76:10,12 78:9 88:3 89:5,6 92:3 93:25 94:6,13,19 99:18 102:9,20 103:21 104:24 105:23 107:16 108:23,24 109:13 114:9 116:6,15 118:3,7 older 96:4 once 12:4 28:7 85:13 100:3 109:20</p>	<p>one's 72:22 108:11 ones 31:3,10 34:11 36:15 50:23 53:22 54:12 108:10 113:1 open 24:18 61:12,15 70:3 87:11 92:5 110:16 operations 106:15 opinion 6:7 16:15 21:13 22:24 30:13 30:14 34:14,16 45:12 46:8 49:18 50:6 57:25 60:11 65:8 67:25 70:13,15 74:2,10 75:5 78:13 78:17 80:22,25 85:15 97:17,18,19 97:20,24 102:16,17 102:18 104:1,8,15 104:25 105:10,12 108:16,20 112:20 opinions 120:9 opportunity 54:3 79:23 120:8 opposed 107:20 111:6 opposite 95:16 options 59:23 order 38:11 44:23 46:21 49:3,6 117:14 ordinance 39:4 58:21 59:16,18 60:13,18 61:5 63:6 outrage 26:15 outrages 26:17 outlines 10:25 outlining 5:1 outside 13:7 24:8 47:7 81:23 82:3 outweigh 61:3 62:19 65:7,8 overall 85:20 overlap 96:18,23 overview 34:20</p>	<p>owned 81:24 82:7 83:2 owner 19:23,25 20:2 49:16 89:10,14 90:16 92:1</p> <hr/> <p style="text-align: center;">p</p> <hr/> <p>p 2:1,1 39:18 p.m. 1:9 33:21,22 121:20 packet 36:2 52:4 pad 31:4 pads 31:1,2 page 3:8,19,20,20,21 3:21,22,22,23,23,24 3:24 7:24,24 pains 33:6 paint 18:22 painted 18:12 23:13 48:21 56:14 57:23 58:3,11 60:9 64:24 79:10 112:7 painting 48:5 61:23 pandiri 3:22 102:10 102:10,20,24 103:3 103:21 104:7,11,24 105:4,10,14,23 106:7,11,16,19,21 106:25 107:4,10,16 108:5,8,23 panel 14:11 panels 112:23 113:4 113:6,9 panic 61:10 park 41:17 44:23 74:13 89:21 90:10 90:16 91:3,18 94:4 94:4 parked 74:19 parking 39:2 44:22 45:18,20 60:10 64:13,24 74:12 90:4 90:20 94:2,15,16 parks 38:20</p>	<p>part 8:13 12:17 22:3 34:10 37:14 49:18 74:18 77:15 79:20 82:19 88:16 90:20 91:2,2,5 102:13 103:19 116:2 partially 97:6 particular 22:10 46:21 48:23 71:16 86:6 101:9 particularly 43:23 45:4 60:16 parties 122:11 pass 50:16 passaic 36:25 41:13 42:23 47:9 passes 28:18 passing 50:9 passive 45:13 59:12 63:9 path 10:23 paved 26:3 pay 106:13 paying 90:7 pcs 1:4 peak 80:4 people 4:9 15:13 21:6 26:6 62:25 63:24 64:17 71:9,14 72:11 91:10 102:3 106:8,12 108:12 111:12 118:24 119:12,16,18 people's 24:11 perceives 72:16 percent 66:17 70:21 95:20 97:10 percentage 81:10 perfect 94:13 period 10:24 47:20 70:4 108:21 permanent 19:7 74:14 permission 89:10,11 89:20 90:10</p>
---	--	--	---

<p>permit 14:17 19:5</p> <p>permits 59:16,18</p> <p>permitted 38:19,21 38:23,24 39:3,12,14 39:14,15,18,21,25 40:12,13 41:20 42:2 42:6,12,18 43:5 49:14 76:3</p> <p>person 79:1</p> <p>personally 100:7 104:14</p> <p>perspective 46:15 60:2 62:21 103:7,8 104:5,19</p> <p>petersen 3:21 98:2,2 98:11,19 99:4,7,12 99:18 100:7,19,23</p> <p>phone 46:4 77:5,20 77:20</p> <p>phones 77:11,22</p> <p>photo 3:9,10,11,12 3:13,14,15,16,17 35:22 36:12 46:19 50:8,19 51:10,21 52:3,15,25 53:25 54:1,20 55:9 57:1 58:5 78:11</p> <p>photograph 35:18 36:10 51:16 53:2 111:13</p> <p>photographs 110:12 110:22,25 111:4,16</p> <p>photos 53:18 111:1</p> <p>physical 65:25 66:7 70:25 71:3,10</p> <p>picked 77:4</p> <p>picture 36:1 110:6</p> <p>pictures 98:20 99:19 116:20 117:11</p> <p>piece 9:25 25:11 65:20 96:24</p> <p>pieces 4:9</p> <p>pinilis 2:4</p> <p>place 5:11 25:15 44:17 49:16 109:20</p>	<p>122:7</p> <p>places 112:12</p> <p>plan 6:23 8:7 12:19 57:8 58:21 60:12,18 61:4 63:6 68:7 75:24,25,25 76:4 119:5</p> <p>plane 45:9</p> <p>planks 28:11</p> <p>planner 1:18 32:14 33:5,7 34:5 93:4,18 110:16 118:8,11 119:1</p> <p>planners 33:4 81:9</p> <p>planning 1:17 33:8 70:25 71:3 85:13 100:2</p> <p>plans 6:21,22 7:4,6 7:8,9,12,13 93:5</p> <p>plant 43:3</p> <p>plantings 10:8 76:5</p> <p>plate 71:6</p> <p>platform 35:8</p> <p>play 46:17</p> <p>playgrounds 38:21</p> <p>please 7:12 31:16 32:22,23 33:24,25 34:3,6 50:11 92:13 120:21,22,23 121:7</p> <p>plowed 26:11</p> <p>plus 75:20</p> <p>pluses 71:15</p> <p>ply 14:4,7</p> <p>plywood 9:7 28:19 30:3,8</p> <p>point 4:15,16 5:5 17:13 49:12 55:9 59:15 70:19 71:10 96:6 99:20 100:3,17 102:3 111:22 112:9</p> <p>police 76:21 106:4 107:18</p> <p>policy 21:24</p> <p>polise 1:13 14:22 15:1,16,20,24 16:3</p>	<p>16:10,19 17:2,9,14 17:18,25 18:6 19:4 19:14,17,20 20:6,24 21:7,21 69:21 72:13 73:3,11 74:5 88:5,8 88:19 89:5 90:22,24 91:6,10 92:15,17,17 92:18</p> <p>polise's 102:3</p> <p>pools 38:24</p> <p>portion 86:18 97:2</p> <p>portions 48:24</p> <p>posed 73:8</p> <p>position 75:22 84:13</p> <p>positions 5:1</p> <p>positive 43:11 44:6</p> <p>possible 60:7 61:21 77:19 111:11 119:9</p> <p>possibly 21:20</p> <p>postponed 118:25</p> <p>potential 46:12</p> <p>potentially 29:5 30:10,23 109:4</p> <p>pour 11:6</p> <p>power 11:22,25 12:5 15:19 16:12 17:11 41:13,16 77:24</p> <p>practical 21:9,10</p> <p>pragmatic 21:23</p> <p>pre 40:7 62:5</p> <p>predominant 80:11 112:3</p> <p>prefer 18:23 74:20</p> <p>preparation 34:4</p> <p>prepared 46:20</p> <p>preponderance 120:10</p> <p>present 1:10,16 6:4 7:22 109:9 110:11</p> <p>presentation 6:3</p> <p>presented 5:3</p> <p>presenting 5:18 100:14</p> <p>presently 87:15</p>	<p>pressure 18:17 30:22</p> <p>presumably 79:3</p> <p>presume 79:1</p> <p>pretty 11:3,8 20:7 46:24 91:12 111:8</p> <p>previously 7:1 87:23 89:25</p> <p>price 90:7</p> <p>primarily 36:21 49:23</p> <p>primary 55:1 66:5</p> <p>principally 38:19</p> <p>private 78:20</p> <p>probably 22:13 47:21 49:5 94:21</p> <p>problems 116:17</p> <p>procedure 100:13 121:7</p> <p>proceed 120:3</p> <p>proceedings 1:5</p> <p>proceeds 4:8</p> <p>process 70:16 100:13 113:20 115:7,15,16 119:3 120:8</p> <p>prod 43:3</p> <p>produced 19:21</p> <p>professional 16:15 33:5 39:19 46:8 67:25</p> <p>professionally 71:7</p> <p>professionals 24:21</p> <p>profile 79:16</p> <p>project 48:6 79:8 112:6</p> <p>projecting 55:12 99:17</p> <p>projection 48:10</p> <p>promote 61:17</p> <p>prong 66:13,24</p> <p>prongs 63:16 67:8</p> <p>proofs 43:9 67:18 100:4</p>
--	---	---	---

<p>properly 96:1 properties 47:8 48:24 49:24,25,25 58:15 78:24 79:1 property 8:20 9:22 12:1 19:23,24,25 20:21 24:3,6,9,11 25:21 39:19 41:18 45:24 46:7,9 47:7 47:15 48:18 49:1,8 49:10,16,17 50:2 62:13 78:20,20 80:4 80:6 81:16,17,24 82:8,10,11,17 83:2 86:15,19,19 87:2 88:18,20 89:10,13 89:16,19 91:9 92:1 94:25 95:2,14,22,25 95:25 96:4 103:14 109:4,22,23 111:8 117:20 proposal 34:23 propose 98:24 proposed 8:4 12:13 22:6 27:1 36:19 41:6 42:25 43:3 51:14 54:25 56:20 68:16 81:22 84:16 93:5 95:9 96:19 proposing 24:1,5 69:4 82:10 protect 27:19 protected 29:19,23 29:24 protection 11:15,18 27:16,23 28:1,3,25 protruding 66:25 67:2 proven 88:10 provide 11:14,24 15:19 20:1,3,4 22:22 27:23 28:18 28:25 34:20 44:23 54:3 61:12 67:11 102:1</p>	<p>provided 12:21 19:7 36:11 65:24 66:10 66:13 67:18 93:20 providence 37:6 41:15,25 42:5,17 provider 77:9,10 providers 77:23 provides 22:20 providing 66:24 93:18 proximity 39:22 44:5 60:3 pse&g 59:2 76:22 106:10 public 3:18 7:22 24:18 34:23 45:7 50:13,16,18 53:17 53:18 55:7 56:25 57:3 58:9 63:18,22 66:3,4 68:5 70:14 78:12,23 80:24 92:6 92:19,21 93:10,21 93:22 94:7 108:21 110:9,16 118:11,18 120:20 122:3 pull 14:7 17:7 91:13 punch 83:23 purpose 17:23 61:9 61:11,17 109:17 purposes 51:5 60:25 61:6 62:1 107:20 108:11 pursuant 67:13 put 14:6 16:8 17:8 21:6 23:21,22 60:9 72:11 83:19 101:25 105:17 107:11 109:20 113:10 117:21 121:8 putting 9:6,24 21:11 25:14 26:19 28:11 29:3 30:10 35:7 62:8 74:8</p>	<p style="text-align: center;">q</p> <p>qualifications 32:23 qualified 33:9 45:15 93:16 104:4 qualify 76:24 quality 46:13 64:23 quarter 9:6 37:17 quarters 28:19 question 29:18 30:24 31:1 34:2 45:6,6 46:11,12 48:15 50:3,4 58:20 58:21 64:16 66:6,15 66:20 67:4 73:7,8 73:21 74:22 78:10 80:12 81:20 85:21 86:11 88:11 92:15 93:12,13,16,17 98:9 99:24 102:8 105:25 108:19 109:2,9,11 109:12 110:21 112:17 113:4 115:7 questioning 95:24 questions 13:24 24:17,21,22 25:8 29:13 30:20,20,21 32:11,11 34:22 68:5 72:2 84:4 92:5,8 93:21 94:1,6,10 100:1 102:12 108:15 110:16 115:11 118:11 121:3 quick 34:18 99:24 110:21 113:1,3 quickly 40:21 50:24 65:12 quite 107:17</p> <p style="text-align: center;">r</p> <p>r 2:1 6:25 38:15 39:13 41:7,19 42:2 42:5,12,18 122:1 rack 16:4</p>	<p>radio 41:14 55:5,5 102:19 103:7,19 104:5 105:8,11,22 107:18 radios 79:19 raise 32:16 raised 5:12 25:8 rating 14:13 reach 101:23 read 34:12 65:20 68:13 69:14 84:13 readings 70:20 real 6:3 81:7 really 5:10 6:4,13 21:8 23:11 46:17 52:23 53:1 54:2 62:4,13 63:3,10 71:10,16 72:21 73:1 73:16 74:9,10,14 81:6 100:9 104:8 105:14,15 106:16 115:4 120:6,24 121:1 rear 38:18 40:4,9 60:20,20 78:14,15 78:16 reasons 43:12,24 44:21 45:3 60:15 62:12,17 105:9 recall 40:18 48:16 73:11 received 5:1 8:14 35:22 51:12 52:17 53:8,24 54:21 55:14 56:2,17 57:16 reception 101:21 recess 33:21 recommendation 28:4 68:1 recommending 22:11 reconnect 17:8 record 7:13 33:22 40:23 57:6 71:19 104:4 105:18</p>
---	---	---	---

<p>112:18 recross 3:2 red 106:2 redacted 20:3 redirect 3:2 reduction 64:13 117:20 references 101:2 referring 7:14 refresh 31:19 regard 37:25 38:14 39:24 40:22 43:7,11 45:5 49:17 58:18 63:11,23 64:1 79:2 105:21 regarding 100:1 regs 75:20 regular 25:23 45:17 regulation 70:3,13 72:8 regulations 71:6 85:19 rehash 6:22 reissued 7:8 related 65:17 82:1 92:9 relative 48:17 62:15 122:10,12 released 66:3 relevance 71:17 relevant 4:22 relief 65:15 67:15 relocate 10:9,10 rely 34:18 remaining 47:18 remark 70:20 remember 6:18 31:25 84:7 remind 6:19 removal 65:22 remove 10:9,10 96:17 97:1 removed 9:4 13:20 96:3,5,9</p>	<p>removing 25:13 96:17 rent 44:15 repeating 102:21,22 104:2 replace 10:13 12:6 15:8 24:4 replacement 65:23 replacements 15:20 replacing 9:12,13,15 9:16,19 17:5 replanted 10:10 reporter 1:21 122:4 representative 111:17,17 representatives 70:22 represented 102:6 102:19 representing 5:15 104:16 request 8:8 9:20 10:25 65:22 requested 9:24 requesting 34:5 require 23:15 42:13 43:6 103:10 required 40:6 69:9 121:13 requirement 39:15 60:14 68:14 requirements 41:22 42:7,14 44:11,11 103:20 104:23 research 43:4 residences 103:17 resident 4:14 5:1,22 109:1 residential 36:20,21 38:23 39:8,10,11 40:1 60:3 64:4 103:18 residentially 59:22 59:22</p>	<p>residents 21:19 22:7 22:21 23:4 119:3 resolution 22:4 resolve 94:11 respects 71:5 respond 100:1 response 5:9 32:11 32:12 102:7 restate 15:6 restricted 40:2 resubmitted 12:22 result 63:6 rev 7:6 13:17,23 review 93:23 100:4 reviewed 34:3,9 40:19 revise 90:19 revised 19:8 revision 8:2,12 revisions 19:11 rf 40:21 41:21 44:7 64:9 105:12 rick 1:14 rid 21:16 ridge 36:22,24,25 37:2 44:4,9,9,10 49:4,5 73:6,8 86:8 87:3 116:18 117:10 right 9:25 13:21 17:11 18:4 19:1,24 20:4,8,12 22:3 27:18 29:8 31:6,9 31:13 32:16 35:20 53:13,17,19 55:8 56:25 57:3,10 58:9 68:21 69:6 75:23 77:11 78:15,23 88:23 89:3 91:19,24 92:6,16 94:9 95:3 95:16 96:19,20,23 97:8,11 98:18 100:19,23 101:8 102:23 106:17,22 107:1,19 108:10,16 111:5 112:24 114:2</p>	<p>116:18 118:5,13 120:18 121:2,14,17 rights 78:12 ring 59:21 river 36:25 37:3 41:13 42:20 47:10 116:7 road 1:5,8 4:4 19:6 20:8 37:16 51:23 54:24 56:4 66:22 92:14 116:7 roadway 45:19,20 rob 1:17 robert 1:18 romano 1:14 23:23 24:12 121:16 roof 28:22 35:12 69:22 107:12 room 71:8 102:1 roots 28:5,7,13 29:6 29:12,19,25 30:4,6 30:9,10,22 rosa 122:3,15 rots 23:22 rpr 122:15 ruled 75:20 ruling 70:1,3 run 15:8 90:21 running 36:22 runs 89:19 ruschke 8:15 ruschke's 19:4 rydingsbard 112:18 rydingsvard 3:23 110:20,21 111:3</p> <p style="text-align: center;">s</p> <p>s 2:1 3:7 116:1 safety 61:9 samir 3:22 102:10 sandy 109:15 sanitary 41:25 saroe 3:24 117:18 117:18,25 118:3</p>
---	--	---	--

<p>sat 114:22</p> <p>saturday 8:5</p> <p>saw 96:1 117:4</p> <p>saying 18:6 19:10 29:12 39:8 86:2 89:6,6 109:5</p> <p>says 4:21 14:23 28:7 39:6,6 65:21 68:15 69:1 73:22 75:18 81:21 82:6 83:4 84:14,25 85:7 120:17</p> <p>scale 51:15</p> <p>screening 22:20,23</p> <p>search 59:21 63:9</p> <p>season 47:12</p> <p>second 66:20 68:14 77:15 84:19,21</p> <p>secret 72:10</p> <p>section 10:1 65:16 65:16 67:21 81:21 94:8</p> <p>sector 54:11 55:1</p> <p>sectors 117:1,2</p> <p>secured 115:18</p> <p>see 22:25 36:14 47:16 48:9 50:4,25 52:22 54:4,10 55:1 55:11,20 56:10 64:14 68:8 71:12,16 79:23 81:3 86:17 87:6,7 89:7 93:11 95:5 96:6 97:15 98:20 99:11 109:14 109:18,21 110:6,23 111:8 112:12</p> <p>seeing 50:5 97:13</p> <p>seen 29:16 82:20 87:23 115:23</p> <p>sell 89:14</p> <p>semantics 112:19</p> <p>sense 59:6 74:6 103:11,16</p> <p>sensor 13:12</p>	<p>sent 4:10 6:1 8:3</p> <p>separately 43:8</p> <p>september 119:13 119:21 121:5,8,10 121:12</p> <p>serve 17:23 62:22 101:8,10,17</p> <p>served 43:14</p> <p>serves 17:23 93:17</p> <p>service 44:11 63:1 73:19 101:9,22,24 106:12,14 108:12 117:15</p> <p>services 44:8</p> <p>set 7:8,25 8:10 50:20 50:22 53:20 74:1 103:20 122:8</p> <p>setback 40:6,10,10</p> <p>sets 50:19</p> <p>setting 49:5</p> <p>seven 46:25</p> <p>shape 24:7</p> <p>sharply 37:3</p> <p>shaw 2:2 4:7 5:17 6:2 20:1,10 22:9 24:19 35:21 51:3,7 54:18 67:22 68:6,13 68:21 69:1,4,7,14 74:24 75:3 76:17 84:12 85:7,11 93:11 93:15 94:9 100:2,12 108:15,18 109:7,12 110:9 118:18 119:13,22 121:11</p> <p>shaw's 120:18</p> <p>shed 49:2,3,7,16,22 55:5 58:13,16 79:19 80:4,7,19 81:15 85:23 86:23,24,24 86:25 87:16,17,19 94:25 95:5,16,21,21 95:21 96:3,4,5,9,13 96:15,17,18 97:1,5 97:10,13,21</p>	<p>sheds 38:23 49:13</p> <p>sheet 10:5 11:10,11 13:22</p> <p>sheets 7:14 8:9</p> <p>shelter 46:15 49:9 54:13 66:21 68:20 68:22,24 69:12,13 69:17,20,22,24 75:7 79:19,23 80:2 84:20 85:4 86:1,23</p> <p>shelters 69:16</p> <p>shield 31:21 111:6 111:11,15</p> <p>shorthand 1:21 122:4</p> <p>shoveled 26:11</p> <p>show 14:2 25:7 43:19 46:19 50:7 51:1 60:25 70:22</p> <p>showed 8:16 28:15 60:15</p> <p>showing 7:14 8:4 14:10 30:6</p> <p>shown 13:1 14:15 14:18 58:3</p> <p>shows 19:22,24 36:12</p> <p>shuts 13:11</p> <p>sica 63:16,17 64:7 65:5 67:19</p> <p>side 9:15,16,18,21 22:6,18 23:3 36:17 38:18 40:10 47:9 55:2,3 57:22 60:20 91:21 95:8 111:5,7 111:9 114:4</p> <p>sides 9:13 22:18 23:2 44:4,8 54:13 113:23 114:6</p> <p>sight 99:5,8,9</p> <p>signal 99:3,16</p> <p>signals 44:6</p> <p>significant 48:11 54:16 56:13 87:1 117:20</p>	<p>similar 9:7 16:2 49:17 54:6 60:4,25 66:11 79:10 89:3 92:15 103:9,16 104:22</p> <p>simply 54:4</p> <p>simulation 51:11,21 52:15,25 53:25 54:1 54:3,10 55:25</p> <p>simulations 46:19 50:8,10,20 58:6 78:11</p> <p>single 36:20 109:19 109:19,21,21</p> <p>sir 32:17</p> <p>sit 33:24</p> <p>site 6:23 8:7,17,23 10:20,21 11:2,2 12:4,4,6,8 14:9 16:13 17:12,14 21:25 34:12 37:15 37:15,16 38:14,15 39:22 40:23 41:4,6 41:6,22,24 42:5,22 42:23 43:1,3,22,25 44:3,3 45:3,11 48:18 52:21 54:23 57:8,13 58:23,24 59:2,3,10,11,11,13 61:23 62:5,9 63:2,8 64:3,4,5,9,11 67:5 68:7 75:24,25,25 76:4 77:12 78:21,22 79:13,13 80:10 81:23 82:1 83:9,11 83:14 84:11 86:13 89:11 93:5 98:16 104:21 105:20 107:9 115:25 116:1 116:1</p> <p>sites 40:19 41:12 55:11 59:25 76:8 102:14,25,25 103:5 103:12,23 104:6,19 105:1,5,19 113:16</p>
---	--	---	---

<p>sits 35:17 sitting 63:24 104:11 situation 53:21 situations 103:9,17 six 40:17 45:17 46:25 47:18 48:16 size 10:22 14:2 16:2 28:16 37:17 38:16 48:12 51:4 57:6 84:15 sizes 14:10 32:2 sky 47:5,5 54:8 110:8 skyline 86:8,12 slabs 27:4 slight 35:1 88:17,25 slightly 55:21 slope 21:2 42:15 small 47:17 49:19 49:22 64:14 81:10 smaller 10:8 51:4 smoke 45:13 snow 26:6,7 soil 12:20 sole 109:17 solely 75:13 solution 21:22 74:15 solve 21:12,13,14 somebody 11:4 100:7 104:1,15 somebody's 111:18 someone's 90:25 somewhat 79:6 80:9 son 101:19,23 soon 110:10,15 sorry 10:4 52:8 71:25 86:23 103:1 sort 24:15 28:1 42:20 50:7 51:2 53:20 58:17 62:25 65:6,6 79:16 117:3 117:6,7,17 sound 12:14 13:1,24 14:8,8,13 32:8 35:11 69:17,20 86:4</p>	<p>108:10 sounds 76:14 south 9:21 37:6 southeast 37:3 117:7 southern 48:18 southwest 36:23 37:8,19 54:23 117:5 117:8 space 13:3 44:19 61:12,15 96:12 115:10 speak 7:19 93:10 speakers 3:18 speaks 75:5 120:20 special 43:12 60:15 specific 82:19 113:21 117:14,17 specifically 14:9 83:4 103:3 specs 14:14 spoke 46:7 spoken 34:15 spot 8:17 square 31:2,14 37:18 38:17 39:1 49:14 stacked 16:6 stain 18:22 22:12 23:21 stained 18:11,18 23:13 48:21 staining 22:11 23:10 stake 63:18 staked 8:5 stakes 8:6 stand 36:17 95:7,11 standard 66:21 68:17 74:1,3 84:17 84:19,21,25 85:2,4 standards 5:6 64:10 standing 101:19 standpoint 14:3 start 6:15 7:24 12:8 20:21 33:16,20,24</p>	<p>50:15 58:22 120:21 120:22 started 63:18 90:13 115:16 starts 49:4 118:20 state 24:24 32:22 33:5 36:11 45:23 46:7 64:10 65:21 75:16 92:12 102:5 108:19,21 122:4 stated 98:6 statement 5:14 88:9 94:24 statements 92:5 states 120:7 stating 30:15 58:23 station 65:24 66:1,8 66:17 status 69:25 72:6 staying 71:17 steel 57:23 stenographically 122:7 step 64:7 118:12,18 stephen 2:2 sticking 114:13 stockade 9:16,20,21 9:23 10:1 22:5,15 22:20 23:3,6 24:14 25:10,11,13,14 stood 95:12 stop 35:19 stories 38:17 storm 21:1 109:15 story 36:21 77:15 street 39:2 47:11 64:13 94:3 111:5,7 streets 47:10 57:4 stretching 47:9 strip 9:8 structurally 14:3 44:13 structure 12:15 27:13 48:20 57:25 60:10 67:1 69:17</p>	<p>76:9,23 88:11,14 96:19 structures 44:5 49:13 63:21 117:21 studies 28:7 stuff 13:4 14:6,12,18 style 1:12 23:16 89:9,13 subjective 111:12 submission 13:16 submit 5:20 6:9 110:7 submitted 4:14 6:21 6:21 7:9,15 34:9 46:20 substantial 38:12 45:7 50:5 58:18 60:17 61:2,4 62:3 62:18 66:10,12 67:9 68:14,15 69:8 73:7 73:10 79:17 80:19 80:24 81:2,4,6,12 81:17,19 84:14,15 84:22 85:18,22 88:25 110:14 substantially 60:12 60:17 63:5 65:25 66:7 87:9 112:7 substantiate 88:21 sufficient 44:18 suggest 99:19 109:7 suggesting 58:23 suitable 61:24 suited 43:23 45:4 60:16 sum 45:24 summary 34:20 67:17 summer 51:10 52:15 53:9,11 58:8 109:18 summertime 51:25 79:6 summit 42:24 116:1 summit's 37:7</p>
--	---	---	---

<p>super 109:15 superimpose 56:8 superimposed 36:14 51:15 57:7,20,24 supplied 19:23 supply 77:23 support 106:14 supposed 4:12 108:15 119:24 supreme 73:21 sure 6:17 11:20 19:25 27:3 30:7 33:1,18 34:8 35:20 36:10 67:22 72:9 73:3 91:14 98:10 surround 37:6 surrounded 42:20 surrounding 23:24 34:13 44:25 47:7 81:25 suspect 110:17 suv 91:13,14,14 swear 32:18 sworn 7:1 32:24 system 14:9</p>	<p>74:16 93:7 102:13 116:2,3 talking 27:16 29:24 34:23 37:1 46:13 63:18 74:6 80:1 97:25 120:15 tall 31:19 32:2,3 35:11 49:4 57:10 86:4 taller 48:22 87:14 87:17,19 98:16 tank 18:12 19:6 25:9 44:12 57:7 76:22 83:11 84:8 98:25 tanks 40:24 tape 33:24 tat 77:8 tax 65:15 67:14 team 34:15,15 64:11 tech 74:19 technical 104:18 technically 73:16 technician 44:23 techniques 61:19 technology 68:18 77:9 84:18 telecom 63:19 telecommunication 19:9 55:10 62:22 telecommunications 4:19,22 78:8 tell 21:4 32:18 36:9 57:1 65:19 75:14 101:15 107:13,15 120:15 121:5 telling 30:21 97:16 97:17,17 temporarily 10:9 temporary 8:19 11:22 12:2 15:9 ten 49:3 66:17 103:23 113:7,8 tends 47:5</p>	<p>terms 4:18 22:11 26:23 27:15 40:11 59:5,7 64:22 76:22 80:23 85:20 92:22 104:22 105:25 108:2 test 60:24 63:14,16 63:17 65:5 66:13 67:20,25 68:14 testified 33:8 testifies 7:1 32:25 testify 93:4 110:13 118:2 testifying 93:4,6 testimony 5:4,18 24:22,24 34:18 40:21 41:17,21 44:7 68:12 85:13 92:8 93:19,20,23 94:11 98:4 101:1 102:23 104:3 105:18,21,21 110:15 111:19 113:13 117:16 120:9 122:6 thank 14:21 30:24 31:15 32:9 94:13 99:23 100:19,23 101:18 110:19 115:13 thanks 78:9 108:23 theoretically 106:10 thick 35:5 37:13 thing 13:18 20:16 60:5 74:11 77:1 84:10 105:20 111:12 things 6:6 10:11 11:23 28:14 39:1 44:16 71:4 76:5 78:7 113:17 121:2 think 11:3,4,8 12:17 16:16 17:23 20:16 21:14 22:13,18 23:8 23:10,18 24:14 29:4 51:22 53:20 63:3,21</p>	<p>64:22,25 68:3 69:19 70:18 71:13,15 72:2 72:15 79:18 87:12 88:16,24 94:14 96:1 98:15,20 99:9 103:22 105:4 108:18 110:22,22 113:24,25 114:1 116:21 thinking 119:14 third 66:24 thomas 1:13 thought 15:1 23:5 74:12 104:12 111:16 three 8:12 9:6,13 15:20 20:25 21:15 28:19 42:5,8,17 48:22 49:24 52:20 53:10,12,13 54:18 54:19 55:16 58:17 80:1 117:1,2 threw 14:1 throw 33:15 65:12 thursday 1:7 tighter 13:3,3 time 7:5,21 10:12 11:12 13:3 25:8 26:15 31:23 45:25 47:2,20,21 48:1,8 50:2 84:4 92:7 108:20 110:6,18 117:10 118:22 119:8,11,23 120:18 121:3 122:7 timer 12:13 13:10 times 17:10 20:25 29:9 72:14 83:16 86:13,15 88:8 94:24 115:3 tina 1:14 today's 35:24 told 29:23 60:7 tonight 34:17,24 100:9</p>
t			
<p>t 3:7 6:25,25 77:10 77:12 122:1,1 table 65:12 71:12 take 10:11,14,23 12:9 16:9 17:2 33:16 45:19 51:22 68:11 71:3 78:12 83:5 90:24 111:4,13 111:16 112:22 118:21 119:24 taken 33:21 64:25 75:22 110:25 121:3 122:6 takes 96:5 talk 10:18 28:23 35:16 43:8,9 46:18 talked 9:11 10:19 12:19 14:19 74:11</p>			

<p>tons 26:6 tony 1:11 6:19,19 7:13,18 10:4 14:21 15:12 24:22 top 34:25 35:1,9 36:22,24 44:9 46:23 48:2,7 51:13 52:4 53:14 54:24 55:12 55:22,24 56:5,9,20 58:10 60:8 61:21 64:21 68:10 73:7 79:8 80:1 84:2 86:7 98:18,25 99:21 112:5 113:5,22 114:2,4,5,7 topic 71:1 topo 8:17 36:15 topography 8:17 36:14,15 totally 72:7 touches 37:24 tough 119:11 tower 17:3 34:25 35:6 36:19 38:2,4,7 38:8,12 39:7 40:6 41:16,16 42:8,16,19 43:25 44:1,19 45:9 46:24 47:3 48:1,5,5 48:7,8,11,12 51:19 52:21 53:2,4,13,14 54:4,7,7,13 55:4,6 55:11,22,24 56:4,6 56:7 57:19 58:11 61:14,22 62:5,7,10 62:11 64:22,23 65:24 66:1,8,16 67:3,5 72:23 74:8 76:15,16,18,23,25 78:21,24 79:8,9,10 79:17 80:15 81:11 81:23,25 82:4,5 83:12,13,17 84:15 86:22 95:13,13,22 95:23 98:6,16,17,17 98:18,21 99:21</p>	<p>101:25 107:12,18 108:1 109:14,17,18 111:6,9,21,24 112:2 112:3,23 113:5,10 113:22,23 114:1,4,4 114:5 115:17 116:7 tower's 79:15 towers 39:5 41:7,13 98:12 99:5 town 12:21 township 1:1,17,18 4:13 5:21 28:4 37:10 39:5 41:3 49:13 58:25 59:1 116:7 tractors 20:22 trade 86:18 traffic 45:14,15 64:12 training 29:15 transcript 1:3 122:6 transcripts 34:12 transferred 8:7 transmission 65:23 tray 35:5 46:14 57:6 tray's 56:23 trays 55:3 treated 18:17 tree 11:17,18,18 27:16 28:3,6,8 29:5 29:7,19 30:1 44:25 50:21,25 51:17,24 52:23 55:19 56:22 58:12 98:8 99:16 trees 8:20 11:13,16 27:22,24,25 28:10 28:13,25 29:11,15 29:16,17,17,23 30:6 30:7,11,22,23 37:12 37:14 41:6 46:21 47:1,6,11 48:4 49:9 49:10,21 51:22 52:22 54:5,9 58:17 61:22 79:7 80:18 81:16,17,18 87:2,3</p>	<p>98:5,13,15,18,20 99:1,12,21 109:15 110:23 113:4,8,9,12 113:15 114:9 triangulate 77:25 tried 111:16 trigger 14:7 trips 10:22 truck 11:5,16 16:23 20:22 trucks 28:12,16 true 62:15 105:15 122:5 trunk 11:14 14:19 27:17,19 29:24 trunks 37:13 49:10 55:19 truth 32:19,19,19 try 21:12 34:17,19 94:11 109:12 trying 21:5,11,13,19 101:22 103:21,25 104:13 105:23 107:6,12,15,22,24 112:9 120:15,25 121:1 turn 13:10 109:13 turned 121:5 turning 34:7 120:14 twine 27:22 two 6:6 9:6,24 11:15 16:21 19:5 21:15 25:3,12,16 26:1 27:21 28:18 32:3 38:17 42:16 44:16 46:1 49:25 50:19 52:6,7,9,16 54:20 58:24 69:12,16 75:5 75:12 77:7 78:2,25 91:15 113:17 114:3 type 10:22 12:10 14:11 typical 27:20</p>	<p style="text-align: center;">u</p> <p>u 6:25 uh 116:19 ultimately 85:11 unavailable 42:11 103:13 uncovered 35:12 underground 27:7 underlying 40:14 60:21 understand 17:9 21:21 30:2,12 60:6 76:3 78:11 82:12 89:8 91:16 96:16 98:10 100:10 103:22,25 104:14 105:24 107:6,17,22 107:23 120:6,24 understanding 100:8 understood 72:9 84:3 undeveloped 47:8 unidentified 120:7 unidentified 89:17 93:7,9 118:23,25 119:2,5,7,16,18 120:4,11 unit 89:3 universally 72:9 ursula 3:23 110:20 usable 105:6 use 4:24 12:11 38:19 38:21,23 39:9,14,21 40:2,2,3,12,13 41:9 41:10,20 42:6,13,18 43:5,6,17,20,23 44:1 45:12,13 59:5 59:7,9,10,10,11,12 59:13 60:3 61:1,7 62:2 63:2,9,19 69:9 71:4 76:3 91:5,24 98:19 103:10 104:19,23 106:7,14</p>
--	--	---	---

107:9,19,25 108:11 114:21 uses 38:22,22,24,24 39:6 59:17 76:24 usually 22:17,20 23:1,20,21 26:20 utilities 27:7 utility 19:6,7 59:3,5 59:8,10 63:8 81:25 106:9 107:3	viewed 48:8 views 45:1 48:3 49:8 49:11 80:8 86:21 87:1 111:17 viewshed 81:11 vinyl 23:14 violation 69:16 virtue 61:12 101:10 visibility 47:16 49:19,23 50:3 54:15 54:15 60:4 79:22 80:14 106:1 visible 18:13 46:16 48:1,2,25 52:9,10 53:6,17 54:8,11,14 55:4,7 57:3,21 58:1 58:10,13,14 79:6,11 79:18,21 80:9 111:21,22,24,25 visited 34:12 45:16 visual 46:13,15 47:17 61:18,25 62:14 64:5,13,23 78:13,17 80:11 98:5 112:1,4,8 visually 47:3 vivona 1:11 4:1 6:14 6:16 12:23 13:6 15:3 16:22,25 18:9 18:16,24 19:3 20:16 22:3 24:13,17,20 31:16 32:10,15,18 32:22 33:11,15,19 33:23 36:1 50:9,14 76:13 77:1 78:9 84:5 92:4,11 100:20 110:5 112:24 118:5 118:10,15 121:14 121:17 voice 78:3 89:17 93:7,9 118:23,25 119:2,5,7,16,18 120:4,7,8,11 von 3:23 110:20,20 111:3 112:18	w w 32:24 wait 17:15 waive 75:24 walk 8:6 20:17,19 20:20 26:6 walked 71:9 78:21 walking 57:2 wall 13:21 14:4,7,24 walls 34:25 35:13 56:6 want 5:8,24 10:5 21:6 22:17 23:1 29:18 51:1 63:15 72:11 76:6 97:15,21 97:22 108:19 109:8 110:13 115:9 120:25 121:6 wanted 4:8 6:9 7:21 11:14 12:9 97:24 107:21 wants 29:13 water 9:22 19:6 24:3 24:6 25:9,16 31:7 34:25 36:19 38:2,4 38:7,8 40:24 43:25 45:9 48:1 52:21 57:7 59:4 72:22 76:15,22 78:21 81:11 83:11,11 86:22 94:4 95:13,13 95:22,23 98:6,12,17 98:25 108:1 109:17 111:6,9 115:10 way 5:25 6:3 9:23 17:13 18:14 21:14 21:16 23:14 25:10 25:22 26:11 28:24 29:12 30:18 39:23 53:17,19 55:8 56:25 57:3 58:9 61:24 74:3 76:14 78:12 79:17 82:20 84:24 86:9 98:24 108:22	113:5 115:23 121:9 ways 11:7 49:15 59:4 75:17 78:23 81:7 98:9 we've 11:23 34:21 36:13 44:7,22 45:15 45:23 46:6 52:20 56:3,8 57:20,24 60:5,7,9,15 61:23 64:8,19,19,25 65:3 67:19 70:24 118:6 weather 26:12,18,21 weathered 24:16 weeks 45:17 weight 10:22 weights 30:10 weisgerber 3:21,23 94:23,23 95:4,10,15 95:19 96:10,16,21 97:4,9,14,19 108:25 108:25 109:11,13 109:25 110:2,4,7,19 115:14,14,22 116:6 116:11,15 welcome 24:23 welfare 43:13,19,21 60:16 62:23 101:2,4 101:5,11,13,17 went 7:5 10:19 24:10 29:11 92:19 111:15 112:14 west 37:22 42:8,10 42:17 western 9:16 weston 1:12 69:25 70:6,10,18 71:23 72:1 wetlands 42:21 whatsoever 112:13 whip 55:11 wide 8:4 15:3 28:15 57:11 87:10 width 14:2 28:17 william 1:12
v			
v 1:13 vacation 5:24 118:24 119:17,19 valid 29:18 value 46:7,9 117:20 variance 4:24 26:25 27:1 40:2,10 41:10 42:13 43:6,7,13,14 43:20,21 46:9 58:22 59:14 60:3,15,19 62:4,20 63:12,12 68:1 69:10 103:10 variances 34:5 39:24 40:3,5 43:8 60:23,24 62:4,16 63:6 65:11 67:18,19 various 85:1 94:10 vast 120:10 vehicle 45:18 91:3 vehicles 9:8,10 10:16 91:15 version 107:20 vertical 37:2 view 23:9 51:13 52:19 53:7 54:22 56:13 85:23 86:6,8 86:12,22 87:7,9,11 87:12 92:22 96:12 97:3,4,6,9 98:1 109:6 111:18,20 112:10 view's 87:4 96:25			

<p>williams 1:14 willing 21:5,7 44:15 44:15 120:2 window 79:14 windows 78:16 winter 21:1,23 47:22 50:2 54:1,19 55:15 56:18 57:15 58:9 109:19 112:15 wintertime 54:8 58:1 wire 27:22 wireless 1:4 4:4,6 19:9 39:4,6,9 43:16 59:4 63:13 65:17,24 70:21 74:1 83:12 101:9 wires 18:11 55:2 57:22 wise 57:18 witching 118:6 witness 3:2 12:25 13:8 15:5,11,15,18 16:1,5,12,21,24 17:1,4,12,17,20 18:4,8 19:2,16 20:12 24:1,16 25:4 25:7,19 26:4,9,13 27:5,11,14,18 28:14 31:6,13,22 32:1,6 32:14,21 33:1,13 35:24 36:4,7 50:19 51:6,10,13 52:5,7 52:15,19 53:11,25 54:22 55:17 56:3,19 57:10,17 68:10,20 68:24 69:3,6,11,19 69:23 70:5,7 73:2,4 78:19 81:1 82:5 86:1,5,10 87:16,20 87:24 88:2,15,23 89:8 95:3,7,12,17 96:9,11,18,22 97:8 97:11,16 98:10,15 98:22 101:5 102:18</p>	<p>102:22 103:1,6 104:3,9,17 105:2,8 105:11,17 106:5,9 106:13,18,20,23 107:2,7,14,24 108:7 108:24 109:10,24 110:1,3,11 111:1,14 112:16 113:11,14 114:3,15,22 115:20 115:25 116:5,9,13 116:19,23 117:1,6 117:13,23 118:1 121:2 won 74:10 wondering 115:16 wood 12:14,15 13:1 18:25 22:12 23:12 30:3 58:4 wooden 9:12,25 11:15 23:17,24 48:20,21,21 woods 95:21 word 112:19 wording 83:1 words 45:25 work 12:13,23 13:9 14:1 40:22 60:2 99:5,8 workable 21:22 worked 14:4 worker 13:9 working 17:15 works 17:4 115:3 world 86:18 worried 76:4 worse 89:4 99:16 worst 47:21 53:21 wrapped 11:16 27:22 written 18:1 82:24 83:4 89:11</p>	<p style="text-align: center;">y</p> <p>yard 38:18,18,18 40:4,5,10,10 60:20 60:20,20,21 88:13 88:21 97:5,9 109:14 yards 78:14,16 88:11 yeah 18:16 78:19 81:1 94:21 96:21 106:10 117:24 118:25 year 10:12 28:8,9 46:25 47:19,21 50:21,24 109:19,21 years 23:17,20 28:2 28:9 33:6,7,14 89:14 113:6,7,8 yelling 120:22,23</p>
	x	z
	<p>x 1:6 3:1,7</p>	<p>z 8:1,11 13:15,17,19 13:22 27:19 32:1 zba 8:2,11 13:15,23 zone 38:7 39:13 40:6 41:8,8,19,20 42:2,5 42:12,18 58:20,21 59:17 60:12,18 61:4 61:4 63:6 103:10 zoned 38:15 59:22 zones 40:8 103:18 zoning 33:8 38:14 40:15 60:12,18 71:6 75:23 76:10 80:23 103:9,11 104:23</p>