

**HARDING TOWNSHIP BOARD OF ADJUSTMENT MINUTES
SPECIAL MEETING
MARCH 31, 2022
7:00 PM**

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Board Chair, Mr. Flanagan called the special meeting of the Board of Adjustment to order at 7:00 and announced that adequate notice of the meeting had been made in accordance with the New Jersey State Open Public Meetings Act..

REGULAR MEETING

ROLL

Ms. Taglairino called the roll. It went as follows:

Mr. Cammarata	Excused	Mr. Newlin	Present	Mr. Maselli	Present
Mr. Addonizio	Present	Ms. Sovolos	Present	Mr. Boyan	Present
Mr. Rosenbaum	Present	Mr. Symonds	Present	Mr. Flanagan	Present

Board Engineer, Mr. Fox and Board Planner, Ms. Mertz and Ms. Taglairino were also present. Attorney, Mr. Mlenak was present for the Verizon application.

OLD BUSINESS

Application BOA# 17-18

New York SMSA Limited Partnership d/b/a Verizon
Wireless
8 Millbrook Road, B17/L1, PL Zone
Applicant requesting variance relief for use, per N.J.S.A.
40:55D-70(d) for a cell tower.

Presenting:

Richard Schneider, Attorney
Dr. Bruce Eisenstein, RFP Specialist
James Murawski, Engineer
William Masters, Planner

Robert Simon, Objecting attorney for this application.

The applicant re-presented a proposal for a reduced tower of 80 -86 feet in height with a slight shift in location within the lease site.

Mr. Simon presented his questions for Mr. Murawski and Mr. Masters.

The application is carried until to a May 10, 2022 meeting with no further notice and an extension of the FCC Shot Clock.

A transcript of the testimony is appended to the minutes.

OTHER BUSINESS

None

ADJOURNMENT

Mr. Flanagan adjourned the meeting at 10:42

Lori Taglairino

Respectfully submitted by Lori Taglairino, Board of Adjustment Secretary

<div> <div>Page 1</div> <div> <p>HARDING TOWNSHIP BOARD OF ADJUSTMENT</p> <p>IN THE MATTER OF: : TRANSCRIPT : CASE: BOA# 17-18 : OF New York SMSA Limited Partnership: D/b/a Verizon Wireless : SPECIAL MEETING Millbrook Road : Block 17; Lot 1; PL Zone : X</p> <p>Thursday, March 31, 2022 Municipal Building 21 Blue Mill Road New Vernon, NJ 07976 Commencing at 7:00 p.m.</p> <p>BOARD MEMBERS PRESENT:</p> <p>MIKE FLANAGAN, Chairman ALF NEWLIN DAN MASELLI THOMAS ADDONIZIO ARIC ROSENBAUM GEORGE BOYAN HUGH SYMONDS ELIZABETH SOVOLOS</p> <p>ALSO PRESENT:</p> <p>LORI TAGLAIRINO, Board Administrator PAUL D. FOX, P.E., CME McKINLEY MERTZ, PP, AICP DR. BRUCE EISENSTEIN, Cellular Communications Consultant</p> <p>IRIS LaROSA, Certified Shorthand Reporter</p> <p>PRECISION REPORTING SERVICE Certified Shorthand Reporters (908) 642-4299</p> </div> </div>	<div> <div>Page 2</div> <div> <p>1 A P P E A R A N C E S:</p> <p>2</p> <p>3 GREENBAUM, ROWE, SMITH & DAVIS, LLP BY: STEVEN G. MLENAK, ESQUIRE Attorneys for the Board</p> <p>4</p> <p>5 VOGEL, CHAIT, COLLINS & SCHNEIDER, ESQUIRES BY: RICHARD SCHNEIDER, ESQUIRE Attorneys for the Applicant</p> <p>6</p> <p>7</p> <p>8 HEROLD LAW, PA BY: ROBERT F. SIMON, ESQUIRE Attorneys for the Objectors: SGSL, LLC; Harsh and Nina Bansal; Michael and Susan Koenke; David and Eunice Conine; Brian and Christina McKittrick; Livio Saganic and Christel Engel; James M. Carifa and Sarah G. Conine; Ted Cotton</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> </div> </div>
<div> <div>Page 3</div> <div> <p>1 I N D E X</p> <p>2</p> <p>3 Witness Page</p> <p>4 JAMES MURAWSKI</p> <p>By Mr. Schneider..... 13</p> <p>5 By Mr. Simon..... 38</p> <p>6 WILLIAM F. MASTERS</p> <p>By Mr. Schneider..... 74</p> <p>7 By Mr. Simon.....130</p> <p>8</p> <p>9</p> <p>10</p> <p>11 E X H I B I T S</p> <p>12 EXHIBIT DESCRIPTION PAGE</p> <p>13 A-34 Revised site plan 14</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18 PUBLIC MEMBER COMMENTS:</p> <p>19 Sara Conine.....page 69</p> <p>Frances Frigerio.....page 116</p> <p>20 Neil O'Donnell.....page 124</p> <p>Leslie Ann Wade.....page 125</p> <p>21 Christina McKittrick.....page 126</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> </div> </div>	<div> <div>Page 4</div> <div> <p>1 CHAIRMAN FLANAGAN: Ladies and gentlemen,</p> <p>2 welcome. Tonight is March 31st. This is a Special</p> <p>3 Meeting of the Harding Township Board of Adjustment,</p> <p>4 heard in accordance with the New Jersey Open Public</p> <p>5 Meetings Act noticed in the Observer Tribune, the</p> <p>6 Township website, and other venues. Why don't we say</p> <p>7 the Pledge of Allegiance.</p> <p>8 (The Board Members and public stand for the</p> <p>9 Pledge of Allegiance.)</p> <p>10 CHAIRMAN FLANAGAN: Lori, please call the</p> <p>11 roll.</p> <p>12 SECRETARY TAGLAIRINO: Yes. Mr. Boyan?</p> <p>13 BOARD MEMBER BOYAN: Here.</p> <p>14 SECRETARY TAGLAIRINO: Mr. Addonizio?</p> <p>15 BOARD MEMBER ADDONIZIO: Here.</p> <p>16 SECRETARY TAGLAIRINO: Ms. Sovolos is going</p> <p>17 to be late. Mr. Maselli just notified me he's going to</p> <p>18 be late. Mr. Cammarata is excused. Mr. Rosenbaum?</p> <p>19 BOARD MEMBER ROSENBAUM: Here.</p> <p>20 SECRETARY TAGLAIRINO: Mr. Symonds?</p> <p>21 BOARD MEMBER SYMONDS: Here.</p> <p>22 SECRETARY TAGLAIRINO: Mr. Newlin?</p> <p>23 BOARD MEMBER NEWLIN: Here.</p> <p>24 SECRETARY TAGLAIRINO: Mr. Flanagan?</p> <p>25 CHAIRMAN FLANAGAN: I am here. Thank you,</p> </div> </div>

<p style="text-align: right;">Page 5</p> <p>1 Lori.</p> <p>2 So for this Special Meeting tonight the</p> <p>3 only application on the agenda is the Verizon cell</p> <p>4 phone tower application. Mr. Schneider, welcome back.</p> <p>5 And I think in just 30 seconds please tell us what your</p> <p>6 plan is for tonight, and how you think the evening will</p> <p>7 plan out and what your goal is tonight in terms of</p> <p>8 getting things accomplished.</p> <p>9 MR. SCHNEIDER: Good evening, Mr. Chairman,</p> <p>10 fellow members of the Board, members of the Public.</p> <p>11 Once again, for the record, Richard Schneider with the</p> <p>12 law firm of Vogel, Chait, Collins and Schneider on</p> <p>13 behalf of the Applicant, Verizon Wireless.</p> <p>14 In terms -- in 30 seconds or less, Mr.</p> <p>15 Chairman, the game plan tonight is to present two</p> <p>16 witnesses, hopefully brief, to -- and I'll get into</p> <p>17 this in a minute -- to address what I'll call comments</p> <p>18 or recommendations made by the Board to further manage</p> <p>19 for the Applicant's consideration. Specifically, the</p> <p>20 Applicant intends to briefly re-call the site plan</p> <p>21 engineer as to a revised compound of location, as well</p> <p>22 as its professional planner, to address certain</p> <p>23 supplemental visual analysis that were specifically</p> <p>24 requested by the Board. And I'll get into that in a</p> <p>25 little more detail, but that's the game plan for this</p>	<p style="text-align: right;">Page 6</p> <p>1 evening.</p> <p>2 CHAIRMAN FLANAGAN: Okay. Thank you. And</p> <p>3 whenever you're ready.</p> <p>4 MR. SCHNEIDER: Thank you, Mr. Chairman.</p> <p>5 As I just indicated we are returning this evening to</p> <p>6 respond to what I'll summarize as three separate</p> <p>7 requests of the Board made at the prior public hearing.</p> <p>8 In order, the Board asked the Applicant to</p> <p>9 assess the potential relocation of the compound. In</p> <p>10 response to that the Applicant considered the request</p> <p>11 of the Board and will address that through the</p> <p>12 testimony of Mr. Murawski.</p> <p>13 In summary, as a preview of that matter,</p> <p>14 after now approximately five and a half years since the</p> <p>15 original bid, that's five and a half years, the</p> <p>16 Applicant is not prepared to proceed with a complete</p> <p>17 relocation of the compound at the property. That</p> <p>18 decision is in large measure based on all of the</p> <p>19 reasons that I articulated at the prior public hearing,</p> <p>20 not the least of which is the necessity to go through a</p> <p>21 public bidding process, the necessity to revise</p> <p>22 completely the site plan, the time, and cost associated</p> <p>23 with that.</p> <p>24 Notwithstanding that, though, the Applicant</p> <p>25 did adhere to a request made by at least one, if not</p>
<p style="text-align: right;">Page 7</p> <p>1 multiple Board members to consider whether anything</p> <p>2 could be done as to the compound in its present</p> <p>3 location, specifically shrinking the compound, possibly</p> <p>4 relocating the tower.</p> <p>5 We have done that and an exhibit has been</p> <p>6 submitted in advance marked, I believe, as Exhibit</p> <p>7 A-34. That will be reviewed and presented this</p> <p>8 evening.</p> <p>9 After that is completed, Mr. Chairman,</p> <p>10 we're going to re-call our Planner for two specific</p> <p>11 purposes. The Board asked the Applicant last time two</p> <p>12 things: One, was whether they can -- with respect to</p> <p>13 the possible design of the tower as a tree design, I</p> <p>14 think you, Mr. Chairman, may have asked whether there</p> <p>15 was any catalogues or specifications that we could</p> <p>16 submit, or in the alternative whether there was any</p> <p>17 photos that we can present of trees that we thought</p> <p>18 were appropriate.</p> <p>19 I considered that and thought that</p> <p>20 photographs of other trees for the purposes of just</p> <p>21 showing the design of the tree was the more helpful</p> <p>22 presentation, and that has been again submitted in</p> <p>23 advance, ten days in advance, and we'll have our</p> <p>24 Planner review that.</p> <p>25 In addition, the Board asked us whether we</p>	<p style="text-align: right;">Page 8</p> <p>1 would consider presenting revised visual analysis at</p> <p>2 the 80-foot height that was offered as a condition of</p> <p>3 approval at the last hearing. We considered that and</p> <p>4 agreed to have our Planner prepare a visual analysis of</p> <p>5 a tree design based on the 80-foot height, that</p> <p>6 actually technically measures 86 feet to the top of the</p> <p>7 branching. And that likewise has been submitted in a</p> <p>8 series of photos.</p> <p>9 So those are the objectives that we'd like</p> <p>10 to present to the Board this evening. I think they</p> <p>11 respond in large measure with what's within the</p> <p>12 appropriate purview of the Applicant to present to you</p> <p>13 and we would certainly hopefully and respectfully ask</p> <p>14 that you look upon them favorably.</p> <p>15 Unless there's any housekeeping items,</p> <p>16 which I don't believe to be the case, I can proceed</p> <p>17 with my first witness, Mr. Chairman.</p> <p>18 CHAIRMAN FLANAGAN: Please do.</p> <p>19 MR. SCHNEIDER: Mr. Murawski?</p> <p>20 Mr. Chairman, just one housekeeping item</p> <p>21 tonight. I note, and it is what it is. We only have</p> <p>22 six eligible Board members right now. And I think --</p> <p>23 CHAIRMAN FLANAGAN: Do you want to wait a</p> <p>24 moment for Elizabeth? What time did Elizabeth --</p> <p>25 SECRETARY TAGLAIRINO: Elizabeth didn't</p>

<p style="text-align: right;">Page 9</p> <p>1 say. Dan said he was close.</p> <p>2 MR. SCHNEIDER: I guess the question would</p> <p>3 be, if we're not going to complete tonight --</p> <p>4 CHAIRMAN FLANAGAN: Right. So if we're not</p> <p>5 going to complete --</p> <p>6 MR. SCHNEIDER: -- I don't mind proceeding.</p> <p>7 CHAIRMAN FLANAGAN: I don't know if</p> <p>8 we're -- if we can't complete -- I'd like to, bit I</p> <p>9 don't know --</p> <p>10 MR. SCHNEIDER: What I would like to do,</p> <p>11 because I don't know and you're all here early and I'd</p> <p>12 rather avail myself of the opportunity to make some</p> <p>13 progress. I'd like to proceed right now and then we'll</p> <p>14 figure out what -- even if we complete everything and</p> <p>15 come back at one hopefully, famous last words, a final</p> <p>16 hearing for a vote, because I don't know what time the</p> <p>17 Board member -- not the new Board member --</p> <p>18 CHAIRMAN FLANAGAN: Well, what did Donato</p> <p>19 say? Because if there's any possibility we can vote</p> <p>20 tonight I'd like to, and I think you deserve a vote.</p> <p>21 And if we were to get through everything I guess</p> <p>22 what -- if Donato were not here for the entire thing</p> <p>23 that he couldn't vote?</p> <p>24 MR. SCHNEIDER: That's correct.</p> <p>25 CHAIRMAN FLANAGAN: Would that be right?</p>	<p style="text-align: right;">Page 10</p> <p>1 MR. MLENAK: That's correct.</p> <p>2 CHAIRMAN FLANAGAN: So what time --</p> <p>3 SECRETARY TAGLAIRINO: I'm getting that</p> <p>4 here.</p> <p>5 MR. MLENAK: We can take three minutes.</p> <p>6 CHAIRMAN FLANAGAN: Do you mind, Mr. Simon?</p> <p>7 MR. SIMON: I would like a full compliment</p> <p>8 of the Board before we proceed tonight, whether it's</p> <p>9 tonight or another night.</p> <p>10 CHAIRMAN FLANAGAN: I think you're in</p> <p>11 agreement on that with Mr. Schneider.</p> <p>12 MR. SIMON: Well, no. We have been through</p> <p>13 this for how many hearings? I believe that in</p> <p>14 deference to the public and all the Board members who</p> <p>15 sat through this I believe that it is appropriate for</p> <p>16 all the Board members to be eligible to be able to</p> <p>17 vote.</p> <p>18 CHAIRMAN FLANAGAN: I agree, but as I</p> <p>19 understand it, if Donato can be here in the next few</p> <p>20 minutes it's probably worth waiting because then we</p> <p>21 could have a vote, right? But if we begin right now</p> <p>22 and he shows up in two minutes and we finish somehow</p> <p>23 then we can't vote tonight.</p> <p>24 SECRETARY TAGLAIRINO: He's around the</p> <p>25 corner.</p>
<p style="text-align: right;">Page 11</p> <p>1 CHAIRMAN FLANAGAN: He's around the corner,</p> <p>2 so do you want to wait two minutes?</p> <p>3 MR. SIMON: Sure.</p> <p>4 CHAIRMAN FLANAGAN: Because if we don't</p> <p>5 wait then there can't be a vote tonight. And I guess</p> <p>6 the question is, do we believe there could be a vote</p> <p>7 tonight? I don't know.</p> <p>8 BOARD MEMBER ROSENBAUM: I'd prefer to</p> <p>9 reserve the option.</p> <p>10 CHAIRMAN FLANAGAN: He's around the corner.</p> <p>11 Is that okay? Mr. Schneider, I'll tell you what, I'll</p> <p>12 give you the extra five minutes. We'll go to 10:05,</p> <p>13 fair enough?</p> <p>14 MR. SCHNEIDER: Unless the storm cuts us</p> <p>15 short?</p> <p>16 CHAIRMAN FLANAGAN: We have a generator.</p> <p>17 BOARD MEMBER NEWLIN: Doesn't always work.</p> <p>18 MR. SIMON: What about the other Board</p> <p>19 member?</p> <p>20 SECRETARY TAGLAIRINO: Elizabeth? She's</p> <p>21 going be late, too.</p> <p>22 MR. SIMON: Isn't she a regular Board</p> <p>23 member?</p> <p>24 SECRETARY TAGLAIRINO: Yes.</p> <p>25 MR. SIMON: So she should be eligible to</p>	<p style="text-align: right;">Page 12</p> <p>1 vote, too.</p> <p>2 CHAIRMAN FLANAGAN: So fine, then. Are you</p> <p>3 saying that we're not going to vote tonight?</p> <p>4 MR. SIMON: Well, if you can wait. I don't</p> <p>5 know where she is.</p> <p>6 CHAIRMAN FLANAGAN: But is she not coming</p> <p>7 in tonight?</p> <p>8 SECRETARY TAGLAIRINO: I don't have any</p> <p>9 access to her. She said she was coming.</p> <p>10 CHAIRMAN FLANAGAN: Mr. Schneider, it's</p> <p>11 your application. Here's Donato running in. We don't</p> <p>12 know when Elizabeth is going to be here. What would</p> <p>13 you like to do?</p> <p>14 MR. SCHNEIDER: Not knowing when --</p> <p>15 SECRETARY TAGLAIRINO: For the record, Mr.</p> <p>16 Maselli is here at 7:10.</p> <p>17 MR. SCHNEIDER: Not knowing when she might</p> <p>18 come, I don't -- if you tell me shortly then I would --</p> <p>19 CHAIRMAN FLANAGAN: I can't. I don't know.</p> <p>20 MR. SCHNEIDER: So what I'd like to do --</p> <p>21 MR. MLENAK: A car pulled in. I don't know</p> <p>22 if that's her.</p> <p>23 CHAIRMAN FLANAGAN: Does anybody know what</p> <p>24 Elizabeth drives? Does she drive a white Audi? It</p> <p>25 looks like her.</p>

<p style="text-align: right;">Page 13</p> <p>1 MR. SCHNEIDER: Why don't we do this.</p> <p>2 Let's proceed. I mean, if I knew, but I don't want to</p> <p>3 wait a half hour, 40 minutes out of fairness to you,</p> <p>4 and then --</p> <p>5 CHAIRMAN FLANAGAN: Yeah. Go ahead.</p> <p>6 MR. SCHNEIDER: -- and then we'll make a</p> <p>7 decision at the end.</p> <p>8 BOARD MEMBER ADDONIZIO: There's two cars</p> <p>9 that just pulled in.</p> <p>10 (Whereupon, Board Member Sovolos enters the</p> <p>11 meeting room at 7:15 p.m.)</p> <p>12 CHAIRMAN FLANAGAN: Okay. You have your</p> <p>13 full compliment.</p> <p>14 SECRETARY TAGLAIRINO: For the record, Ms.</p> <p>15 Sovolos is here at 7:15.</p> <p>16 CHAIRMAN FLANAGAN: All right. Mr.</p> <p>17 Schneider?</p> <p>18 MR. SCHNEIDER: Thank you. I'd like to</p> <p>19 re-call Mr. James Murawski. Counsel, he was previously</p> <p>20 sworn.</p> <p>21 MR. MLENAK: Mr. Murawski, you understand</p> <p>22 you are still under oath?</p> <p>23 MR. MURAWSKI: Yes, thank you.</p> <p>24 J A M E S M U R A W S K I, having been</p> <p>25 previously sworn, testifies as follows:</p>	<p style="text-align: right;">Page 14</p> <p>1 MR. SCHNEIDER: Lori, for ease of</p> <p>2 reference, it might be helpful to put up Exhibit A-34,</p> <p>3 which I've submitted. Mr. Simon, you have those,</p> <p>4 correct?</p> <p>5 MR. SIMON: Yes.</p> <p>6 (Exhibit A-34 is received and marked.)</p> <p>7 SECRETARY TAGLAIRINO: Can everybody see</p> <p>8 that? Do we want to zoom in on something particular?</p> <p>9 Also, you know what? Is there another --</p> <p>10 oh, no, this is the one.</p> <p>11 THE WITNESS: Yes. That's a little</p> <p>12 obscure. It might just be beneficial for everyone if</p> <p>13 we went to the second sheet.</p> <p>14 SECRETARY TAGLAIRINO: I'm going to give</p> <p>15 you the yellow pointer, yellow button, and I'll zoom in</p> <p>16 on that. On the second sheet, you said?</p> <p>17 THE WITNESS: Yes, please.</p> <p>18 BOARD MEMBER NEWLIN: There is no hard</p> <p>19 copies?</p> <p>20 THE WITNESS: If you can zoom in a little</p> <p>21 bit, if possible, just for clarity. Perfect. Thank</p> <p>22 you.</p> <p>23 SECRETARY TAGLAIRINO: Can everybody see</p> <p>24 that?</p> <p>25 MR. SCHNEIDER: May I proceed, Mr.</p>
<p style="text-align: right;">Page 15</p> <p>1 Chairman?</p> <p>2 CHAIRMAN FLANAGAN: Yes, please do.</p> <p>3 EXAMINATION BY MR. SCHNEIDER:</p> <p>4 Q. Mr. Murawski, you were tasked, as I</p> <p>5 understand it, with the responsibility to assess</p> <p>6 whether the compound could be modified to address</p> <p>7 certain suggestions made by the Board at the prior</p> <p>8 public hearing; is that correct?</p> <p>9 A. That's correct.</p> <p>10 Q. And to be clear, you were not tasked with</p> <p>11 any responsibility, nor -- you were not tasked with any</p> <p>12 responsibility of assessing any other alternate</p> <p>13 locations on the property; correct?</p> <p>14 A. That's correct.</p> <p>15 Q. Okay. And we submitted in advance</p> <p>16 Exhibit-8 marked as proposed Exhibit A-34. That</p> <p>17 exhibit was either prepared by you or under your direct</p> <p>18 supervision; is that correct?</p> <p>19 A. That's correct.</p> <p>20 Q. And can you review, with hopefully me not</p> <p>21 at least initially interrupting you, what is depicted</p> <p>22 on Exhibit A-34, and specifically the second sheet of</p> <p>23 Exhibit A-34?</p> <p>24 A. Sure. Thank you. So as Mr. Schneider has</p> <p>25 explained, we have taken this opportunity to revise the</p>	<p style="text-align: right;">Page 16</p> <p>1 proposed compound plan by reducing the overall size</p> <p>2 from 30-foot-wide-by-60-foot long or 1,800-square feet,</p> <p>3 down to 17-foot-wide-by-60-foot long, or 1,050-square</p> <p>4 feet.</p> <p>5 In addition, we have relocated the proposed</p> <p>6 pole and equipment as depicted on the revised plan</p> <p>7 sheet SP-1 and SP-2, which have been previously</p> <p>8 submitted to the Board prior to this hearing, and SP-2</p> <p>9 being on display and magnified as shown. This reduces</p> <p>10 the overall area of disturbance by 750-square feet, and</p> <p>11 reduces the added impervious surface to the reduction</p> <p>12 and gravel area as well.</p> <p>13 In general, the proposed pole has been</p> <p>14 relocated in an easterly direction, thereby allowing us</p> <p>15 to revise the proposed tree removal plan as depicted on</p> <p>16 Sheet SP-2. Originally, 12 trees were proposed to be</p> <p>17 removed, and now due to the revised compound layout</p> <p>18 only seven trees are proposed to be removed. One of</p> <p>19 our primary objectives was to save or not remove the</p> <p>20 24-inch caliper Red Maple, which is designated as Tree</p> <p>21 One on Sheet SP-2. This tree was measured by our</p> <p>22 surveyor as being 69 feet in overall height to the</p> <p>23 highest branch.</p> <p>24 The proposed relocated pole has resulted in</p> <p>25 revised setbacks, which are depicted on Sheet SP-1, but</p>

<p style="text-align: right;">Page 17</p> <p>1 I'll reiterate what they are. The revised setback from</p> <p>2 Lot 9.04, which is the lot to the south, which was</p> <p>3 previously 58.1 feet to the centerline of the pole, is</p> <p>4 now 66.3 feet, which is a minor increase of 8.2 feet.</p> <p>5 In addition, the setback to Lot 5, which is</p> <p>6 the lot to the east, I'm sorry, it's the lot to the</p> <p>7 west, was increased from 93.6 feet to 119.5 feet, for</p> <p>8 an increase of 29.5 feet.</p> <p>9 The proposed landscaping plan as shown on</p> <p>10 both SP-1 and SP-2 remains the same as previously</p> <p>11 presented in testimony. Access to the compound remains</p> <p>12 the same as well. I'm not sure if I have anything</p> <p>13 further to add.</p> <p>14 Q. I said you'd be brief. Let me follow up</p> <p>15 with one or two questions. You went through the</p> <p>16 additional setbacks that are --</p> <p>17 A. Revised.</p> <p>18 Q. -- revised both as to the O'Donnell and</p> <p>19 Conine property. Let me talk about the objectives that</p> <p>20 were sought to be achieved by doing this.</p> <p>21 The first is, in summary you have been able</p> <p>22 to save five trees, including the Maple that was the</p> <p>23 subject of some significant input by the Board;</p> <p>24 correct?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 18</p> <p>1 Q. Two: The compound, this would, the lease</p> <p>2 area would remain the same. All we have done, if I'm</p> <p>3 understanding this correctly, is shrink the compound</p> <p>4 essentially only to now accommodate the proposed tower,</p> <p>5 as well as the equipment cabinetry of the Applicant; is</p> <p>6 that correct?</p> <p>7 A. That's correct. I just would add that</p> <p>8 there is a 10-by-20-foot area to the west of the</p> <p>9 proposed generator, which is available for a collocator</p> <p>10 if he chooses to locate there or he can expand the</p> <p>11 fence line.</p> <p>12 Q. Okay. You anticipated my next question.</p> <p>13 So not withstanding the shrinkage of the compound, the</p> <p>14 compound has the ability to at least potentially have</p> <p>15 an additional collocator in that 10-by-20 space if</p> <p>16 someone does collocate on this tower relative to their</p> <p>17 ground equipment. And if there were, either that space</p> <p>18 did not meet their ground space objectives there is</p> <p>19 still the ability to essentially go back to the</p> <p>20 original compound design and essentially expand the</p> <p>21 compound 13 feet, if necessary, if there was in fact</p> <p>22 either a second or third collocator; correct?</p> <p>23 A. That's correct.</p> <p>24 Q. So essentially what we have done is respond</p> <p>25 to the Board's, at least inquiry, if not</p>
<p style="text-align: right;">Page 19</p> <p>1 recommendation, to only build a compound initially as</p> <p>2 to what is necessary to accommodate the Verizon</p> <p>3 installation; is that correct?</p> <p>4 A. Yes.</p> <p>5 Q. And the fencing relative to the same -- the</p> <p>6 fencing remains as originally proposed with no change</p> <p>7 in that regard; correct?</p> <p>8 A. I believe we reduced the fencing down to</p> <p>9 17-foot wide.</p> <p>10 Q. Okay. But in terms of the height</p> <p>11 everything else is --</p> <p>12 A. The fencing itself, the details of the</p> <p>13 fencing remains unchanged.</p> <p>14 BOARD MEMBER NEWLIN: Rich, can you just</p> <p>15 repeat that with the pointer, what you talked about the</p> <p>16 expansion as you talked?</p> <p>17 MR. SCHNEIDER: I think what Mr. Newlin is</p> <p>18 asking you to do is to show if the compound would be</p> <p>19 expanded where it would be.</p> <p>20 CHAIRMAN FLANAGAN: Lori, can you just zoom</p> <p>21 in so we can just see the shed and the compound?</p> <p>22 SECRETARY TAGLAIRINO: Hit the yellow</p> <p>23 button. One more, or even more. Can you see now?</p> <p>24 BOARD MEMBER NEWLIN: Where's the pointer?</p> <p>25 THE WITNESS: I think we need new</p>	<p style="text-align: right;">Page 20</p> <p>1 batteries. It's very weak. I can walk up to that.</p> <p>2 MR. MLENAK: If you can reach it, yes.</p> <p>3 THE WITNESS: I'll try. So there's two</p> <p>4 possibilities for collocation, the 10-by-20 area that I</p> <p>5 alluded to that's within the fence line --</p> <p>6 CHAIRMAN FLANAGAN: Dr. Eisenstein --</p> <p>7 SECRETARY TAGLAIRINO: Thank you, Dr.</p> <p>8 Eisenstein. You know what, if you don't need me I'll</p> <p>9 actually get batteries for the microphone. You carry</p> <p>10 on.</p> <p>11 THE WITNESS: Okay. So within the</p> <p>12 fenced-in area we have right here, we have potential</p> <p>13 area for equipment cabinets of a second carrier, if he</p> <p>14 chooses to locate this cabinetry there.</p> <p>15 The other possibility is to increase the</p> <p>16 compound area a needed amount to accommodate this</p> <p>17 equipment cabinet. To me that would be his first</p> <p>18 alternate choice.</p> <p>19 BOARD MEMBER ADDONIZIO: And the reason for</p> <p>20 that is?</p> <p>21 THE WITNESS: Because there's no tree</p> <p>22 removal required there. And there's a fair amount of</p> <p>23 space between the pole and the fence line now. He has</p> <p>24 a clear path to get to the pole with his cabling, for</p> <p>25 example.</p>

<p style="text-align: right;">Page 21</p> <p>1 BOARD MEMBER BOYAN: Would the expansion of</p> <p>2 the fence line trigger another application to the Board</p> <p>3 of Adjustment? Would that cause us to come back here</p> <p>4 or no?</p> <p>5 MR. SCHNEIDER: May I?</p> <p>6 CHAIRMAN FLANAGAN: Yes. It's a good</p> <p>7 question. I was going to ask the same thing.</p> <p>8 MR. SCHNEIDER: The answer would be legally</p> <p>9 no, because under, as Dr. Eisenstein and I and Counsel</p> <p>10 have all discussed, under 64-09A you have the right to</p> <p>11 collocate and essentially are entitled to a mandatory</p> <p>12 approval subject to certain conditions. And we've</p> <p>13 talked about that at length as it relates to the tower.</p> <p>14 That includes, the right to include an exemption</p> <p>15 essentially from the approval process as it relates to</p> <p>16 ground equipment.</p> <p>17 There are some more recent provisions of</p> <p>18 64-09 in the FCC, which clarifies the ground equipment,</p> <p>19 but in this case if you extended the fence line by the</p> <p>20 mere 13 feet you would still be within the purview of</p> <p>21 the FCC and 64-09 so that it would be exempt from</p> <p>22 further review process by the Board.</p> <p>23 CHAIRMAN FLANAGAN: Okay.</p> <p>24 MR. SCHNEIDER: Does that answer your</p> <p>25 question?</p>	<p style="text-align: right;">Page 22</p> <p>1 BOARD MEMBER BOYAN: It does. Does Counsel</p> <p>2 agree with that?</p> <p>3 MR. MLENAK: That sounds correct from when</p> <p>4 I looked at it and did a memo for you last year. But I</p> <p>5 certainly defer to the knowledge of somebody who's been</p> <p>6 doing this for many applications to be confirming this.</p> <p>7 But good enough for me right now.</p> <p>8 MR. SCHNEIDER: I have nothing further.</p> <p>9 CHAIRMAN FLANAGAN: So by doing this you</p> <p>10 are not making it impossible for a collocator to be on</p> <p>11 that site if one were to show up.</p> <p>12 MR. SCHNEIDER: Quite to the contrary. I</p> <p>13 think the ability to collocate in terms of ground</p> <p>14 equipment is maintained either from locating in the</p> <p>15 presently re-designed compound or expanding it, but at</p> <p>16 the same time you're avoiding potentially unnecessary</p> <p>17 disturbance and you may view it through your own prism,</p> <p>18 but you're avoiding bringing the compound 13 and a half</p> <p>19 feet closer to the adjoining property line and building</p> <p>20 it out for no reason.</p> <p>21 There were three -- if I -- I'll be</p> <p>22 quasi-advocate for a moment. There were three</p> <p>23 advantages sought to be achieved, minimizing the</p> <p>24 compound and reducing the size of the compound.</p> <p>25 Bringing the tower, albeit not significantly but still</p>
<p style="text-align: right;">Page 23</p> <p>1 8 feet further away from the property line, and 30 feet</p> <p>2 away from the Conine property, and at the same time</p> <p>3 maintaining the ability to collocate or to use the</p> <p>4 compound without a new public bid process for</p> <p>5 collocators, either within the presently re-designed</p> <p>6 compound or maintaining the flexibility to expand the</p> <p>7 compound.</p> <p>8 The other thing I would mention, which</p> <p>9 frankly you mentioned, Mr. Chairman, it doesn't impact</p> <p>10 at all the public bidding process at all by what we're</p> <p>11 doing, because the same lease area of 1,800-square feet</p> <p>12 is maintained. We're maintaining that lease area,</p> <p>13 we're just not building it out to full capacity.</p> <p>14 And that -- what is being proposed, I would</p> <p>15 note, is not that unusual. My experience is one of two</p> <p>16 things happen. Either the compounds are generally</p> <p>17 built out to their full rights or authority right from</p> <p>18 the get-go to avoid re-doing and extending fence lines</p> <p>19 down the road, or they're built only what is necessary</p> <p>20 for the immediate approved applicant with the right of</p> <p>21 subsequent collocators to assume the responsibility of</p> <p>22 expanding the compound. So what you suggested is not</p> <p>23 that unique or inconsistent.</p> <p>24 CHAIRMAN FLANAGAN: All right. Is that it?</p> <p>25 Any questions from the Board? Any other questions from</p>	<p style="text-align: right;">Page 24</p> <p>1 the Board?</p> <p>2 BOARD MEMBER NEWLIN: I have a question.</p> <p>3 So when you talked about the two topics: One, is the</p> <p>4 location of the pole itself. And you have 13 feet on</p> <p>5 the other side. Why couldn't you push the pole even</p> <p>6 farther back?</p> <p>7 CHAIRMAN FLANAGAN: Like toward the shed?</p> <p>8 And can someone just put the pointer on the tower there</p> <p>9 so everybody can see where the tower's proposed?</p> <p>10 BOARD MEMBER NEWLIN: And can you point out</p> <p>11 the 13 feet? That's what the drawing says; is that</p> <p>12 correct?</p> <p>13 THE WITNESS: Right here is 13 feet.</p> <p>14 That's correct. So if you look closely at the plan</p> <p>15 there's a dashed --</p> <p>16 CHAIRMAN FLANAGAN: Lori, can you zoom in a</p> <p>17 little bit more, Lori, right on the tower?</p> <p>18 SECRETARY TAGLAIRINO: Sure.</p> <p>19 THE WITNESS: What I'm referring to as a</p> <p>20 dashed square is the anticipated foundation of the</p> <p>21 tower. It was simply allowing for clearances for that</p> <p>22 foundation.</p> <p>23 BOARD MEMBER NEWLIN: Right, but you</p> <p>24 understand that this is -- now from 58 to 66 feet from</p> <p>25 a property line every foot matters for the setback</p>

<p style="text-align: right;">Page 25</p> <p>1 issue is one of the main issues for this application.</p> <p>2 Every foot matters. So I'm sure there's some</p> <p>3 engineering aspects, I'm sure there's some safety</p> <p>4 aspects as well, but why 13 feet? Why can't you lean</p> <p>5 into that?</p> <p>6 THE WITNESS: This foundation here is shown</p> <p>7 as a mat, as opposed to a caisson, a drilled shaft.</p> <p>8 Because it's our understanding that there's a</p> <p>9 relatively shallow layer of shale that we would hit if</p> <p>10 we would drill on a caisson. If this was a caisson</p> <p>11 then we can tuck that pole relatively close to the</p> <p>12 shed. But since it's a mat we have to allow room for</p> <p>13 the mat and we have to be able to install it without</p> <p>14 undermining the footing for the shed structure.</p> <p>15 BOARD MEMBER NEWLIN: Potentially you could</p> <p>16 change the foundation type?</p> <p>17 THE WITNESS: We didn't do a geotechnical</p> <p>18 soil boring here yet. Our understanding of the</p> <p>19 elevation of the shale is based on recent septic</p> <p>20 designs in the neighborhood that our firm has</p> <p>21 performed. Once a geotechnical -- once a pole is -- if</p> <p>22 this application were to move forward and we did a</p> <p>23 geotechnical and we had now a pole design then the</p> <p>24 foundation would be designed. And we can at that point</p> <p>25 fine tune that 13-foot dimension.</p>	<p style="text-align: right;">Page 26</p> <p>1 BOARD MEMBER NEWLIN: So you're saying if</p> <p>2 it's a pole versus a --</p> <p>3 THE WITNESS: So there's two -- I think, if</p> <p>4 I may, correct me if I'm wrong, I think there's two</p> <p>5 poles being considered: One, is a flagless flagpole,</p> <p>6 which would be approximately the same height, 80,</p> <p>7 85 feet; and a tree pole 80 or 85 feet. So the mat</p> <p>8 foundation for the tree pole would be larger, because</p> <p>9 of the nature of the tree, would be larger than the mat</p> <p>10 foundation for a flagless flagpole.</p> <p>11 BOARD MEMBER NEWLIN: So the flagless</p> <p>12 flagpole theoretically would cut into that 13 feet?</p> <p>13 THE WITNESS: By a few feet, I would</p> <p>14 speculate, yes.</p> <p>15 CHAIRMAN FLANAGAN: But even further,</p> <p>16 though, if you find that you put a caisson instead of a</p> <p>17 mat you could put it even closer to the shed?</p> <p>18 THE WITNESS: Correct.</p> <p>19 CHAIRMAN FLANAGAN: And you wouldn't know</p> <p>20 that until you say only -- if this application were to</p> <p>21 move forward you would then do a soil test?</p> <p>22 THE WITNESS: Yes. We would do a soil</p> <p>23 boring, probably two borings, and come up with a</p> <p>24 foundation design criteria based on that exploration</p> <p>25 program.</p>
<p style="text-align: right;">Page 27</p> <p>1 BOARD MEMBER NEWLIN: And the possibility</p> <p>2 is whether likely or not you can possibly pick up</p> <p>3 another 10 feet and get very close so there's no fall</p> <p>4 zone on the neighboring property?</p> <p>5 THE WITNESS: Ten feet maximum.</p> <p>6 BOARD MEMBER NEWLIN: That's quite a bit.</p> <p>7 And second question is on the trees that are being</p> <p>8 removed, can you just quickly say what type of trees</p> <p>9 are they, and --</p> <p>10 THE WITNESS: Primarily Sassafras.</p> <p>11 BOARD MEMBER NEWLIN: So they're probably</p> <p>12 not very big then?</p> <p>13 THE WITNESS: They are not. We do have the</p> <p>14 calipers listed on A-2.</p> <p>15 BOARD MEMBER NEWLIN: Can you just, without</p> <p>16 shortchanging it because we don't have any paper</p> <p>17 copies, would you tell us how big this is?</p> <p>18 THE WITNESS: I can.</p> <p>19 CHAIRMAN FLANAGAN: And while you're</p> <p>20 looking at that, let me just say because we're going to</p> <p>21 forget this, I'm afraid, if we don't say it now, but if</p> <p>22 we were to approve this that would make it a condition</p> <p>23 of approval. From an engineering perspective, is it</p> <p>24 possible to use a caisson, that they do use a caisson?</p> <p>25 And I would imagine you would consent to that?</p>	<p style="text-align: right;">Page 28</p> <p>1 MR. SCHNEIDER: Absolutely.</p> <p>2 BOARD MEMBER NEWLIN: Can I ask our</p> <p>3 engineer what --</p> <p>4 THE WITNESS: On SP-2 tree designated as</p> <p>5 Tree number Four has a 15-inch diameter caliper.</p> <p>6 BOARD MEMBER NEWLIN: That's the biggest?</p> <p>7 THE WITNESS: Yes.</p> <p>8 BOARD MEMBER NEWLIN: And they're all</p> <p>9 Sassafras?</p> <p>10 THE WITNESS: Tree number Four is a</p> <p>11 Sassafras.</p> <p>12 BOARD MEMBER NEWLIN: I don't know if it's</p> <p>13 fair to ask, but Paul, can you comment on the</p> <p>14 foundation aspects? Any advise to the Board on this</p> <p>15 one?</p> <p>16 MR. FOX: Sure. I think there's two issues</p> <p>17 at play here. First of all, the size of the foundation</p> <p>18 matters on how much of a sale you have. Meaning, the</p> <p>19 tree is going to be a fairly significant sale, versus a</p> <p>20 pole is going to have much less wind cross-section and</p> <p>21 require less foundation. So that's the first factor</p> <p>22 between the two poles. And then the second is, as Mr.</p> <p>23 Murawski discussed, the fact that they would have to,</p> <p>24 if they wanted to put it much closer to the building</p> <p>25 you'd have to have a shaft style --</p>

<p style="text-align: right;">Page 29</p> <p>1 BOARD MEMBER NEWLIN: Foundation.</p> <p>2 MR. FOX: -- foundation; whereas, trying to</p> <p>3 put that in the rock is quite difficult.</p> <p>4 BOARD MEMBER NEWLIN: And would the town</p> <p>5 have any particular concern about having it closer?</p> <p>6 MR. FOX: You know, the foundation on this</p> <p>7 is just a pole barn. So I would say as long as we kept</p> <p>8 2- to 3-feet away from the post that would be fine?</p> <p>9 BOARD MEMBER NEWLIN: And that shed is not</p> <p>10 historic?</p> <p>11 MR. FOX: It is not.</p> <p>12 BOARD MEMBER NEWLIN: Just making sure.</p> <p>13 CHAIRMAN FLANAGAN: And Paul, let me ask.</p> <p>14 If it's a pole barn there is no foundation. Why could</p> <p>15 they not just tuck part of the mat into the shed?</p> <p>16 MR. FOX: So a pole barn is primarily</p> <p>17 supported by poles and those usually are about 36 to</p> <p>18 48 inches into the ground. I'm sure there's one at the</p> <p>19 corner adjacent to where that --</p> <p>20 CHAIRMAN FLANAGAN: So you think the mat</p> <p>21 would need to be where one of the poles is?</p> <p>22 MR. FOX: Correct.</p> <p>23 CHAIRMAN FLANAGAN: Okay. And you couldn't</p> <p>24 pour your mat around the pole?</p> <p>25 MR. FOX: No. You wouldn't want to have</p>	<p style="text-align: right;">Page 30</p> <p>1 your two structures interlock, so that would be a bad</p> <p>2 idea.</p> <p>3 BOARD MEMBER MASELLI: How would you</p> <p>4 excavate for a caisson in your opinion? Do you know</p> <p>5 how that's done?</p> <p>6 THE WITNESS: Oh, sure. I've seen it done</p> <p>7 many times.</p> <p>8 BOARD MEMBER MASELLI: How is it done?</p> <p>9 THE WITNESS: It's a drill.</p> <p>10 BOARD MEMBER MASELLI: So when you drill a</p> <p>11 water well you go through the layers of shale and</p> <p>12 basalt and all of that --</p> <p>13 SECRETARY TAGLAIRINO: Dan, can you please</p> <p>14 put your microphone on? Thank you.</p> <p>15 BOARD MEMBER MASELLI: So I don't</p> <p>16 understand how the shale would be a problem when you're</p> <p>17 drilling through something like shale, which is</p> <p>18 relatively soft compared to basalt.</p> <p>19 THE WITNESS: The shale is not just a</p> <p>20 layer, it's shale all the way down.</p> <p>21 BOARD MEMBER MASELLI: Right. Well you</p> <p>22 drill wells, water wells that go 500, 600 feet --</p> <p>23 THE WITNESS: Well, they're much smaller in</p> <p>24 diameter. They have drill bits. So we have a drill</p> <p>25 bit that's designed for earth and it's 5 feet in</p>
<p style="text-align: right;">Page 31</p> <p>1 diameter, and it's not designed to drill through rocks.</p> <p>2 BOARD MEMBER MASELLI: It's a different</p> <p>3 type of bit?</p> <p>4 THE WITNESS: Completely different, yes.</p> <p>5 BOARD MEMBER MASELLI: What are the two</p> <p>6 circles at the base of the tower?</p> <p>7 THE WITNESS: One is the bottom of the</p> <p>8 pole, the other one was the presumed -- no, I'm sorry.</p> <p>9 One is the pole, the other one is the pier for the</p> <p>10 pole.</p> <p>11 BOARD MEMBER NEWLIN: The what, the pier?</p> <p>12 THE WITNESS: The pier that brings the pole</p> <p>13 out of the ground.</p> <p>14 BOARD MEMBER MASELLI: So the outer circle</p> <p>15 is subterranean?</p> <p>16 THE WITNESS: It would be the pier.</p> <p>17 CHAIRMAN FLANAGAN: Well, so it's a pier,</p> <p>18 but is it below grade or is it --</p> <p>19 THE WITNESS: It sits on top of the mat and</p> <p>20 goes above grade. It's about -- let's just say it's 3-</p> <p>21 to 4-feet in height, and the diameter is designed to</p> <p>22 accommodate the anchor bolt arrangement of the pole and</p> <p>23 it's doweled into the mat.</p> <p>24 CHAIRMAN FLANAGAN: Just on that caisson</p> <p>25 question, though, I see them drilling caissons all over</p>	<p style="text-align: right;">Page 32</p> <p>1 the place. Is it -- are you saying that they just</p> <p>2 don't drill caissons through shale and it's impossible</p> <p>3 to do?</p> <p>4 THE WITNESS: So I can't answer that</p> <p>5 accurately until we do an exploration and we go into</p> <p>6 the shale to see how soft it is with the drill.</p> <p>7 CHAIRMAN FLANAGAN: I drive down the</p> <p>8 highway and I see them drilling caissons for piers for</p> <p>9 overpasses, et cetera. I can't imagine they say, oh,</p> <p>10 we can't put an overpass here after all because there's</p> <p>11 rock. There must be a way to do it, right?</p> <p>12 THE WITNESS: So the speculation is that</p> <p>13 they're hitting shale and they may not be. The</p> <p>14 speculation is also, the depth of their caisson has to</p> <p>15 penetrate the shale layer and we don't know that.</p> <p>16 I can say that this pole, this caisson</p> <p>17 would need to be on the order of 30-feet deep to</p> <p>18 support the pole.</p> <p>19 CHAIRMAN FLANAGAN: Okay. I mean, but I</p> <p>20 would imagine those overpasses have pretty substantial</p> <p>21 caissons as well, right? They weigh a lot more than</p> <p>22 the pole?</p> <p>23 THE WITNESS: I couldn't tell you what they</p> <p>24 have or what the subterranean conditions are.</p> <p>25 CHAIRMAN FLANAGAN: I wouldn't ask you to,</p>

<p style="text-align: right;">Page 33</p> <p>1 but I think it's common sense if an overpass weighs 2 more than the pole and they drill caissons to support 3 this then when they want to put one someplace they 4 don't say, eh, can't do it here because there's rock, 5 right? 6 THE WITNESS: Well, if there's rock that's 7 great. You anchor it to the rock. 8 CHAIRMAN FLANAGAN: Or if it's shale? 9 THE WITNESS: I don't know if we can anchor 10 it to shale. 11 MR. SCHNEIDER: Mr. Chairman, I'll talk out 12 of turn, but you made a suggestion that the Applicant, 13 you were about to ask me, we have no objection if -- 14 the Applicant has no issue doing everything within 15 appropriate structural code provisions and review of 16 Mr. Fox to maximize, to bring the towers as close as 17 possible to the recycling shed in accordance with 18 geotech and structural safety issues. I think that's 19 what we're all doing and I don't know that we're going 20 to resolve the specifics of how far until that geotech 21 is completed. But you have the representation and the 22 stipulated condition of the Applicant that to the 23 extent that it can minimize the 13-foot setback to the 24 recycling shed and build it structurally sound based on 25 geotech we are amenable to doing that.</p>	<p style="text-align: right;">Page 34</p> <p>1 BOARD MEMBER NEWLIN: The question is do 2 Board members think that's strong enough? 3 MR. SCHNEIDER: I'm sorry? 4 BOARD MEMBER NEWLIN: The question is going 5 to be if the Board members think that good-faith 6 attempt is going to be good enough. 7 MR. SCHNEIDER: I think that's something 8 that, honestly after what we have been through, that 9 shouldn't be in dispute. And ultimately you have Mr. 10 Fox to review all the details of that. 11 CHAIRMAN FLANAGAN: Yeah. I think 12 that would be one of the things, right, because I'd 13 like it to include Mr. Fox's review. And if there's 14 any difference of opinion as to whether it's feasible 15 or not, right, then -- 16 MR. FOX: Absolutely. 17 CHAIRMAN FLANAGAN: -- then it's back to 18 the Board. So if Paul looks at it and says, you know, 19 I think you could, then -- 20 MR. SCHNEIDER: So the standard condition 21 is what I represented and in the event there's any 22 dispute as to the Applicant's ability to bring the 23 tower closer based on geotech and structural conditions 24 in the event of any dispute the Board retains 25 jurisdiction.</p>
<p style="text-align: right;">Page 35</p> <p>1 CHAIRMAN FLANAGAN: Okay. No? You don't 2 like that? 3 BOARD MEMBER NEWLIN: I like it. I said 4 no. 5 MR. FOX: Just to be clear, when you see a 6 large drilling rig drilling supports for a foundation 7 the purpose of that is typically to go through soft 8 soils and define competent soil that has good bearing 9 pressure or rock. They're rarely ever actually 10 drilling through rock. The idea is to get to the rock 11 so they can have the foundation sitting on something 12 decent. 13 So I would agree with Mr. Murawski that 14 having a large diameter bore through bedrock is not a 15 reasonable possibility. 16 BOARD MEMBER NEWLIN: So are you saying 17 that, of course this is here now without real facts, 18 but you're saying it's kind of unlikely that this is 19 feasible? 20 THE WITNESS: Yes. 21 MR. FOX: Yes. I would find it to be 22 unlikely that you could put the size bore that you need 23 to put into the rock to a depth of 30 feet. 24 BOARD MEMBER NEWLIN: So it's unlikely that 25 they would be able to relocate this tower?</p>	<p style="text-align: right;">Page 36</p> <p>1 MR. FOX: It depends again on the actual 2 soil boring conditions that they find when they test 3 out there, but certainly to the extent that we can move 4 it closer to the recycling shed without endangering the 5 recycling shed foundation we can do that. 6 CHAIRMAN FLANAGAN: Have you done any work 7 at the DPW site in terms of septs or anything else to 8 have an idea not in that particular spot but just on 9 their property as to what the soil conditions are like? 10 MR. FOX: Yes. 11 CHAIRMAN FLANAGAN: What did you find when 12 you did that work? 13 MR. FOX: Generally at a depth of anywhere 14 between 5 and 7 feet we encountered shale. 15 CHAIRMAN FLANAGAN: Okay. So with that 16 said your expectation would be they wouldn't be able to 17 do a caisson? 18 MR. FOX: That's correct. 19 CHAIRMAN FLANAGAN: Alf, any more 20 questions? 21 BOARD MEMBER NEWLIN: No. 22 CHAIRMAN FLANAGAN: Anybody else? 23 BOARD MEMBER SYMONDS: Can I ask one just 24 for clarification? There is some variability that the 25 13 feet may get smaller, but there's no variability,</p>

<p style="text-align: right;">Page 37</p> <p>1 you know, you're not going to find anything that would</p> <p>2 make it move out. It wouldn't become 15 feet or</p> <p>3 16 feet or something like that, would it?</p> <p>4 THE WITNESS: I'm not anticipating that,</p> <p>5 correct. And again, it also depends on what pole we'd</p> <p>6 move forward if we move forward with --</p> <p>7 BOARD MEMBER SYMONDS: But the 13 foot is</p> <p>8 based on a tree pole. So in other words, like say, if</p> <p>9 we said it went to be a straight flagless pole then</p> <p>10 that would -- the foundation would be less extensive,</p> <p>11 and so that would lead us to, you know, shrink it or 2</p> <p>12 feet. That 13 feet might go down?</p> <p>13 THE WITNESS: Correct.</p> <p>14 BOARD MEMBER SYMONDS: Okay. Thank you.</p> <p>15 CHAIRMAN FLANAGAN: So 30-feet deep for a</p> <p>16 tree caisson. How deep would you have to go for a</p> <p>17 flagless flagpole caisson?</p> <p>18 THE WITNESS: Not sure. I'm just going to</p> <p>19 speculate at 20.</p> <p>20 CHAIRMAN FLANAGAN: Less, I guess. But</p> <p>21 nonetheless we'd probably have shale at 5 feet. Well,</p> <p>22 you don't have to testify. So either way, it's not --</p> <p>23 all right. Who else?</p> <p>24 MR. MLENAK: Well, a flagless flagpole is</p> <p>25 still movement.</p>	<p style="text-align: right;">Page 38</p> <p>1 BOARD MEMBER NEWLIN: The pad is still</p> <p>2 going to be less.</p> <p>3 CHAIRMAN FLANAGAN: You could move it a</p> <p>4 couple, right? I think the best answer would be move</p> <p>5 the caisson, but you'd need to be -- but you have</p> <p>6 shale. So it sounds like that's not going to happen.</p> <p>7 But if it can, you will?</p> <p>8 MR. SCHNEIDER: Absolutely. The Applicant</p> <p>9 would have no reason not to.</p> <p>10 CHAIRMAN FLANAGAN: Yes. Sure. Okay. Who</p> <p>11 else, anybody? All right. Mr. Simon, do you have any</p> <p>12 questions you'd like to ask?</p> <p>13 MR. SIMON: I do.</p> <p>14 SECRETARY TAGLAIRINO: Rob, if you would</p> <p>15 like to sit --</p> <p>16 MR. SIMON: I would like to sit somewhere.</p> <p>17 SECRETARY TAGLAIRINO: Yes. There's a</p> <p>18 microphone over there if you would like to set up.</p> <p>19 CHAIRMAN FLANAGAN: Next to Dr. Eisenstein.</p> <p>20 Would you like us to move the microphone to you?</p> <p>21 MR. SIMON: No. Thank you. Sorry.</p> <p>22 CHAIRMAN FLANAGAN: Don't be sorry.</p> <p>23 EXAMINATION BY MR. SIMON:</p> <p>24 Q. Mr. Murawski, good evening.</p> <p>25 A. Hi.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. Just a bunch of questions. First of all,</p> <p>2 Mr. Schneider, even before you began to testify, you</p> <p>3 were present when he talked about the fact that the</p> <p>4 compound could not be moved, and you talked about the</p> <p>5 public bidding process. But he also talked about time</p> <p>6 and the cost to revise the site plan.</p> <p>7 How many site plan revisions have you done</p> <p>8 since you were involved with this project, sir?</p> <p>9 If you looked at the revisions sheet, not</p> <p>10 just for your current submission, but also the prior</p> <p>11 submission and even prior to that, the work that you've</p> <p>12 done in creating the bid package for this project?</p> <p>13 A. Maybe three.</p> <p>14 Q. Three?</p> <p>15 A. Maybe three.</p> <p>16 Q. And with regard to -- you talked about</p> <p>17 reducing the area of disturbance by 750-square feet.</p> <p>18 What's the -- in terms of percentages what's the</p> <p>19 percentage? How does that relate to the percentage of</p> <p>20 site in total?</p> <p>21 A. I don't have that number.</p> <p>22 Q. And you mentioned about a measurement of 69</p> <p>23 feet to the highest branch of a 24-inch diameter Red</p> <p>24 Maple by the surveyor; correct?</p> <p>25 A. Correct.</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. That surveyor's not present this evening;</p> <p>2 correct?</p> <p>3 A. Correct.</p> <p>4 Q. Is that 69-inch measurement referenced in</p> <p>5 any plan or documentation?</p> <p>6 MR. SCHNEIDER: Sixty-nine inch?</p> <p>7 Q. I'm sorry. Sixty-nine foot.</p> <p>8 A. It is not.</p> <p>9 Q. So somebody told you that?</p> <p>10 A. Correct.</p> <p>11 Q. And you don't now how that person went</p> <p>12 about measuring, correct?</p> <p>13 A. Well --</p> <p>14 Q. Were you there?</p> <p>15 A. I was not there.</p> <p>16 Q. Do you know if that person -- that surveyor</p> <p>17 performed the height measurement of any other tree in</p> <p>18 the vicinity of this cell tower?</p> <p>19 A. He did not.</p> <p>20 Q. Just so he -- so he just measured the one</p> <p>21 24-inch DBH Red Maple; correct?</p> <p>22 A. Yes.</p> <p>23 Q. And is there a reason why the lease area</p> <p>24 needs to include the 24-inch Red Maple if per you using</p> <p>25 Dr. Eisenstein's pointer that if a second carrier were</p>

<p style="text-align: right;">Page 41</p> <p>1 to collocate here that the fence would be extended but 2 not within the area of the 24-inch Red Maple? 3 A. That's correct. The 24-inch Red Maple's 4 right here. I'm sorry, right there. And if -- I don't 5 know who would want to collocate here, and I don't know 6 what their area requirements would be, but within the 7 fence there is a 10-by-20-foot vacant space that the 8 tree is. And I simply suggest or am suggesting that if 9 he goes out let's just say 10 by 20 there would be his 10 path of least resistance in terms of site work. 11 Q. Right. But if the lease area were to 12 include, as it currently does, the 24-inch Red Maple 13 area, a second carrier per Mr. Schneider's comment 14 about 64 -- or nine could technically collocate and put 15 their equipment in that area which would require the 16 24-inch Red Maple to be removed; correct? 17 A. Correct. 18 Q. And with regard to the 24-inch Red Maple 19 are you aware whether anyone from your office, an 20 Arborist has performed an assessment of that tree? 21 A. We have not. 22 Q. You have not? 23 BOARD MEMBER NEWLIN: I'm sorry. What did 24 you say? What was the question? 25 MR. SIMON: I asked whether an Arborist,</p>	<p style="text-align: right;">Page 42</p> <p>1 he's aware whether Arborist had performed any 2 assessment of the 24-inch -- 3 BOARD MEMBER NEWLIN: Assessment? 4 MR. SIMON: Assessment. I'm sorry, I 5 wasn't clear -- Red Maple. 6 Q. So as it stands currently there's no 7 guarantee based on your testimony and the interplay 8 with the Board and talking about the shale that's 9 encountered at the site, there's no guarantee that the 10 pole will be moved from its currently proposed 11 location; correct? 12 A. I would say that's correct. 13 Q. And what's the diameter of the faux tree as 14 you're proposing it? 15 A. It's not designed yet, so my response is 16 speculative. Based on past experience it would be at 17 least 48 inches in diameter at the base. 18 Q. Why is it not designed yet? 19 A. It hasn't been ordered by Verizon. 20 UNIDENTIFIED PUBLIC VOICE: I'm having 21 trouble hearing him. Can you please get closer to the 22 mic? 23 CHAIRMAN FLANAGAN: Mr. Murawski, could you 24 just pull the microphone -- could you pull the 25 microphone --</p>
<p style="text-align: right;">Page 43</p> <p>1 THE WITNESS: Thank you. 2 BY MR. SIMON: 3 Q. I apologize. It hasn't been what by 4 Verizon? 5 A. It hasn't been ordered. The size of the 6 tree hasn't been ordered by Verizon. 7 Q. So it's 48 inches at the base? 8 A. I'm speculating that it's 48. 9 Q. You're just speculating. And do you know 10 what the diameter is inclusive of all the branches? 11 A. I do not. 12 Q. Either -- at any point? 13 A. Correct. 14 Q. And is this -- is it your understanding 15 that this application is being amended to propose this 16 86-foot fake tree? Is this part of this application? 17 MR. SCHNEIDER: Objection. That's not 18 within the purview of Mr. Murawski. 19 MR. SIMON: Well, Mr. Schneider, can you 20 answer the question? Because I think it's very 21 relevant to the proceedings. 22 MR. SCHNEIDER: I'd be more than happy to. 23 The Applicant is prepared to accept as a 24 condition of approval either an 80-foot flagpole or an 25 80-foot tree, which extends the branching up to 86 feet</p>	<p style="text-align: right;">Page 44</p> <p>1 as a condition of approval, which is one of the 2 recommended conditions of approval, which I would note 3 is one of the steps of the Sica Balancing Test. 4 MR. SIMON: So the Applicant is not 5 amending its -- so this application right now is for a 6 140-foot tower? 7 MR. SCHNEIDER: 120 foot. 8 MR. SIMON: 120-foot tower is the current 9 application? 10 MR. SCHNEIDER: That's correct. But I've 11 been clear, Mr. Simon, I think you know, that we're 12 willing to accept 80 feet as a condition of approval 13 from this Board. 14 BY MR. SIMON: 15 Q. Mr. Murawski, have you prepared any site 16 plan that depicts the elevation of an 86-foot fake 17 tree, an 80-foot flagless flagpole? 18 A. You said site plan? 19 Q. Correct. 20 A. It doesn't affect the site plan. 21 Q. When you say "It doesn't affect the site 22 plan," my recollection is that the site plan that you 23 last presented dated March 4th, of 2019, had a whole 24 bunch of sheets. And those show sheets included on 25 SP-2 an elevation that showed the -- the height and</p>

Page 45

1 collocators and cable bridges and technical space and
 2 equipment cabinets, and on C-1 a whole bunch of
 3 equipment details, including power cabinets, future
 4 cabinets, things of that like.
 5 Are any of those sheets being amended for
 6 purposes of the application at this point?
 7 A. My apologies. So when you said site plan
 8 and I heard site plan I was looking at "the plan." The
 9 elevation --
 10 Q. I don't know what "the plan" is.
 11 A. The elevation was not amended to reflect an
 12 86-foot tree pole or an 80-foot flagless flagpole.
 13 Q. So you have not amended your site plan in
 14 any way to reflect either of the current proposals, as
 15 Mr. Schneider said, as a condition of approval?
 16 A. Correct.
 17 Q. And so when your zoning table, getting back
 18 to -- I'm sorry, Rich, is it A --
 19 MR. SCHNEIDER: 34.
 20 BY MR. SIMON:
 21 Q. Thirty-four. Thank you. Getting back to
 22 A-34 for a second. I apologize for jumping around a
 23 little bit. You have a zoning table here. And your
 24 zoning table under wireless telecommunications
 25 equipment and facilities it says "proposed 146 feet to

Page 47

1 A. Correct.
 2 Q. And you also, and I think I mentioned this
 3 earlier, your firm prepared the plans that were
 4 submitted for the public bid for this project; correct?
 5 A. Yes.
 6 Q. And your firm also prepared the plans that
 7 were included in the lease agreement between Verizon
 8 and Harding Township; correct?
 9 A. Correct.
 10 Q. And if you recall the tower in the lease
 11 agreement from 2017 is 59 and a half feet from Lot
 12 9.04, the O'Donnell property; do you recall that at 28
 13 Millbrook?
 14 A. No.
 15 Q. You don't recall that?
 16 A. I would have to go back.
 17 Q. Do you want me to show you? Because I have
 18 it here.
 19 A. Sure.
 20 Q. So I'm showing Mr. Schneider, the witness,
 21 A-2, which is the lease agreement. And why don't you
 22 go toward the back of that and it has all your plans
 23 there.
 24 Do you see that, Mr. Murawski?
 25 A. Yes.

Page 46

1 top of tree pole." So is that an error?
 2 A. That was -- that's reflective of the
 3 original bulk chart that was submitted originally, and
 4 has not been amended as -- it's my understanding that
 5 the height of the pole is an item to be discussed.
 6 Q. So what is on your A-34 is not correct;
 7 right?
 8 A. I would agree with that, yes.
 9 Q. And is there a reason why you didn't -- and
 10 actually go back -- let me go back for a second.
 11 Is there a reason why there's a new SP-1
 12 and not just another complete plan revision?
 13 A. We only prepared these as exhibits for
 14 presentation purposes.
 15 Q. And is there a reason why you didn't
 16 revise, you know, for example, your general note five
 17 on T-1 of your March 4th, 2019, site plan that talks
 18 about collocators and design, right, is that being
 19 amended, too, that we haven't seen yet?
 20 A. It will be if this project -- if this
 21 application moves forward and there are conditions of
 22 approval. We amend the entire site plan application to
 23 reflect those conditions.
 24 Q. And that would be presumably after the
 25 Board votes on your application?

Page 48

1 Q. And so just for purposes of comparison the
 2 tower in the lease agreement from 2017 is 59 and a half
 3 feet from Lot 9.04, the O'Donnell property at 28
 4 Millbrook; correct?
 5 A. Correct.
 6 Q. And it's 120.9 feet from Lot 55, which is
 7 the Conine property on 7 Lees Hill Road; correct?
 8 A. Correct.
 9 Q. So we go from 59 and a half and 120.9, and
 10 then most recently before tonight as of March 4th of
 11 2019 it was 58.1 feet from Lot 9.04, and 93.6 feet from
 12 Lot 55; correct?
 13 A. Correct.
 14 Q. And then based on A-34 presented tonight
 15 you're now -- it's now being proposed at 66.3 feet from
 16 Lot 9.04; correct?
 17 A. Correct.
 18 Q. And that's a difference of 8 feet from the
 19 2019 proposal, and 7 feet from the 2017 proposal;
 20 right?
 21 A. Correct.
 22 Q. And with regard to Lot 55 it's 119 and a
 23 half -- 119, I apologize, .5 feet away from Lot 55
 24 currently; right?
 25 A. Yes.

<p style="text-align: right;">Page 49</p> <p>1 Q. So that's a difference of 25 feet from the</p> <p>2 2019 proposal, but actually closer to the Conine</p> <p>3 property than what was proposed in 2017; correct?</p> <p>4 A. Correct.</p> <p>5 Q. And you also designed, of course, a tower</p> <p>6 elevation tree pole as part of your lease agreement</p> <p>7 from 2017 that would accommodate up to four collocators</p> <p>8 in the same March 4, 2019, plan; correct?</p> <p>9 A. Correct.</p> <p>10 Q. And you didn't submit an elevation at</p> <p>11 86 feet for the fake tree, or 80 feet for the flagless</p> <p>12 flagpole; correct?</p> <p>13 A. Correct.</p> <p>14 Q. So you have not shown, at least to the</p> <p>15 Board via an elevation or otherwise, any collocation</p> <p>16 possibilities and at what heights; correct?</p> <p>17 A. Correct.</p> <p>18 Q. And when was the last time you went out to</p> <p>19 the property?</p> <p>20 A. Before COVID. 2020.</p> <p>21 Q. 2020?</p> <p>22 A. I don't know. Hang on. I went out to the</p> <p>23 property in preparation for testimony in followup to</p> <p>24 your questions. So that's last time I was there.</p> <p>25 Q. Over two years ago?</p>	<p style="text-align: right;">Page 50</p> <p>1 A. Yes.</p> <p>2 Q. And do you know whether A-34 accurately</p> <p>3 depicts the current location of all buildings and</p> <p>4 structures on the DPW site?</p> <p>5 A. Well, we haven't updated our survey since</p> <p>6 it was originally done, so the answer would be, no, I</p> <p>7 don't know.</p> <p>8 CHAIRMAN FLANAGAN: Mr. Murawski, I'm</p> <p>9 sorry. Can you speak more closely to the microphone?</p> <p>10 THE WITNESS: My apologies.</p> <p>11 CHAIRMAN FLANAGAN: Just keep it right</p> <p>12 there.</p> <p>13 BY MR. SIMON:</p> <p>14 Q. My recollection is, and you'll correct me</p> <p>15 I'm sure, is that the survey was done back in '20 -- I</p> <p>16 have it in my bag or one of my bags, but it was done in</p> <p>17 '20 maybe '16 thereabouts, right? So, do you want to</p> <p>18 check?</p> <p>19 A. We usually annotate the survey date.</p> <p>20 Q. Did you do that here?</p> <p>21 A. It was dated July 22nd, 2017.</p> <p>22 Q. July 22nd, 2017. Okay. So we're almost</p> <p>23 five years later, four and a half years later. So</p> <p>24 since July of 2017 you have no idea whether any of the</p> <p>25 buildings or structures have been moved or relocated at</p>
<p style="text-align: right;">Page 51</p> <p>1 the DPW site?</p> <p>2 A. That would be a fair statement.</p> <p>3 Q. And are you aware that since July 22nd of</p> <p>4 2017 that a new building was erected with offices,</p> <p>5 sleeping accommodations, bathroom, locker room; are you</p> <p>6 aware of that?</p> <p>7 A. No.</p> <p>8 Q. Do you know where that's located, sir?</p> <p>9 A. No.</p> <p>10 Q. No one ever told you?</p> <p>11 A. Correct.</p> <p>12 Q. And with regard to the existing trees and</p> <p>13 woods area that is shown on A-34, since you haven't</p> <p>14 been out there since 2020, you're not aware of the</p> <p>15 condition of any of the existing trees or woods;</p> <p>16 correct?</p> <p>17 A. If they have since subsequently been</p> <p>18 altered in some way shape or form? I --</p> <p>19 Q. Right. We don't know if a tree fell</p> <p>20 because of a storm or anything like that; correct?</p> <p>21 A. Correct.</p> <p>22 Q. And do you know whether any of the trees or</p> <p>23 even the plantings that you show on A-34 are regularly</p> <p>24 maintained by the Township or by the DPW?</p> <p>25 A. I do not know.</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. And you reference here relocation of a</p> <p>2 trailer, right, in the vicinity of the compound. Do</p> <p>3 you know where that trailer's being relocated to?</p> <p>4 A. No.</p> <p>5 Q. Of the trees that are identified as</p> <p>6 remaining, and you went through that in response to the</p> <p>7 Board's questions, are you aware whether any of them</p> <p>8 are dead, diseased or dying?</p> <p>9 A. I am not.</p> <p>10 Q. You're not. Do you recall creating an</p> <p>11 exhibit under drawing SP-2 where there was identified</p> <p>12 tree species to be removed?</p> <p>13 A. Your question is am I aware?</p> <p>14 Q. Yes.</p> <p>15 A. Yes.</p> <p>16 Q. You are. You recall that? Do you recall</p> <p>17 when you created that exhibit?</p> <p>18 A. I do.</p> <p>19 Q. When was that, sir?</p> <p>20 A. Again, around approximately the same time</p> <p>21 when I was in preparation for my follow-up testimony in</p> <p>22 response to a request made by you.</p> <p>23 Q. And do you recall that on that Sheet SP-2</p> <p>24 that you didn't re-date but it was dated, still dated</p> <p>25 March 4th, 2019, under tree species to be removed you</p>

<p style="text-align: right;">Page 53</p> <p>1 identified some trees that were dead or dying; do you</p> <p>2 recall that, sir?</p> <p>3 A. I recall several trees being dead or dying,</p> <p>4 but I don't remember what happened to that log.</p> <p>5 Q. And did you yourself determine whether they</p> <p>6 were dead, diseased or dying?</p> <p>7 A. No.</p> <p>8 Q. You had someone go out there?</p> <p>9 A. Yes.</p> <p>10 Q. But you don't remember who or what or when?</p> <p>11 A. Oh, I do. I was there at the same time.</p> <p>12 Q. That was a couple of years ago?</p> <p>13 A. Same time that I was in preparation for</p> <p>14 your follow-up questions.</p> <p>15 Q. And based on that exhibit, that Sheet SP-2,</p> <p>16 trees one, two, three, eleven -- I'm sorry, under the</p> <p>17 current proposal, trees one, two, three, 11 and 12 are</p> <p>18 to remain; is that correct?</p> <p>19 A. Correct.</p> <p>20 Q. And all those are deciduous trees that will</p> <p>21 lose their trees in the Winter; correct?</p> <p>22 A. Correct.</p> <p>23 Q. And on the March 4th, 2019, Sheet SP-2</p> <p>24 trees two, three, and 11 from over two years ago are</p> <p>25 identified as dead trees; correct?</p>	<p style="text-align: right;">Page 54</p> <p>1 MR. SCHNEIDER: Mr. Murawski, Mr. Simon is</p> <p>2 asking you a series of questions. I don't know if you</p> <p>3 have the exhibit.</p> <p>4 THE WITNESS: I don't. Correct.</p> <p>5 BY MR. SIMON:</p> <p>6 Q. So I'll state it again, because Mr.</p> <p>7 Schneider informed me that you may not have had the</p> <p>8 exhibit when I asked you the question. So on the March</p> <p>9 4th, 2019, Sheet SP-2, trees two, three, and 11 are</p> <p>10 identified as dead trees; correct?</p> <p>11 A. Correct.</p> <p>12 Q. And that was from over two years ago;</p> <p>13 right?</p> <p>14 A. Yes.</p> <p>15 Q. That just leaves trees one and 12 that are</p> <p>16 not dead trees that are to remain based on this current</p> <p>17 proposal; correct?</p> <p>18 A. Correct.</p> <p>19 Q. And if the equipment compound is extended</p> <p>20 as testified to earlier those trees would have to be</p> <p>21 removed as well, potentially; correct?</p> <p>22 A. Potentially, too. Correct.</p> <p>23 Q. Now, I see you've identified in the area</p> <p>24 trees that are -- well, let me ask it. Is it accurate</p> <p>25 to state that you identified on your A-34 trees in the</p>
<p style="text-align: right;">Page 55</p> <p>1 vicinity of the cell tower that are 6 inches in DBH,</p> <p>2 diameter-breast height or greater; is that correct or</p> <p>3 not?</p> <p>4 A. We have identified the breast. I don't</p> <p>5 know what our criteria that we used in identifying</p> <p>6 those breasts.</p> <p>7 Q. You don't know?</p> <p>8 A. Right.</p> <p>9 Q. So you don't know how far off the ground</p> <p>10 the measurement was?</p> <p>11 BOARD MEMBER NEWLIN: So Rob, I'm not sure</p> <p>12 if this is more for the record or for us, but would it</p> <p>13 be possible?</p> <p>14 MR. SIMON: It's all for you.</p> <p>15 BOARD MEMBER NEWLIN: That's never happened</p> <p>16 so. Why don't you use the pointer or ask the engineer</p> <p>17 to use the pointer as you're referring to certain trees</p> <p>18 that are going to be removed so we can follow on the</p> <p>19 plan.</p> <p>20 MR. SIMON: Sure. I have no problem doing</p> <p>21 that.</p> <p>22 THE WITNESS: To answer the question you</p> <p>23 just asked, it looks like the minimum breast diameter</p> <p>24 is 6 inches that we have identified on the plan.</p> <p>25 MR. SIMON: So would you like him to go</p>	<p style="text-align: right;">Page 56</p> <p>1 back and identify?</p> <p>2 BOARD MEMBER NEWLIN: I don't want to slow</p> <p>3 you guys down, but it is feasible to actually point to</p> <p>4 the trees that you're talking about being removed.</p> <p>5 MR. SIMON: Sure.</p> <p>6 THE WITNESS: So on SP-2 we have identified</p> <p>7 with a black -- we have identified the trees to be</p> <p>8 removed by using a black "X" over the tree. And</p> <p>9 adjacent to the tree we have a call-out, calling out</p> <p>10 the caliper and simply giving that tree a number.</p> <p>11 BOARD MEMBER NEWLIN: I'm sorry. You're</p> <p>12 referring to if there's a collocator, weren't you?</p> <p>13 THE WITNESS: No. Right now I'm just --</p> <p>14 BOARD MEMBER NEWLIN: Mr. Simon, your</p> <p>15 question before was if there was a certain collocator</p> <p>16 certain trees would be removed.</p> <p>17 MR. SIMON: No. There's two points. Point</p> <p>18 number one, is that the Applicant is telling the Board</p> <p>19 that due to its shrinking of the equipment compound</p> <p>20 that they're saving trees. What I'm saying to you, and</p> <p>21 I believe that they identify five trees that they've</p> <p>22 saved. However, what I just pointed out I hope through</p> <p>23 cross-examination is that of those five trees that they</p> <p>24 are saving by their reduction of the compound that</p> <p>25 three of them are already dead. And the fact that</p>

<p style="text-align: right;">Page 57</p> <p>1 they're already dead has been acknowledged by the</p> <p>2 engineer for over two years now. So that's point</p> <p>3 number one.</p> <p>4 Point number two, is that of the trees that</p> <p>5 are to remain, which is one and 12, that if the</p> <p>6 compound or the leased area is going to be used by</p> <p>7 another carrier that there's nothing to prevent trees</p> <p>8 one and 12, the only two allegedly healthy trees,</p> <p>9 although we don't have any testimony to that extent, we</p> <p>10 have no guarantee that those trees will not be</p> <p>11 automatically removed per the state and Federal rights</p> <p>12 of collocation.</p> <p>13 BOARD MEMBER NEWLIN: And tree number one</p> <p>14 is the 24-inch Red Maple?</p> <p>15 MR. SIMON: That's correct.</p> <p>16 BY MR. SIMON:</p> <p>17 Q. Right, Mr. Murawski?</p> <p>18 A. Well, I'm just going to point out that tree</p> <p>19 12 is outside of the overall lease area.</p> <p>20 Q. Oh, tree 12 is already outside the leased</p> <p>21 area?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. That's fine. So tree 12 could</p> <p>24 potentially -- could you use your pointer and identify</p> <p>25 where tree 12 is?</p>	<p style="text-align: right;">Page 58</p> <p>1 A. I believe that's tree 12 right here.</p> <p>2 (Indicating on Exhibit A-34.)</p> <p>3 Q. And show for the Board's edification where</p> <p>4 the leased area is extended to since it's a little</p> <p>5 dash.</p> <p>6 A. This dashed line here is the overall --</p> <p>7 that's the overall lease area.</p> <p>8 Q. Okay. Thank you for that clarification.</p> <p>9 So then I asked you about the fact that</p> <p>10 what you're showing here are only trees that have a</p> <p>11 diameter of unknown measurement location of a minimum</p> <p>12 of 6 inches; correct?</p> <p>13 A. Correct.</p> <p>14 Q. And we don't know the heights of any of</p> <p>15 these trees other than what you say is what your</p> <p>16 surveyor told you that's not in the record; correct?</p> <p>17 A. Correct.</p> <p>18 Q. And how many trees that are less than 6</p> <p>19 inches in diameter-breast height are being removed by</p> <p>20 virtue of the disturbance to create this compound and</p> <p>21 the flagless flagpole or the tree pole?</p> <p>22 A. I don't know.</p> <p>23 Q. You don't know. Do you know the heights of</p> <p>24 any of those trees that are less than 6 inches in</p> <p>25 diameter-breast height that are going to be needed to</p>
<p style="text-align: right;">Page 59</p> <p>1 be removed as a result of this disturbance?</p> <p>2 A. No.</p> <p>3 Q. And you don't know obviously the extent of</p> <p>4 their canopies; right?</p> <p>5 A. Correct.</p> <p>6 Q. With regard to the canopies actually that</p> <p>7 are shown on your A-34 did you go out and actually</p> <p>8 measure those?</p> <p>9 A. No.</p> <p>10 Q. So how do you know that those tree canopies</p> <p>11 that you're showing or depicting on A-34 accurately</p> <p>12 depicted the canopies of those trees that are either</p> <p>13 going to be removed or are to remain?</p> <p>14 A. So our surveyor --</p> <p>15 Q. The surveyor is not here.</p> <p>16 A. Correct. But his -- part of his process is</p> <p>17 to compare an aerial diagram with his survey in</p> <p>18 determining the extent of the branching.</p> <p>19 Q. And has any of that been submitted to the</p> <p>20 Board?</p> <p>21 A. No.</p> <p>22 Q. And with regard to these trees that are</p> <p>23 going to be removed that are less than 6 inches in</p> <p>24 diameter, do you know how many of them are deciduous</p> <p>25 versus evergreens?</p>	<p style="text-align: right;">Page 60</p> <p>1 A. I do not.</p> <p>2 CHAIRMAN FLANAGAN: Mr. Simon, can I ask</p> <p>3 you a question?</p> <p>4 MR. SIMON: Of course.</p> <p>5 CHAIRMAN FLANAGAN: Just on that last point</p> <p>6 you made. So we have a diagram in front of us that</p> <p>7 somebody drew. Maybe this is a question for the</p> <p>8 witness. Who drew this, this site plan?</p> <p>9 THE WITNESS: That's -- the survey is the</p> <p>10 background for the site plan. So our surveyor who did</p> <p>11 all of this work drew those canopies.</p> <p>12 CHAIRMAN FLANAGAN: So the picture that</p> <p>13 we're looking at, what is that A-34?</p> <p>14 MR. SIMON: A-34.</p> <p>15 CHAIRMAN FLANAGAN: So A-34 was that drawn</p> <p>16 by the surveyor, or who drew that?</p> <p>17 THE WITNESS: What part of it?</p> <p>18 CHAIRMAN FLANAGAN: The tree canopies.</p> <p>19 THE WITNESS: The surveyor.</p> <p>20 CHAIRMAN FLANAGAN: All right. So this is</p> <p>21 a sealed document. And I'm just trying to understand</p> <p>22 Mr. Simon's point. So it's a sealed document from a</p> <p>23 surveyor. Can we not rely on that as accurate?</p> <p>24 MR. SIMON: Well, it's not done by a</p> <p>25 surveyor.</p>

<p style="text-align: right;">Page 61</p> <p>1 CHAIRMAN FLANAGAN: Well, wait. He just</p> <p>2 said it was done by a surveyor.</p> <p>3 So who drew that diagram that we're looking</p> <p>4 at?</p> <p>5 THE WITNESS: Who drew the what?</p> <p>6 CHAIRMAN FLANAGAN: The diagram on the</p> <p>7 screen, who drew that?</p> <p>8 THE WITNESS: The extent of the branching</p> <p>9 of the existing trees --</p> <p>10 CHAIRMAN FLANAGAN: Or any part of it.</p> <p>11 But, yes, in particular the branches, the extent of the</p> <p>12 branches on the trees.</p> <p>13 THE WITNESS: It was drawn by our surveyor,</p> <p>14 as was everything that's existing on the site at the</p> <p>15 time of the surveyor.</p> <p>16 CHAIRMAN FLANAGAN: So let me ask Steve.</p> <p>17 MR. MLENAK: Are you talking about the</p> <p>18 proposed --</p> <p>19 CHAIRMAN FLANAGAN: No, I'm talking about</p> <p>20 the big tree, the 24-inch -- what is that, number one?</p> <p>21 I can't see.</p> <p>22 So on the existing trees somebody drew that</p> <p>23 canopy. I think he just said the surveyor drew it.</p> <p>24 The surveyor is licensed. Mr. Simon found it's sealed.</p> <p>25 MR. SIMON: It's not sealed. And in fact,</p>	<p style="text-align: right;">Page 62</p> <p>1 the survey that I did find was drawn by a gentleman</p> <p>2 that has initials or a woman who has initials "S.H."</p> <p>3 okay. Is that you, Mr. Murawski?</p> <p>4 THE WITNESS: S.H. is our surveyor.</p> <p>5 BY MR. SIMON:</p> <p>6 Q. Is your surveyor. Okay. And the survey</p> <p>7 was drawn by S.H., which makes a lot of sense. So now</p> <p>8 we're up to A-34?</p> <p>9 CHAIRMAN FLANAGAN: All right. So let me</p> <p>10 just pose that question, because I'm trying to</p> <p>11 understand your point but I think you're saying we</p> <p>12 shouldn't be able to rely on what we see depicted on</p> <p>13 the canopy.</p> <p>14 MR. SIMON: Correct.</p> <p>15 CHAIRMAN FLANAGAN: And my question is,</p> <p>16 Steve, if we have testimony the surveyor drew it, the</p> <p>17 surveyor is not here but nonetheless he sealed the</p> <p>18 plan. So can the Board rely on the extent of the tree</p> <p>19 canopy as we see it depicted here?</p> <p>20 MR. SIMON: Mr. Chairman, I apologize to</p> <p>21 cut you off. But these are not sealed plans. They're</p> <p>22 not.</p> <p>23 CHAIRMAN FLANAGAN: Okay. So you're --</p> <p>24 MR. MLENAK: You're talking about the site</p> <p>25 plan or the survey are not sealed?</p>
<p style="text-align: right;">Page 63</p> <p>1 MR. SIMON: I'm talking about the site</p> <p>2 plan. The site plan is showing these tree canopies</p> <p>3 that were not drawn by the surveyor because his</p> <p>4 initials aren't on the plan.</p> <p>5 MR. MLENAK: Was the survey submitted as</p> <p>6 part of the application? Is that what you're looking</p> <p>7 at S.H.?</p> <p>8 MR. SIMON: Yes. There was a survey, a</p> <p>9 boundary parcel topographic survey.</p> <p>10 MR. MLENAK: Was at that survey signed?</p> <p>11 MR. SIMON: That was sign, I don't know if</p> <p>12 it was sealed, but from July 22nd of 2017.</p> <p>13 MR. MLENAK: Mr. Murawski, your plan that</p> <p>14 is before the Board tonight is based upon that survey</p> <p>15 which was submitted as part of that application and</p> <p>16 signed by S.H.?</p> <p>17 THE WITNESS: Yes.</p> <p>18 MR. SIMON: The original -- the building</p> <p>19 and the outer metes and bounds description of the</p> <p>20 properties that's per the survey. I don't have any</p> <p>21 opposition to that, because it is what it is as it</p> <p>22 existed in 2017. What I take issue with is we're now</p> <p>23 five years later and we're showing tree canopies by</p> <p>24 someone who's not the surveyor.</p> <p>25 CHAIRMAN FLANAGAN: All right. So you're</p>	<p style="text-align: right;">Page 64</p> <p>1 saying on the survey the tree canopies are not shown?</p> <p>2 MR. SIMON: They're not depicted.</p> <p>3 CHAIRMAN FLANAGAN: So the tree canopy on</p> <p>4 this someone else came up with. I guess who drew those</p> <p>5 tree canopies, if they're not on the survey?</p> <p>6 THE WITNESS: Do you have our survey?</p> <p>7 MR. SCHNEIDER: Jim.</p> <p>8 CHAIRMAN FLANAGAN: And just for the Board,</p> <p>9 frankly, I don't know if it makes a difference to me</p> <p>10 personally what's drawn on canopies here. I saw them.</p> <p>11 We all saw them. And it brings up a valid question,</p> <p>12 can we rely on what you said?</p> <p>13 MR. MLENAK: It's a question for the Board</p> <p>14 in terms of the credibility of the witness, that the</p> <p>15 witness is presenting information. If it's based on a</p> <p>16 survey that's signed and sealed as part of the</p> <p>17 application then typically the engineer will rely on</p> <p>18 that, he's presenting that. But what Mr. Simon is</p> <p>19 saying these canopies are not shown in that survey.</p> <p>20 MR. SCHNEIDER: Hold -- I think we're far</p> <p>21 afield here. We have a site plan based on a survey</p> <p>22 that's sealed.</p> <p>23 MR. SIMON: From five years ago.</p> <p>24 MR. SCHNEIDER: Let me finish, Rob, please.</p> <p>25 I would respectfully suggest to the Board</p>

<p style="text-align: right;">Page 65</p> <p>1 that on the hundreds of applications that you've had in</p> <p>2 which an engineer testifies as to trees, on any ask,</p> <p>3 whether it's a residential, I would find it unusual if</p> <p>4 not nonexistent that you've asked the surveyor to be</p> <p>5 brought before the Board.</p> <p>6 CHAIRMAN FLANAGAN: I'm not asking that, to</p> <p>7 be clear. My question is simply, who drew the canopy</p> <p>8 that we're looking at on A-34?</p> <p>9 THE WITNESS: They exist on S-1, which is</p> <p>10 the original survey.</p> <p>11 CHAIRMAN FLANAGAN: So they're sealed? Is</p> <p>12 S-1 a sealed survey?</p> <p>13 THE WITNESS: Yes.</p> <p>14 CHAIRMAN FLANAGAN: There you go. Is that</p> <p>15 not correct, Mr. Simon?</p> <p>16 MR. SIMON: Well, I'm going to move on</p> <p>17 because I think I've made my point.</p> <p>18 CHAIRMAN FLANAGAN: I don't know if you</p> <p>19 have. I mean, don't let me move you one direction or</p> <p>20 the other, but -- all right. Go ahead.</p> <p>21 BY MR. SIMON:</p> <p>22 Q. Mr. Murawski, did you as an engineer</p> <p>23 conduct any evaluation of topography or elevations for</p> <p>24 any properties within three-quarters of a mile of the</p> <p>25 DPW site?</p>	<p style="text-align: right;">Page 66</p> <p>1 A. I did not.</p> <p>2 MR. SCHNEIDER: Mr. Chairman, that's beyond</p> <p>3 really the scope of what was presented here this</p> <p>4 evening.</p> <p>5 MR. MLENAK: He's already testified, you've</p> <p>6 already cross-examined him, so I think --</p> <p>7 MR. SIMON: Well, this is a different</p> <p>8 application.</p> <p>9 MR. SCHNEIDER: It's not a different</p> <p>10 application. It's a revision to the compound reducing</p> <p>11 it by 750 feet. Why topography within three-quarters</p> <p>12 of a mile relates to anything that Mr. Murawski</p> <p>13 testified to this evening befuddles me.</p> <p>14 MR. SIMON: Well, whether you're befuddled</p> <p>15 or not, Mr. Schneider, the bottom line is that if you</p> <p>16 have a proposal that went from 140 feet when the</p> <p>17 Applicant made requests for, you know, to properties as</p> <p>18 to whether they'd be interested in having a cell tower</p> <p>19 to 120 feet not asking, now down to 80 feet or 86 feet</p> <p>20 depending on the type of monopole, that we believe it's</p> <p>21 incredibly relevant in determining whether there are</p> <p>22 alternate sites that based on the topography of those</p> <p>23 sites would be more appropriate for the application.</p> <p>24 If the application is currently proposed at</p> <p>25 80 or 86 feet that there may be certainly other</p>
<p style="text-align: right;">Page 67</p> <p>1 locations, dare I say, outside the Historic District</p> <p>2 that would be appropriate for the sighting of a</p> <p>3 monopole based on the reduced height. And that's why</p> <p>4 I'm asking him about whether he did any -- based on the</p> <p>5 reduction in the height if he did any review of any</p> <p>6 elevations of topography of other properties in the</p> <p>7 area.</p> <p>8 MR. MLENAK: The question is related to the</p> <p>9 current height of 80 feet, which is now being proposed</p> <p>10 by the Applicant as a condition of approval of this</p> <p>11 application which is not amending I think it's an</p> <p>12 appropriate question.</p> <p>13 CHAIRMAN FLANAGAN: There we go.</p> <p>14 BY MR. SIMON:</p> <p>15 Q. So have you?</p> <p>16 A. No.</p> <p>17 MR. SIMON: Just give me a second. I think</p> <p>18 I'm done.</p> <p>19 Q. Mr. Murawski, with regard to, you know, I</p> <p>20 know you haven't submitted anything regarding</p> <p>21 elevations on an engineer drawing or otherwise for</p> <p>22 either the proposed 86-foot tree or the 80-foot</p> <p>23 flagless flagpole.</p> <p>24 Mr. Schneider talked about earlier in his</p> <p>25 introductory remarks about instead of going to a</p>	<p style="text-align: right;">Page 68</p> <p>1 catalog or showing specifications for a pole that</p> <p>2 rather than, and I guess it's going to come from Mr.</p> <p>3 Masters, bring in some photographs. You didn't</p> <p>4 participate at all on any review of any catalog or</p> <p>5 specification for that design; is that correct?</p> <p>6 A. That's correct.</p> <p>7 MR. SIMON: I have nothing further for Mr.</p> <p>8 Murawski. Thank you very much.</p> <p>9 CHAIRMAN FLANAGAN: Mr. Schneider, are you</p> <p>10 done with Mr. Murawski?</p> <p>11 MR. SCHNEIDER: I am.</p> <p>12 CHAIRMAN FLANAGAN: Thank you, Mr.</p> <p>13 Murawski.</p> <p>14 THE WITNESS: Thank you.</p> <p>15 CHAIRMAN FLANAGAN: Does the public have</p> <p>16 any questions related to the testimony Mr. Murawski</p> <p>17 gave tonight? So these are questions for what Mr.</p> <p>18 Murawski spoke about tonight. Any member of the</p> <p>19 public? (No response.)</p> <p>20 All right. Oh, I see one. Can you come on</p> <p>21 up, give us your name and what do we need just the</p> <p>22 name -- we don't need your address just your street.</p> <p>23 MS. SARAH CONINE: Hi. My name is Sarah</p> <p>24 Conine and I'm on 7 Lees Hill Road. My question was</p> <p>25 have you designed a facility like this this close to</p>

<p style="text-align: right;">Page 69</p> <p>1 residents' homes before?</p> <p>2 MR. SCHNEIDER: If you are involved in</p> <p>3 that, Mr. Murawski?</p> <p>4 THE WITNESS: Specifically ask that again,</p> <p>5 near residents' homes?</p> <p>6 MS. CONINE: Yes. What's the closest?</p> <p>7 THE WITNESS: Yes. We've been on</p> <p>8 residential properties.</p> <p>9 MS. CONINE: Close to residential</p> <p>10 buildings?</p> <p>11 THE WITNESS: Yes.</p> <p>12 MS. CONINE: Thank you.</p> <p>13 CHAIRMAN FLANAGAN: Anyone else? Fran,</p> <p>14 come on down.</p> <p>15 MS. FRANCES FRIGERIO: I don't hear very</p> <p>16 well. I have hearing aides on.</p> <p>17 CHAIRMAN FLANAGAN: So come on up front.</p> <p>18 MS. FRANCES FRIGERIO: So forgive me if I'm</p> <p>19 asking a dumb question.</p> <p>20 CHAIRMAN FLANAGAN: Hold on a second.</p> <p>21 Fran, you've got to go to the microphone.</p> <p>22 MS. FRANCES FRIGERIO: I'm sorry. I don't</p> <p>23 hear well and I have hearing aides on. I wish you guys</p> <p>24 would up your microphone.</p> <p>25 CHAIRMAN FLANAGAN: We are speaking loud.</p>	<p style="text-align: right;">Page 70</p> <p>1 Hold on.</p> <p>2 MR. MLENAK: Ma'am, are you represented by</p> <p>3 Mr. Simon?</p> <p>4 Ms. FRANCES FRIGERIO: What?</p> <p>5 MR. MLENAK: Are you represented in this</p> <p>6 matter by Mr. Simon?</p> <p>7 MR. SIMON: No.</p> <p>8 CHAIRMAN FLANAGAN: Is Mr. Simon your</p> <p>9 attorney.</p> <p>10 MS. FRANCES FRIGERIO: No. Can I sit down.</p> <p>11 CHAIRMAN FLANAGAN: No. That's fine. If</p> <p>12 you said yes you had to sit down. Can you tell us your</p> <p>13 name?</p> <p>14 Fran, give us your name and where you live</p> <p>15 for the record.</p> <p>16 Ms. FRANCES FRIGERIO: Excuse me. My name</p> <p>17 is Frances Frigerio. I live 10 Primrose Trail, on</p> <p>18 Mount Kimbel Lake, Harding Township, hundred-year old</p> <p>19 Harding Township, by the way.</p> <p>20 CHAIRMAN FLANAGAN: We have got to keep</p> <p>21 moving. So what's your question for Mr. Murawski?</p> <p>22 MS. FRANCES FRIGERIO: Okay. I'm going to</p> <p>23 be very quick. I'm going by this question of 2021.</p> <p>24 Couldn't the same result -- I'm sure this has been</p> <p>25 answered but I haven't -- by placing antennas like</p>
<p style="text-align: right;">Page 71</p> <p>1 Bernardsville on other structures? And I don't</p> <p>2 understand why not. The firehouse, because I hear</p> <p>3 different stories, they have AT&T. It's working</p> <p>4 wonderfully and they have antennas. Bernardsville has</p> <p>5 antennas. Why is it that I have to go to the post</p> <p>6 office every day and see that? It's very disturbing to</p> <p>7 me.</p> <p>8 CHAIRMAN FLANAGAN: I don't know if that's</p> <p>9 a question related to what Mr. Murawski spoke about.</p> <p>10 Can you answer any of those questions?</p> <p>11 MR. SCHNEIDER: That's not --</p> <p>12 THE WITNESS: No.</p> <p>13 MR. SCHNEIDER: -- that's not within Mr.</p> <p>14 Murawski's purview.</p> <p>15 SECRETARY TAGLAIRINO: Rich, use your</p> <p>16 microphone.</p> <p>17 MR. SCHNEIDER: I'm sorry. I appreciate</p> <p>18 the question, but that's not within Mr. Murawski's</p> <p>19 purview.</p> <p>20 CHAIRMAN FLANAGAN: Fran, you're asking</p> <p>21 questions about engineering stuff, about RF stuff. Can</p> <p>22 you hear me?</p> <p>23 MS. FRANCES FRIGERIO: No. A little</p> <p>24 louder.</p> <p>25 CHAIRMAN FLANAGAN: Come closer.</p>	<p style="text-align: right;">Page 72</p> <p>1 MS. FRANCES FRIGERIO: I'm sorry.</p> <p>2 CHAIRMAN FLANAGAN: Keep coming. He's not</p> <p>3 their radio frequency engineer, right. So I don't know</p> <p>4 if he's the guy to answer questions about different</p> <p>5 technologies. He was talking tonight about where</p> <p>6 things are going to go on the property.</p> <p>7 MS. FRANCES FRIGERIO: Okay.</p> <p>8 CHAIRMAN FLANAGAN: So I don't know if he</p> <p>9 can answer your question. The next person that comes</p> <p>10 up maybe he can.</p> <p>11 MS. FRANCES FRIGERIO: Okay.</p> <p>12 CHAIRMAN FLANAGAN: Do you want to sit up</p> <p>13 front so you can hear better? Sit right there.</p> <p>14 MS. FRANCES FRIGERIO: That's an attorney's</p> <p>15 chair.</p> <p>16 MR. SIMON: I will move my things for you.</p> <p>17 CHAIRMAN FLANAGAN: All right. Does</p> <p>18 anybody else have any questions? (No response.)</p> <p>19 All right. Mr. Schneider, Why don't we</p> <p>20 take a five minute break.</p> <p>21 (Whereupon, a short recess is taken at 8:30 p.m.)</p> <p>22 (Back on the record at 8:36 p.m.)</p> <p>23 CHAIRMAN FLANAGAN: All right. Welcome</p> <p>24 back everybody.</p> <p>25 Lori, call the roll.</p>

<p style="text-align: right;">Page 73</p> <p>1 SECRETARY TAGLAIRINO: Everybody, please</p> <p>2 sit. Mr. Boyan?</p> <p>3 BOARD MEMBER BOYAN: Here.</p> <p>4 SECRETARY TAGLAIRINO: Mr. Addonizio?</p> <p>5 BOARD MEMBER ADDONIZIO: Here.</p> <p>6 SECRETARY TAGLAIRINO: Ms. Sovolos?</p> <p>7 BOARD MEMBER SOVOLOS: Here.</p> <p>8 SECRETARY TAGLAIRINO: Mr. Maselli?</p> <p>9 BOARD MEMBER MASELLI: Here.</p> <p>10 SECRETARY TAGLAIRINO: Mr. Rosenbaum?</p> <p>11 BOARD MEMBER ROSENBAUM: Here.</p> <p>12 SECRETARY TAGLAIRINO: Mr. Symonds?</p> <p>13 BOARD MEMBER SYMONDS: Here.</p> <p>14 SECRETARY TAGLAIRINO: Mr. Newlin?</p> <p>15 BOARD MEMBER NEWLIN: Here.</p> <p>16 SECRETARY TAGLAIRINO: Mr. Flanagan?</p> <p>17 CHAIRMAN FLANAGAN: Here.</p> <p>18 SECRETARY TAGLAIRINO: Mr. Mlenak?</p> <p>19 MR. MLENAK: Here.</p> <p>20 CHAIRMAN FLANAGAN: All right. Mr.</p> <p>21 Schneider welcome back.</p> <p>22 MR. SCHNEIDER: Thank you, Mr. Chairman.</p> <p>23 I'd like to re-call Mr. Masters and remind him that</p> <p>24 he's still under oath.</p> <p>25 MR. MASTERS: Understood.</p>	<p style="text-align: right;">Page 74</p> <p>1 WILLIAM F. MASTERS, having been</p> <p>2 previously sworn, testifies as follows:</p> <p>3 EXAMINATION BY MR. SCHNEIDER:</p> <p>4 Q. Thank you. Mr. Masters, I indicated in my</p> <p>5 opening remarks here this evening that there were two</p> <p>6 items within your purview that you were going to</p> <p>7 address this evening. Let me deal with them in</p> <p>8 sequential or nonsequential order as the case may be.</p> <p>9 MR. SCHNEIDER: Lori, would you be kind</p> <p>10 enough to put up, actually, Exhibit A-33 first?</p> <p>11 SECRETARY TAGLAIRINO: This is A-33?</p> <p>12 THE WITNESS: Yes. It is on the right.</p> <p>13 SECRETARY TAGLAIRINO: Is that enough of</p> <p>14 that that you can see?</p> <p>15 THE WITNESS: Yes. A-33 that's on the</p> <p>16 right.</p> <p>17 MR. SIMON: Please identify.</p> <p>18 MR. SCHNEIDER: I will do so.</p> <p>19 BY MR. SCHNEIDER:</p> <p>20 Q. Mr. Masters, I'm going to refer you to what</p> <p>21 has been premarked as Exhibit A-33. And just by way of</p> <p>22 background while you weren't present at the last</p> <p>23 hearing the Board did ask me, or certain members of the</p> <p>24 Board asked whether (A) I would be willing to provide</p> <p>25 either so to speak catalog cuts or specifications of</p>
<p style="text-align: right;">Page 75</p> <p>1 proposed trees, or potential in the alternative</p> <p>2 photographs of certain trees that we felt or deemed</p> <p>3 appropriate.</p> <p>4 In accordance with that request did I task</p> <p>5 you to take photos of certain tree towers that you felt</p> <p>6 appropriate?</p> <p>7 A. You did.</p> <p>8 Q. And those three photographs are not meant</p> <p>9 to be visual analysis as to its impact but just to show</p> <p>10 the design of a proposed tree; is that correct?</p> <p>11 A. Correct.</p> <p>12 Q. And without me interrupting you could you</p> <p>13 indicate which trees you took photos of and relevant</p> <p>14 information as to each of those three?</p> <p>15 A. Okay. The first image is a photograph of</p> <p>16 an existing tree pole at 22 Van Sickle Road in</p> <p>17 Lafayette Township in Sussex County. The top of that</p> <p>18 pole is at a height of 150 feet. That photograph was</p> <p>19 taken on March 14th of this year. Next one.</p> <p>20 BOARD MEMBER NEWLIN: That's the one we're</p> <p>21 looking at right now, right?</p> <p>22 MR. SCHNEIDER: That's correct. In the</p> <p>23 left-hand corner it indicates the address.</p> <p>24 CHAIRMAN FLANAGAN: Lori, are we going to</p> <p>25 just go through the series that are on this slide? Can</p>	<p style="text-align: right;">Page 76</p> <p>1 you maximize this window, or do you need to go to back</p> <p>2 and forth?</p> <p>3 MR. SCHNEIDER: No. Actually, Lori, you</p> <p>4 can take the other one off for now. That's only</p> <p>5 relevant or might be more relevant relative to A-32.</p> <p>6 CHAIRMAN FLANAGAN: And maybe zoom in,</p> <p>7 Lori, so we can see just the photograph?</p> <p>8 THE WITNESS: It's just a photograph.</p> <p>9 Okay. The next one that is the tree pole</p> <p>10 at the DelBarton School at 230 Mendham Road in Morris</p> <p>11 Township. The height of that pole is 100 feet. There</p> <p>12 appears to be currently three carriers on that pole.</p> <p>13 And the third one I believe this was a tree</p> <p>14 pole that one of the Board members may have mentioned</p> <p>15 at one of the prior hearings. This tree pole is</p> <p>16 located just off of eastbound Route I-78 in Clinton</p> <p>17 Township near the Petticoat Lane overpass. The height</p> <p>18 of this tree pole is 110 feet, 115 feet to top of</p> <p>19 branching. This pole is a T-Mobile tree pole.</p> <p>20 MR. SCHNEIDER: Lori, can we now go to</p> <p>21 Exhibit A-32? Take your time.</p> <p>22 BY MR. SCHNEIDER:</p> <p>23 Q. Okay. Mr. Masters, the Board at the last</p> <p>24 public hearing asked the Applicant whether we would</p> <p>25 consider providing a visual analysis based on the</p>

<p style="text-align: right;">Page 77</p> <p>1 80-foot height offered as a condition of approval. The</p> <p>2 Applicant agreed to do so and am I correct as an</p> <p>3 introductory comment that that is what is reflected on</p> <p>4 Exhibit A-32?</p> <p>5 A. It is. Would it be possible to shrink that</p> <p>6 image down just a tad so we get the image</p> <p>7 identification number in the upper, right-hand corner</p> <p>8 of the photograph? Thank you.</p> <p>9 Q. Before we go into some of the details of</p> <p>10 the visual analysis at 80 feet I'm going to try to save</p> <p>11 everybody some time here and save maybe ten to</p> <p>12 15 minutes of Mr. Simon's cross-examination.</p> <p>13 Can you indicate the means by which these</p> <p>14 particular simulations were prepared, or alternatively</p> <p>15 were the simulations that are reflected in A-32 based</p> <p>16 on the location and same means as your previous visual</p> <p>17 analysis reflected in Exhibits A-28, A-29 and A-30?</p> <p>18 A. Yes. These are adaptations, if you will,</p> <p>19 of the prior photo simulations that were submitted to</p> <p>20 this Board as a result of the original crane test,</p> <p>21 which was conducted on February the 27th, 2018.</p> <p>22 Kind of ironically, or at least</p> <p>23 interestingly, here we are maybe 49 months later, and</p> <p>24 the latest shift of the pole pretty much puts the pole</p> <p>25 back to where it was originally when that crane test</p>	<p style="text-align: right;">Page 78</p> <p>1 was done back in 2018.</p> <p>2 Q. Let me just interrupt you, because Mr.</p> <p>3 Simon made or engaged in extensive cross-examination of</p> <p>4 you and made a lot of -- and devoted a portion of his</p> <p>5 closing statement taking issue with the deviation from</p> <p>6 the proposed tower location versus where the crane test</p> <p>7 was taken. So can you comment on that as you were</p> <p>8 about to address that?</p> <p>9 A. Right. The location where the crane was</p> <p>10 set up back in 2018 was situated 59.6 feet from Lot</p> <p>11 9.04, that would be the lot to the east. The</p> <p>12 subsequent location of the pole on the actual site plan</p> <p>13 application was 58.1 feet, a very minor shift of</p> <p>14 one-and-a-half feet or 18 inches.</p> <p>15 The original location from the crane test</p> <p>16 relative to the Conine Property Lot 55 -- and I just</p> <p>17 want to -- I think I heard earlier this evening that</p> <p>18 that lot was referred to as Lot 5. And it could either</p> <p>19 be my hearing or -- I just wanted to make sure that the</p> <p>20 lot is Lot 55. The original location was at</p> <p>21 120.9 feet. The location on the site plan submittal</p> <p>22 was 93.6 feet from that lot line, which also coincides</p> <p>23 with the Federal and state Historic District boundary</p> <p>24 line. So in other words, the variance that we were</p> <p>25 seeking as part of the application for the setback to</p>
<p style="text-align: right;">Page 79</p> <p>1 the Historic District boundary line was 93.6 feet,</p> <p>2 which was the setback distance to Lot 55.</p> <p>3 The current location to Lot 55 is now</p> <p>4 119.5 feet, which is 25.9 feet further from that lot</p> <p>5 line and the Historic District boundary line that was</p> <p>6 the subject of the site plan application, and is now</p> <p>7 1.4 feet, less than a foot and a half from where the</p> <p>8 crane was set up for the crane test.</p> <p>9 The first image up on the screen identified</p> <p>10 as image 1F, and I believe the Board has the photo</p> <p>11 location aerial photograph where the eight photo</p> <p>12 locations were superimposed in yellow circles on the</p> <p>13 aerial photograph. Lot 1F is the --</p> <p>14 MR. SCHNEIDER: Picture 1F?</p> <p>15 THE WITNESS: I'm sorry?</p> <p>16 MR. SCHNEIDER: Picture 1F.</p> <p>17 THE WITNESS: What did I say, Lot 1F?</p> <p>18 Picture 1F is a view of the proposed</p> <p>19 80-foot pole, 86 feet top of branching taken from the</p> <p>20 entrance driveway to the Harding Township Department of</p> <p>21 Public Works and Recycling Center. The "F" designation</p> <p>22 refers to the fact that this is the sixth series of</p> <p>23 photo simulation alternatives for this project. A, B,</p> <p>24 and C were tree poles at higher heights, 146 feet, 126</p> <p>25 feet, 106 feet. "D" was the flagless flagpole at</p>	<p style="text-align: right;">Page 80</p> <p>1 120 feet. And "E" was the flagless flagpole at a</p> <p>2 hundred feet. So this represents the 86-foot top of</p> <p>3 branch height of the tree pole taken from the entrance</p> <p>4 to the DPW facility, again identified as image 1F.</p> <p>5 Q. And just so we're -- just so we're clear,</p> <p>6 Mr. Masters, to so to speak, apples to apples, these</p> <p>7 are the same vantage points that have been shown on all</p> <p>8 of the prior visual analysis, correct? You didn't take</p> <p>9 it from any different locations, you just based it on</p> <p>10 the original crane test and they're from the same</p> <p>11 location; is that correct?</p> <p>12 A. That's correct. And that's also -- that</p> <p>13 particular vantage point that was taken at the eastern</p> <p>14 boundary of the New Vernon Historic District.</p> <p>15 The second image 2F, photograph taken from</p> <p>16 Village Road at number 17. That being the entrance to</p> <p>17 the new -- excuse me, to the New Vernon Post Office and</p> <p>18 Cafe/Deli Restaurant. That photograph was taken from</p> <p>19 within the New Vernon Historic District. The 86-foot</p> <p>20 tree pole shown in the center portion of the photograph</p> <p>21 to the left of the post office.</p> <p>22 Image 3F photograph that was taken from</p> <p>23 Village Road with evergreen number eight and number</p> <p>24 ten. This of course is also within the New Vernon</p> <p>25 Historic District. The proposed tree pole being</p>

<p style="text-align: right;">Page 81</p> <p>1 located below the prevailing tree height of the</p> <p>2 deciduous trees that you see in the center portion of</p> <p>3 the photograph. Towards the back of the driveway there</p> <p>4 to the right of the evergreen that's just to the right</p> <p>5 of the eve of the dwelling, and just to the left of the</p> <p>6 evergreen that is in the, I would refer to it as dead</p> <p>7 center.</p> <p>8 CHAIRMAN FLANAGAN: Mr. Masters, could you</p> <p>9 just put the laser pointer --</p> <p>10 SECRETARY TAGLAIRINO: I changed the</p> <p>11 batteries. Yellow button, please.</p> <p>12 THE WITNESS: So there's the --</p> <p>13 CHAIRMAN FLANAGAN: Where's the pole?</p> <p>14 Where's the tower?</p> <p>15 THE WITNESS: That's the 86, right there</p> <p>16 where the white cursor is between the existing</p> <p>17 evergreen there and the existing evergreen there. Four</p> <p>18 F, view from Copper Tree Lane at number six.</p> <p>19 CHAIRMAN FLANAGAN: Could you again just</p> <p>20 point to the tower?</p> <p>21 THE WITNESS: Yes. It is right there.</p> <p>22 CHAIRMAN FLANAGAN: Where Lori's cursor is?</p> <p>23 SECRETARY TAGLAIRINO: Which one, the right</p> <p>24 or the left?</p> <p>25 THE WITNESS: Where the red dot is.</p>	<p style="text-align: right;">Page 82</p> <p>1 CHAIRMAN FLANAGAN: Where the cursor is</p> <p>2 currently?</p> <p>3 THE WITNESS: Yes. Can we just real</p> <p>4 quickly go to exhibit -- what is it, 128?</p> <p>5 MR. SCHNEIDER: A-28.</p> <p>6 THE WITNESS: A-28 and go to 4A.</p> <p>7 CHAIRMAN FLANAGAN: And to be clear, what</p> <p>8 we're looking at on the left-hand side of the screen</p> <p>9 that's at a different height; correct?</p> <p>10 THE WITNESS: Correct. Yes, that's it</p> <p>11 right there.</p> <p>12 SECRETARY TAGLAIRINO: That's the crane.</p> <p>13 THE WITNESS: Yes. Yes. And there's the</p> <p>14 tree. And the new tree is that, right in there behind</p> <p>15 that tree right there. Five F, view taken from the</p> <p>16 backyard of 7 Lees Hill Road. This is within the New</p> <p>17 Vernon Historic District, maybe we could just -- we can</p> <p>18 get rid of 29-A on the left and go -- and move the</p> <p>19 other one over, if we can. Perfect. So there's the</p> <p>20 tree pole right there.</p> <p>21 Six F taken from the backyard of 14 Village</p> <p>22 Road also within the New Vernon Historic District.</p> <p>23 Tree pole right there.</p> <p>24 Seven F, view from the Tunis-Ellicks House</p> <p>25 coming into the property. And I'd like, if possible,</p>
<p style="text-align: right;">Page 83</p> <p>1 to go back to A-29 for this view also and take a look</p> <p>2 at image 7A, if we could.</p> <p>3 SECRETARY TAGLAIRINO: Well, there's the</p> <p>4 crane.</p> <p>5 THE WITNESS: There we go. We can now scan</p> <p>6 over to 7F.</p> <p>7 CHAIRMAN FLANAGAN: Mr. Schneider, if you</p> <p>8 can make the tower look like we see in that photo.</p> <p>9 (Laughter.)</p> <p>10 For the public, it's not visible on the</p> <p>11 screen.</p> <p>12 BOARD MEMBER MASELLI: It must be the</p> <p>13 stealth version.</p> <p>14 CHAIRMAN FLANAGAN: It's got to be right</p> <p>15 where Lori's cursor is, or it should be right where</p> <p>16 Lori's cursor is.</p> <p>17 THE WITNESS: It's between --</p> <p>18 CHAIRMAN FLANAGAN: Is it on there?</p> <p>19 THE WITNESS: Yes, it is. It's right</p> <p>20 there.</p> <p>21 CHAIRMAN FLANAGAN: Lori, can you zoom in</p> <p>22 more?</p> <p>23 Lori, go back to the other one.</p> <p>24 You need to have the same -- zoom out of it</p> <p>25 a little on -- the one on the right. Just have the</p>	<p style="text-align: right;">Page 84</p> <p>1 same perspective.</p> <p>2 THE WITNESS: It's in there.</p> <p>3 CHAIRMAN FLANAGAN: Can you make it where</p> <p>4 those two are split so you can see them at the same</p> <p>5 time?</p> <p>6 SECRETARY TAGLAIRINO: I'm getting there.</p> <p>7 Hold on. I was not on the AV club at school. I have</p> <p>8 to scan out a little bit.</p> <p>9 CHAIRMAN FLANAGAN: It's right over the</p> <p>10 center of that dark truck, right?</p> <p>11 THE WITNESS: Yes. Like, actually over the</p> <p>12 top of the red cab of the dark truck. Right.</p> <p>13 CHAIRMAN FLANAGAN: But it's missing.</p> <p>14 Would you agree it's not on this photo, Mr. Schneider?</p> <p>15 THE WITNESS: Right in there.</p> <p>16 CHAIRMAN FLANAGAN: Is it in there, or is</p> <p>17 it missing entirely?</p> <p>18 THE WITNESS: It's in there.</p> <p>19 MR. MLENAK: Maybe go to the crane photo of</p> <p>20 29?</p> <p>21 THE WITNESS: We can go back to image</p> <p>22 seven, which is the photo of the crane.</p> <p>23 CHAIRMAN FLANAGAN: Is that seven on the</p> <p>24 left, Lori?</p> <p>25 SECRETARY TAGLAIRINO: Yes. And here's the</p>

<p style="text-align: right;">Page 85</p> <p>1 crane.</p> <p>2 CHAIRMAN FLANAGAN: You see the crane</p> <p>3 there?</p> <p>4 THE WITNESS: Do you see the top of it</p> <p>5 there? The cursor's going around it.</p> <p>6 SECRETARY TAGLAIRINO: Here's the crane.</p> <p>7 Oh, yeah.</p> <p>8 MR. MLENAK: I see it now.</p> <p>9 BOARD MEMBER MASELLI: See those three</p> <p>10 trees, one, two, three? It's in the middle one. Look</p> <p>11 down lower. But it's really either blurred out or</p> <p>12 something.</p> <p>13 THE WITNESS: Well, it's hard to see it</p> <p>14 because it's blocked by the trees that are in front of</p> <p>15 it from that vantage point.</p> <p>16 Okay. Image 8F taken from the driveway at</p> <p>17 28 Millbrook Road.</p> <p>18 BY MR. SCHNEIDER:</p> <p>19 Q. Mr. Masters, before we get into the</p> <p>20 conclusion as to A-32, Mr. Simon in his closing remarks</p> <p>21 took issue with whether you had -- noted by the way you</p> <p>22 having grown-up in Harding, and commented extensively</p> <p>23 on whether you had given appropriate consideration to</p> <p>24 the visual impact on properties within the Historic</p> <p>25 District.</p>	<p style="text-align: right;">Page 86</p> <p>1 Of the eight photos that were presented</p> <p>2 both on the A-28, A-29 A-30, as well as now A-32, how</p> <p>3 many were taken from either the Historic District or on</p> <p>4 the border of Historic District?</p> <p>5 A. Within the district and/or on the border of</p> <p>6 the district six of the eight photographs were taken</p> <p>7 from the New Vernon Historic District.</p> <p>8 BOARD MEMBER BOYAN: I'm sorry. Quick</p> <p>9 question for Counsel. Is it appropriate to be</p> <p>10 rebutting a closing statement?</p> <p>11 MR. MLENAK: I was going to comment the</p> <p>12 same. I thought the purpose of this was to introduce</p> <p>13 these new exhibits based on the conversation from the</p> <p>14 Board.</p> <p>15 MR. SCHNEIDER: Okay. That's fine.</p> <p>16 BY MR. SCHNEIDER:</p> <p>17 Q. Relative to the means by which the exhibits</p> <p>18 were prepared you did not show the removed -- the trees</p> <p>19 that are proposed to be removed; is that correct?</p> <p>20 A. That's correct.</p> <p>21 Q. Nor did you show the supplemental</p> <p>22 landscaping; correct?</p> <p>23 A. Correct.</p> <p>24 Q. The -- what are your conclusions relative</p> <p>25 to the impact, if any, as to the reduction of the</p>
<p style="text-align: right;">Page 87</p> <p>1 height to 80 feet as a condition of approval?</p> <p>2 A. I think it would fall within step three of</p> <p>3 the Sica Balancing Test relative to the negative</p> <p>4 criteria analysis, where in appropriate locations -- in</p> <p>5 appropriate instances the Board may impose reasonable</p> <p>6 conditions on the application in order to reduce or</p> <p>7 mitigate detrimental impacts, in this case the visual</p> <p>8 impact based upon the height of the proposed structure.</p> <p>9 Q. Before we get to that, let me go back for</p> <p>10 one moment. The second prong of the Sica Balancing</p> <p>11 Test asks or requires the applicant to identify any</p> <p>12 detrimental impacts. Let me cut right to the chase.</p> <p>13 You indicated in rather pain staking detail the benign</p> <p>14 operational nature of the facility, and ultimately</p> <p>15 concluded that the visual impact did not rise to the</p> <p>16 level of substantial impact.</p> <p>17 Based on that original opinion is that</p> <p>18 opinion reaffirmed by, or in any way ameliorated or</p> <p>19 changed by virtue of the 80-foot visual analysis that</p> <p>20 you have prepared?</p> <p>21 A. Yes. I think, you know, I think common</p> <p>22 sense would dictate that the lower -- that the</p> <p>23 structure can be reduced in terms of its height, be</p> <p>24 less of a visual impact. So I think clearly by</p> <p>25 reducing the height of the tree pole by 40 feet from</p>	<p style="text-align: right;">Page 88</p> <p>1 the 126 foot proposal, and even further to the 80 feet</p> <p>2 for a flagless flagpole would certainly improve the</p> <p>3 application -- strengthen the application from the</p> <p>4 standpoint of the Sica Balancing Test as far as</p> <p>5 mitigating or ameliorating detrimental impacts.</p> <p>6 Q. In fact, when you testified as to the third</p> <p>7 prong of the Sica Balancing Test did you not indicate</p> <p>8 that the height was a relevant consideration as the</p> <p>9 Board assessed what conditions may reasonably be</p> <p>10 imposed on the application; correct?</p> <p>11 A. Yes. I mean, at the end of the day when it</p> <p>12 comes to, you know, wireless telecommunications</p> <p>13 applications from a planning perspective visual impact</p> <p>14 is customarily the greatest focus and greatest concern.</p> <p>15 Q. And in your opinion, therefore, the</p> <p>16 reduction in height as a condition of approval fits</p> <p>17 squarely within the third prong of the Sica Balancing</p> <p>18 Test?</p> <p>19 A. I do believe that, yes.</p> <p>20 Q. And notwithstanding whatever impacts there</p> <p>21 are relative to service, when you go to the fourth</p> <p>22 prong of the Sica Balancing Test and you balance that</p> <p>23 level of service verse the reduced impact, the visual</p> <p>24 impact I should say as reflected in A 32, what</p> <p>25 conclusion do you reach?</p>

<p style="text-align: right;">Page 89</p> <p>1 A. I believe that the -- once again, the scale</p> <p>2 tips in favor of the positive in balancing the positive</p> <p>3 benefits versus the negative detrimental impacts. The</p> <p>4 obvious detrimental impact here would be a reduction in</p> <p>5 overall coverage, radio frequency coverage for Verizon</p> <p>6 Wireless, but I believe that the -- that the benefits</p> <p>7 -- by proposing a significant reduction in height here</p> <p>8 outweighs the negative, and that the scale tips in</p> <p>9 favor of the positive criteria.</p> <p>10 Q. And would your opinion be equally</p> <p>11 applicable if the Board so elected in its wisdom to</p> <p>12 condition the approval on an 80-foot flagless flagpole?</p> <p>13 A. Yes. I believe it would.</p> <p>14 MR. SCHNEIDER: Thank you, Mr. Masters. I</p> <p>15 have nothing further, Mr. Chairman.</p> <p>16 MR. FOX: Mr. Schneider, before we get too</p> <p>17 far afield from the testimony about the photo</p> <p>18 simulations, has there been any testimony about what</p> <p>19 was used in terms of manufacturer, make, and model</p> <p>20 number of the artificial tree?</p> <p>21 THE WITNESS: Not from me.</p> <p>22 MR. FOX: Okay. So what did you use for</p> <p>23 the photo simulations?</p> <p>24 THE WITNESS: The actual branching habit of</p> <p>25 the simulated tree pole was taken from the Delbarton</p>	<p style="text-align: right;">Page 90</p> <p>1 tree pole in Morris Township.</p> <p>2 MR. FOX: Okay. So what you used is</p> <p>3 something that is available --</p> <p>4 THE WITNESS: Similar to that branching.</p> <p>5 MR. FOX: Commercially available?</p> <p>6 THE WITNESS: Right.</p> <p>7 MR. FOX: Okay. Thank you.</p> <p>8 CHAIRMAN FLANAGAN: And on that point then,</p> <p>9 so -- do you know, is the tree, the artificial tree</p> <p>10 tapered, meaning that the branches at the top have a</p> <p>11 smaller diameter than do the branches at the bottom,</p> <p>12 like a real tree would?</p> <p>13 THE WITNESS: Yes, they do, which is</p> <p>14 depicted in the photo simulations. The general length</p> <p>15 of branching at the bottom extends out approximately</p> <p>16 20 feet, 10 feet to each side. And they taper up in a</p> <p>17 pyramidal fashion to the top; whereas, the top 5 or</p> <p>18 6 feet which actually extends above the top of the pole</p> <p>19 itself is simply additional branching to create a point</p> <p>20 on the top so it doesn't have that --</p> <p>21 BOARD MEMBER NEWLIN: To make it look more</p> <p>22 like a tree; correct?</p> <p>23 THE WITNESS: Right. So it doesn't look</p> <p>24 like a bottle brush like the one on 287 at Exit 22.</p> <p>25 BOARD MEMBER NEWLIN: May I ask a question?</p>
<p style="text-align: right;">Page 91</p> <p>1 CHAIRMAN FLANAGAN: Yes.</p> <p>2 BOARD MEMBER NEWLIN: Of the two, Mr.</p> <p>3 Masters, I don't know if this is your expertise or not,</p> <p>4 but the other two technologies, the pole and the tree,</p> <p>5 if I can use that, which is easier to extend? Which is</p> <p>6 more cost effective to extend?</p> <p>7 THE WITNESS: Generally, the flagpole is</p> <p>8 easier to extend because you're essentially adding what</p> <p>9 they call radomes which are the portions, the top</p> <p>10 portion of the flagpole where the antennas actually sit</p> <p>11 inside the flagpole so you don't actually see the</p> <p>12 antennas. So they kind of, you know, get stacked above</p> <p>13 the structural part of the tree pole.</p> <p>14 The difficulty with extending a flagpole.</p> <p>15 The difficulty with extending tree poles is the</p> <p>16 pyramidal branching habit that you now have to recreate</p> <p>17 because obviously, you know, evergreen trees don't grow</p> <p>18 like this, they grow like that. So you have to</p> <p>19 re-branch the lower portion of the tree in order to</p> <p>20 maintain the pyramidal character.</p> <p>21 BOARD MEMBER NEWLIN: It's not really a</p> <p>22 structural challenge. It's just you have to re-branch</p> <p>23 everything, is that what you're saying?</p> <p>24 THE WITNESS: Right. I mean, if you're</p> <p>25 designing the pole to be extendible you really need to</p>	<p style="text-align: right;">Page 92</p> <p>1 take that into consideration at the outset when you're</p> <p>2 designing the pole in terms of the foundation, the</p> <p>3 depth of the foundation, the size, the diameter of the</p> <p>4 base of the pole, you know, needs to be factored in at</p> <p>5 the beginning in order to determine whether or not that</p> <p>6 pole can be extended, because if it's not then it's a</p> <p>7 good possibility that that pole will not be able to be</p> <p>8 extended.</p> <p>9 BOARD MEMBER NEWLIN: That's exactly my</p> <p>10 question. Is this being designed to be extended?</p> <p>11 THE WITNESS: I honestly don't know the</p> <p>12 answer to that question.</p> <p>13 MR. SCHNEIDER: The answer, Mr. Newlin, is</p> <p>14 we can, but the Board has made inquiry to me -- not</p> <p>15 made inquiry. The Board has suggested to me that it</p> <p>16 not be made extendible. So the answer is the Applicant</p> <p>17 --</p> <p>18 BOARD MEMBER NEWLIN: Leaned heavily,</p> <p>19 perhaps, rather than suggested.</p> <p>20 MR. SCHNEIDER: But the answer is the</p> <p>21 Applicant can certainly -- there is no issue</p> <p>22 whatsoever.</p> <p>23 BOARD MEMBER NEWLIN: I didn't ask could</p> <p>24 you, I wanted to know are you. So right now, no,</p> <p>25 you're not designing for extension?</p>

<p style="text-align: right;">Page 93</p> <p>1 MR. SCHNEIDER: That's correct, but it's</p> <p>2 easily --</p> <p>3 CHAIRMAN FLANAGAN: But let me say then,</p> <p>4 because from my perspective it needs to be extendible.</p> <p>5 The whole concept was it be built for what's needed,</p> <p>6 not for what may be needed down the road. Right. And</p> <p>7 I think one of the considerations is --</p> <p>8 BOARD MEMBER ADDONIZIO: Not extendable.</p> <p>9 CHAIRMAN FLANAGAN: I'm sorry?</p> <p>10 MR. SCHNEIDER: You said "extendable."</p> <p>11 BOARD MEMBER NEWLIN: We don't want it to</p> <p>12 be designed to be extendable.</p> <p>13 BOARD MEMBER ADDONIZIO: Extendable means</p> <p>14 higher in height?</p> <p>15 CHAIRMAN FLANAGAN: Yes.</p> <p>16 BOARD MEMBER ADDONIZIO: Versus not</p> <p>17 extendable.</p> <p>18 CHAIRMAN FLANAGAN: No. Well, I think --</p> <p>19 was the discussion we had not that we want to build</p> <p>20 this tower at a height no greater than what is required</p> <p>21 for this application, right? However, there is -- I</p> <p>22 can't remember where it is, but a mandate to make sure</p> <p>23 this thing could be extended. It can accommodate</p> <p>24 collocators, no?</p> <p>25 BOARD MEMBER ADDONIZIO: At a lower height.</p>	<p style="text-align: right;">Page 94</p> <p>1 BOARD MEMBER NEWLIN: That was very early</p> <p>2 in the case. Actually this is --</p> <p>3 CHAIRMAN FLANAGAN: Well, was the goal to</p> <p>4 minimize the number of towers that may have to be</p> <p>5 built, actually?</p> <p>6 BOARD MEMBER NEWLIN: Because this is like</p> <p>7 maybe one of the biggest points open that --</p> <p>8 CHAIRMAN FLANAGAN: Whether it can be</p> <p>9 extended or not?</p> <p>10 BOARD MEMBER NEWLIN: What the risk is.</p> <p>11 Should we go into that now or wait?</p> <p>12 MR. MLENAK: I think you should ask</p> <p>13 whatever questions of this witness do you think is</p> <p>14 necessary to have that discussion or have the</p> <p>15 discussion in place at the time --</p> <p>16 MR. SCHNEIDER: The answer from the</p> <p>17 Applicant's perspective, from a structural perspective</p> <p>18 the tower can be built to be either extendible or not</p> <p>19 extendible.</p> <p>20 BOARD MEMBER NEWLIN: But you said under</p> <p>21 this application so far it's built to be not</p> <p>22 extendible.</p> <p>23 MR. SCHNEIDER: It's built not to be</p> <p>24 extendable because to use your phrase --</p> <p>25 BOARD MEMBER NEWLIN: I'm not asking you</p>
<p style="text-align: right;">Page 95</p> <p>1 because. I'm just asking you whether what's the</p> <p>2 situation --</p> <p>3 MR. SCHNEIDER: I don't think -- we can do</p> <p>4 either, but the clear direction that I was receiving,</p> <p>5 and if I'm mistaken I apologize, was that you were</p> <p>6 going to set a height limit and you wanted me to go to</p> <p>7 the Township Committee to ensure that the tower would</p> <p>8 not be increased in height. That was the direction I</p> <p>9 received. If I'm --</p> <p>10 BOARD MEMBER NEWLIN: That was my personal</p> <p>11 view.</p> <p>12 MR. SCHNEIDER: If I'm in error I stand</p> <p>13 corrected, but if the Board wanted to in the</p> <p>14 alternative maintain the flexibility to give a</p> <p>15 collocator the right to extend it it is absolutely and</p> <p>16 unequivocally no issue for the Applicant to design</p> <p>17 either the flagpole or the tree to be structurally</p> <p>18 extendible.</p> <p>19 CHAIRMAN FLANAGAN: What is the -- fair</p> <p>20 enough.</p> <p>21 MR. SCHNEIDER: I'm not looking to avoid</p> <p>22 your answer. I'm not. I'm just trying to -- I'm</p> <p>23 willing to do either, it's --</p> <p>24 BOARD MEMBER NEWLIN: You're a good</p> <p>25 attorney for Verizon, for sure.</p>	<p style="text-align: right;">Page 96</p> <p>1 MR. SCHNEIDER: Well, I'll send them the</p> <p>2 transcript to let them know that.</p> <p>3 Let me draw on 30 years of experience, and</p> <p>4 please don't take that in an arrogant manner. Most</p> <p>5 Boards, most Boards impose a condition that the tower</p> <p>6 be structurally designed to be extendible.</p> <p>7 BOARD MEMBER NEWLIN: To be what?</p> <p>8 MR. SCHNEIDER: To be structurally</p> <p>9 extendible. The reason, if I can -- the reason why</p> <p>10 that's done from experience is Boards want to maintain</p> <p>11 the flexibility of ensuring that if a tower is approved</p> <p>12 in construction that it has the ability to accommodate</p> <p>13 the maximum number of collocators and to avoid multiple</p> <p>14 towers. That's generally how the process unfolds.</p> <p>15 Let me take one step back. Mr. Simon,</p> <p>16 myself and Dr. Eisenstein were involved in the King</p> <p>17 Shopping Center --</p> <p>18 BOARD MEMBER NEWLIN: Rich, I'm sorry. To</p> <p>19 me this is wasting time.</p> <p>20 MR. SIMON: What are we talking about?</p> <p>21 BOARD MEMBER NEWLIN: This is a Historic</p> <p>22 District. This is not a commercial district. Those</p> <p>23 rules to me don't apply. This is a very unique</p> <p>24 situation. I understand. We all understand.</p> <p>25 CHAIRMAN FLANAGAN: So in fairness, you're</p>

<p style="text-align: right;">Page 97</p> <p>1 happy to design it either way, either extendible or not</p> <p>2 extendible?</p> <p>3 MR. SCHNEIDER: Correct.</p> <p>4 CHAIRMAN FLANAGAN: And we can deliberate</p> <p>5 whether or not we want one or the other.</p> <p>6 MR. SCHNEIDER: I'm sorry for diverging.</p> <p>7 CHAIRMAN FLANAGAN: No, not at all. Mr.</p> <p>8 Masters, what's the diameter of the pole for a tree,</p> <p>9 and what's the diameter for poll -- a flagless flagpole</p> <p>10 both at the lower part and at the upper part? And I</p> <p>11 forget what you call it, the radomes.</p> <p>12 THE WITNESS: The normal diameter for the</p> <p>13 bottom of a tree pole is 5 feet. The base diameter of</p> <p>14 a flagpole is 4 feet. The top diameter of a flagpole</p> <p>15 is generally about 18 inches. The diameter of the top</p> <p>16 of a flagpole is generally 3 feet. The reason for that</p> <p>17 being that on a tree pole the antennas are not inside</p> <p>18 the pole, they're attached with a framework outside the</p> <p>19 pole. So the pole itself can be more slender. The</p> <p>20 diameter of the flagpole has to be larger because the</p> <p>21 top portion of the flagpole is what I previously</p> <p>22 referred to as a radome, which is an RF friendly --</p> <p>23 CHAIRMAN FLANAGAN: And what's that</p> <p>24 diameter for the radome?</p> <p>25 THE WITNESS: Three feet, 36 inches.</p>	<p style="text-align: right;">Page 98</p> <p>1 CHAIRMAN FLANAGAN: So to repeat what I</p> <p>2 think I heard -- to repeat what I think you just said,</p> <p>3 to confirm it, the flagless flagpole is a 4-foot</p> <p>4 diameter near the base. It is 3-foot diameter at the</p> <p>5 radome. A tree is 5-foot diameter, and it is 18 inches</p> <p>6 at the top?</p> <p>7 THE WITNESS: Correct.</p> <p>8 CHAIRMAN FLANAGAN: Am I mistaken that the</p> <p>9 Green Village tower the radome is a greater diameter</p> <p>10 than the shaft that's below it? And maybe it's not</p> <p>11 just the Green Village, but I've certainly seen towers</p> <p>12 where the radome is larger diameter than is the pole?</p> <p>13 THE WITNESS: As have I.</p> <p>14 CHAIRMAN FLANAGAN: Okay. That wouldn't be</p> <p>15 the case here?</p> <p>16 THE WITNESS: It kind of looks like a pole</p> <p>17 with a sleeve at the top of it.</p> <p>18 CHAIRMAN FLANAGAN: Yes. That's not the</p> <p>19 case with this one?</p> <p>20 THE WITNESS: Correct.</p> <p>21 CHAIRMAN FLANAGAN: Why is that? Why is it</p> <p>22 different?</p> <p>23 THE WITNESS: Well, I personally -- why is</p> <p>24 that? Just what the design would be of this flagpole.</p> <p>25 I personally --</p>
<p style="text-align: right;">Page 99</p> <p>1 CHAIRMAN FLANAGAN: So could you make the</p> <p>2 lower portion of the flagless flagpole a smaller</p> <p>3 diameter than 4-foot, make it say 2-foot and then have</p> <p>4 the radome with three?</p> <p>5 THE WITNESS: I don't know the answer to</p> <p>6 that question.</p> <p>7 CHAIRMAN FLANAGAN: Mr. Schneider, do you</p> <p>8 know?</p> <p>9 MR. SCHNEIDER: If anyone would know it</p> <p>10 would be Mr. Murawski.</p> <p>11 MR. MURAWSKI: I've never seen a design</p> <p>12 like that.</p> <p>13 CHAIRMAN FLANAGAN: I've seen several of</p> <p>14 them.</p> <p>15 MR. MURAWSKI: Those are older poles.</p> <p>16 CHAIRMAN FLANAGAN: Go ahead.</p> <p>17 THE WITNESS: Should I use this one?</p> <p>18 SECRETARY TAGLAIRINO: Yes.</p> <p>19 MR. MURAWSKI: So those poles are older</p> <p>20 design that had a smaller diameter to begin with, and</p> <p>21 the antennas that were popular at the time and in use</p> <p>22 at the time were smaller and they fit within the</p> <p>23 diameter of that particular pole at that time.</p> <p>24 Subsequently, ten years later, antenna</p> <p>25 upgrades are happening all across the state by all the</p>	<p style="text-align: right;">Page 100</p> <p>1 carriers. Larger antennas are now being deployed</p> <p>2 taller and wider. So that radome, that fiberglass</p> <p>3 shaving in its original diameter cannot contain the new</p> <p>4 antennas. So they simply modified the pole to put a</p> <p>5 larger diameter radome sheeting over the larger</p> <p>6 antennas that are in use today.</p> <p>7 CHAIRMAN FLANAGAN: Okay. So the older</p> <p>8 poles were skinnier. The antenna fit inside the older</p> <p>9 poles. Now the new antennas are bigger so now you need</p> <p>10 a 3-foot diameter radome to fit this.</p> <p>11 THE WITNESS: Generally that's correct.</p> <p>12 CHAIRMAN FLANAGAN: Is it "raydomb"</p> <p>13 d-o-m-b?</p> <p>14 THE WITNESS: D-o-m-e.</p> <p>15 CHAIRMAN FLANAGAN: So 4 foot at the</p> <p>16 bottom, 3 foot at the top, the flagless flagpole,</p> <p>17 versus 5 to 18 inches.</p> <p>18 BOARD MEMBER NEWLIN: Do we have any idea</p> <p>19 what Green Village is then? That's a comparison.</p> <p>20 CHAIRMAN FLANAGAN: Do we know what Green</p> <p>21 Village is?</p> <p>22 I think Green Village is beefier at the</p> <p>23 top.</p> <p>24 THE WITNESS: I remember Green Village</p> <p>25 having that -- it has that sleeve at the top.</p>

<p style="text-align: right;">Page 101</p> <p>1 BOARD MEMBER NEWLIN: But is that roughly 3</p> <p>2 feet at the top, too, just for comparison purposes?</p> <p>3 THE WITNESS: I don't know if it's</p> <p>4 sleeveless. Sleeve could be larger. I don't know.</p> <p>5 BOARD MEMBER MASELLI: It looks smaller.</p> <p>6 CHAIRMAN FLANAGAN: Okay. Anybody else?</p> <p>7 BOARD MEMBER SYMONDS: I have a questions</p> <p>8 for Mr. Masters. Mr. Masters, especially now that most</p> <p>9 of the tree is now down below the tree, or most of the</p> <p>10 antenna is now below the treeline, could you explain to</p> <p>11 me a little bit of the process of creating this photo</p> <p>12 simulation? I assume it's a piece of software. How</p> <p>13 does it determine the transparency associated, or the</p> <p>14 purification factor for the trees and determine what</p> <p>15 trees are in front of the structure, what trees are</p> <p>16 behind. How is that done?</p> <p>17 THE WITNESS: Again, these were formulated</p> <p>18 off of original simulations that were done from</p> <p>19 photographs of a crane that was actually put out there,</p> <p>20 so we had the photograph of the crane boom so we could</p> <p>21 see what the visibility was from the various vantage</p> <p>22 points.</p> <p>23 The factor -- it's a computer program where</p> <p>24 it proportionately reduces the height of the structure</p> <p>25 from what it was previously. We know -- we established</p>	<p style="text-align: right;">Page 102</p> <p>1 what the general ground baseline is of the pole and we</p> <p>2 know what the top of the crane is, and that was at 146</p> <p>3 feet. We're now taking a pole that's slightly greater</p> <p>4 than 50 percent of the height, 58.9 percent to be exact</p> <p>5 of the height of the original pole and superimposing</p> <p>6 that where the original pole was at 146 feet.</p> <p>7 BOARD MEMBER SYMONDS: I understand and I</p> <p>8 appreciate that the elevation of the pole is fairly</p> <p>9 simple geometry. What I'm trying to get at is the</p> <p>10 visibility. In other words, you know, you're showing</p> <p>11 that -- in the view we see right now you're showing</p> <p>12 that pole, the bottom portion of that pole we'll say,</p> <p>13 is obscured by the tree cover. And the question I'm</p> <p>14 trying to get to the bottom of is the degree of that --</p> <p>15 you know, the degree to which it is obscured is that</p> <p>16 something that the software calculates somehow or is</p> <p>17 that something that the operator says, well, it's going</p> <p>18 to be 10 percent, 20 percent, 30 percent, 40 percent</p> <p>19 obscured?</p> <p>20 THE WITNESS: It's done through the</p> <p>21 computer program coupled with the fact that, again, we</p> <p>22 have the original photo simulations that we could see</p> <p>23 the crane where it was projecting up behind the</p> <p>24 existing vegetation and where it came out above the</p> <p>25 height of the existing vegetation, and that tells us</p>
<p style="text-align: right;">Page 103</p> <p>1 based upon where we're able to see the base of the</p> <p>2 crane is where we're able to see the tree behind the</p> <p>3 existing deciduous vegetation below the tree line.</p> <p>4 BOARD MEMBER SYMONDS: So again, is it</p> <p>5 something the operator determines or is it something</p> <p>6 the software determines?</p> <p>7 THE WITNESS: It's something that the</p> <p>8 software, it's called Studio 3D. It's a computer</p> <p>9 application.</p> <p>10 BOARD MEMBER SYMOND: Thank you.</p> <p>11 CHAIRMAN FLANAGAN: Anybody else on the</p> <p>12 Board?</p> <p>13 MR. MLENAK: I have a question.</p> <p>14 BOARD MEMBER BOYAN: I'd be happy --</p> <p>15 CHAIRMAN FLANAGAN: Steve has a question.</p> <p>16 MR. MLENAK: George has a question.</p> <p>17 CHAIRMAN FLANAGAN: George has a question?</p> <p>18 You guys can duke it out. Whoever wants to go first.</p> <p>19 MR. MLENAK: Mr. Masters, you commented on</p> <p>20 the impact to steps two, three, and four of the Sica</p> <p>21 test. I think at the last hearing there was testimony</p> <p>22 that by lowering it to 80 feet it does eliminate the</p> <p>23 service to the school. So can you comment on the</p> <p>24 impact of lowering it 80 feet on the first step which</p> <p>25 is public interest?</p>	<p style="text-align: right;">Page 104</p> <p>1 THE WITNESS: Again, from the Applicant's</p> <p>2 perspective that's a detriment. But in terms -- the</p> <p>3 Sica Balancing Test is a weighing process of balancing</p> <p>4 the positives against the negatives. The Applicant</p> <p>5 here is willing -- I believe -- someone can correct me</p> <p>6 if I'm wrong, I believe the coverage, if the school was</p> <p>7 depleted in one of the frequency bands but not both of</p> <p>8 the bands, but in any event I believe that the visual</p> <p>9 benefit of reducing this thing 40 feet that's a</p> <p>10 significant reduction in the height of the pole</p> <p>11 outweighs the loss in the coverage area.</p> <p>12 MR. MLENAK: So whatever reduction in the</p> <p>13 public interest is, in your opinion, made up for by the</p> <p>14 benefit of the reduced visual impact?</p> <p>15 THE WITNESS: Correct.</p> <p>16 CHAIRMAN FLANAGAN: George?</p> <p>17 BOARD MEMBER BOYAN: I'm glad I let Counsel</p> <p>18 go first because he set me up nicely here.</p> <p>19 The 40-foot change you just described as</p> <p>20 substantial, and as a result of that substantial</p> <p>21 reduction you believe that it increases the detrimental</p> <p>22 effects so that when you do the balancing of step four</p> <p>23 of the negative criteria it balances in the favor of</p> <p>24 the application; is that your testimony?</p> <p>25 THE WITNESS: Yes.</p>

<p style="text-align: right;">Page 105</p> <p>1 BOARD MEMBER BOYAN: So then why is the</p> <p>2 change, the 40-foot change which you described as</p> <p>3 substantial, not substantial enough to reopen the</p> <p>4 requirement under the positive criteria to look for</p> <p>5 alternative sites at this new 80-foot level?</p> <p>6 THE WITNESS: I don't know that we have --</p> <p>7 for one thing I don't know that we have willing</p> <p>8 landlords for alternate sites.</p> <p>9 BOARD MEMBER BOYAN: Well, let's be clear,</p> <p>10 though. The reason we don't have willing landlords at</p> <p>11 the 80-foot height is partially because we haven't</p> <p>12 asked any landlords at the 80-foot height; is that</p> <p>13 correct?</p> <p>14 THE WITNESS: True. That's a decision that</p> <p>15 I guess the Applicant would have to make in terms of</p> <p>16 recontacting the other candidates that were looked at</p> <p>17 initially.</p> <p>18 BOARD MEMBER BOYAN: I agree with that</p> <p>19 comment, and I think it's a decision that the Applicant</p> <p>20 has made.</p> <p>21 MR. SCHNEIDER: Right. The decision has</p> <p>22 been made by the Applicant, but let's not lose site of</p> <p>23 the fact, which has been loss site of, that the Harding</p> <p>24 Township Elementary School is subject to the same</p> <p>25 bidding laws as the Township. If the Harding Township</p>	<p style="text-align: right;">Page 106</p> <p>1 Elementary School at any time since 2018 or 2019 wanted</p> <p>2 to go out to bid they could have gone out to bid, and</p> <p>3 imposed whatever height requirement they so chose.</p> <p>4 BOARD MEMBER BOYAN: I completely agree,</p> <p>5 but I don't know that that relieves the Applicant of</p> <p>6 the requirement under the positive criteria to seek</p> <p>7 alternative sites. And when it was done at the</p> <p>8 elementary school it was done at, I believe, 140 foot,</p> <p>9 which is almost 50 percent shorter than what was</p> <p>10 contemplated today.</p> <p>11 MR. SCHNEIDER: The numbers are what the</p> <p>12 numbers are. I've indicated to you that I think that</p> <p>13 the Applicant given the length of time has made a very</p> <p>14 good-faith effort. If the Harding Township Elementary</p> <p>15 School wanted to go out to bid at 80 feet it would have</p> <p>16 had the right at any time, or any lower height that it</p> <p>17 so chose. It chose not to and now five-and-a-half</p> <p>18 years after the original bid to now engage in a public</p> <p>19 bidding process with the Harding Township Elementary</p> <p>20 School, which I would note by the way since you brought</p> <p>21 up the subject, requires the same use variance, same</p> <p>22 nature of the variance relief. There's no different</p> <p>23 zoning applicable to the Harding Township Elementary</p> <p>24 School than it is to the DPW property. Same nature of</p> <p>25 the relief that's sought -- wait, let me finish --</p>
<p style="text-align: right;">Page 107</p> <p>1 same nature of the relief that's sought. And for all</p> <p>2 the reasons that I indicated in my cross-examination of</p> <p>3 Mr. Steck represents a far greater intensification</p> <p>4 relative to an existing use in the Harding Township DPW</p> <p>5 property.</p> <p>6 CHAIRMAN FLANAGAN: So let me ask, and</p> <p>7 guys, you'll get a chance to ask questions as you go</p> <p>8 along with the application. So Steve, Mr. Simon</p> <p>9 brought it up earlier, the question whether this is an</p> <p>10 amendment or a new application. And I think we're</p> <p>11 touching on it again, George's point, given this is --</p> <p>12 I'm not going to characterize it, but a minimum</p> <p>13 different height tower. Does it necessitate, you know,</p> <p>14 I think Mr. Simon replied, either a new application or</p> <p>15 how do we as a Board think about that?</p> <p>16 MR. MLENAK: So the application that was</p> <p>17 filed was for a hundred feet and I believe it was</p> <p>18 amended for 120 feet.</p> <p>19 MR. SIMON: Hundred and forty.</p> <p>20 MR. MLENAK: A hundred-forty feet, and that</p> <p>21 would be the application before the Board. What the</p> <p>22 Applicant is proposing is to not amend the application</p> <p>23 but to ask that if you wanted to condition that as part</p> <p>24 of your third step in the Sica Balancing Test to</p> <p>25 approve it only at a height of 80, 86 feet, whatever it</p>	<p style="text-align: right;">Page 108</p> <p>1 is, that they would accept that condition. That does</p> <p>2 not require an amendment to the application.</p> <p>3 With respect, however, to whether they have</p> <p>4 an obligation under the positive criteria to seek</p> <p>5 alternative sites, that's a fact-based inquiry that you</p> <p>6 will need to make. And you will need to make it at 140</p> <p>7 feet. And if you so condition it at 80 feet it is a</p> <p>8 reasonable question to ask before you vote on that</p> <p>9 whether or not that has been accomplished by the</p> <p>10 Applicant.</p> <p>11 BOARD MEMBER BOYAN: If I could just</p> <p>12 rephrase to make sure I understood what you said.</p> <p>13 Because it's a fact-based argument it's up to this</p> <p>14 Board to determine whether or not that's a reasonable</p> <p>15 and good-faith effort?</p> <p>16 MR. MLENAK: Correct. Subject to the</p> <p>17 standard -- the evidence in the record to support that.</p> <p>18 BOARD MEMBER BOYAN: Thank you.</p> <p>19 CHAIRMAN FLANAGAN: All right. Anyone else</p> <p>20 on the Board?</p> <p>21 BOARD MEMBER ROSENBAUM: Just so it's clear</p> <p>22 in my head. So at the 86-foot if another carrier</p> <p>23 wanted to come they would have to accept what, 60 feet,</p> <p>24 or alternatively decide they wanted another tower or</p> <p>25 pay for this tower to be rebuilt, extended, are those</p>

<p style="text-align: right;">Page 109</p> <p>1 the options?</p> <p>2 MR. SCHNEIDER: Are we referring to a</p> <p>3 flagpole or a tree? I'm not being snooty --</p> <p>4 BOARD MEMBER ROSENBAUM: Well, okay.</p> <p>5 Educate me on both.</p> <p>6 MR. SCHNEIDER: Sure. If it was a tree,</p> <p>7 because each carrier only takes one elevation, and</p> <p>8 let's assume 80 feet for the purpose of this</p> <p>9 discussion.</p> <p>10 BOARD MEMBER ROSENBAUM: Fair enough.</p> <p>11 MR. SCHNEIDER: The second carrier would --</p> <p>12 there's a 10-foot minimum -- generally minimum</p> <p>13 separation between carriers. So the second carrier</p> <p>14 would have available in the tree design a 70 foot.</p> <p>15 BOARD MEMBER ROSENBAUM: If it's -- could</p> <p>16 they say 70 feet is unacceptable to us?</p> <p>17 MR. SCHNEIDER: Could they?</p> <p>18 BOARD MEMBER ROSENBAUM: Yes.</p> <p>19 MR. SCHNEIDER: They could. And then you'd</p> <p>20 have -- they would have to file an application saying</p> <p>21 make the case as to why it isn't and go through the</p> <p>22 same painful process that we have gone through and make</p> <p>23 the case as to why a new tower would be justified when</p> <p>24 70 feet is available.</p> <p>25 BOARD MEMBER ROSENBAUM: And for that new</p>	<p style="text-align: right;">Page 110</p> <p>1 tower --</p> <p>2 MR. SCHNEIDER: They would have to argue</p> <p>3 that whatever height they were proposing on the new</p> <p>4 tower justifies their inability to use the 70-foot</p> <p>5 elevation in a concise manner.</p> <p>6 MR. MLENAK: The 70 foot requires the same</p> <p>7 variance relief.</p> <p>8 CHAIRMAN FLANAGAN: Fair enough.</p> <p>9 BOARD MEMBER NEWLIN: And you're not</p> <p>10 covering the extension scenario. The extension</p> <p>11 scenario wouldn't matter.</p> <p>12 MR. SCHNEIDER: That's correct. So to Mr.</p> <p>13 Newlin's point, if the tower was built -- to be</p> <p>14 structurally built to be extendable, and the Board</p> <p>15 and/or Township did not impose the condition that the</p> <p>16 tower not be extendable as a matter of lease rights,</p> <p>17 the option would be available to extend the height of</p> <p>18 the tower "X" feet to accommodate a collocator; does</p> <p>19 that make sense?</p> <p>20 CHAIRMAN FLANAGAN: Yes.</p> <p>21 BOARD MEMBER ROSENBAUM: Yes. And the</p> <p>22 flagless flagpole will be similar but it's a 20-foot</p> <p>23 difference, is that right?</p> <p>24 MR. SCHNEIDER: I'm sorry?</p> <p>25 BOARD MEMBER ROSENBAUM: And the flagless</p>
<p style="text-align: right;">Page 111</p> <p>1 flagpole is a 20-foot differential between antennas?</p> <p>2 THE WITNESS: The difference is as Dr.</p> <p>3 Eisenstein had commented on, the difference between the</p> <p>4 flagpole and the tree is that generally on a flagpole</p> <p>5 each carrier is taking two elevations. So in this case</p> <p>6 it would be 80 and 70. So 60 and 50. But whether -- I</p> <p>7 can't comment on what other carrier's technical needs</p> <p>8 may be down the road or what other -- you know, I can</p> <p>9 only comment what the available elevations are.</p> <p>10 BOARD MEMBER ROSENBAUM: Thank you.</p> <p>11 CHAIRMAN FLANAGAN: But practically</p> <p>12 speaking, who are the other potential collocators,</p> <p>13 right?</p> <p>14 BOARD MEMBER ROSENBAUM: T-Mobile and AT&T.</p> <p>15 CHAIRMAN FLANAGAN: T-Mobile and AT&T. And</p> <p>16 I think AT&T is only on a roof of a firehouse at</p> <p>17 45 feet. So I think they'd have a heck of a time</p> <p>18 arguing they need a higher elevation than 70 or even</p> <p>19 60.</p> <p>20 BOARD MEMBER ROSENBAUM: Uh-hum.</p> <p>21 CHAIRMAN FLANAGAN: T-Mobile, who knows,</p> <p>22 right, but that leaves you one.</p> <p>23 Anybody else?</p> <p>24 BOARD MEMBER MASELLI: Yes. So of all the</p> <p>25 properties that you did in the photo sims there is a</p>	<p style="text-align: right;">Page 112</p> <p>1 couple of properties that were left out that I think</p> <p>2 have some significant impacts that are a little closer</p> <p>3 than all these photo sims that you've shown us. And</p> <p>4 one in particular -- actually there's two, right, and</p> <p>5 they're there both here: Conine and O'Donnell</p> <p>6 properties.</p> <p>7 Is there a reason why we didn't do any</p> <p>8 photo sims of those properties since those are the ones</p> <p>9 we were focused on primarily on the site plan, 55 feet</p> <p>10 and 120 feet locations?</p> <p>11 Because all these, I agree, you can't see</p> <p>12 it. It's down the road, but there's properties that</p> <p>13 are nestled right underneath this tower.</p> <p>14 THE WITNESS: Well, the post office is</p> <p>15 nestled right underneath the tower, too. The reason I</p> <p>16 didn't take one at Lot 9.04 was because there was a</p> <p>17 gate. I took a picture --</p> <p>18 MR. O'DONNELL: I'll give you the code.</p> <p>19 THE WITNESS: -- from the gate and that's</p> <p>20 why I didn't go onto the property.</p> <p>21 BOARD MEMBER MASELLI: Because a lot of the</p> <p>22 mitigation that we're talking about is from the top</p> <p>23 down. And the more I visit the DPW and stand there</p> <p>24 alone myself and think about alternative ways to do</p> <p>25 this to mitigate, the properties that are closer it</p>

<p style="text-align: right;">Page 113</p> <p>1 would be helpful that the mitigation actually happened</p> <p>2 from the bottom up as well. We keep talking about</p> <p>3 5-foot diameters, 3-foot piers that the engineer talked</p> <p>4 about, 3- or 4-feet high on the structural concrete</p> <p>5 pier. Those are pretty significant perspectives when</p> <p>6 you're talking about only being 55 feet away from</p> <p>7 someone's property.</p> <p>8 So is there any examples or other projects</p> <p>9 that you worked on where this thing grew out of a shed</p> <p>10 or something to mitigate the base? Those are some of</p> <p>11 the things that I'm very concerned about.</p> <p>12 THE WITNESS: I'm not aware of any --</p> <p>13 BOARD MEMBER MASELLI: I'm -- we've got to</p> <p>14 be sensitive to everybody's properties, not just the</p> <p>15 ones that are three, four, five houses away. So how do</p> <p>16 we mitigate the base of these towers other than just</p> <p>17 the height? The height is from a further perspective</p> <p>18 and I appreciate that. It's a very big improvement,</p> <p>19 but I'm concerned about the bottom as well.</p> <p>20 THE WITNESS: Again, the base is going to</p> <p>21 be fencing and --</p> <p>22 BOARD MEMBER MASELLI: But the fence is</p> <p>23 what, 10-feet tall, 8-feet tall?</p> <p>24 THE WITNESS: -- and plant material. I'm</p> <p>25 sorry?</p>	<p style="text-align: right;">Page 114</p> <p>1 BOARD MEMBER MASELLI: How tall is the</p> <p>2 fence?</p> <p>3 MR. SCHNEIDER: Eight.</p> <p>4 THE WITNESS: Eight feet.</p> <p>5 BOARD MEMBER MASELLI: And I didn't see</p> <p>6 anything on the landscape plan as to the type of</p> <p>7 vegetation that you're proposing, the heights. Is it a</p> <p>8 2-inch caliper?</p> <p>9 CHAIRMAN FLANAGAN: They call that the root</p> <p>10 ball. I don't think they call that the caliper.</p> <p>11 BOARD MEMBER MASELLI: These are very</p> <p>12 helpful. I'd like to see them up close, like what's</p> <p>13 going on around the compound. How is it -- how are</p> <p>14 those two properties that are most impacted, what is</p> <p>15 that visual?</p> <p>16 THE WITNESS: Yes. Again, I could not get</p> <p>17 onto the O'Donnell property. And as far as the Conine</p> <p>18 property I just didn't take a picture from there.</p> <p>19 BOARD MEMBER MASELLI: I think it's pretty</p> <p>20 important.</p> <p>21 BOARD MEMBER NEWLIN: Rich, you said before</p> <p>22 that you're more than willing to do whatever</p> <p>23 landscaping -- it's not a direct answer to the concern</p> <p>24 at all, but you said you were willing to do whatever</p> <p>25 landscaping the town wanted within commercial --</p>
<p style="text-align: right;">Page 115</p> <p>1 MR. SCHNEIDER: Yes. And I made the</p> <p>2 additional offer that while I was reluctant of putting</p> <p>3 landscaping on an adjoining property I was willing to</p> <p>4 make a reasonable contribution to the Shade Tree</p> <p>5 Commission if they wanted to install landscaping on</p> <p>6 another property.</p> <p>7 BOARD MEMBER NEWLIN: But there is enough</p> <p>8 room to landscape beyond the town property?</p> <p>9 MR. SCHNEIDER: Yes. Subject to the DPW's</p> <p>10 approval installing supplemental landscaping at the</p> <p>11 base is a non-issue.</p> <p>12 CHAIRMAN FLANAGAN: One last thing. All</p> <p>13 the cables for these things are proposed to be inside</p> <p>14 the tower, is that right?</p> <p>15 MR. MURAWSKI: Correct.</p> <p>16 CHAIRMAN FLANAGAN: And that's either the</p> <p>17 tree or the flagless flagpole?</p> <p>18 MR. SCHNEIDER: Correct.</p> <p>19 CHAIRMAN FLANAGAN: All right. Anyone else</p> <p>20 on the Board have any questions? All right. Do any</p> <p>21 members of the public? I know there's at least two of</p> <p>22 you have questions.</p> <p>23 Oh, I'm sorry, Mr. Simon.</p> <p>24 MR. SIMON: No. They can ask.</p> <p>25 CHAIRMAN FLANAGAN: Do you want to do the</p>	<p style="text-align: right;">Page 116</p> <p>1 public person? All right. If you're not represented</p> <p>2 by Mr. Simon -- well, ladies first. Fran, come on</p> <p>3 down.</p> <p>4 MS. FRIGERIO: I apologize if I'm being</p> <p>5 repetitive in questions.</p> <p>6 CHAIRMAN FLANAGAN: Don't be repetitive.</p> <p>7 MS. FRIGERIO: I want to say it's a great</p> <p>8 improvement in your photos from what I could see, but</p> <p>9 the reduced -- and I'm sure you've answered it. The</p> <p>10 reduction of more than 25 feet, what affect is it going</p> <p>11 to have on the service? Is it only going to service</p> <p>12 Glen Alpin and not Red Gate Road?</p> <p>13 CHAIRMAN FLANAGAN: Fran, come closer.</p> <p>14 MS. FRIGERIO: I'm sorry?</p> <p>15 CHAIRMAN FLANAGAN: So to answer that</p> <p>16 question, right, and we had testimony earlier that</p> <p>17 you're going to lose service over -- you'll have</p> <p>18 reduced service at the school. And they showed us</p> <p>19 some -- at Harding Township school. Can you hear me?</p> <p>20 MS. FRIGERIO: No. What I heard about the</p> <p>21 school is that the school didn't approach them.</p> <p>22 CHAIRMAN FLANAGAN: No, no, no. You asked</p> <p>23 will the service be reduced because the tower is lower.</p> <p>24 MS. FRANCES FRIGERIO: Yes.</p> <p>25 CHAIRMAN FLANAGAN: The answer is yes. We</p>

<p style="text-align: right;">Page 117</p> <p>1 had testimony that we have less service at the school</p> <p>2 and generally speaking there would be less service just</p> <p>3 around --</p> <p>4 MS. FRIGERIO: Well, why are we going</p> <p>5 through all of this? All right. Next. Why not --</p> <p>6 MR. SIMON: I apologize. Is she being</p> <p>7 picked up by a mic?</p> <p>8 CHAIRMAN FLANAGAN: Can you hear me if</p> <p>9 you're standing over there?</p> <p>10 MS. FRIGERIO: I can.</p> <p>11 MR. SIMON: Why don't we do this.</p> <p>12 CHAIRMAN FLANAGAN: There you go.</p> <p>13 MS. FRIGERIO: So what you're saying is why</p> <p>14 not doing it at 80 feet to begin with if it's not going</p> <p>15 to serve all? I mean, here we are going through years</p> <p>16 and we're not going to have full service.</p> <p>17 CHAIRMAN FLANAGAN: Are you saying you want</p> <p>18 it taller?</p> <p>19 MS. FRIGERIO: No. I don't want it at all.</p> <p>20 The point is, how do they come and say we want it</p> <p>21 adjustable? That's like a scam to put it up at 80-foot</p> <p>22 and say oh, we need more for service.</p> <p>23 CHAIRMAN FLANAGAN: So Fran, you've got to</p> <p>24 ask a question.</p> <p>25 MS. FRIGERIO: You keep saying visual</p>	<p style="text-align: right;">Page 118</p> <p>1 impact. What troubles me, those are great photos. Why</p> <p>2 not go on the properties, the historic properties on</p> <p>3 Millbrook and Conine take a picture from their</p> <p>4 backyard. I mean, that's -- they're talking visual</p> <p>5 impact, visual impact. What about the people that have</p> <p>6 lived in this town for so long and then -- then to say</p> <p>7 the school didn't come to us.</p> <p>8 CHAIRMAN FLANAGAN: All right. So we've</p> <p>9 got to ask questions here. And he can't answer your</p> <p>10 question.</p> <p>11 So Mr. Masters, why didn't you go on the</p> <p>12 O'Donnell property? I think he answered that and he</p> <p>13 said there was a gate, right?</p> <p>14 THE WITNESS: There was a gate -- actually</p> <p>15 --</p> <p>16 MS. FRIGERIO: There is no gate.</p> <p>17 CHAIRMAN FLANAGAN: Mr. O'Donnell just said</p> <p>18 there's a gate.</p> <p>19 MS. FRIGERIO: I'll be good.</p> <p>20 CHAIRMAN FLANAGAN: Remember, it's private</p> <p>21 property, right. So he can't just go walk on anybody's</p> <p>22 property.</p> <p>23 MS. FRIGERIO: He can ask permission,</p> <p>24 because that is the biggest issue.</p> <p>25 CHAIRMAN FLANAGAN: All right. What else</p>
<p style="text-align: right;">Page 119</p> <p>1 do you want to ask?</p> <p>2 MS. FRIGERIO: I'm sorry, because I get</p> <p>3 emotional when I heard about the extension. Are all</p> <p>4 the trees in the photos going to remain?</p> <p>5 CHAIRMAN FLANAGAN: Are all the trees in</p> <p>6 the photo. So we had testimony, remember they had the</p> <p>7 picture there and they had some with Xs on them. Those</p> <p>8 are going away.</p> <p>9 Oh, wait. The photos in these photo sims.</p> <p>10 MS. FRIGERIO: What you should have done is</p> <p>11 "X" off on those photos what trees are going to be</p> <p>12 there.</p> <p>13 CHAIRMAN FLANAGAN: Mr. Masters, are all</p> <p>14 the trees in your photo sims remaining?</p> <p>15 THE WITNESS: No.</p> <p>16 MS. FRIGERIO: See, then this isn't fair.</p> <p>17 You can't show us photos when they're not real of what</p> <p>18 it's actually going to look like. (Applause from</p> <p>19 public.)</p> <p>20 Is the town really only receiving \$30,000 a</p> <p>21 year?</p> <p>22 CHAIRMAN FLANAGAN: That's not a question.</p> <p>23 So we have got to ask questions from his testimony</p> <p>24 tonight.</p> <p>25 MS. FRIGERIO: I'm sorry. I just got</p>	<p style="text-align: right;">Page 120</p> <p>1 too -- and what I want to know, I saw the sketch of</p> <p>2 that rectangle. I would like to see how big is the</p> <p>3 driveway? What other buildings you -- I mean, it's not</p> <p>4 like they're putting up a tree or whatever, a cell</p> <p>5 tower. It seems like there's a lot of property leading</p> <p>6 to it, and that we can't see. And in other words, that</p> <p>7 picture --</p> <p>8 CHAIRMAN FLANAGAN: So Mr. Simon I think</p> <p>9 addressed that a little bit. And what I think you're</p> <p>10 asking for elevations, right?</p> <p>11 MS. FRIGERIO: Not elevation. I want to</p> <p>12 see how big is the area leading to that cell tower?</p> <p>13 CHAIRMAN FLANAGAN: Well, we had zoomed in</p> <p>14 on it, but we had the site plan for the entire DPW</p> <p>15 site.</p> <p>16 MS. FRIGERIO: I saw the site plan, but I</p> <p>17 don't know how many feet. I didn't see 6 feet by 20,</p> <p>18 is it --</p> <p>19 CHAIRMAN FLANAGAN: Well, what's the size</p> <p>20 of your compound?</p> <p>21 MR. SCHNEIDER: 60 by 17.5.</p> <p>22 CHAIRMAN FLANAGAN: And what are you fenced</p> <p>23 in on those, same thing?</p> <p>24 MR. SCHNEIDER: The revised comment.</p> <p>25 Originally it was 60 by 30.</p>

<p style="text-align: right;">Page 121</p> <p>1 CHAIRMAN FLANAGAN: And it goes basically</p> <p>2 the length behind the recycling shed and 17 feet back</p> <p>3 from it, is that roughly it?</p> <p>4 MR. SCHNEIDER: That's correct. 17 and a</p> <p>5 half feet.</p> <p>6 CHAIRMAN FLANAGAN: So Fran, it's the</p> <p>7 length of the recycling shed.</p> <p>8 MS. FRIGERIO: How do they approach -- how</p> <p>9 do you go to the cell tower?</p> <p>10 MR. SCHNEIDER: There's an access drive on</p> <p>11 the side of the recycling shed.</p> <p>12 CHAIRMAN FLANAGAN: So you know where the</p> <p>13 gate is? Do you know where the gate is when you're</p> <p>14 going into recycling?</p> <p>15 MS. FRIGERIO: Sure.</p> <p>16 CHAIRMAN FLANAGAN: It's just to the left</p> <p>17 there. Just inside of the --</p> <p>18 MS. FRIGERIO: So they're going in the same</p> <p>19 driveway and then go left?</p> <p>20 CHAIRMAN FLANAGAN: And before you -- like</p> <p>21 instead of driving in to the turnaround there's a path</p> <p>22 that goes into the recycling.</p> <p>23 MS. FRIGERIO: And it's going to be behind</p> <p>24 where we drop-off our newspapers, et cetera?</p> <p>25 CHAIRMAN FLANAGAN: That's right. The</p>	<p style="text-align: right;">Page 122</p> <p>1 bottles and cans.</p> <p>2 MS. FRIGERIO: Well, the bottles are here.</p> <p>3 BOARD MEMBER ROSENBAUM: Behind the bottles</p> <p>4 and cans.</p> <p>5 MS. FRIGERIO: Then we're going to see it.</p> <p>6 If it was back here we wouldn't see it.</p> <p>7 CHAIRMAN FLANAGAN: It's behind the shed.</p> <p>8 So if you're standing there looking at the dumpsters</p> <p>9 where the cans go, their compound is behind the shed.</p> <p>10 The only thing I think you're going to be able to see,</p> <p>11 and I'm sure, is if you look up you'll see the tower.</p> <p>12 The shed is pretty tall, right? The shed is 25-feet</p> <p>13 tall.</p> <p>14 MS. FRIGERIO: Right. They are. So it</p> <p>15 seems to me it's closer to the house on Millbrook than</p> <p>16 it is to the Conine house?</p> <p>17 CHAIRMAN FLANAGAN: That's correct.</p> <p>18 MS. FRIGERIO: But I still think we should</p> <p>19 have --</p> <p>20 CHAIRMAN FLANAGAN: All right. No</p> <p>21 comments, just questions at this point. Anymore</p> <p>22 questions? We have other people who want to ask</p> <p>23 questions.</p> <p>24 MS. FRIGERIO: I want to know when you</p> <p>25 said, what disturbed me is why didn't the school come</p>
<p style="text-align: right;">Page 123</p> <p>1 to us. Didn't you -- didn't they approach the church</p> <p>2 and the Town Hall? I mean, I may be hearing rumors.</p> <p>3 CHAIRMAN FLANAGAN: So the testimony we had</p> <p>4 was Verizon went out to the church and the school and</p> <p>5 said, hey, do you want to put this here?</p> <p>6 MS. FRIGERIO: I know the church --</p> <p>7 CHAIRMAN FLANAGAN: And the church said no</p> <p>8 thanks.</p> <p>9 MS. FRIGERIO: I know why the church.</p> <p>10 CHAIRMAN FLANAGAN: Okay. Whatever, so</p> <p>11 they said no. Both churches, Christ the King as well</p> <p>12 said no. Presbyterian said no. And the school wrote a</p> <p>13 letter and said no.</p> <p>14 MS. FRIGERIO: And the Township Hall?</p> <p>15 CHAIRMAN FLANAGAN: What.</p> <p>16 MS. FRIGERIO: The Town Hall?</p> <p>17 BOARD MEMBER NEWLIN: They said no also.</p> <p>18 CHAIRMAN FLANAGAN: They went to those</p> <p>19 places.</p> <p>20 BOARD MEMBER NEWLIN: This location, you</p> <p>21 mean, right?</p> <p>22 MS. FRIGERIO: But maybe with a lower</p> <p>23 tower --</p> <p>24 CHAIRMAN FLANAGAN: Well, that's the point</p> <p>25 that George brought up and that's something we've got</p>	<p style="text-align: right;">Page 124</p> <p>1 to think about. Maybe we need to say -- and I don't</p> <p>2 know, but that's a question. That is a question.</p> <p>3 MS. FRIGERIO: I think the important thing</p> <p>4 is that the visual impact --</p> <p>5 CHAIRMAN FLANAGAN: All right. Do you have</p> <p>6 any more questions?</p> <p>7 MS. FRIGERIO: I'll be good.</p> <p>8 CHAIRMAN FLANAGAN: Mr. O'Donnell?</p> <p>9 MR. O'DONNELL: I'm just speaking on behalf</p> <p>10 of Steve Schade --</p> <p>11 CHAIRMAN FLANAGAN: You've got to give us</p> <p>12 your name into the microphone. This is all being</p> <p>13 recorded, so --</p> <p>14 MR. O'DONNELL: Neil O'Donnell, 28</p> <p>15 Millbrook Road.</p> <p>16 Steve Schade was here for one reason. The</p> <p>17 major reason was, we all know Steve. He's been working</p> <p>18 here for 30-plus years, New Vernon Motorworks, and he</p> <p>19 was here to say, I will take the pole at any height</p> <p>20 backing up to 287.</p> <p>21 CHAIRMAN FLANAGAN: All right. Thank you.</p> <p>22 Guys, now listen, you've got to do me a</p> <p>23 favor. This is for questions related to the testimony</p> <p>24 you just heard, okay?</p> <p>25 MS. WADE: I'm not sure where this comes</p>

<p style="text-align: right;">Page 125</p> <p>1 from, but -- Leslie Ann Wade, One Village Road.</p> <p>2 My question is, if you guys approve this</p> <p>3 are we taking Verizon's word that they're not going</p> <p>4 above 80 feet? Like, is that how we're going to do it?</p> <p>5 Because you guys are all going to be gone some day and</p> <p>6 somebody else isn't going to care. I don't know. I'm</p> <p>7 asking --</p> <p>8 CHAIRMAN FLANAGAN: So we've got to -- and</p> <p>9 we've got to run this according to the rules. This is</p> <p>10 all by the law, okay.</p> <p>11 MS. WADE: Is that not a question?</p> <p>12 CHAIRMAN FLANAGAN: The question you asked</p> <p>13 --</p> <p>14 MS. WADE: The question is, if they say yes</p> <p>15 are they saying yes to taking you at Verizon by -- on</p> <p>16 your word?</p> <p>17 MR. MLENAK: Mr. Masters can't answer that.</p> <p>18 MR. SCHNEIDER: The answer is, we submit</p> <p>19 construction drawings and the Building Department and</p> <p>20 Mr. Fox reviews and confirms that the tower will not</p> <p>21 exceed the authorized height.</p> <p>22 MR. SIMON: That's not what she asked.</p> <p>23 MS. WADE: I'm asking, what we've been</p> <p>24 talking about for all these years, all of us, listening</p> <p>25 to.</p>	<p style="text-align: right;">Page 126</p> <p>1 BOARD MEMBER NEWLIN: I think we're going</p> <p>2 to discuss this a little bit more.</p> <p>3 MS. WADE: But it's an all right question,</p> <p>4 right?</p> <p>5 BOARD MEMBER NEWLIN: It's a question, but</p> <p>6 I think we will discuss it.</p> <p>7 CHAIRMAN FLANAGAN: It's an open question.</p> <p>8 Thank you. Does anybody else have a question. And</p> <p>9 please can I have a question?</p> <p>10 MS. McKITTRICK: This is a question.</p> <p>11 Christina McKittrick, M-c-K-i-t-t-r-i-c-k, Millbrook</p> <p>12 Road.</p> <p>13 CHAIRMAN FLANAGAN: I'm sorry. Are you</p> <p>14 represented by Mr. Simon?</p> <p>15 MS. McKITTRICK: Not any longer.</p> <p>16 MR. SIMON: It happens to even the best of</p> <p>17 attorneys.</p> <p>18 MS. McKITTRICK: Very simple, did you do</p> <p>19 simulations with the flag monopole?</p> <p>20 THE WITNESS: Well, not with the flag</p> <p>21 because it was --</p> <p>22 MS. McKITTRICK: Or with the monopole?</p> <p>23 THE WITNESS: -- the Board had talked about</p> <p>24 a flagless flagpole. Simulations were done from the</p> <p>25 eight vantage points of a 120-foot tall flagless</p>
<p style="text-align: right;">Page 127</p> <p>1 flagpole, and a 100-foot tall flagless flagpole.</p> <p>2 MS. FRANCES FRIGERIO: But you did not do</p> <p>3 the 80-foot one? Because my understanding we're</p> <p>4 currently discussing an 80-foot flagless flagpole or</p> <p>5 the fake tree?</p> <p>6 THE WITNESS: Well, we currently are, but</p> <p>7 what I was tasked to do what I did I was told to do a</p> <p>8 tree pole, not a flagpole.</p> <p>9 MS. McKITTRICK: Thank you. That's all.</p> <p>10 THE WITNESS: With the Board's indulgence,</p> <p>11 I have to correct something on my testimony. If we</p> <p>12 could go to image 5F. I didn't realize, because the</p> <p>13 original photograph which was Image A identifies it by</p> <p>14 street address. And the title box says, "View from</p> <p>15 backyard of number 7 Lees Hill Road."</p> <p>16 MR. SIMON: Wait. I think he has it wrong.</p> <p>17 Which one are you referring to?</p> <p>18 THE WITNESS: If we go back to image one,</p> <p>19 which is the photograph of the crane.</p> <p>20 CHAIRMAN FLANAGAN: All right. Let's go to</p> <p>21 image one.</p> <p>22 MR. MLENAK: Are you talking about A-32 or</p> <p>23 are you talking about A-29?</p> <p>24 MR. SCHNEIDER: Calm down here, Rob. We'll</p> <p>25 get to it.</p>	<p style="text-align: right;">Page 128</p> <p>1 THE WITNESS: I'm sorry. Image five.</p> <p>2 CHAIRMAN FLANAGAN: Five F?</p> <p>3 THE WITNESS: No. Image five which is the</p> <p>4 photograph of the crane at 146 feet.</p> <p>5 MR. SCHNEIDER: A-28.</p> <p>6 SECRETARY TAGLAIRINO: All right. So where</p> <p>7 am I going with this?</p> <p>8 MR. SCHNEIDER: A-28.</p> <p>9 THE WITNESS: Not the simulation, the</p> <p>10 photograph.</p> <p>11 MR. MLENAK: Five A you said?</p> <p>12 THE WITNESS: No, five. If we could just</p> <p>13 move down to the title box. The title box, view from</p> <p>14 backyard of number 7 Lees Hill Road. Number 7 Lees</p> <p>15 Hill Road is in fact Lot 55. I didn't realize that the</p> <p>16 lot extended all the way over to Lees Hill Road. So I</p> <p>17 did, in fact, take a photograph from the Cornine</p> <p>18 property.</p> <p>19 CHAIRMAN FLANAGAN: And that is the Conine</p> <p>20 property. So there you go. So who was asking that,</p> <p>21 Fran?</p> <p>22 MR. SCHNEIDER: Well, Mr. Maselli.</p> <p>23 BOARD MEMBER MASELLI: But not O'Donnell?</p> <p>24 THE WITNESS: Correct.</p> <p>25 CHAIRMAN FLANAGAN: But in fairness, he did</p>

<p style="text-align: right;">Page 129</p> <p>1 it from -- and I forget your name, I'm sorry. Who's</p> <p>2 your neighbor? No, on the same driveway as you?</p> <p>3 MR. O'DONNELL: Livio.</p> <p>4 CHAIRMAN FLANAGAN: So there is one from</p> <p>5 there.</p> <p>6 MR. FOX: Just to go back to this. If we</p> <p>7 look at 5F, that's labeled as 8 Millbrook, the same</p> <p>8 view.</p> <p>9 THE WITNESS: Five F.</p> <p>10 MR. FOX: That same view is listed as --</p> <p>11 THE WITNESS: Eight Millbrook is the</p> <p>12 address of the property, the DPW yard.</p> <p>13 CHAIRMAN FLANAGAN: View of proposed with</p> <p>14 proposed wireless communication.</p> <p>15 THE WITNESS: The title block in the</p> <p>16 left-hand side is the same in every image.</p> <p>17 MR. FOX: Okay.</p> <p>18 CHAIRMAN FLANAGAN: All right. Corrected.</p> <p>19 BOARD MEMBER ADDONIZIO: But the middle box</p> <p>20 is not the same. So view with proposed versus --</p> <p>21 MR. CARIFA: That's my property, 7 Lees</p> <p>22 Hill Road. That's the photographer's back.</p> <p>23 BOARD MEMBER SYMONDS: But it's taken from</p> <p>24 Copper Tree Lane, correct?</p> <p>25 CHAIRMAN FLANAGAN: So what I just heard is</p>	<p style="text-align: right;">Page 130</p> <p>1 that the Conine property is 7 Lees Hill. It's Tax Lot</p> <p>2 55; is that right? And it was taken from Copper Tree</p> <p>3 Lane with the photographer's back -- finish that</p> <p>4 sentence.</p> <p>5 MR. CARIFA: He's facing the DPW.</p> <p>6 CHAIRMAN FLANAGAN: The photographer's</p> <p>7 facing the DPW.</p> <p>8 Do we need someone sworn in to say that?</p> <p>9 Is that correct, Mr. Masters?</p> <p>10 THE WITNESS: It was taken from the</p> <p>11 backyard of 55 Lees Hill Road.</p> <p>12 CHAIRMAN FLANAGAN: Lot 55 or 55?</p> <p>13 THE WITNESS: I'm sorry. Lot 55, 7 Lees</p> <p>14 Hill Road.</p> <p>15 CHAIRMAN FLANAGAN: Okay. Is that it? Mr.</p> <p>16 Simon? So Mr. Simon, would you like to ask any</p> <p>17 questions of the witness?</p> <p>18 MR. SIMON: I have one or two. I do have a</p> <p>19 while of questions. Do you want me to start?</p> <p>20 CHAIRMAN FLANAGAN: I'd like you to finish.</p> <p>21 (Laughter)</p> <p>22 EXAMINATION BY MR. SIMON:</p> <p>23 Q. Mr. Masters, good evening.</p> <p>24 A. Good evening.</p> <p>25 Q. Mr. Masters, do you recall ever being</p>
<p style="text-align: right;">Page 131</p> <p>1 involved in applications where in an attempt to meet</p> <p>2 the third prong of the negative criteria under the Sica</p> <p>3 balancing test that the Applicant reduce the height of</p> <p>4 the tower?</p> <p>5 A. I've been involved in so many of them.</p> <p>6 Q. I know you have. That's why I'm asking the</p> <p>7 question.</p> <p>8 A. It's hard to remember. I'm sure there</p> <p>9 probably will are. I cannot think of any off the top</p> <p>10 of my head.</p> <p>11 Q. So how many use variance applications have</p> <p>12 you been involved with on behalf of a commercial</p> <p>13 carrier where the Sica balancing test was employed,</p> <p>14 approximately?</p> <p>15 A. Many hundreds.</p> <p>16 Q. So in the many hundreds you can't think of</p> <p>17 one where the Applicant in meeting the third prong of</p> <p>18 the Sica Balancing Test reduced the height of the</p> <p>19 tower?</p> <p>20 A. Again, I can't think of any right now off</p> <p>21 the top of my head.</p> <p>22 Q. And you were present for -- to your</p> <p>23 credit -- for Ms. Boschulte's testimony; correct?</p> <p>24 A. I was.</p> <p>25 Q. And you remember that Ms. Boschulte upon</p>	<p style="text-align: right;">Page 132</p> <p>1 questioning by me, I'm not going to take any credit for</p> <p>2 it, but by members of the Board stated that 80 feet</p> <p>3 would not work for this application, correct?</p> <p>4 A. I was.</p> <p>5 Q. And you also recall exhibits that Ms.</p> <p>6 Boschulte entered into, or testified about where at</p> <p>7 80 feet that most of the signal strength was at a power</p> <p>8 that was greater than, significantly greater than</p> <p>9 desired signal strength for this application; do you</p> <p>10 recall that?</p> <p>11 A. I do.</p> <p>12 Q. And I believe it was asked, but just for</p> <p>13 clarification that there's almost no coverage at</p> <p>14 2100 megahertz at 80 feet; correct?</p> <p>15 A. Right. At the higher bandwidth.</p> <p>16 Q. What's that?</p> <p>17 A. At the 2100 bandwidth.</p> <p>18 Q. And that there's no coverage at 80 feet for</p> <p>19 2100 megahertz at the elementary school; correct?</p> <p>20 A. Correct.</p> <p>21 Q. Do you recall her testimony about the homes</p> <p>22 that would not be covered at 80 feet?</p> <p>23 A. The home that would not be covered?</p> <p>24 Q. The number of homes that would not be</p> <p>25 covered at 80 feet, either at 700 megahertz or 2100</p>

Page 133

1 megahertz?

2 A. I don't remember that.

3 Q. Do you recall her testimony about the

4 coverage that would be lost going from 120 feet to

5 80 feet along Glen Alpin, Blue Mill Road, Lees Hill

6 Road, Village Road, Millbrook Road?

7 A. I remember the comparisons at the lower

8 heights of the coverages.

9 Q. Do you remember what they were

10 specifically?

11 A. Not with any specific detail.

12 Q. And you recall that when I actually -- I

13 asked the question about if you had the tower at

14 80 feet could the coverage from that tower be

15 supplemented by an ODAS design similar to one that was

16 employed that she worked on in Bernardsville, and she

17 actually said no; do you recall that?

18 A. I do.

19 Q. And do you recall that I asked her what the

20 coverage would be below 80 feet if the tower was

21 reduced to something less than 80 feet, and she did not

22 know; correct?

23 A. I don't recall.

24 Q. So if I told you that her testimony was

25 that she neither propagated, neither propagated nor

Page 135

1 A. At the New Vernon firehouse.

2 Q. At the new Vernon Firehouse?

3 A. I am aware of that.

4 Q. Are you aware of that?

5 A. I am.

6 Q. Were you present for the testimony from the

7 various members of the public who do use AT&T as their

8 service provider and that they have --

9 MR. SCHNEIDER: Mr. Chairman, I'm going to

10 object to this. I'm not clear why that's relevant to

11 the proffered testimony.

12 MR. SIMON: Well, the reason is that we're

13 talking about the coverage.

14 MR. SCHNEIDER: Well, Mr. Masters is not

15 talking about the coverage.

16 MR. SIMON: Well, excuse me. Let me

17 proffer it.

18 Mr. Masters gave an opinion tonight about

19 the Sica Balancing Test, balancing the positive

20 criteria and the negative criteria, and I believe it

21 was actually Mr. Mlenak who asked the question about

22 balancing as is required under Sica take into account

23 the positive aspects of the coverage. And so my

24 questioning here is going to that aspect and the fact

25 that no propagation or drive testing was done below

Page 134

1 drove test a tower at 70 feet or 60 feet does that

2 refresh your recollection as to her testimony?

3 A. Yes. I'm pretty certain that there were no

4 propagations done at those heights.

5 Q. So she did no evaluation at the differences

6 between 80 feet, 70 feet, and 60 feet; correct?

7 A. Correct.

8 Q. And we don't know whether any carriers

9 would be locating -- interested in collocating at 70

10 feet; correct?

11 A. We do not.

12 Q. And is it correct for me to state that if

13 there were a scenario where the height of the tower

14 would subsequently be increased from the proposed

15 mitigating condition of 80 feet or 86 feet, as the case

16 may be, that Verizon's agreement with the carrier --

17 only if you know this answer -- would require that

18 Verizon be the top carrier at the highest; if you know?

19 MR. SCHNEIDER: Do you know that answer?

20 THE WITNESS: I don't know the answer to

21 that.

22 BY MR. SIMON:

23 Q. And there was a reference that AT&T has

24 antenna at the roof of the firehouse at 45 feet, are

25 you aware of that?

Page 136

1 80 feet, and there was testimony by various members of

2 the public that at 45 feet at the roof of the firehouse

3 that they have fine coverage. So I was just asking Mr.

4 Masters --

5 MR. SCHNEIDER: What's the relevance of

6 anything below 80 feet?

7 MR. MLENAK: I'm trying to understand the

8 connection with the 45 feet.

9 MR. SIMON: The relevance is that there

10 could be a height that's even lower than 80 feet that

11 would provide for adequate coverage and further

12 mitigate any detrimental impact, but it hasn't been

13 studied, it hasn't been looked at, it hasn't been

14 designed, it hasn't been proposed.

15 MR. MLENAK: I think you can it just like

16 that without referencing AT&T?

17 THE WITNESS: I'm not aware of any testing

18 at those lower heights.

19 CHAIRMAN FLANAGAN: Mr. Simon, can I ask a

20 question? And I don't want to interrupt.

21 MR. SIMON: You're in charge.

22 CHAIRMAN FLANAGAN: And I try to follow

23 where you're going with these questions. I want to

24 understand it because you brought up many good points.

25 So you just went through Ms. Boschulte's

<p style="text-align: right;">Page 137</p> <p>1 prior testimony that she testified -- I'm taking your</p> <p>2 word for it, I'm sure it's correct -- that below</p> <p>3 80 feet there was no coverage.</p> <p>4 MR. SIMON: No. No. That's not fair. She</p> <p>5 didn't look at it. She didn't study below 80 feet.</p> <p>6 She didn't say, I don't recall her saying that there's</p> <p>7 no coverage below 80 feet.</p> <p>8 CHAIRMAN FLANAGAN: Well, you just went</p> <p>9 through and you, I think, quoted her --</p> <p>10 MR. SIMON: She said 80 feet will not work.</p> <p>11 We need 120 feet, that's correct.</p> <p>12 CHAIRMAN FLANAGAN: So she said it just</p> <p>13 doesn't work below 80 feet?</p> <p>14 MR. SIMON: At 80 feet.</p> <p>15 CHAIRMAN FLANAGAN: Oh, at 80 feet?</p> <p>16 MR. SIMON: At 80 feet.</p> <p>17 MR. SCHNEIDER: What exhibit -- let's --</p> <p>18 the record speaks for itself. I would just refer the</p> <p>19 Board to Exhibit A-21, which sets forth, and I don't</p> <p>20 think we need to spend 20 minutes on it.</p> <p>21 Exhibit A-21 provides a detailed analysis</p> <p>22 of the coverage at 80, 100, and 120, and what areas are</p> <p>23 covered.</p> <p>24 CHAIRMAN FLANAGAN: So I'm going to say we</p> <p>25 now have the Applicant and they showed us an RF quad at</p>	<p style="text-align: right;">Page 138</p> <p>1 80 feet. And I asked the question does this cover your</p> <p>2 need? And the answer was, it's not as good as 120 but</p> <p>3 it works. I mean, that's a fact. So I want to</p> <p>4 understand where you're going. What was your point?</p> <p>5 Are you saying we should question the</p> <p>6 testimony of Ms. Boschulte, or where are we going with</p> <p>7 this? Where are we going with saying, hey, she said at</p> <p>8 80 feet it doesn't work. I'm pretty sure you weren't</p> <p>9 suggesting they look for a taller tower.</p> <p>10 MR. SIMON: The Applicant has a burden of</p> <p>11 proof and they need to meet the positive criteria and</p> <p>12 negative criteria. My questions are going to that</p> <p>13 burden of proof. And the fact that you have a radio</p> <p>14 frequency expert that says at 80 feet is not good</p> <p>15 enough, we need 120, right. That now Mr. Masters in</p> <p>16 analyzing that positive criteria and the negative</p> <p>17 criteria is saying that on balance that the application</p> <p>18 should be approved at, I guess, at 86 feet and I think</p> <p>19 that's whatever, I'll get to that later.</p> <p>20 But the point being is that he's basing --</p> <p>21 he's doing his balancing test in part, in fairness,</p> <p>22 based on testimony from the Applicant's radio frequency</p> <p>23 expert that says that 80 feet is not good enough.</p> <p>24 MR. SCHNEIDER: That's Mr. Simon's</p> <p>25 characterization of her testimony. A-21 details what</p>
<p style="text-align: right;">Page 139</p> <p>1 the coverage is at 80 feet. I don't know why we have</p> <p>2 to go through this again through Mr. Masters.</p> <p>3 MR. SIMON: But Mr. Masters is not -- he</p> <p>4 didn't provide the radio frequency test. I understand</p> <p>5 A-21 speaks for itself.</p> <p>6 MR. SCHNEIDER: That's correct. He didn't</p> <p>7 provide the RF testimony.</p> <p>8 MR. SIMON: And I think I asked actually</p> <p>9 many, many months ago to Mr. Masters about his review</p> <p>10 of the radio frequency testimony in doing the Sica</p> <p>11 Balancing Test and he said he relied on Ms. Boschulte.</p> <p>12 CHAIRMAN FLANAGAN: So let's move on. My</p> <p>13 point -- my question, not my point, but my question</p> <p>14 was, I want to understand what you're saying but we</p> <p>15 have the Applicant saying it does something better than</p> <p>16 nothing. It would be better at taller height and they</p> <p>17 showed us a plot that said this is what it looks like</p> <p>18 at 80 feet. We have testimony saying it doesn't cover</p> <p>19 the school, but-- all right. Go ahead.</p> <p>20 And I'm sorry guys. Mosquitos are starting</p> <p>21 to come in. I really think you ought to shut the</p> <p>22 windows. Anyway, go ahead.</p> <p>23 BY MR. SIMON:</p> <p>24 Q. Mr. Masters, these photos that were taken</p> <p>25 over four years ago, you took these photos; correct?</p>	<p style="text-align: right;">Page 140</p> <p>1 A. Correct.</p> <p>2 Q. You haven't taken any additional photos</p> <p>3 that you've submitted to the Board in connection with</p> <p>4 this application for the past four years, 48 months;</p> <p>5 correct?</p> <p>6 A. Correct.</p> <p>7 Q. And the photo simulations that you</p> <p>8 presented this evening did you do them yourself?</p> <p>9 A. I have someone who assists me with them.</p> <p>10 Q. Is that person who assists you with it, are</p> <p>11 they here tonight?</p> <p>12 A. They are not.</p> <p>13 Q. And when you say "The person --" "You have</p> <p>14 a person assisting you," are they the one who's doing</p> <p>15 the computer programming for this that you refer to?</p> <p>16 A. Yes.</p> <p>17 Q. And the person who assisted you doing the</p> <p>18 computer programming are they part of your office?</p> <p>19 A. He's a subcontractor.</p> <p>20 Q. He's a subcontractor. So your office is</p> <p>21 located where?</p> <p>22 A. 19 Iron Wood Drive, Morris plains.</p> <p>23 Q. And the subcontractor that you had</p> <p>24 performing this photo simulation, who is that person</p> <p>25 and entity?</p>

Page 141

1 A. Michael Beradesco.

2 Q. Can you please spell his last name?

3 A. B-e-r-a-d-e-s-c-o.

4 Q. And is he a solo practitioner or does he

5 work with a company?

6 A. He's a solo practitioner.

7 Q. And where is his office?

8 A. His office is in Blairstown.

9 Q. And has he ever testified before this Board

10 in connection with this application?

11 MR. SCHNEIDER: Mr. Simon knows the answer

12 to that. I mean, come on.

13 MR. SIMON: I'm making a record, Mr.

14 Schneider.

15 MR. SCHNEIDER: I think the Board knows

16 whether Mr. Beradesco appeared.

17 MR. SIMON: Mr. Schneider, this is a yes or

18 no question.

19 BOARD MEMBER NEWLIN: Let's keep going.

20 THE WITNESS: Correct.

21 BY MR. SIMON:

22 Q. And do you know what type of expertise --

23 what type of training and expertise Mr. Beradesco has

24 in creating these photo simulations?

25 A. He's a graphic artist. He's been doing

Page 143

1 Which crane test is it that you believe he

2 did these photo simulations based on?

3 A. The crane test was the original crane test

4 that was done back on February the 27, 2018.

5 Q. And were you present at the site visit the

6 Board took?

7 A. What day was that? Because the Board was

8 at the crane.

9 Q. I remember I got a huge bee bite on my

10 cheek. But other than that --

11 A. There were several Board members present at

12 the crane test on February 27, 2018. But I have not

13 been in any subsequent crane tests.

14 Q. July 10th, of 2021?

15 MR. SCHNEIDER: Just so we're clear, Mr.

16 Masters is referring to a crane test, I believe, prior

17 to the application being submitted. There was then a

18 site inspection right when the application was filed.

19 And then there was the subsequent one that was just

20 referred to in July.

21 BY MR. SIMON:

22 Q. Okay. Were you present for the July site

23 inspection?

24 A. No.

25 Q. Were you aware of it?

Page 142

1 this for -- well, for me for the past 25 years.

2 Q. But you don't know what type of training or

3 education he has?

4 A. I don't know what his educational

5 background is.

6 Q. And you weren't present when he did the

7 computer programming to create these photo simulations,

8 including the one this evening; correct?

9 A. Correct.

10 Q. So you don't know what buttons he pushed,

11 what programs he inserted to come up with the photo

12 simulations that we're seeing this evening; correct?

13 A. Correct.

14 Q. And you don't know how he superimposes the

15 fake tree behind the other trees as I think it was Mr.

16 Symonds asked you?

17 A. I do. I mean, he uses the --

18 Q. The software; right?

19 A. The software.

20 Q. But you don't know how he does that;

21 correct?

22 A. No.

23 Q. And so the crane test that you're relying

24 on, and I apologize, is which? Because we've had a

25 whole bunch of crane test.

Page 144

1 A. I don't recall. I honestly don't recall.

2 Q. And do you know whether members of the

3 public provided the opportunity for members of the

4 Board and members of the public to go on to their

5 properties?

6 A. Well, I wouldn't have known that because I

7 wasn't there.

8 Q. Did you have that in advance by being

9 present during the discussion about that site visit? I

10 think you were before this Board.

11 A. I may have been, but I don't recall.

12 Q. But you chose not to attend even though you

13 were aware that people in the public provided an

14 opportunity for members of the public and the Board to

15 go on to their property?

16 CHAIRMAN FLANAGAN: Can I ask a question?

17 A. I was not present at that site visit.

18 CHAIRMAN FLANAGAN: Regarding the site

19 visit, is that really related to new testimony we had

20 tonight? We've covered this at previous --

21 MR. SIMON: It is, because he has shown the

22 same photos from the same locations for four years.

23 And that is --

24 CHAIRMAN FLANAGAN: All right. So you're

25 getting at the fact that he showed photos today.

<p style="text-align: right;">Page 145</p> <p>1 You're establishing something about the particular</p> <p>2 photos that were shown tonight?</p> <p>3 MR. SIMON: Mr. Flanagan, I'm establishing</p> <p>4 the fact that he's relying on the same eight photos for</p> <p>5 four years and he had ample opportunity to take photos</p> <p>6 at various times from other locations, including from</p> <p>7 other locations within the Historic District from</p> <p>8 locations immediately adjacent to this property even on</p> <p>9 private property.</p> <p>10 CHAIRMAN FLANAGAN: And I would say, in my</p> <p>11 view there's photos from 360 degrees around this. Now,</p> <p>12 whether it was taken on Mr. O'Donnell's property, or</p> <p>13 his neighbor's which is right next to him, it was in</p> <p>14 fact taken from Conine as well, how many more photos do</p> <p>15 you want, right? But anyway, go ahead.</p> <p>16 BY MR. SIMON:</p> <p>17 Q. Mr. Masters, how do you determine to take</p> <p>18 the photo from a particular location, for example, on</p> <p>19 the Conine property, as opposed to taking it from a</p> <p>20 location that's closer to the tower?</p> <p>21 MR. SCHNEIDER: That was testified when he</p> <p>22 did the original photo sims. We're now not going --</p> <p>23 we're going back to what he testified to in March of</p> <p>24 2020.</p> <p>25 MR. SIMON: Mr. Schneider, he's presenting.</p>	<p style="text-align: right;">Page 146</p> <p>1 MR. SCHNEIDER: But he set the foundation</p> <p>2 -- come on. He set the foundation when he testified</p> <p>3 the first time as to where he took them from, why he</p> <p>4 took them from, and why he took them from those vantage</p> <p>5 points.</p> <p>6 He testified tonight that the photo sims on</p> <p>7 the exhibit presented tonight was based on the original</p> <p>8 crane test. So why do we have to rehash why he took</p> <p>9 them from the original one?</p> <p>10 CHAIRMAN FLANAGAN: So I've got to say, I</p> <p>11 agree with Mr. Schneider.</p> <p>12 MR. MLENAK: I agree with Mr. Schneider.</p> <p>13 The Board did not let Mr. Schneider ask questions that</p> <p>14 were outside of the scope of what was intended to be</p> <p>15 testified to. And I think the scope of</p> <p>16 cross-examination should be limited. We have heard,</p> <p>17 almost stipulated to the fact that these are the same</p> <p>18 photos.</p> <p>19 MR. SIMON: But I can't ask why he didn't</p> <p>20 take any additional photos?</p> <p>21 MR. MLENAK: That's not what you're asking.</p> <p>22 You just asked him --</p> <p>23 MR. SIMON: Well, right. I asked him why</p> <p>24 didn't he take photos from different vantage points.</p> <p>25 BY MR. SIMON:</p>
<p style="text-align: right;">Page 147</p> <p>1 Q. My next question is, why didn't you take</p> <p>2 additional photos other than just relying on these</p> <p>3 eight photos for four years?</p> <p>4 A. Because I think the eight photographs that</p> <p>5 I took, six of which were within the New Vernon</p> <p>6 Historic District or on the boundary of the Historic</p> <p>7 District, were sufficient to establish the viewshed of</p> <p>8 where this crane would be visible from. I mean, we can</p> <p>9 go through these. We've got eight photographs. Let's</p> <p>10 go back to the --</p> <p>11 Q. Mr. Masters, I'm not asking you to go back</p> <p>12 through the eight photo.</p> <p>13 A. No. You're asking a question about why I</p> <p>14 didn't take them closer, and I want to reiterate where</p> <p>15 I took them from, what the distances were from.</p> <p>16 Q. You already testified to that.</p> <p>17 A. And whether they were within the New Vernon</p> <p>18 Historic District.</p> <p>19 Q. You already testified to that. I'm not</p> <p>20 asking --</p> <p>21 A. But you're asking me the question again so</p> <p>22 I'll re-testify to it.</p> <p>23 MR. SCHNEIDER: Or withdraw the question</p> <p>24 then, Rob.</p> <p>25 BY MR. SIMON:</p>	<p style="text-align: right;">Page 148</p> <p>1 Q. Mr. Masters, have you been to the property?</p> <p>2 When is the last time you were at these locations?</p> <p>3 A. At these locations, well, certainly over a</p> <p>4 year ago.</p> <p>5 Q. Can you be more specific?</p> <p>6 A. No, I really can't. I've been there</p> <p>7 various times to the DPW yard, but it's been -- I think</p> <p>8 I testified last in March, April, and May of 2021. And</p> <p>9 I can tell you that I have not been back to the DPW</p> <p>10 yard or any of these vantage points since that time.</p> <p>11 Q. And so you're not aware of whether the</p> <p>12 trees that are depicted on your photographs from four</p> <p>13 years ago are in the same condition today; correct?</p> <p>14 A. Correct.</p> <p>15 Q. And the rendering that you provided tonight</p> <p>16 at 86 feet that only depicts one carrier; correct?</p> <p>17 A. Correct.</p> <p>18 Q. And you have not -- have you looked at the</p> <p>19 elevations or the site plan of the towers that you</p> <p>20 photographed to show examples, which I don't remember,</p> <p>21 was that A-33, I think?</p> <p>22 A. When you say "elevations"?</p> <p>23 Q. Yes. Have you seen site plans elevations,</p> <p>24 the diameter of those trees, where the branches are?</p> <p>25 A. I've not looked at any elevations. I was</p>

<p style="text-align: right;">Page 149</p> <p>1 asked to go photograph three tree poles to present to</p> <p>2 the Board. One of which I believe had been suggested</p> <p>3 by one of the Board members, that was the one off of</p> <p>4 Route 78 in Clinton Township.</p> <p>5 The other two I just felt were</p> <p>6 representative, one of which was again the pole that</p> <p>7 has been being used kind of as a prototype for the</p> <p>8 branching habit of the photo simulations. And another</p> <p>9 Verizon tree pole that I was aware of in Lafayette</p> <p>10 Township.</p> <p>11 Q. How do you know that the -- so you used the</p> <p>12 DelBarton pole for this simulation?</p> <p>13 A. The general branching habit of the</p> <p>14 DelBarton pole.</p> <p>15 Q. So when you told Mr. Beradesco did you give</p> <p>16 that information to him?</p> <p>17 A. I did.</p> <p>18 Q. And what did you tell him?</p> <p>19 A. I told him to use that pole as a prototype.</p> <p>20 Q. And how do you know that can be replicated?</p> <p>21 A. I don't have any direct knowledge that it</p> <p>22 can be replicated, but if that were a condition of</p> <p>23 the -- of the Board that it be replicated then I</p> <p>24 suppose the Applicant would have to figure out a way to</p> <p>25 get it replicated.</p>	<p style="text-align: right;">Page 150</p> <p>1 Q. But that tree doesn't currently correspond</p> <p>2 to what's being proposed on the engineer site plan;</p> <p>3 correct?</p> <p>4 A. No.</p> <p>5 Q. And the flagless flagpole you do show at a</p> <p>6 hundred feet, but you don't show at 80 feet; correct?</p> <p>7 A. I showed it at 120 feet and a hundred feet</p> <p>8 but not at 80 feet.</p> <p>9 Q. And you -- just to clarify that none of</p> <p>10 your visual impact studies, including the one that you</p> <p>11 submitted tonight, reflect trees that will be removed</p> <p>12 in connection with this application; correct?</p> <p>13 A. That is correct.</p> <p>14 Q. And they also don't reflect trees that will</p> <p>15 be removed in connection with this application if there</p> <p>16 was a collocator on this site; correct?</p> <p>17 A. Correct. Nor do they reflect proposed</p> <p>18 vegetation that's being proposed in conjunction with</p> <p>19 the site plan application.</p> <p>20 Q. Would you be able to see the proposed</p> <p>21 landscaping in connection with this application from</p> <p>22 any of your photo sim locations?</p> <p>23 A. Possibly in the Wintertime. In most cases,</p> <p>24 not.</p> <p>25 Q. And I assume that still don't -- you don't</p>
<p style="text-align: right;">Page 151</p> <p>1 know based on the most current site plan that was</p> <p>2 submitted and the trees that were slated to be removed</p> <p>3 what the heights of those trees are; correct?</p> <p>4 A. Correct.</p> <p>5 Q. And you don't know how fast that</p> <p>6 landscaping is going to be grown, right? You don't</p> <p>7 know that answer?</p> <p>8 A. I don't.</p> <p>9 Q. And you also don't know anything about</p> <p>10 whether any of the trees are dead, diseased, dying,</p> <p>11 anything like that; correct?</p> <p>12 A. No, I don't.</p> <p>13 Q. And still in connection with the most</p> <p>14 recent photo simulation that you're proposing this</p> <p>15 evening there's no proposal that a conservation</p> <p>16 easement will be proposed for any tree depicted in your</p> <p>17 visual impact study; right?</p> <p>18 A. No. I'm not proposing any conservation</p> <p>19 easements.</p> <p>20 Q. Now, you know, we talked earlier this</p> <p>21 evening, or there was testimony about the location</p> <p>22 being shifted around 18 feet here or there; correct?</p> <p>23 A. Well, it was shifted in conjunction to two</p> <p>24 properties. The one property it was shifted almost 26</p> <p>25 feet.</p>	<p style="text-align: right;">Page 152</p> <p>1 Q. Right. But it's getting also closer to the</p> <p>2 post office; correct?</p> <p>3 A. Yeah. It's getting closer to where it was</p> <p>4 originally proposed at the time the DPW was considering</p> <p>5 a salt dome at the facility. And it was subsequently</p> <p>6 repositioned to accommodate that salt dome, which</p> <p>7 apparently the changes or the proposal for the salt</p> <p>8 dome changed because it's no longer proposed in that</p> <p>9 location.</p> <p>10 CHAIRMAN FLANAGAN: Mr. Simon, before you</p> <p>11 go on, do you have many more questions?</p> <p>12 MR. SIMON: I do.</p> <p>13 CHAIRMAN FLANAGAN: Okay. So it's 10:30.</p> <p>14 I promised we'd go an extra ten minutes because we</p> <p>15 started ten minutes late, but we do need to talk about</p> <p>16 the next meeting.</p> <p>17 MR. SCHNEIDER: How much more time does Mr.</p> <p>18 Simon have? I mean, I'd hate to have to bring Mr.</p> <p>19 Masters back for 10 minutes.</p> <p>20 CHAIRMAN FLANAGAN: How much more time does</p> <p>21 Mr. Simon have?</p> <p>22 MR. SIMON: Twenty or 30 minutes.</p> <p>23 CHAIRMAN FLANAGAN: Okay. Twenty or 30</p> <p>24 minutes is more than I'm going to be able to keep</p> <p>25 everybody here, so I apologize but I think he's going</p>

<p style="text-align: right;">Page 153</p> <p>1 to have to come back.</p> <p>2 MR. SCHNEIDER: I'm sorry. I didn't hear.</p> <p>3 CHAIRMAN FLANAGAN: I said I'm sorry but I</p> <p>4 think Mr. Masters is going to have to come back. So</p> <p>5 let's talk about when that's going to happen.</p> <p>6 Lori, our next meeting is when, regular</p> <p>7 meeting?</p> <p>8 MR. MLENAK: Mr. Chairman, you recall last</p> <p>9 time I may have mentioned and I think Mr. Simon also</p> <p>10 has a conflict on the night --</p> <p>11 CHAIRMAN FLANAGAN: And that was going to</p> <p>12 be on the 21st; right?</p> <p>13 SECRETARY TAGLAIRINO: Yes.</p> <p>14 CHAIRMAN FLANAGAN: So we're "O for three"</p> <p>15 or where are we? We're "O for two" on those.</p> <p>16 So what are we going to do then?</p> <p>17 MR. SIMON: Is April 13th --</p> <p>18 BOARD MEMBER MASELLI: Let's go till one</p> <p>19 o'clock. Let's go.</p> <p>20 CHAIRMAN FLANAGAN: 1:00 a.m.? I think</p> <p>21 you're going to lose -- honestly, I think we're going</p> <p>22 to lose -- not only do we have to hear the rest of Mr.</p> <p>23 Simon's questioning, but I think we have some</p> <p>24 deliberations to do.</p> <p>25 MR. SIMON: And then I have Mr. Steck --</p>	<p style="text-align: right;">Page 154</p> <p>1 CHAIRMAN FLANAGAN: And Mr. Steck.</p> <p>2 MR. SIMON: -- to present testimony.</p> <p>3 CHAIRMAN FLANAGAN: So we're not going to</p> <p>4 finish it up tonight.</p> <p>5 BOARD MEMBER ROSENBAUM: And do we have</p> <p>6 another round of comments?</p> <p>7 MR. MLENAK: We do again subject to being</p> <p>8 limited to what additional information has been</p> <p>9 testified to and presented as evidence since the last</p> <p>10 public comment.</p> <p>11 BOARD MEMBER NEWLIN: Questions or public</p> <p>12 comment?</p> <p>13 MR. MLENAK: Well, questions of Mr.</p> <p>14 Masters, certainly questions of Mr. Steck, and then</p> <p>15 public comment.</p> <p>16 MR. SCHNEIDER: Public has completed Mr.</p> <p>17 Masters.</p> <p>18 CHAIRMAN FLANAGAN: So someone said</p> <p>19 something about the 13th. I can tell you I am out that</p> <p>20 week of --</p> <p>21 SECRETARY TAGLAIRINO: There's the Board of</p> <p>22 Health.</p> <p>23 CHAIRMAN FLANAGAN: Well, let me ask. We</p> <p>24 can do this at a regular meeting -- oh, I'm sorry.</p> <p>25 Well, the option is either to do a Special Meeting,</p>
<p style="text-align: right;">Page 155</p> <p>1 which I've asked a lot of a lot of people to do Special</p> <p>2 Meetings. If you say no I understand, or if we don't</p> <p>3 want to do a Special Meeting it's got to go to May</p> <p>4 19th.</p> <p>5 So are people willing to do a Special</p> <p>6 Meeting, is the first question. Is anyone opposed to</p> <p>7 doing a Special Meeting?</p> <p>8 BOARD MEMBER NEWLIN: How busy is the</p> <p>9 Regular Meeting?</p> <p>10 SECRETARY TAGLAIRINO: Well, we have one,</p> <p>11 two, three, four for sure.</p> <p>12 CHAIRMAN FLANAGAN: Four applications for</p> <p>13 April?</p> <p>14 SECRETARY TAGLAIRINO: And there's like</p> <p>15 three or four more sitting in the wings.</p> <p>16 CHAIRMAN FLANAGAN: So in two-month's time</p> <p>17 who knows how many we're going to have, I guess is the</p> <p>18 answer. We have no way of knowing right now.</p> <p>19 So is anyone opposed to a Special Meeting?</p> <p>20 Tom says he's not opposed. Alf is not opposed. I'm</p> <p>21 not opposed.</p> <p>22 BOARD MEMBER SOVOLOS: My April is not</p> <p>23 great because we have Spring Break.</p> <p>24 CHAIRMAN FLANAGAN: What about the 28th for</p> <p>25 you, Elizabeth? Aric, you can't you do the 28th?</p>	<p style="text-align: right;">Page 156</p> <p>1 BOARD MEMBER ROSENBAUM: I probably have a</p> <p>2 conference.</p> <p>3 SECRETARY TAGLAIRINO: So that week between</p> <p>4 the 10th and the 16th there are three other meetings at</p> <p>5 that are going on.</p> <p>6 CHAIRMAN FLANAGAN: I can't do that -- so</p> <p>7 it's Spring Break.</p> <p>8 SECRETARY TAGLAIRINO: So then the 25th is</p> <p>9 the Planning Board. So you could do the 26th or 27th</p> <p>10 if you can't do the 28th.</p> <p>11 CHAIRMAN FLANAGAN: Aric, so does the 27th</p> <p>12 work?</p> <p>13 MR. SCHNEIDER: Will the 27th work?</p> <p>14 CHAIRMAN FLANAGAN: Yes, it does. The</p> <p>15 27th, is there a conflict for anyone on the 27th?</p> <p>16 MR. SCHNEIDER: It works for me.</p> <p>17 MR. SIMON: I have another hearing.</p> <p>18 CHAIRMAN FLANAGAN: So Mr. Simon can't do</p> <p>19 the 27th.</p> <p>20 BOARD MEMBER SOVOLOS: There was another</p> <p>21 meeting that we moved because of the Centennial</p> <p>22 Conference, but I don't really know anymore than that.</p> <p>23 CHAIRMAN FLANAGAN: Okay. So let's talk</p> <p>24 the week of --</p> <p>25 MR. SIMON: May 3rd. I know that myself</p>

<p style="text-align: right;">Page 157</p> <p>1 and Mr. Steck are both available on May 3rd.</p> <p>2 MR. MLENAK: Do you want to meet on the</p> <p>3 20th? That's two days in a row.</p> <p>4 BOARD MEMBER ADDONIZIO: I'm out the week</p> <p>5 of the 18th, that Easter week.</p> <p>6 CHAIRMAN FLANAGAN: So we can't do the week</p> <p>7 of the 11th. We can't do the week of the 18th. The</p> <p>8 week of the 25th it sounds like Mr. Simon's got a</p> <p>9 conflict. Let's go through every day on the week of</p> <p>10 the 25th. Does anybody have a problem with --</p> <p>11 MR. SIMON: Wait, wait -- I'm sorry. I</p> <p>12 apologize. In April?</p> <p>13 MR. MLENAK: Go on May 3rd, because I heard</p> <p>14 that was a good date for the Board.</p> <p>15 MR. SIMON: I know that Mr. Steck and I are</p> <p>16 both available on May 3rd, and on May 9th, and on May</p> <p>17 10th, and May 11th.</p> <p>18 MR. SCHNEIDER: Why don't we do May 3rd?</p> <p>19 CHAIRMAN FLANAGAN: How about May the 4th?</p> <p>20 SECRETARY TAGLAIRINO: No. We can't do May</p> <p>21 the 4th.</p> <p>22 CHAIRMAN FLANAGAN: May 5th?</p> <p>23 SECRETARY TAGLAIRINO: May 5th is HPC.</p> <p>24 I don't know, Dan, can you be in two places</p> <p>25 at once?</p>	<p style="text-align: right;">Page 158</p> <p>1 BOARD MEMBER MASELLI: I am all the time.</p> <p>2 MR. SCHNEIDER: The following week, does</p> <p>3 the following week create a problem?</p> <p>4 SECRETARY TAGLAIRINO: The following week,</p> <p>5 that whole week is always full of other Boards.</p> <p>6 CHAIRMAN FLANAGAN: Can we do May 9th?</p> <p>7 MR. MLENAK: What about the 2nd?</p> <p>8 MR. SCHNEIDER: The 2nd is the one day that</p> <p>9 I cannot.</p> <p>10 SECRETARY TAGLAIRINO: May 3rd is okay.</p> <p>11 CHAIRMAN FLANAGAN: May 3rd does not work</p> <p>12 for me.</p> <p>13 MR. SIMON: Is there a way, with enough</p> <p>14 notice, because we're at the end of March, that May</p> <p>15 9th, that maybe one of the meetings on May 9th, 10th</p> <p>16 and 11th can be moved?</p> <p>17 SECRETARY TAGLAIRINO: Well, I think May</p> <p>18 9th could be -- I have to see when the Township</p> <p>19 Committee meets.</p> <p>20 BOARD MEMBER BOYAN: That is the 9th.</p> <p>21 CHAIRMAN FLANAGAN: They'd understand.</p> <p>22 They're the ones that sent us this application.</p> <p>23 SECRETARY TAGLAIRINO: I'm going to shut</p> <p>24 this stuff down. I have to look at the calendar. Hold</p> <p>25 on.</p>
<p style="text-align: right;">Page 159</p> <p>1 MR. MLENAK: The Municipal Calendar is open</p> <p>2 on May the 9th.</p> <p>3 CHAIRMAN FLANAGAN: I can do the 9th. Is</p> <p>4 there anybody that cannot do the 9th?</p> <p>5 BOARD MEMBER ADDONIZIO: The 9th is the</p> <p>6 Township Committee.</p> <p>7 SECRETARY TAGLAIRINO: So you have the 3rd,</p> <p>8 the 10th.</p> <p>9 CHAIRMAN FLANAGAN: What about the 10th for</p> <p>10 anyone? Does anyone have a problem with the 10th?</p> <p>11 MR. SCHNEIDER: The 3rd, the 9th, the 10th</p> <p>12 all work for us.</p> <p>13 MR. SIMON: And for us as well.</p> <p>14 CHAIRMAN FLANAGAN: All right. Does</p> <p>15 anybody have -- the 10th is what's being proposed.</p> <p>16 Does anybody have an issue with the 10th, going once,</p> <p>17 any objection?</p> <p>18 BOARD MEMBER MASELLI: Listen, you can</p> <p>19 shoot at any date you want right now, but I might not</p> <p>20 be able to make it with a day's notice. I'm just</p> <p>21 letting you know that's the kind of schedule that I</p> <p>22 have. I'm pretty good at being here, though.</p> <p>23 CHAIRMAN FLANAGAN: Then I think we book</p> <p>24 it --</p> <p>25 BOARD MEMBER MASELLI: It doesn't really</p>	<p style="text-align: right;">Page 160</p> <p>1 matter. Just book it.</p> <p>2 CHAIRMAN FLANAGAN: -- and if you can't</p> <p>3 make it Mr. Schneider is going to make a decision on</p> <p>4 whether he wants to --</p> <p>5 BOARD MEMBER MASELLI: This is the crazy</p> <p>6 season.</p> <p>7 CHAIRMAN FLANAGAN: I hear you.</p> <p>8 MR. SCHNEIDER: So is May -- the 3rd, the</p> <p>9 9th, and the 10th all work for me.</p> <p>10 CHAIRMAN FLANAGAN: The 3rd does not work</p> <p>11 for me. The 9th somebody else said no to. We can't</p> <p>12 use the room.</p> <p>13 MR. SCHNEIDER: So how about May 10th, 7:00</p> <p>14 p.m., in person matter's carried. Applicant grants an</p> <p>15 extension of time through May 10th.</p> <p>16 CHAIRMAN FLANAGAN: Hold on. Yes, May</p> <p>17 10th, 7:00 p.m. right here. No further notice is</p> <p>18 required. The Applicant grants an extension.</p> <p>19 MR. SCHNEIDER: Just so we're clear, it</p> <p>20 would be my sincere hope if we had 30 minutes left of</p> <p>21 Mr. Master's cross, Mr. Steck, public comment, and then</p> <p>22 hopefully a final adjudication, does that sound</p> <p>23 reasonable?</p> <p>24 CHAIRMAN FLANAGAN: I am ready to vote as</p> <p>25 soon as --</p>

<p style="text-align: right;">Page 161</p> <p>1 MR. SCHNEIDER: In the affirmative, I would</p> <p>2 guess?</p> <p>3 CHAIRMAN FLANAGAN: I am ready to vote. I</p> <p>4 have not yet decided because I have not yet heard all</p> <p>5 the testimony.</p> <p>6 MR. SCHNEIDER: But is that a reasonable --</p> <p>7 CHAIRMAN FLANAGAN: That's my -- yes. I</p> <p>8 think we're ready to vote.</p> <p>9 BOARD MEMBER BOYAN: Deliberations is the</p> <p>10 only thing that I think.</p> <p>11 BOARD MEMBER ROSENBAUM: We can't control</p> <p>12 how long --</p> <p>13 MR. SCHNEIDER: I'm not asking for a</p> <p>14 guarantee, I'm asking that --</p> <p>15 CHAIRMAN FLANAGAN: My expectation is we'll</p> <p>16 assume Mr. Simon gets through in a half an hour,</p> <p>17 assuming your -- Mr. Simon's witness -- you know, what</p> <p>18 are we looking at? We're talking about we're going to</p> <p>19 have four hours. So my hope is we come to a vote. And</p> <p>20 we grant an extension, I assume you do as well?</p> <p>21 MR. SCHNEIDER: Thank you.</p> <p>22 CHAIRMAN FLANAGAN: All right. Everybody</p> <p>23 thank you. Any other business tonight?</p> <p>24 (Whereupon, the hearing on this application</p> <p>25 concludes at 10:40 p.m.)</p>	<p style="text-align: right;">Page 162</p> <p style="text-align: center;">C E R T I F I C A T E</p> <p>1</p> <p>2</p> <p>3</p> <p>4 I, IRIS LA ROSA, a Notary Public and</p> <p>5 Certified Shorthand Reporter of the State of New</p> <p>6 Jersey, do hereby certify that the foregoing is a true</p> <p>7 and accurate transcript of the testimony as taken</p> <p>8 stenographically by and before me at the time, place,</p> <p>9 and on the date hereinbefore set forth.</p> <p>10 I DO FURTHER CERTIFY that I am neither a</p> <p>11 relative nor employee nor attorney nor counsel of any</p> <p>12 of the parties to this action, and that I am neither a</p> <p>13 relative nor employee of such attorney or counsel, and</p> <p>14 That I am not financially interested in the action.</p> <p>15</p> <p>16</p> <p>17</p> <p>18 _____</p> <p>19 IRIS LA ROSA, CSR, RPR</p> <p>20 Certificate No. 30XI 00162800</p> <p>21</p> <p>22</p> <p>23 Dated: _____</p> <p>24</p> <p>25</p>

A	51:5	117:21	alluded 20:5	92:13,16,20
A-2 27:14 47:21	accomplished	Adjustment 1:1	Alpin 116:12	94:16 95:22
A-21 137:19,21	5:8 108:9	4:3 21:3	133:5	99:5 114:23
138:25 139:5	account 135:22	Administrator	altered 51:18	116:15,25
A-28 77:17 82:5	accurate 54:24	1:17	alternate 15:12	118:9 125:17
82:6 86:2	60:23 162:7	advance 7:6,23	20:18 66:22	125:18 134:17
128:5,8	accurately 32:5	7:23 15:15	105:8	134:19,20
A-29 77:17 83:1	50:2 59:11	144:8	alternative 7:16	138:2 141:11
86:2 127:23	achieved 17:20	advantages	75:1 95:14	151:7 155:18
A-30 77:17 86:2	22:23	22:23	105:5 106:7	answered 70:25
A-32 76:5,21	acknowledged	advise 28:14	108:5 112:24	116:9 118:12
77:4,15 85:20	57:1	aerial 59:17	alternatively	antenna 99:24
86:2 127:22	Act 4:5	79:11,13	77:14 108:24	100:8 101:10
A-33 74:10,11	action 162:12,14	affect 44:20,21	alternatives	134:24
74:15,21	actual 36:1	116:10	79:23	antennas 70:25
148:21	78:12 89:24	affirmative	ameliorated	71:4,5 91:10
A-34 3:13 7:7	adaptations	161:1	87:18	91:12 97:17
14:2,6 15:16	77:18	afield 64:21	ameliorating	99:21 100:1,4
15:22,23 45:22	add 17:13 18:7	89:17	88:5	100:6,9 111:1
46:6 48:14	added 16:11	afraid 27:21	amenable 33:25	anticipated
50:2 51:13,23	adding 91:8	agenda 5:3	amend 46:22	18:12 24:20
54:25 58:2	addition 7:25	ago 49:25 53:12	107:22	anticipating
59:7,11 60:13	16:5 17:5	53:24 54:12	amended 43:15	37:4
60:14,15 62:8	additional 17:16	64:23 139:9,25	45:5,11,13	anybody 12:23
65:8	18:15 90:19	148:4,13	46:4,19 107:18	36:22 38:11
a.m 153:20	115:2 140:2	agree 10:18 22:2	amending 44:5	72:18 101:6
ability 18:14,19	146:20 147:2	35:13 46:8	67:11	103:11 111:23
22:13 23:3	154:8	84:14 105:18	amendment	126:8 157:10
34:22 96:12	Addonizio 1:13	106:4 112:11	107:10 108:2	159:4,15,16
able 10:16 17:21	4:14,15 13:8	146:11,12	amount 20:16	anybody's
25:13 35:25	20:19 73:4,5	agreed 8:4 77:2	20:22	118:21
36:16 62:12	93:8,13,16,25	agreement	ample 145:5	anymore 122:21
92:7 103:1,2	129:19 157:4	10:11 47:7,11	analysis 5:23 8:1	156:22
122:10 150:20	159:5	47:21 48:2	8:4 75:9 76:25	anyway 139:22
152:24 159:20	address 5:17,22	49:6 134:16	77:10,17 80:8	145:15
absolutely 28:1	6:11 15:6	ahead 13:5	87:4,19 137:21	apologies 45:7
34:16 38:8	68:22 74:7	65:20 99:16	analyzing	50:10
95:15	75:23 78:8	139:19,22	138:16	apologize 43:3
accept 43:23	127:14 129:12	145:15	anchor 31:22	45:22 48:23
44:12 108:1,23	addressed 120:9	AICP 1:18	33:7,9	62:20 95:5
access 12:9	adequate 136:11	aides 69:16,23	and/or 86:5	116:4 117:6
17:11 121:10	adhere 6:25	albeit 22:25	110:15	142:24 152:25
accommodate	adjacent 29:19	Alf 1:12 36:19	Ann 3:20 125:1	157:12
18:4 19:2	56:9 145:8	155:20	annotate 50:19	apparently
20:16 31:22	adjoining 22:19	allegedly 57:8	answer 21:8,24	152:7
49:7 93:23	115:3	Allegiance 4:7,9	32:4 38:4	appeared
96:12 110:18	adjudication	allow 25:12	43:20 50:6	141:16
152:6	160:22	allowing 16:14	55:22 71:10	appears 76:12
accommodati...	adjustable	24:21	72:4,9 92:12	Applause

119:18	22:6 65:1	arguing 111:18	101:13	back 5:4 9:15
apples 80:6,6	88:13 131:1,11	argument	assume 23:21	18:19 21:3
applicable 89:11	155:12	108:13	101:12 109:8	24:6 34:17
106:23	apply 96:23	Aric 1:13 155:25	150:25 161:16	45:17,21 46:10
applicant 2:6	appreciate	156:11	161:20	46:10 47:16,22
5:13,20 6:8,10	71:17 102:8	arrangement	assuming	50:15 56:1
6:16,24 7:11	113:18	31:22	161:17	72:22,24 73:21
8:12 18:5	approach	arrogant 96:4	AT&T 71:3	76:1 77:25
23:20 33:12,14	116:21 121:8	articulated 6:19	111:14,15,16	78:1,10 81:3
33:22 38:8	123:1	artificial 89:20	134:23 135:7	83:1,23 84:21
43:23 44:4	appropriate	90:9	136:16	87:9 96:15
56:18 66:17	7:18 8:12	artist 141:25	attached 97:18	121:2 122:6
67:10 76:24	10:15 33:15	asked 6:8 7:11	attempt 34:6	127:18 129:6
77:2 87:11	66:23 67:2,12	7:14,25 41:25	131:1	129:22 130:3
92:16,21 95:16	75:3,6 85:23	54:8 55:23	attend 144:12	143:4 145:23
104:4 105:15	86:9 87:4,5	58:9 65:4	attorney 70:9	147:10,11
105:19,22	approval 8:3	74:24 76:24	95:25 162:11	148:9 152:19
106:5,13	21:12,15 27:23	105:12 116:22	162:13	153:1,4
107:22 108:10	43:24 44:1,2	125:12,22	attorney's 72:14	background
131:3,17	44:12 45:15	132:12 133:13	attorneys 2:3,6	60:10 74:22
137:25 138:10	46:22 67:10	133:19 135:21	2:8 126:17	142:5
139:15 149:24	77:1 87:1	138:1 139:8	Audi 12:24	backing 124:20
160:14,18	88:16 89:12	142:16 146:22	authority 23:17	backyard 82:16
Applicant's 5:19	115:10	146:23 149:1	authorized	82:21 118:4
34:22 94:17	approve 27:22	155:1	125:21	127:15 128:14
104:1 138:22	107:25 125:2	asking 19:18	automatically	130:11
application 5:3	approved 23:20	54:2 65:6	57:11	bad 30:1
5:4 12:11 21:2	96:11 138:18	66:19 67:4	AV 84:7	bag 50:16
25:1,22 26:20	approximately	69:19 71:20	avail 9:12	bags 50:16
43:15,16 44:5	6:14 26:6	94:25 95:1	available 18:9	balance 88:22
44:9 45:6	52:20 90:15	120:10 125:7	90:3,5 109:14	138:17
46:21,22,25	131:14	125:23 128:20	109:24 110:17	balances 104:23
63:6,15 64:17	April 148:8	131:6 136:3	111:9 157:1,16	balancing 44:3
66:8,10,23,24	153:17 155:13	146:21 147:11	avoid 23:18	87:3,10 88:4,7
67:11 78:13,25	155:22 157:12	147:13,20,21	95:21 96:13	88:17,22 89:2
79:6 87:6 88:3	Arborist 41:20	161:13,14	avoiding 22:16	104:3,3,22
88:3,10 93:21	41:25 42:1	asks 87:11	22:18	107:24 131:3
94:21 103:9	area 16:10,12	aspect 135:24	aware 41:19	131:13,18
104:24 107:8	18:2,8 20:4,12	aspects 25:3,4	42:1 51:3,6,14	135:19,19,22
107:10,14,16	20:13,16 23:11	28:14 135:23	52:7,13 113:12	138:21 139:11
107:21,22	23:12 39:17	assess 6:9 15:5	134:25 135:3,4	ball 114:10
108:2 109:20	40:23 41:2,6	assessed 88:9	136:17 143:25	bands 104:7,8
132:3,9 138:17	41:11,13,15	assessing 15:12	144:13 148:11	bandwidth
140:4 141:10	51:13 54:23	assessment	149:9	132:15,17
143:17,18	57:6,19,21	41:20 42:2,3,4		Bansal 2:9
150:12,15,19	58:4,7 67:7	assisted 140:17	B	barn 29:7,14,16
150:21 158:22	104:11 120:12	assisting 140:14	B 3:10 79:23	basalt 30:12,18
161:24	areas 137:22	assists 140:9,10	B-e-r-a-d-e-s-...	base 31:6 42:17
applications	argue 110:2	associated 6:22	141:3	43:7 92:4

97:13 98:4	141:16,23	20:19 21:1,2	111:24 112:21	78:23 79:1,5
103:1 113:10	149:15	21:22 22:1	113:13,22	80:14 147:6
113:16,20	Bernardsville	23:25 24:1,2	114:1,5,11,19	bounds 63:19
115:11	71:1,4 133:16	24:10,23 25:15	114:21 115:7	box 127:14
based 6:18 8:5	best 38:4 126:16	26:1,11 27:1,6	115:20 122:3	128:13,13
25:19 26:24	better 72:13	27:11,15 28:2	123:17,20	129:19
33:24 34:23	139:15,16	28:6,8,12,14	126:1,5,23	Boyan 1:14 4:12
37:8 42:7,16	beyond 66:2	29:1,4,9,12	128:23 129:19	4:13 21:1 22:1
48:14 53:15	115:8	30:3,8,10,15	129:23 132:2	73:2,3 86:8
54:16 63:14	bid 6:15 23:4	30:21 31:2,5	137:19 140:3	103:14 104:17
64:15,21 66:22	39:12 47:4	31:11,14 34:1	141:9,15,19	105:1,9,18
67:3,4 76:25	106:2,2,15,18	34:2,4,5,18,24	143:6,7,11	106:4 108:11
77:15 80:9	bidding 6:21	35:3,16,24	144:4,10,14	108:18 158:20
86:13 87:8,17	23:10 39:5	36:21,23 37:7	146:13 149:2,3	161:9
103:1 138:22	105:25 106:19	37:14 38:1	149:23 153:18	branch 16:23
143:2 146:7	big 27:12,17	41:23 42:3,8	154:5,11,21	39:23 80:3
151:1	61:20 113:18	44:13 46:25	155:8,22 156:1	branches 43:10
baseline 102:1	120:2,12	49:15 55:11,15	156:9,20 157:4	61:11,12 90:10
basically 121:1	bigger 100:9	56:2,11,14,18	157:14 158:1	90:11 148:24
basing 138:20	biggest 28:6	57:13 59:20	158:20 159:5	branching 8:7
bathroom 51:5	94:7 118:24	62:18 63:14	159:18,25	43:25 59:18
batteries 20:1,9	bit 9:8 14:21	64:8,13,25	160:5 161:9,11	61:8 76:19
81:11	24:17 27:6	65:5 73:3,5,7,9	Board's 18:25	79:19 89:24
bearing 35:8	30:25 31:3	73:11,13,15	52:7 58:3	90:4,15,19
bedrock 35:14	45:23 84:8	74:23,24 75:20	127:10	91:16 149:8,13
bee 143:9	101:11 120:9	76:14,23 77:20	Boards 96:5,5	break 72:20
beefier 100:22	126:2	79:10 83:12	96:10 158:5	155:23 156:7
befuddled 66:14	bite 143:9	85:9 86:8,14	bolt 31:22	breast 55:4,23
befuddles 66:13	bits 30:24	87:5 88:9	book 159:23	breasts 55:6
began 39:2	black 56:7,8	89:11 90:21,25	160:1	Brian 2:9
beginning 92:5	Blairstown	91:2,21 92:9	boom 101:20	bridges 45:1
behalf 5:13	141:8	92:14,15,18,23	border 86:4,5	brief 5:16 17:14
124:9 131:12	block 1:6 129:15	93:8,11,13,16	bore 35:14,22	briefly 5:20
believe 7:6 8:16	blocked 85:14	93:25 94:1,6	boring 25:18	bring 33:16
10:13,15 11:6	Blue 1:8 133:5	94:10,20,25	26:23 36:2	34:22 68:3
19:8 56:21	blurred 85:11	95:10,13,24	borings 26:23	152:18
58:1 66:20	BOA 1:4	96:7,18,21	Boschulte	bringing 22:18
76:13 79:10	Board 1:1,10,17	100:18 101:1,5	131:25 132:6	22:25
88:19 89:1,6	2:3 4:3,8,13,15	101:7 102:7	138:6 139:11	brings 31:12
89:13 104:5,6	4:19,21,23	103:4,10,12,14	Boschulte's	64:11
104:8,21 106:8	5:10,18,24 6:7	104:17 105:1,9	131:23 136:25	brought 65:5
107:17 132:12	6:8,11 7:1,11	105:18 106:4	bottle 90:24	106:20 107:9
135:20 143:1	7:25 8:10,22	107:15,21	bottles 122:1,2,3	123:25 136:24
143:16 149:2	9:17,17 10:8	108:11,14,18	bottom 31:7	BRUCE 1:19
beneficial 14:12	10:14,16 11:8	108:20,21	66:15 90:11,15	brush 90:24
benefit 104:9,14	11:17,18,22	109:4,10,15,18	97:13 100:16	build 19:1 33:24
benefits 89:3,6	13:8,10 14:18	109:25 110:9	102:12,14	93:19
benign 87:13	15:7 16:8	110:14,21,25	113:2,19	building 1:8
Beradesco 141:1	17:23 19:14,24	111:10,14,20	boundary 63:9	22:19 23:13

28:24 51:4 63:18 125:19 buildings 50:3 50:25 69:10 120:3 built 23:17,19 93:5 94:5,18 94:21,23 110:13,14 bulk 46:3 bunch 39:1 44:24 45:2 142:25 burden 138:10 138:13 business 161:23 busy 155:8 but-- 139:19 button 14:15 19:23 81:11 buttons 142:10	28:5 56:10 114:8,10 calipers 27:14 call 4:10 5:17 72:25 91:9 97:11 114:9,10 call-out 56:9 called 103:8 calling 56:9 Calm 127:24 Cammarata 4:18 candidates 105:16 canopies 59:4,6 59:10,12 60:11 60:18 63:2,23 64:1,5,10,19 canopy 61:23 62:13,19 64:3 65:7 cans 122:1,4,9 capacity 23:13 car 12:21 care 125:6 Carifa 2:10 129:21 130:5 carried 160:14 carrier 20:13 40:25 41:13 57:7 108:22 109:7,11,13 111:5 131:13 134:16,18 148:16 carrier's 111:7 carriers 76:12 100:1 109:13 134:8 carry 20:9 cars 13:8 case 1:4 8:16 21:19 74:8 87:7 94:2 98:15,19 109:21,23 111:5 134:15 cases 150:23 catalog 68:1,4	74:25 catalogues 7:15 cause 21:3 cell 5:3 40:18 55:1 66:18 120:4,12 121:9 Cellular 1:19 Centennial 156:21 center 79:21 80:20 81:2,7 84:10 96:17 centerline 17:3 certain 5:22 15:7 21:12 55:17 56:15,16 74:23 75:2,5 134:3 certainly 8:13 22:5 36:3 66:25 88:2 92:21 98:11 148:3 154:14 Certificate 162:20 Certified 1:21 1:23 162:5 certify 162:6,10 cetera 32:9 121:24 chair 72:15 Chairman 1:11 4:1,10,25 5:9 5:15 6:2,4 7:9 7:14 8:17,18 8:20,23 9:4,7 9:18,25 10:2,6 10:10,18 11:1 11:4,10,16 12:2,6,10,19 12:23 13:5,12 13:16 15:1,2 19:20 20:6 21:6,23 22:9 23:9,24 24:7 24:16 26:15,19 27:19 29:13,20 29:23 31:17,24 32:7,19,25	33:8,11 34:11 34:17 35:1 36:6,11,15,19 36:22 37:15,20 38:3,10,19,22 42:23 50:8,11 60:2,5,12,15 60:18,20 61:1 61:6,10,16,19 62:9,15,20,23 63:25 64:3,8 65:6,11,14,18 66:2 67:13 68:9,12,15 69:13,17,20,25 70:8,11,20 71:8,20,25 72:2,8,12,17 72:23 73:17,20 73:22 75:24 76:6 81:8,13 81:19,22 82:1 82:7 83:7,14 83:18,21 84:3 84:9,13,16,23 85:2 89:15 90:8 91:1 93:3 93:9,15,18 94:3,8 95:19 96:25 97:4,7 97:23 98:1,8 98:14,18,21 99:1,7,13,16 100:7,12,15,20 101:6 103:11 103:15,17 104:16 107:6 108:19 110:8 110:20 111:11 111:15,21 114:9 115:12 115:16,19,25 116:6,13,15,22 116:25 117:8 117:12,17,23 118:8,17,20,25 119:5,13,22 120:8,13,19,22 121:1,6,12,16	121:20,25 122:7,17,20 123:3,7,10,15 123:18,24 124:5,8,11,21 125:8,12 126:7 126:13 127:20 128:2,19,25 129:4,13,18,25 130:6,12,15,20 135:9 136:19 136:22 137:8 137:12,15,24 139:12 144:16 144:18,24 145:10 146:10 152:10,13,20 152:23 153:3,8 153:11,14,20 154:1,3,18,23 155:12,16,24 156:6,11,14,18 156:23 157:6 157:19,22 158:6,11,21 159:3,9,14,23 160:2,7,10,16 160:24 161:3,7 161:15,22 Chait 2:5 5:12 challenge 91:22 chance 107:7 change 19:6 25:16 104:19 105:2,2 changed 81:10 87:19 152:8 changes 152:7 character 91:20 characterizati... 138:25 characterize 107:12 charge 136:21 chart 46:3 chase 87:12 check 50:18 cheek 143:10 choice 20:18
---	---	---	--	--

chooses 18:10 20:14	club 84:7	5:17 122:21 154:6	compounds 23:16	69:9,12 78:16 112:5 114:17
chose 106:3,17 106:17 144:12	CME 1:18	commercial 96:22 114:25	computer 101:23 102:21	118:3 122:16
Christ 123:11	code 33:15 112:18	131:12	103:8 140:15	128:19 130:1
Christel 2:10	coincides 78:22	Commercially 90:5	140:18 142:7	145:14,19
Christina 2:10 3:21 126:11	Collins 2:5 5:12	Commission 115:5	concept 93:5	conjunction 150:18 151:23
church 123:1,4 123:6,7,9	collocate 18:16 21:11 22:13	Committee 95:7 158:19 159:6	concern 29:5 88:14 114:23	connection 136:8 140:3
churches 123:11	collocating 134:9	common 33:1 87:21	concerned 113:11,19	141:10 150:12
circle 31:14	collocation 20:4 49:15 57:12	communication 129:14	concise 110:5	150:15,21
circles 31:6 79:12	collocator 18:9 18:15,22 22:10	Communicati... 1:19	concluded 87:15	151:13
clarification 36:24 58:8	56:12,15 95:15	company 141:5	concludes 161:25	consent 27:25
132:13	110:18 150:16	compare 59:17	conclusion 85:20 88:25	conservation 151:15,18
clarifies 21:18	collocators 23:5 23:21 45:1	compared 30:18	conclusions 86:24	consider 7:1 8:1 76:25
clarify 150:9	46:18 49:7	comparison 48:1 100:19	concrete 113:4	consideration 5:19 85:23
clarity 14:21	93:24 96:13	101:2	condition 8:2 27:22 33:22	88:8 92:1
clear 15:10 20:24 35:5	come 9:15 12:18 21:3 26:23	comparisons 133:7	34:20 43:24	considerations 93:7
42:5 44:11	68:2,20 69:14	competent 35:8	44:1,12 45:15	considered 6:10 7:19 8:3 26:5
65:7 80:5 82:7	69:17 71:25	complete 6:16 9:3,5,8,14	51:15 67:10	considering 152:4
95:4 105:9	108:23 116:2	46:12	77:1 87:1	construction 96:12 125:19
108:21 135:10	116:13 117:20	completed 7:9 33:21 154:16	88:16 89:12	Consultant 1:19
143:15 160:19	118:7 122:25	completely 6:22 31:4 106:4	96:5 107:23	contain 100:3
clearances 24:21	139:21 141:12	compliment 10:7 13:13	108:1,7 110:15	contemplated 106:10
clearly 87:24	142:11 146:2	compound 5:21 6:9,17 7:2,3	134:15 148:13	contrary 22:12
Clinton 76:16 149:4	153:1,4 161:19	15:6 16:1,17	149:22	contribution 115:4
close 9:1 25:11 27:3 33:16	comes 72:9 88:12 124:25	17:11 18:1,3	conditions 21:12 32:24 34:23	control 161:11
68:25 69:9	coming 12:6,9 72:2 82:25	18:13,14,20,21	36:2,9 44:2	conversation 86:13
114:12	Commencing 1:9	19:1,18,21	46:21,23 87:6	copies 14:19 27:17
closely 24:14 50:9	comment 28:13 41:13 77:3	20:16 22:15,18	88:9	Copper 81:18 129:24 130:2
closer 22:19 26:17 28:24	78:7 86:11	22:24,24 23:4	conduct 65:23	corner 10:25 11:1,10 29:19
29:5 34:23	103:23 105:19	23:6,7,22 39:4	conducted 77:21	75:23 77:7
36:4 42:21	111:7,9 120:24	52:2 54:19	conference 156:2,22	Cornine 128:17
49:2 71:25	154:10,12,15	56:19,24 57:6	confirm 98:3	correct 9:24 10:1 14:4 15:8
112:2,25	160:21	58:20 66:10	confirming 22:6	15:9,13,14,18
116:13 122:15	commented 85:22 103:19	114:13 120:20	confirms 125:20	
145:20 147:14	111:3	122:9	conflict 153:10 156:15 157:9	
152:1,3	comments 3:18		Conine 2:9,11 3:19 17:19	
closest 69:6			23:2 48:7 49:2	
closing 78:5 85:20 86:10			68:23,24 69:6	

15:19 17:24,25 18:6,7,22,23 19:3,7 22:3 24:12,14 26:4 26:18 29:22 36:18 37:5,13 39:24,25 40:2 40:3,10,12,21 41:3,16,17 42:11,12 43:13 44:10,19 45:16 46:6 47:1,4,8,9 48:4,5,7,8,12 48:13,16,17,21 49:3,4,8,9,12 49:13,16,17 50:14 51:11,16 51:20,21 53:18 53:19,21,22,25 54:4,10,11,17 54:18,21,22 55:2 57:15 58:12,13,16,17 59:5,16 62:14 65:15 68:5,6 75:10,11,22 77:2 80:8,11 80:12 82:9,10 86:19,20,22,23 88:10 90:22 93:1 97:3 98:7 98:20 100:11 104:5,15 105:13 108:16 110:12 115:15 115:18 121:4 122:17 127:11 128:24 129:24 130:9 131:23 132:3,14,19,20 133:22 134:6,7 134:10,12 137:2,11 139:6 139:25 140:1,5 140:6 141:20 142:8,9,12,13 142:21 148:13 148:14,16,17 150:3,6,12,13	150:16,17 151:3,4,11,22 152:2 corrected 95:13 129:18 correctly 18:3 correspond 150:1 cost 6:22 39:6 91:6 Cotton 2:11 counsel 13:19 21:9 22:1 86:9 104:17 162:11 162:13 County 75:17 couple 38:4 53:12 112:1 coupled 102:21 course 35:17 49:5 60:4 80:24 cover 102:13 138:1 139:18 coverage 89:5,5 104:6,11 132:13,18 133:4,14,20 135:13,15,23 136:3,11 137:3 137:7,22 139:1 coverages 133:8 covered 132:22 132:23,25 137:23 144:20 covering 110:10 COVID 49:20 crane 77:20,25 78:6,9,15 79:8 79:8 80:10 82:12 83:4 84:19,22 85:1 85:2,6 101:19 101:20 102:2 102:23 103:2 127:19 128:4 142:23,25 143:1,3,3,8,12 143:13,16	146:8 147:8 crazy 160:5 create 58:20 90:19 142:7 158:3 created 52:17 creating 39:12 52:10 101:11 141:24 credibility 64:14 credit 131:23 132:1 criteria 26:24 55:5 87:4 89:9 104:23 105:4 106:6 108:4 131:2 135:20 135:20 138:11 138:12,16,17 cross 160:21 cross-examina... 56:23 77:12 78:3 107:2 146:16 cross-examined 66:6 cross-section 28:20 CSR 162:19 current 39:10 44:8 45:14 50:3 53:17 54:16 67:9 79:3 151:1 currently 41:12 42:6,10 48:24 66:24 76:12 82:2 127:4,6 150:1 cursor 81:16,22 82:1 83:15,16 cursor's 85:5 customarily 88:14 cut 26:12 62:21 87:12 cuts 11:14 74:25	D 1:18 3:1 79:25 d-o-m-b 100:13 D-o-m-e 100:14 D/b/a 1:5 Dan 1:12 9:1 30:13 157:24 dare 67:1 dark 84:10,12 dash 58:5 dashed 24:15,20 58:6 date 50:19 157:14 159:19 162:9 dated 44:23 50:21 52:24,24 162:23 David 2:9 DAVIS 2:2 day 71:6 88:11 125:5 143:7 157:9 158:8 day's 159:20 days 7:23 157:3 DBH 40:21 55:1 dead 52:8 53:1,3 53:6,25 54:10 54:16 56:25 57:1 81:6 151:10 deal 74:7 decent 35:12 decide 108:24 decided 161:4 deciduous 53:20 59:24 81:2 103:3 decision 6:18 13:7 105:14,19 105:21 160:3 deemed 75:2 deep 32:17 37:15,16 defer 22:5 deference 10:14 define 35:8 degree 102:14 102:15 degrees 145:11	DelBarton 76:10 89:25 149:12 149:14 deliberate 97:4 deliberations 153:24 161:9 Department 79:20 125:19 depending 66:20 depends 36:1 37:5 depicted 15:21 16:6,15,25 59:12 62:12,19 64:2 90:14 148:12 151:16 depicting 59:11 depicts 44:16 50:3 148:16 depleted 104:7 deployed 100:1 depth 32:14 35:23 36:13 92:3 described 104:19 105:2 description 3:12 63:19 deserve 9:20 design 7:13,13 7:21 8:5 18:20 25:23 26:24 46:18 68:5 75:10 95:16 97:1 98:24 99:11,20 109:14 133:15 designated 16:20 28:4 designation 79:21 designed 25:24 30:25 31:1,21 42:15,18 49:5 68:25 92:10 93:12 96:6 136:14 designing 91:25
--	---	--	---	--

92:2,25	66:7,9 71:3	33:14,19,25	129:2	Eisenstein 1:19
designs 25:20	72:4 80:9 82:9	55:20 117:14	driving 121:21	20:6,8 21:9
desired 132:9	98:22 106:22	138:21 139:10	drop-off 121:24	38:19 96:16
detail 5:25 87:13	107:13 146:24	140:14,17	drove 134:1	111:3
133:11	differential	141:25 155:7	due 16:17 56:19	Eisenstein's
detailed 137:21	111:1	dome 152:5,6,8	duke 103:18	40:25
details 19:12	difficult 29:3	Donato 9:18,22	dumb 69:19	either 15:17
34:10 45:3	difficulty 91:14	10:19 12:11	dumpsters	18:17,22 22:14
77:9 138:25	91:15	dot 81:25	122:8	23:5,16 37:22
determine 53:5	dimension 25:25	doweled 31:23	dwelling 81:5	43:12,24 45:14
92:5 101:13,14	direct 15:17	DPW 36:7 50:4	dying 52:8 53:1	59:12 67:22
108:14 145:17	114:23 149:21	51:1,24 65:25	53:3,6 151:10	74:25 78:18
determines	direction 16:14	80:4 106:24	<hr/> E <hr/>	85:11 86:3
103:5,6	65:19 95:4,8	107:4 112:23	E 2:1,1 3:1,10	94:18 95:4,17
determining	discuss 126:2,6	120:14 129:12	13:24 74:1	95:23 97:1,1
59:18 66:21	discussed 21:10	130:5,7 148:7	80:1 162:1,1	107:14 115:16
detriment 104:2	28:23 46:5	148:9 152:4	earlier 47:3	132:25 154:25
detrimental	discussing 127:4	DPW's 115:9	54:20 67:24	elected 89:11
87:7,12 88:5	discussion 93:19	Dr 1:19 20:6,7	78:17 107:9	elementary
89:3,4 104:21	94:14,15 109:9	21:9 38:19	116:16 151:20	105:24 106:1,8
136:12	144:9	40:25 96:16	early 9:11 94:1	106:14,19,23
deviation 78:5	diseased 52:8	111:2	earth 30:25	132:19
devoted 78:4	53:6 151:10	draw 96:3	ease 14:1	elevation 25:19
diagram 59:17	display 16:9	drawing 24:11	easement 151:16	44:16,25 45:9
60:6 61:3,6	dispute 34:9,22	52:11 67:21	easements	45:11 49:6,10
diameter 28:5	34:24	drawings	151:19	49:15 102:8
30:24 31:1,21	distance 79:2	125:19	easier 91:5,8	109:7 110:5
35:14 39:23	distances 147:15	drawn 60:15	easily 93:2	111:18 120:11
42:13,17 43:10	district 67:1	61:13 62:1,7	east 17:6 78:11	elevations 65:23
55:23 58:11	78:23 79:1,5	63:3 64:10	eastbound 76:16	67:6,21 111:5
59:24 90:11	80:14,19,25	drew 60:7,8,11	Easter 157:5	111:9 120:10
92:3 97:8,9,12	82:17,22 85:25	60:16 61:3,5,7	easterly 16:14	148:19,22,23
97:13,14,15,20	86:3,4,5,6,7	61:22,23 62:16	eastern 80:13	148:25
97:24 98:4,4,5	96:22,22 145:7	64:4 65:7	edification 58:3	eleven 53:16
98:9,12 99:3	147:6,7,18	drill 25:10 30:9	Educate 109:5	eligible 8:22
99:20,23 100:3	disturbance	30:10,22,24,24	education 142:3	10:16 11:25
100:5,10	16:10 22:17	31:1 32:2,6	educational	eliminate 103:22
148:24	39:17 58:20	33:2	142:4	Elizabeth 1:15
diameter-breast	59:1	drilled 25:7	effective 91:6	8:24,24,25
55:2 58:19,25	disturbed	drilling 30:17	effects 104:22	11:20 12:12,24
diameters 113:3	122:25	31:25 32:8	effort 106:14	155:25
dictate 87:22	disturbing 71:6	35:6,6,10	108:15	emotional 119:3
difference 34:14	diverging 97:6	drive 12:24 32:7	eh 33:4	employed
48:18 49:1	document 60:21	121:10 135:25	eight 79:11	131:13 133:16
64:9 110:23	60:22	140:22	80:23 86:1,6	employee
111:2,3	documentation	drives 12:24	114:3,4 126:25	162:11,13
differences	40:5	driveway 79:20	129:11 145:4	encountered
134:5	doing 17:20 22:6	81:3 85:16	147:3,4,9,12	36:14 42:9
different 31:2,4	22:9 23:11	120:3 121:19		endangering

36:4	eve 81:5	146:7	97:1,2	95:19 109:10
engage 106:18	evening 5:6,9	Exhibit-8 15:16	extending 23:18	110:8 119:16
engaged 78:3	6:1,5 7:8 8:10	exhibits 46:13	91:14,15	137:4
Engel 2:10	38:24 40:1	77:17 86:13,17	extends 43:25	fairly 28:19
engineer 5:21	66:4,13 74:5,7	132:5	90:15,18	102:8
28:3 55:16	78:17 130:23	exist 65:9	extension 92:25	fairness 13:3
57:2 64:17	130:24 140:8	existed 63:22	110:10,10	96:25 128:25
65:2,22 67:21	142:8,12	existing 51:12	119:3 160:15	138:21
72:3 113:3	151:15,21	51:15 61:9,14	160:18 161:20	fake 43:16 44:16
150:2	event 34:21,24	61:22 75:16	extensive 37:10	49:11 127:5
engineering	104:8	81:16,17	78:3	142:15
25:3 27:23	evergreen 80:23	102:24,25	extensively	fall 27:3 87:2
71:21	81:4,6,17,17	103:3 107:4	85:22	famous 9:15
ensure 95:7	91:17	Exit 90:24	extent 33:23	far 33:20 55:9
ensuring 96:11	evergreens	expand 18:10,20	36:3 57:9 59:3	64:20 88:4
entered 132:6	59:25	23:6	59:18 61:8,11	89:17 94:21
enters 13:10	everybody 14:7	expanded 19:19	62:18	107:3 114:17
entire 9:22	14:23 24:9	expanding	extra 11:12	farther 24:6
46:22 120:14	72:24 73:1	22:15 23:22	152:14	fashion 90:17
entirely 84:17	77:11 152:25	expansion 19:16		fast 151:5
entitled 21:11	161:22	21:1	F	faux 42:13
entity 140:25	everybody's	expectation	F 2:8 3:6 74:1	favor 89:2,9
entrance 79:20	113:14	36:16 161:15	79:21 81:18	104:23 124:23
80:3,16	evidence 108:17	experience	82:15,21,24	favorably 8:14
equally 89:10	154:9	23:15 42:16	128:2 129:9	FCC 21:18,21
equipment 16:6	exact 102:4	96:3,10	162:1	feasible 34:14
18:5,17 20:13	exactly 92:9	expert 138:14	facilities 45:25	35:19 56:3
20:17 21:16,18	EXAMINATI...	138:23	facility 68:25	February 77:21
22:14 41:15	15:3 38:23	expertise 91:3	80:4 87:14	143:4,12
45:2,3,25	74:3 130:22	141:22,23	152:5	Federal 57:11
54:19 56:19	example 20:25	explain 101:10	facing 130:5,7	78:23
erected 51:4	46:16 145:18	explained 15:25	fact 18:21 28:23	feet 8:6 16:2,4
error 46:1 95:12	examples 113:8	exploration	39:3 56:25	16:10,22 17:3
especially 101:8	148:20	26:24 32:5	58:9 61:25	17:4,4,7,7,8
ESQUIRE 2:3,5	excavate 30:4	extend 91:5,6,8	79:22 88:6	18:21 21:20
2:8	exceed 125:21	95:15 110:17	102:21 105:23	22:19 23:1,1
ESQUIRES 2:5	excuse 70:16	extendable 93:8	128:15,17	23:11 24:4,11
essentially 18:4	80:17 135:16	93:10,12,13,17	135:24 138:3	24:13,24 25:4
18:19,20,24	excused 4:18	94:24 110:14	138:13 144:25	26:7,7,12,13
21:11,15 91:8	exempt 21:21	110:16	145:4,14	27:3,5 30:22
establish 147:7	exemption 21:14	extended 21:19	146:17	30:25 35:23
established	exhibit 3:12 7:5	41:1 54:19	fact-based 108:5	36:14,25 37:2
101:25	7:6 14:2,6	58:4 92:6,8,10	108:13	37:3,12,12,21
establishing	15:16,17,22,23	93:23 94:9	factor 28:21	39:17,23 43:25
145:1,3	52:11,17 53:15	108:25 128:16	101:14,23	44:12 45:25
et 32:9 121:24	54:3,8 58:2	extendible 91:25	factored 92:4	47:11 48:3,6
Eunice 2:9	74:10,21 76:21	92:16 93:4	facts 35:17	48:11,11,15,18
evaluation 65:23	77:4 82:4	94:18,19,22	fair 11:13 20:22	48:19,23 49:1
134:5	137:17,19,21	95:18 96:6,9	28:13 51:2	49:11,11 66:11

66:16,19,19,19	19:12,13	26:11 37:9,17	60:18,20 61:1	130:6,12,15,20
66:25 67:9	113:21	37:24 44:17	61:6,10,16,19	136:19,22
75:18 76:11,18	fiberglass 100:2	45:12 49:11	62:9,15,23	137:8,12,15,24
76:18 77:10	figure 9:14	58:21 67:23	63:25 64:3,8	139:12 144:16
78:10,13,14,21	149:24	79:25 80:1	65:6,11,14,18	144:18,24
78:22 79:1,4,4	file 109:20	88:2 89:12	67:13 68:9,12	145:3,10
79:7,19,24,25	filed 107:17	97:9 98:3 99:2	68:15 69:13,17	146:10 152:10
79:25 80:1,2	143:18	100:16 110:22	69:20,25 70:8	152:13,20,23
87:1,25 88:1	final 9:15	110:25 115:17	70:11,20 71:8	153:3,11,14,20
90:16,16,18	160:22	126:24,25	71:20,25 72:2	154:1,3,18,23
97:13,14,16,25	financially	127:1,4 150:5	72:8,12,17,23	155:12,16,24
101:2 102:3,6	162:14	flagpole 26:5,10	73:16,17,20	156:6,11,14,18
103:22,24	find 26:16 35:21	26:12 37:17,24	75:24 76:6	156:23 157:6
104:9 106:15	36:2,11 37:1	43:24 44:17	81:8,13,19,22	157:19,22
107:17,18,20	62:1 65:3	45:12 49:12	82:1,7 83:7,14	158:6,11,21
107:25 108:7,7	fine 12:2 25:25	58:21 67:23	83:18,21 84:3	159:3,9,14,23
108:23 109:8	29:8 57:23	79:25 80:1	84:9,13,16,23	160:2,7,10,16
109:16,24	70:11 86:15	88:2 89:12	85:2 90:8 91:1	160:24 161:3,7
110:18 111:17	136:3	91:7,10,11,14	93:3,9,15,18	161:15,22
112:9,10 113:6	finish 10:22	95:17 97:9,14	94:3,8 95:19	flexibility 23:6
114:4 116:10	64:24 106:25	97:14,16,20,21	96:25 97:4,7	95:14 96:11
117:14 120:17	130:3,20 154:4	98:3,24 99:2	97:23 98:1,8	focus 88:14
120:17 121:2,5	firehouse 71:2	100:16 109:3	98:14,18,21	focused 112:9
125:4 128:4	111:16 134:24	110:22 111:1,4	99:1,7,13,16	follow 17:14
132:2,7,14,18	135:1,2 136:2	111:4 115:17	100:7,12,15,20	55:18 136:22
132:22,25	firm 5:12 25:20	126:24 127:1,1	101:6 103:11	follow-up 52:21
133:4,5,14,20	47:3,6	127:4,8 150:5	103:15,17	53:14
133:21 134:1,1	first 8:17 17:21	Flanagan 1:11	104:16 107:6	following 158:2
134:6,6,6,10	20:17 28:17,21	4:1,10,24,25	108:19 110:8	158:3,4
134:15,15,24	39:1 74:10	6:2 8:18,23 9:4	110:20 111:11	follows 13:25
136:1,2,6,8,10	75:15 79:9	9:7,18,25 10:2	111:15,21	74:2
137:3,5,7,10	103:18,24	10:6,10,18	114:9 115:12	followup 49:23
137:11,13,14	104:18 116:2	11:1,4,10,16	115:16,19,25	foot 24:25 25:2
137:15,16	146:3 155:6	12:2,6,10,19	116:6,13,15,22	37:7 40:7 44:7
138:1,8,14,18	fit 99:22 100:8	12:23 13:5,12	116:25 117:8	79:7 88:1
138:23 139:1	100:10	13:16 15:2	117:12,17,23	100:15,16
139:18 148:16	fits 88:16	19:20 20:6	118:8,17,20,25	106:8 109:14
150:6,6,7,7,8	five 6:14,15	21:6,23 22:9	119:5,13,22	110:6
151:22,25	11:12 17:22	23:24 24:7,16	120:8,13,19,22	footing 25:14
fell 51:19	46:16 50:23	26:15,19 27:19	121:1,6,12,16	foregoing 162:6
fellow 5:10	56:21,23 63:23	29:13,20,23	121:20,25	forget 27:21
felt 75:2,5 149:5	64:23 72:20	31:17,24 32:7	122:7,17,20	97:11 129:1
fence 18:11 20:5	82:15 113:15	32:19,25 33:8	123:3,7,10,15	forgive 69:18
20:23 21:2,19	128:1,2,3,11	34:11,17 35:1	123:18,24	form 51:18
23:18 41:1,7	128:12 129:9	36:6,11,15,19	124:5,8,11,21	formulated
113:22 114:2	five-and-a-half	36:22 37:15,20	125:8,12 126:7	101:17
fenced 120:22	106:17	38:3,10,19,22	126:13 127:20	forth 76:2
fenced-in 20:12	flag 126:19,20	42:23 50:8,11	128:2,19,25	137:19 162:9
fencing 19:5,6,8	flagless 26:5,10	60:2,5,12,15	129:4,13,18,25	forty 107:19

forward 25:22 26:21 37:6,6 46:21	89:5 104:7 138:14,22 139:4,10	96:14 97:15,16 100:11 109:12 111:4 117:2	109:21 112:20 117:12 118:2 118:11,21	153:21,21 154:3 155:17 156:5 158:23
found 61:24	friendly 97:22	generator 11:16	121:9,19 122:9	159:16 160:3
foundation 24:20,22 25:6 25:16,24 26:8 26:10,24 28:14 28:17,21 29:1 29:2,6,14 35:6 35:11 36:5 37:10 92:2,3 146:1,2	Frigerio 3:19 69:15,18,22 70:4,10,16,17 70:22 71:23 72:1,7,11,14 116:4,7,14,20 116:24 117:4 117:10,13,19 117:25 118:16 118:19,23 119:2,10,16,25 120:11,16 121:8,15,18,23 122:2,5,14,18 122:24 123:6,9 123:14,16,22 124:3,7 127:2	18:9 gentleman 62:1 gentlemen 4:1 geometry 102:9 George 1:14 103:16,17 104:16 123:25 George's 107:11 geotech 33:18 33:20,25 34:23 geotechnical 25:17,21,23 get-go 23:18 getting 5:8 10:3 45:17,21 84:6 144:25 152:1,3 give 11:12 14:14 67:17 68:21 70:14 95:14 112:18 124:11 149:15 given 85:23 106:13 107:11 giving 56:10 glad 104:17 Glen 116:12 133:5 go 6:20 11:12 13:5 18:19 30:11,22 32:5 35:7 37:12,16 46:10,10 47:16 47:22 48:9 53:8 55:25 59:7 65:14,20 67:13 69:21 71:5 72:6 75:25 76:1,20 77:9 82:4,6,18 83:1,5,23 84:19,21 87:9 88:21 94:11 95:6 99:16 103:18 104:18 106:2,15 107:7	127:12,18,20 128:20 129:6 139:2,19,22 144:4,15 145:15 147:9 147:10,11 149:1 152:11 152:14 153:18 153:19 155:3 157:9,13 goal 5:7 94:3 goes 31:20 41:9 121:1,22 going 4:16,17 7:10 9:3,5 11:21 12:3,12 14:14 21:7 27:20 28:19,20 33:19 34:4,6 37:1,18 38:2,6 55:18 57:6,18 58:25 59:13,23 65:16 67:25 68:2 70:22,23 72:6 74:6,20 75:24 77:10 85:5 86:11 95:6 102:17 107:12 113:20 114:13 116:10 116:11,17 117:4,14,15,16 119:4,8,11,18 121:14,18,23 122:5,10 125:3 125:4,5,6 126:1 128:7 132:1 133:4 135:9,24 136:23 137:24 138:4,6,7,12 141:19 145:22 145:23 151:6 152:24,25 153:4,5,11,16	161:18 good 5:9 21:6 22:7 34:6 35:8 38:24 92:7 95:24 118:19 124:7 130:23 130:24 136:24 138:2,14,23 157:14 159:22 good-faith 34:5 106:14 108:15 grade 31:18,20 grant 161:20 grants 160:14 160:18 graphic 141:25 gravel 16:12 great 33:7 116:7 118:1 155:23 greater 55:2 93:20 98:9 102:3 107:3 132:8,8 greatest 88:14 88:14 Green 98:9,11 100:19,20,22 100:24 GREENBAUM 2:2 grew 113:9 ground 18:17,18 21:16,18 22:13 29:18 31:13 55:9 102:1 grow 91:17,18 grown 151:6 grown-up 85:22 guarantee 42:7 42:9 57:10 161:14 guess 9:2,21 11:5 37:20 64:4 68:2 105:15 138:18
four 28:5,10 49:7 50:23 81:17 103:20 104:22 113:15 139:25 140:4 144:22 145:5 147:3 148:12 155:11,12,15 161:19	front 60:6 69:17 72:13 85:14 101:15 full 10:7 13:13 23:13,17 117:16 158:5 further 5:18 17:13 21:22 22:8 23:1 26:15 68:7 79:4 88:1 89:15 113:17 136:11 160:17 162:10 future 45:3			
fourth 88:21				
Fox 1:18 28:16 29:2,6,11,16 29:22,25 33:16 34:10,16 35:5 35:21 36:1,10 36:13,18 89:16 89:22 90:2,5,7 125:20 129:6 129:10,17				
Fox's 34:13				
framework 97:18				
Fran 69:13,21 70:14 71:20 116:2,13 117:23 121:6 128:21				
Frances 3:19 69:15,18,22 70:4,10,16,17 70:22 71:23 72:1,7,11,14 116:24 127:2				
frankly 23:9 64:9				
frequency 72:3				
	G			
	G 2:3,11 game 5:15,25 gate 112:17,19 116:12 118:13 118:14,16,18 121:13,13 general 16:13 46:16 90:14 102:1 149:13 generally 23:16 36:13 91:7			

155:17 161:2 guy 72:4 guys 56:3 69:23 103:18 107:7 124:22 125:2,5 139:20	124:24 129:25 146:16 157:13 161:4 hearing 6:7,19 8:3 9:16 15:8 16:8 42:21 69:23 74:23 76:24 78:19 103:21 123:2 156:17 161:24 hearings 10:13 69:16 76:15 heavily 92:18 heck 111:17 height 8:2,5 16:22 19:10 26:6 31:21 40:17 44:25 46:5 55:2 58:19,25 67:3 67:5,9 75:18 76:11,17 77:1 80:3 81:1 82:9 87:1,8,25 88:8 88:16 89:7 93:14,20,25 95:6,8 101:24 102:4,5,25 104:10 105:11 105:12 106:3 106:16 107:13 107:25 110:3 110:17 113:17 113:17 124:19 125:21 131:3 131:18 134:13 136:10 139:16 heighth 87:23 heights 49:16 58:14,23 79:24 114:7 133:8 134:4 136:18 151:3 helpful 7:21 14:2 113:1 114:12 hereinbefore 162:9 HEROLD 2:7	hey 123:5 138:7 Hi 38:25 68:23 high 113:4 higher 79:24 93:14 111:18 132:15 highest 16:23 39:23 134:18 highway 32:8 Hill 48:7 68:24 82:16 127:15 128:14,15,16 129:22 130:1 130:11,14 133:5 historic 29:10 67:1 78:23 79:1,5 80:14 80:19,25 82:17 82:22 85:24 86:3,4,7 96:21 118:2 145:7 147:6,6,18 hit 19:22 25:9 hitting 32:13 Hold 64:20 69:20 70:1 84:7 158:24 160:16 home 132:23 homes 69:1,5 132:21,24 honestly 34:8 92:11 144:1 153:21 hope 56:22 160:20 161:19 hopefully 5:16 8:13 9:15 15:20 160:22 hour 13:3 161:16 hours 161:19 house 82:24 122:15,16 housekeeping 8:15,20 houses 113:15 HPC 157:23	huge 143:9 HUGH 1:14 hundred 80:2 107:17,19 150:6,7 hundred-forty 107:20 hundred-year 70:18 hundreds 65:1 131:15,16	I I-78 76:16 idea 30:2 35:10 36:8 50:24 100:18 identification 77:7 identified 52:5 52:11 53:1,25 54:10,23,25 55:4,24 56:6,7 79:9 80:4 identifies 127:13 identify 56:1,21 57:24 74:17 87:11 identifying 55:5 image 75:15 77:6,6 79:9,10 80:4,15,22 83:2 84:21 85:16 127:12 127:13,18,21 128:1,3 129:16 imagine 27:25 32:9,20 immediate 23:20 immediately 145:8 impact 23:9 75:9 85:24 86:25 87:8,15 87:16,24 88:13 88:23,24 89:4 103:20,24 104:14 118:1,5	118:5 124:4 136:12 150:10 151:17 impacted 114:14 impacts 87:7,12 88:5,20 89:3 112:2 impervious 16:11 important 114:20 124:3 impose 87:5 96:5 110:15 imposed 88:10 106:3 impossible 22:10 32:2 improve 88:2 improvement 113:18 116:8 inability 110:4 inch 40:6 inches 29:18 42:17 43:7 55:1,24 58:12 58:19,24 59:23 78:14 97:15,25 98:5 100:17 include 21:14 34:13 40:24 41:12 included 44:24 47:7 includes 21:14 including 17:22 45:3 142:8 145:6 150:10 inclusive 43:10 inconsistent 23:23 increase 17:4,8 20:15 increased 17:7 95:8 134:14 increases 104:21 incredibly 66:21 indicate 75:13 77:13 88:7 indicated 6:5
---	--	--	---	---	--

74:4 87:13 106:12 107:2 indicates 75:23 Indicating 58:2 indulgence 127:10 information 64:15 75:14 149:16 154:8 informed 54:7 initially 15:21 19:1 105:17 initials 62:2,2 63:4 input 17:23 inquiry 18:25 92:14,15 108:5 inserted 142:11 inside 91:11 97:17 100:8 115:13 121:17 inspection 143:18,23 install 25:13 115:5 installation 19:3 installing 115:10 instances 87:5 intended 146:14 intends 5:20 intensification 107:3 interest 103:25 104:13 interested 66:18 134:9 162:14 interestingly 77:23 interlock 30:1 interplay 42:7 interrupt 78:2 136:20 interrupting 15:21 75:12 introduce 86:12 introductory 67:25 77:3 involved 39:8	69:2 96:16 131:1,5,12 IRIS 1:21 162:4 162:19 Iron 140:22 ironically 77:22 issue 25:1 33:14 63:22 78:5 85:21 92:21 95:16 118:24 159:16 issues 25:1 28:16 33:18 item 8:20 46:5 items 8:15 74:6 J J 13:24 James 2:10 3:4 13:19 Jersey 4:4 162:6 Jim 64:7 July 50:21,22,24 51:3 63:12 143:14,20,22 jumping 45:22 jurisdiction 34:25 justified 109:23 justifies 110:4 K K 13:24 keep 50:11 70:20 72:2 113:2 117:25 141:19 152:24 kept 29:7 Kimbel 70:18 kind 35:18 74:9 77:22 91:12 98:16 149:7 159:21 King 96:16 123:11 knew 13:2 know 9:7,9,11 9:16 11:7 12:5 12:12,19,21,23 14:9 20:8	26:19 28:12 29:6 30:4 32:15 33:9,19 34:18 37:1,11 40:16 41:5,5 43:9 44:11 45:10 46:16 49:22 50:2,7 51:8,19,22,25 52:3 54:2 55:5 55:7,9 58:14 58:22,23,23 59:3,10,24 63:11 64:9 65:18 66:17 67:19,20 71:8 72:3,8 87:21 88:12 90:9 91:3,12,17 92:4,11,24 96:2 99:5,8,9 100:20 101:3,4 101:25 102:2 102:10,15 105:6,7 106:5 107:13 111:8 115:21 120:1 120:17 121:12 121:13 122:24 123:6,9 124:2 124:17 125:6 131:6 133:22 134:8,17,18,19 134:20 139:1 141:22 142:2,4 142:10,14,20 144:2 149:11 149:20 151:1,5 151:7,9,20 156:22,25 157:15,24 159:21 161:17 knowing 12:14 12:17 155:18 knowledge 22:5 149:21 known 144:6 knows 111:21 141:11,15	155:17 Koeneke 2:9 L L 74:1,1 LA 162:4,19 labeled 129:7 ladies 4:1 116:2 Lafayette 75:17 149:9 Lake 70:18 landlords 105:8 105:10,12 landscape 114:6 115:8 landscaping 17:9 86:22 114:23,25 115:3,5,10 150:21 151:6 Lane 76:17 81:18 129:24 130:3 large 6:18 8:11 35:6,14 larger 26:8,9 97:20 98:12 100:1,5,5 101:4 LaROSA 1:21 laser 81:9 late 4:17,18 11:21 152:15 latest 77:24 Laughter 83:9 130:21 law 2:7 5:12 125:10 laws 105:25 layer 25:9 30:20 32:15 layers 30:11 layout 16:17 lead 37:11 leading 120:5,12 lean 25:4 Leaned 92:18 lease 18:1 23:11 23:12 40:23	41:11 47:7,10 47:21 48:2 49:6 57:19 58:7 110:16 leased 57:6,20 58:4 leaves 54:15 111:22 Lees 48:7 68:24 82:16 127:15 128:14,14,16 129:21 130:1 130:11,13 133:5 left 80:21 81:5 81:24 82:18 84:24 112:1 121:16,19 160:20 left-hand 75:23 82:8 129:16 legally 21:8 length 21:13 90:14 106:13 121:2,7 Leslie 3:20 125:1 let's 13:2 31:20 41:9 105:9,22 109:8 127:20 137:17 139:12 141:19 147:9 153:5,18,19 156:23 157:9 letter 123:13 letting 159:21 level 87:16 88:23 105:5 licensed 61:24 likewise 8:7 limit 95:6 limited 1:4 146:16 154:8 line 18:11 20:5 20:23 21:2,19 22:19 23:1 24:25 58:6 66:15 78:22,24 79:1,5,5 103:3
---	--	---	--	--

lines 23:18	119:18 122:11	93:25 97:10	Maselli 1:12	McKittrick 2:10
listed 27:14	129:7 137:5	99:2 106:16	4:17 12:16	3:21 126:10,11
129:10	138:9 158:24	116:23 123:22	30:3,8,10,15	126:15,18,22
listen 124:22	looked 22:4 39:9	133:7 136:10	30:21 31:2,5	127:9
159:18	105:16 136:13	136:18	31:14 73:8,9	mean 13:2 32:19
listening 125:24	148:18,25	lowering 103:22	83:12 85:9	65:19 88:11
little 5:25 14:11	looking 27:20	103:24	101:5 111:24	91:24 117:15
14:20 24:17	45:8 60:13		112:21 113:13	118:4 120:3
45:23 58:4	61:3 63:6 65:8	M	113:22 114:1,5	123:2,21 138:3
71:23 83:25	75:21 82:8	M 2:10 13:24,24	114:11,19	141:12 142:17
84:8 101:11	95:21 122:8	74:1,1	128:22,23	147:8 152:18
112:2 120:9	161:18	M-c-K-i-t-t-r-i...	153:18 158:1	meaning 28:18
126:2	looks 12:25	126:11	159:18,25	90:10
live 70:14,17	34:18 55:23	Ma'am 70:2	160:5	means 77:13,16
lived 118:6	98:16 101:5	magnified 16:9	Master's 160:21	86:17 93:13
Livio 2:10 129:3	139:17	main 25:1	Masters 3:6	meant 75:8
LLC 2:8	Lori 1:17 4:10	maintain 91:20	68:3 73:23,25	measure 6:18
LLP 2:2	5:1 14:1 19:20	95:14 96:10	74:4,20 76:23	8:11 59:8
locate 18:10	24:16,17 72:25	maintained	80:6 81:8	measured 16:21
20:14	74:9 75:24	22:14 23:12	85:19 89:14	40:20
located 51:8	76:3,7,20	51:24	91:3 97:8	measurement
76:16 81:1	83:21,23 84:24	maintaining	101:8,8 103:19	39:22 40:4,17
140:21	153:6	23:3,6,12	118:11 119:13	55:10 58:11
locating 22:14	Lori's 81:22	major 124:17	125:17 130:9	measures 8:6
134:9	83:15,16	making 22:10	130:23,25	measuring
location 5:21 7:3	lose 53:21	29:12 141:13	135:14,18	40:12
24:4 42:11	105:22 116:17	manage 5:18	136:4 138:15	meet 18:18
50:3 58:11	153:21,22	mandate 93:22	139:2,3,9,24	131:1 138:11
77:16 78:6,9	loss 104:11	mandatory	143:16 145:17	157:2
78:12,15,20,21	105:23	21:11	147:11 148:1	meeting 1:5 4:3
79:3,11 80:11	lost 133:4	manner 96:4	152:19 153:4	5:2 13:11
123:20 145:18	lot 1:6 17:2,2,5,6	110:5	154:14,17	131:17 152:16
145:20 151:21	17:6 32:21	manufacturer	mat 25:7,12,13	153:6,7 154:24
152:9	47:11 48:3,6	89:19	26:7,9,17	154:25 155:3,6
locations 15:13	48:11,12,16,22	Maple 16:20	29:15,20,24	155:7,9,19
67:1 79:12	48:23 62:7	17:22 39:24	31:19,23	156:21
80:9 87:4	78:4,10,11,16	40:21,24 41:2	material 113:24	meetings 4:5
112:10 144:22	78:18,18,20,20	41:12,16,18	matter 1:3 6:13	155:2 156:4
145:6,7,8	78:22 79:2,3,4	42:5 57:14	70:6 110:11,16	158:15
148:2,3 150:22	79:13,17	Maple's 41:3	160:1	meets 158:19
locker 51:5	112:16,21	March 1:7 4:2	matter's 160:14	megahertz
log 53:4	120:5 128:15	44:23 46:17	matters 24:25	132:14,19,25
long 16:2,3 29:7	128:16 130:1	48:10 49:8	25:2 28:18	133:1
118:6 161:12	130:12,13	52:25 53:23	maximize 33:16	member 3:18
longer 126:15	155:1,1	54:8 75:19	76:1	4:13,15,19,21
152:8	loud 69:25	145:23 148:8	maximum 27:5	4:23 9:17,17
look 8:14 24:14	louder 71:24	158:14	96:13	11:8,17,19,23
83:1,8 85:10	lower 85:11	marked 7:6 14:6	McKINLEY	13:8,10 14:18
90:21,23 105:4	87:22 91:19	15:16	1:18	19:14,24 20:19

21:1 22:1 24:2 24:10,23 25:15 26:1,11 27:1,6 27:11,15 28:2 28:6,8,12 29:1 29:4,9,12 30:3 30:8,10,15,21 31:2,5,11,14 34:1,4 35:3,16 35:24 36:21,23 37:7,14 38:1 41:23 42:3 55:11,15 56:2 56:11,14 57:13 68:18 73:3,5,7 73:9,11,13,15 75:20 83:12 85:9 86:8 90:21,25 91:2 91:21 92:9,18 92:23 93:8,11 93:13,16,25 94:1,6,10,20 94:25 95:10,24 96:7,18,21 100:18 101:1,5 101:7 102:7 103:4,10,14 104:17 105:1,9 105:18 106:4 108:11,18,21 109:4,10,15,18 109:25 110:9 110:21,25 111:10,14,20 111:24 112:21 113:13,22 114:1,5,11,19 114:21 115:7 122:3 123:17 123:20 126:1,5 128:23 129:19 129:23 141:19 153:18 154:5 154:11 155:8 155:22 156:1 156:20 157:4 158:1,20 159:5 159:18,25	160:5 161:9,11 members 1:10 4:8 5:10,10 7:1 8:22 10:14,16 34:2,5 74:23 76:14 115:21 132:2 135:7 136:1 143:11 144:2,3,4,14 149:3 memo 22:4 Mendham 76:10 mention 23:8 mentioned 23:9 39:22 47:2 76:14 153:9 mere 21:20 MERTZ 1:18 metes 63:19 mic 42:22 117:7 Michael 2:9 141:1 microphone 20:9 30:14 38:18,20 42:24 42:25 50:9 69:21,24 71:16 124:12 middle 85:10 129:19 MIKE 1:11 mile 65:24 66:12 Mill 1:8 133:5 Millbrook 1:5 47:13 48:4 85:17 118:3 122:15 124:15 126:11 129:7 129:11 133:6 mind 9:6 10:6 minimize 33:23 94:4 minimizing 22:23 minimum 55:23 58:11 107:12 109:12,12 minor 17:4 78:13	minute 5:17 72:20 minutes 10:5,20 10:22 11:2,12 13:3 77:12 137:20 152:14 152:15,19,22 152:24 160:20 missing 84:13 84:17 mistaken 95:5 98:8 mitigate 87:7 112:25 113:10 113:16 136:12 mitigating 88:5 134:15 mitigation 112:22 113:1 Mlenak 2:3 10:1 10:5 12:21 13:21 20:2 22:3 37:24 61:17 62:24 63:5,10,13 64:13 66:5 67:8 70:2,5 73:18,19 84:19 85:8 86:11 94:12 103:13 103:16,19 104:12 107:16 107:20 108:16 110:6 125:17 127:22 128:11 135:21 136:7 136:15 146:12 146:21 153:8 154:7,13 157:2 157:13 158:7 159:1 model 89:19 modified 15:6 100:4 moment 8:24 22:22 87:10 monopole 66:20 67:3 126:19,22 months 77:23	139:9 140:4 Morris 76:10 90:1 140:22 Mosquitos 139:20 Motorworks 124:18 Mount 70:18 move 25:22 26:21 36:3 37:2,6,6 38:3,4 38:20 65:16,19 72:16 82:18 128:13 139:12 moved 39:4 42:10 50:25 156:21 158:16 movement 37:25 moves 46:21 moving 70:21 multiple 7:1 96:13 Municipal 1:8 159:1 Murawski 3:4 6:12 8:19 13:19,21,23 15:4 28:23 35:13 38:24 42:23 43:18 44:15 47:24 50:8 54:1 57:17 62:3 63:13 65:22 66:12 67:19 68:8,10,13,16 68:18 69:3 70:21 71:9 99:10,11,15,19 115:15 Murawski's 71:14,18 <hr/> N <hr/> N 2:1 3:1 name 68:21,22 68:23 70:13,14 70:16 124:12 129:1 141:2	nature 26:9 87:14 106:22 106:24 107:1 near 69:5 76:17 98:4 necessary 18:21 19:2 23:19 94:14 necessitate 107:13 necessity 6:20 6:21 need 19:25 20:8 29:21 32:17 35:22 38:5 68:21,22 76:1 83:24 91:25 100:9 108:6,6 111:18 117:22 124:1 130:8 137:11,20 138:2,11,15 152:15 needed 20:16 58:25 93:5,6 needs 40:24 92:4 93:4 111:7 negative 87:3 89:3,8 104:23 131:2 135:20 138:12,16 negatives 104:4 neighbor 129:2 neighbor's 145:13 neighborhood 25:20 neighboring 27:4 Neil 3:20 124:14 neither 133:25 133:25 162:10 162:12 nestled 112:13 112:15 never 55:15 99:11 new 1:4,9 4:4 9:17 19:25
---	---	--	---	---

23:4 46:11 51:4 80:14,17 80:17,19,24 82:14,16,22 86:7,13 100:3 100:9 105:5 107:10,14 109:23,25 110:3 124:18 135:1,2 144:19 147:5,17 162:5 Newlin 1:12 4:22,23 11:17 14:18 19:14,17 19:24 24:2,10 24:23 25:15 26:1,11 27:1,6 27:11,15 28:2 28:6,8,12 29:1 29:4,9,12 31:11 34:1,4 35:3,16,24 36:21 38:1 41:23 42:3 55:11,15 56:2 56:11,14 57:13 73:14,15 75:20 90:21,25 91:2 91:21 92:9,13 92:18,23 93:11 94:1,6,10,20 94:25 95:10,24 96:7,18,21 100:18 101:1 110:9 114:21 115:7 123:17 123:20 126:1,5 141:19 154:11 155:8 Newlin's 110:13 newspapers 121:24 nicely 104:18 night 10:9 153:10 Nina 2:9 nine 41:14 NJ 1:9 non-issue	115:11 nonexistent 65:4 nonsequential 74:8 normal 97:12 Notary 162:4 note 8:21 23:15 44:2 46:16 106:20 noted 85:21 notice 158:14 159:20 160:17 noticed 4:5 notified 4:17 Notwithstandi... 6:24 number 28:5,10 39:21 56:10,18 57:3,4,13 61:20 77:7 80:16,23,23 81:18 89:20 94:4 96:13 127:15 128:14 128:14 132:24 numbers 106:11 106:12 <hr/> O O 153:14,15 o'clock 153:19 O'Donnell 3:20 17:18 47:12 48:3 112:5,18 114:17 118:12 118:17 124:8,9 124:14,14 128:23 129:3 O'Donnell's 145:12 oath 13:22 73:24 object 135:10 objection 33:13 43:17 159:17 objectives 8:9 16:19 17:19 18:18 Objectors 2:8 obligation 108:4	obscure 14:12 obscured 102:13 102:15,19 Observer 4:5 obvious 89:4 obviously 59:3 91:17 ODAS 133:15 offer 115:2 offered 8:2 77:1 office 41:19 71:6 80:17,21 112:14 140:18 140:20 141:7,8 152:2 offices 51:4 oh 14:10 30:6 32:9 53:11 57:20 68:20 85:7 115:23 117:22 119:9 137:15 154:24 okay 6:2 11:11 13:12 15:15 18:12 19:10 20:11 21:23 29:23 32:19 35:1 36:15 37:14 38:10 50:22 57:23 58:8 62:3,6,23 70:22 72:7,11 75:15 76:9,23 85:16 86:15 89:22 90:2,7 98:14 100:7 101:6 109:4 123:10 124:24 125:10 129:17 130:15 143:22 152:13,23 156:23 158:10 old 70:18 older 99:15,19 100:7,8 once 5:11 25:21 25:21 89:1 157:25 159:16 one-and-a-half	78:14 ones 112:8 113:15 158:22 open 4:4 94:7 126:7 159:1 opening 74:5 operational 87:14 operator 102:17 103:5 opinion 30:4 34:14 87:17,18 88:15 89:10 104:13 135:18 opportunity 9:12 15:25 144:3,14 145:5 opposed 25:7 145:19 155:6 155:19,20,20 155:21 opposition 63:21 option 11:9 110:17 154:25 options 109:1 order 6:8 32:17 74:8 87:6 91:19 92:5 ordered 42:19 43:5,6 original 6:15 18:20 46:3 63:18 65:10 77:20 78:15,20 80:10 87:17 100:3 101:18 102:5,6,22 106:18 127:13 143:3 145:22 146:7,9 originally 16:16 19:6 46:3 50:6 77:25 120:25 152:4 ought 139:21 outer 31:14 63:19 outset 92:1	outside 57:19,20 67:1 97:18 146:14 outweighs 89:8 104:11 overall 16:1,10 16:22 57:19 58:6,7 89:5 overpass 32:10 33:1 76:17 overpasses 32:9 32:20 <hr/> P P 2:1,1 P.E 1:18 p.m 1:9 13:11 72:21,22 160:14,17 161:25 PA 2:7 package 39:12 pad 38:1 page 3:2,12,19 3:19,20,20,21 pain 87:13 painful 109:22 paper 27:16 parcel 63:9 part 29:15 43:16 49:6 59:16 60:17 61:10 63:6,15 64:16 78:25 91:13 97:10,10 107:23 138:21 140:18 partially 105:11 participate 68:4 particular 14:8 29:5 36:8 61:11 77:14 80:13 99:23 112:4 145:1,18 parties 162:12 Partnership 1:4 path 20:24 41:10 121:21 Paul 1:18 28:13
--	---	---	---	--

29:13 34:18	145:18,22	placing 70:25	pointed 56:22	99:2 102:12
pay 108:25	146:6 147:12	plains 140:22	pointer 14:15	portions 91:9
penetrate 32:15	149:8 150:22	plan 3:13 5:6,7	19:15,24 24:8	pose 62:10
people 118:5	151:14	5:15,20,25	40:25 55:16,17	positive 89:2,2,9
122:22 144:13	photograph	6:22 16:1,6,15	57:24 81:9	105:4 106:6
155:1,5	75:15,18 76:7	17:9 24:14	points 56:17	108:4 135:19
percent 102:4,4	76:8 77:8	39:6,7 40:5	80:7 94:7	135:23 138:11
102:18,18,18	79:11,13 80:15	44:16,18,20,22	101:22 126:25	138:16
102:18 106:9	80:18,20,22	44:22 45:7,8,8	136:24 146:5	positives 104:4
percentage	81:3 101:20	45:10,13 46:12	146:24 148:10	possibilities
39:19,19	127:13,19	46:17,22 49:8	pole 16:6,13,24	20:4 49:16
percentages	128:4,10,17	55:19,24 60:8	17:3 20:23,24	possibility 9:19
39:18	149:1	60:10 62:18,25	24:4,5 25:11	20:15 27:1
Perfect 14:21	photographed	63:2,2,4,13	25:21,23 26:2	35:15 92:7
82:19	148:20	64:21 78:12,21	26:7,8 28:20	possible 7:13
performed	photographer's	79:6 112:9	29:7,14,16,24	14:21 27:24
25:21 40:17	129:22 130:3,6	114:6 120:14	31:8,9,10,12	33:17 55:13
41:20 42:1	photographs	120:16 148:19	31:22 32:16,18	77:5 82:25
performing	7:20 68:3 75:2	150:2,19 151:1	32:22 33:2	possibly 7:3
140:24	75:8 86:6	planner 5:22	37:5,8,9 42:10	27:2 150:23
permission	101:19 147:4,9	7:10,24 8:4	45:12 46:1,5	post 29:8 71:5
118:23	148:12	planning 88:13	49:6 58:21	80:17,21
person 40:11,16	photos 7:17 8:8	156:9	68:1 75:16,18	112:14 152:2
72:9 116:1	75:5,13 86:1	plans 47:3,6,22	76:9,11,12,14	potential 6:9
140:10,13,14	116:8 118:1	62:21 148:23	76:15,18,19,19	20:12 75:1
140:17,24	119:4,9,11,17	plant 113:24	77:24,24 78:12	111:12
160:14	139:24,25	plantings 51:23	79:19 80:3,20	potentially
personal 95:10	140:2 144:22	play 28:17	80:25 81:13	18:14 22:16
personally 64:10	144:25 145:2,4	please 4:10 5:5	82:20,23 87:25	25:15 54:21,22
98:23,25	145:5,11,14	8:18 14:17	89:25 90:1,18	57:24
perspective	146:18,20,24	15:2 30:13	91:4,13,25	pour 29:24
27:23 84:1	147:2,3	42:21 64:24	92:2,4,6,7 97:8	power 45:3
88:13 93:4	phrase 94:24	73:1 74:17	97:13,17,18,19	132:7
94:17,17 104:2	pick 27:2	81:11 96:4	97:19 98:12,16	PP 1:18
113:17	picked 117:7	126:9 141:2	99:23 100:4	practically
perspectives	picture 60:12	Pledge 4:7,9	102:1,3,5,6,8	111:11
113:5	79:14,16,18	plot 139:17	102:12,12	practitioner
Petticoat 76:17	112:17 114:18	point 24:10	104:10 124:19	141:4,6
phone 5:4	118:3 119:7	25:24 43:12	127:8 149:6,9	PRECISION
photo 77:19	120:7	45:6 56:3,17	149:12,14,19	1:23
79:10,11,23	piece 101:12	57:2,4,18 60:5	poles 26:5 28:22	prefer 11:8
83:8 84:14,19	pier 31:9,11,12	60:22 62:11	29:17,21 79:24	premarked
84:22 89:17,23	31:16,17 113:5	65:17 80:13	91:15 99:15,19	74:21
90:14 101:11	piers 32:8 113:3	81:20 85:15	100:8,9 149:1	preparation
102:22 111:25	PL 1:6	90:8,19 107:11	poll 97:9	49:23 52:21
112:3,8 119:6	place 32:1 94:15	110:13 117:20	popular 99:21	53:13
119:9,14 140:7	162:8	122:21 123:24	portion 78:4	prepare 8:4
140:24 141:24	places 123:19	138:4,20	80:20 81:2	prepared 6:16
142:7,11 143:2	157:24	139:13,13	91:10,19 97:21	15:17 43:23

44:15 46:13 47:3,6 77:14 86:18 87:20 Presbyterian 123:12 present 1:10,16 5:15 7:2,17 8:10,12 39:3 40:1 74:22 131:22 135:6 142:6 143:5,11 143:22 144:9 144:17 149:1 154:2 presentation 7:22 46:14 presented 7:7 17:11 44:23 48:14 66:3 86:1 140:8 146:7 154:9 presenting 8:1 64:15,18 145:25 presently 22:15 23:5 pressure 35:9 presumably 46:24 presumed 31:8 pretty 32:20 77:24 113:5 114:19 122:12 134:3 138:8 159:22 prevailing 81:1 prevent 57:7 preview 6:13 previous 77:16 144:20 previously 13:19 13:25 16:7 17:3,10 74:2 97:21 101:25 primarily 27:10 29:16 112:9 primary 16:19 Primrose 70:17 prior 6:7,19	15:7 16:8 39:10,11 76:15 77:19 80:8 137:1 143:16 prism 22:17 private 118:20 145:9 probably 10:20 26:23 27:11 37:21 131:9 156:1 problem 30:16 55:20 157:10 158:3 159:10 proceed 6:16 8:16 9:13 10:8 13:2 14:25 proceeding 9:6 proceedings 43:21 process 6:21 21:15,22 23:4 23:10 39:5 59:16 96:14 101:11 104:3 106:19 109:22 professional 5:22 proffer 135:17 proffered 135:11 program 26:25 101:23 102:21 programming 140:15,18 142:7 programs 142:11 progress 9:13 project 39:8,12 46:20 47:4 79:23 projecting 102:23 projects 113:8 promised 152:14 prong 87:10 88:7,17,22	131:2,17 proof 138:11,13 propagated 133:25,25 propagation 135:25 propagations 134:4 properties 63:20 65:24 66:17 67:6 69:8 85:24 111:25 112:1,6,8,12 112:25 113:14 114:14 118:2,2 144:5 151:24 property 6:17 15:13 17:19 22:19 23:1,2 24:25 27:4 36:9 47:12 48:3,7 49:3,19 49:23 72:6 78:16 82:25 106:24 107:5 112:20 113:7 114:17,18 115:3,6,8 118:12,21,22 120:5 128:18 128:20 129:12 129:21 130:1 144:15 145:8,9 145:12,19 148:1 151:24 proportionately 101:24 proposal 48:19 48:19 49:2 53:17 54:17 66:16 88:1 151:15 152:7 proposals 45:14 propose 43:15 proposed 15:16 16:1,5,13,15 16:16,18,24 17:9 18:4,9 19:6 23:14	24:9 42:10 45:25 48:15 49:3 61:18 66:24 67:9,22 75:1,10 78:6 79:18 80:25 86:19 87:8 115:13 129:13 129:14,20 134:14 136:14 150:2,17,18,20 151:16 152:4,8 159:15 proposing 42:14 89:7 107:22 110:3 114:7 151:14,18 prototype 149:7 149:19 provide 74:24 136:11 139:4,7 provided 144:3 144:13 148:15 provider 135:8 provides 137:21 providing 76:25 provisions 21:17 33:15 public 3:18 4:4 4:8 5:10 6:7,19 6:21 10:14 15:8 23:4,10 39:5 42:20 47:4 68:15,19 76:24 79:21 83:10 103:25 104:13 106:18 115:21 116:1 119:19 135:7 136:2 144:3,4 144:13,14 154:10,11,15 154:16 160:21 162:4 pull 42:24,24 pulled 12:21 13:9 purification 101:14	purpose 35:7 86:12 109:8 purposes 7:11 7:20 45:6 46:14 48:1 101:2 purview 8:12 21:20 43:18 71:14,19 74:6 push 24:5 pushed 142:10 put 14:2 24:8 26:16,17 28:24 29:3 30:14 32:10 33:3 35:22,23 41:14 74:10 81:9 100:4 101:19 117:21 123:5 puts 77:24 putting 115:2 120:4 pyramidal 90:17 91:16,20
Q				
quad 137:25 quasi-advocate 22:22 question 9:2 11:6 18:12 21:7,25 24:2 27:7 31:25 34:1,4 41:24 43:20 52:13 54:8 55:22 56:15 60:3,7 62:10,15 64:11 64:13 65:7 67:8,12 68:24 69:19 70:21,23 71:9,18 72:9 86:9 90:25 92:10,12 99:6 102:13 103:13 103:15,16,17 107:9 108:8 116:16 117:24 118:10 119:22				

124:2,2 125:2 125:11,12,14 126:3,5,7,8,9 126:10 131:7 133:13 135:21 136:20 138:1,5 139:13,13 141:18 144:16 147:1,13,21,23 155:6 questioning 132:1 135:24 153:23 questions 17:15 23:25,25 36:20 38:12 39:1 49:24 52:7 53:14 54:2 68:16,17 71:10 71:21 72:4,18 94:13 101:7 107:7 115:20 115:22 116:5 118:9 119:23 122:21,22,23 124:6,23 130:17,19 136:23 138:12 146:13 152:11 154:11,13,14 quick 70:23 86:8 quickly 27:8 82:4 quite 22:12 27:6 29:3 quoted 137:9	rarely 35:9 raydomb 100:12 re-branch 91:19 91:22 re-call 5:20 7:10 13:19 73:23 re-date 52:24 re-designed 22:15 23:5 re-doing 23:18 re-testify 147:22 reach 20:2 88:25 ready 6:3 160:24 161:3,8 reaffirmed 87:18 real 35:17 82:3 90:12 119:17 realize 127:12 128:15 really 66:3 85:11 91:21,25 119:20 139:21 144:19 148:6 156:22 159:25 reason 20:19 22:20 38:9 40:23 46:9,11 46:15 96:9,9 97:16 105:10 112:7,15 124:16,17 135:12 reasonable 35:15 87:5 108:8,14 115:4 160:23 161:6 reasonably 88:9 reasons 6:19 107:2 rebuilt 108:25 rebutting 86:10 recall 47:10,12 47:15 52:10,16 52:16,23 53:2 53:3 130:25 132:5,10,21 133:3,12,17,19 133:23 137:6	144:1,1,11 153:8 received 14:6 95:9 receiving 95:4 119:20 recess 72:21 recollection 44:22 50:14 134:2 recommendati... 19:1 recommendati... 5:18 recommended 44:2 recontacting 105:16 record 5:11 12:15 13:14 55:12 58:16 70:15 72:22 108:17 137:18 141:13 recorded 124:13 recreate 91:16 rectangle 120:2 recycling 33:17 33:24 36:4,5 79:21 121:2,7 121:11,14,22 red 16:20 39:23 40:21,24 41:2 41:3,12,16,18 42:5 57:14 81:25 84:12 116:12 reduce 87:6 131:3 reduced 19:8 67:3 87:23 88:23 104:14 116:9,18,23 131:18 133:21 reduces 16:9,11 101:24 reducing 16:1 22:24 39:17 66:10 87:25	104:9 reduction 16:11 56:24 67:5 86:25 88:16 89:4,7 104:10 104:12,21 116:10 refer 74:20 81:6 137:18 140:15 reference 14:2 52:1 134:23 referenced 40:4 referencing 136:16 referred 78:18 97:22 143:20 referring 24:19 55:17 56:12 109:2 127:17 143:16 refers 79:22 reflect 45:11,14 46:23 150:11 150:14,17 reflected 77:3 77:15,17 88:24 reflective 46:2 refresh 134:2 regard 19:7 39:16 41:18 48:22 51:12 59:6,22 67:19 regarding 67:20 144:18 regular 11:22 153:6 154:24 155:9 regularly 51:23 rehash 146:8 reiterate 17:1 147:14 relate 39:19 related 67:8 68:16 71:9 124:23 144:19 relates 21:13,15 66:12 relative 18:16 19:5 76:5	78:16 86:17,24 87:3 88:21 107:4 162:11 162:13 relatively 25:9 25:11 30:18 relevance 136:5 136:9 relevant 43:21 66:21 75:13 76:5,5 88:8 135:10 relied 139:11 relief 106:22,25 107:1 110:7 relieves 106:5 relocate 35:25 relocated 16:5 16:14,24 50:25 52:3 relocating 7:4 relocation 6:9 6:17 52:1 reluctant 115:2 rely 60:23 62:12 62:18 64:12,17 relying 142:23 145:4 147:2 remain 18:2 53:18 54:16 57:5 59:13 119:4 remaining 52:6 119:14 remains 17:10 17:11 19:6,13 remarks 67:25 74:5 85:20 remember 53:4 53:10 93:22 100:24 118:20 119:6 131:8,25 133:2,7,9 143:9 148:20 remind 73:23 removal 16:15 20:22 remove 16:19 removed 16:17
---	--	--	---	--

R

R 2:1 13:24 74:1
162:1
radio 72:3 89:5
138:13,22
139:4,10
radome 97:22
97:24 98:5,9
98:12 99:4
100:2,5,10
radomes 91:9
97:11

16:18 27:8 41:16 52:12,25 54:21 55:18 56:4,8,16 57:11 58:19 59:1,13,23 86:18,19 150:11,15 151:2 rendering 148:15 reopen 105:3 repeat 19:15 98:1,2 repetitive 116:5 116:6 rephrase 108:12 replicated 149:20,22,23 149:25 replied 107:14 Reporter 1:21 162:5 Reporters 1:23 REPORTING 1:23 repositioned 152:6 representation 33:21 representative 149:6 represented 34:21 70:2,5 116:1 126:14 represents 80:2 107:3 request 6:10,25 52:22 75:4 requested 5:24 requests 6:7 66:17 require 28:21 41:15 108:2 134:17 required 20:22 93:20 135:22 160:18 requirement	105:4 106:3,6 requirements 41:6 requires 87:11 106:21 110:6 reserve 11:9 residential 65:3 69:8,9 residents' 69:1,5 resistance 41:10 resolve 33:20 respect 7:12 108:3 respectfully 8:13 64:25 respond 6:6 8:11 18:24 response 6:10 42:15 52:6,22 68:19 72:18 responsibility 15:5,11,12 23:21 rest 153:22 Restaurant 80:18 result 59:1 70:24 77:20 104:20 resulted 16:24 retains 34:24 returning 6:5 review 7:24 15:20 21:22 33:15 34:10,13 67:5 68:4 139:9 reviewed 7:7 reviews 125:20 revise 6:21 15:25 16:15 39:6 46:16 revised 3:13 5:21 8:1 16:6 16:17,25 17:1 17:17,18 120:24 revision 46:12 66:10	revisions 39:7,9 RF 71:21 97:22 137:25 139:7 Rich 19:14 45:18 71:15 96:18 114:21 Richard 2:5 5:11 rid 82:18 rig 35:6 right 8:22 9:4,13 9:25 10:21,21 13:16 20:12 21:10,14 22:7 23:17,20,24 24:13,17,23 30:21 32:11,21 33:5 34:12,15 37:23 38:4,11 41:4,4,11 44:5 46:7,18 48:20 48:24 50:11,17 51:19 52:2 54:13 55:8 56:13 57:17 58:1 59:4 60:20 62:9 63:25 65:20 68:20 72:3,13 72:17,19,23 73:20 74:12,16 75:21,21 78:9 81:4,4,15,21 81:23 82:11,14 82:15,20,23 83:14,15,19,25 84:9,10,12,15 87:12 90:6,23 91:24 92:24 93:6,21 95:15 102:11 105:21 106:16 108:19 110:23 111:13 111:22 112:4 112:13,15 115:14,19,20 116:1,16 117:5 118:8,13,21,25 120:10 121:25	122:12,14,20 123:21 124:5 124:21 126:3,4 127:20 128:6 129:18 130:2 131:20 132:15 138:15 139:19 142:18 143:18 144:24 145:13 145:15 146:23 151:6,17 152:1 153:12 155:18 159:14,19 160:17 161:22 right-hand 77:7 rights 23:17 57:11 110:16 rise 87:15 risk 94:10 road 1:5,8 23:19 48:7 68:24 75:16 76:10 80:16,23 82:16 82:22 85:17 93:6 111:8 112:12 116:12 124:15 125:1 126:12 127:15 128:14,15,16 129:22 130:11 130:14 133:5,6 133:6,6 Rob 38:14 55:11 64:24 127:24 147:24 ROBERT 2:8 rock 29:3 32:11 33:4,6,7 35:9 35:10,10,23 rocks 31:1 roll 4:11 72:25 roof 111:16 134:24 136:2 room 13:11 25:12 51:5 115:8 160:12 root 114:9 ROSA 162:4,19 Rosenbaum	1:13 4:18,19 11:8 73:10,11 108:21 109:4 109:10,15,18 109:25 110:21 110:25 111:10 111:14,20 122:3 154:5 156:1 161:11 roughly 101:1 121:3 round 154:6 Route 76:16 149:4 row 157:3 ROWE 2:2 RPR 162:19 rules 96:23 125:9 rumors 123:2 run 125:9 running 12:11 <hr/> S <hr/> S 2:1 3:10 13:24 13:24 74:1,1 S-1 65:9,12 S.H 62:2,4,7 63:7,16 safety 25:3 33:18 Saganic 2:10 sale 28:18,19 salt 152:5,6,7 Sara 3:19 Sarah 2:11 68:23,23 Sassafras 27:10 28:9,11 sat 10:15 save 16:19 17:22 77:10,11 saved 56:22 saving 56:20,24 saw 64:10,11 120:1,16 saying 12:3 26:1 32:1 35:16,18 56:20 62:11
---	--	---	--	---

64:1,19 91:23 109:20 117:13 117:17,25 125:15 137:6 138:5,7,17 139:14,15,18 says 24:11 34:18 45:25 102:17 127:14 138:14 138:23 155:20 scale 89:1,8 scam 117:21 scan 83:5 84:8 scenario 110:10 110:11 134:13 Schade 124:10 124:16 schedule 159:21 Schneider 2:5,5 3:4,6 5:4,9,11 5:12 6:4 8:19 9:2,6,10,24 10:11 11:11,14 12:10,14,17,20 13:1,6,17,18 14:1,25 15:3 15:24 19:17 21:5,8,24 22:8 22:12 28:1 33:11 34:3,7 34:20 38:8 39:2 40:6 43:17,19,22 44:7,10 45:15 45:19 47:20 54:1,7 64:7,20 64:24 66:2,9 66:15 67:24 68:9,11 69:2 71:11,13,17 72:19 73:21,22 74:3,9,18,19 75:22 76:3,20 76:22 79:14,16 82:5 83:7 84:14 85:18 86:15,16 89:14 89:16 92:13,20 93:1,10 94:16	94:23 95:3,12 95:21 96:1,8 97:3,6 99:7,9 105:21 106:11 109:2,6,11,17 109:19 110:2 110:12,24 114:3 115:1,9 115:18 120:21 120:24 121:4 121:10 125:18 127:24 128:5,8 128:22 134:19 135:9,14 136:5 137:17 138:24 139:6 141:11 141:14,15,17 143:15 145:21 145:25 146:1 146:11,12,13 147:23 152:17 153:2 154:16 156:13,16 157:18 158:2,8 159:11 160:3,8 160:13,19 161:1,6,13,21 Schneider's 41:13 school 76:10 84:7 103:23 104:6 105:24 106:1,8,15,20 106:24 116:18 116:19,21,21 117:1 118:7 122:25 123:4 123:12 132:19 139:19 scope 66:3 146:14,15 screen 61:7 79:9 82:8 83:11 sealed 60:21,22 61:24,25 62:17 62:21,25 63:12 64:16,22 65:11 65:12 season 160:6	second 14:13,16 15:22 18:22 20:13 27:7 28:22 40:25 41:13 45:22 46:10 67:17 69:20 80:15 87:10 109:11 109:13 seconds 5:5,14 SECRETARY 4:12,14,16,20 4:22,24 8:25 10:3,24 11:20 11:24 12:8,15 13:14 14:7,14 14:23 19:22 20:7 24:18 30:13 38:14,17 71:15 73:1,4,6 73:8,10,12,14 73:16,18 74:11 74:13 81:10,23 82:12 83:3 84:6,25 85:6 99:18 128:6 153:13 154:21 155:10,14 156:3,8 157:20 157:23 158:4 158:10,17,23 159:7 see 14:7,23 19:21,23 24:9 31:25 32:6,8 35:5 47:24 54:23 61:21 62:12,19 68:20 71:6 74:14 76:7 81:2 83:8 84:4 85:2,4,8,9 85:13 91:11 101:21 102:11 102:22 103:1,2 112:11 114:5 114:12 116:8 119:16 120:2,6 120:12,17 122:5,6,10,11	150:20 158:18 seeing 142:12 seek 106:6 108:4 seeking 78:25 seen 30:6 46:19 98:11 99:11,13 148:23 send 96:1 sense 33:1 62:7 87:22 110:19 sensitive 113:14 sent 158:22 sentence 130:4 separate 6:6 separation 109:13 septic 25:19 septics 36:7 sequential 74:8 series 8:8 54:2 75:25 79:22 serve 117:15 service 1:23 88:21,23 103:23 116:11 116:11,17,18 116:23 117:1,2 117:16,22 135:8 set 38:18 78:10 79:8 95:6 104:18 146:1,2 162:9 setback 17:1,5 24:25 33:23 78:25 79:2 setbacks 16:25 17:16 sets 137:19 seven 16:18 82:24 84:22,23 SGSL 2:8 Shade 115:4 shaft 25:7 28:25 98:10 shale 25:9,19 30:11,16,17,19 30:20 32:2,6 32:13,15 33:8	33:10 36:14 37:21 38:6 42:8 shallow 25:9 shape 51:18 shaving 100:3 shed 19:21 24:7 25:12,14 26:17 29:9,15 33:17 33:24 36:4,5 113:9 121:2,7 121:11 122:7,9 122:12,12 sheet 14:13,16 15:22 16:7,16 16:21,25 39:9 52:23 53:15,23 54:9 sheeting 100:5 sheets 44:24,24 45:5 shift 77:24 78:13 shifted 151:22 151:23,24 shoot 159:19 Shopping 96:17 short 11:15 72:21 shortchanging 27:16 shorter 106:9 Shorthand 1:21 1:23 162:5 shortly 12:18 show 19:18 22:11 44:24 47:17 51:23 58:3 75:9 86:18,21 119:17 148:20 150:5,6 showed 44:25 116:18 137:25 139:17 144:25 150:7 showing 7:21 47:20 58:10 59:11 63:2,23 68:1 102:10,11
--	---	---	--	---

shown 16:9 17:9 25:6 49:14 51:13 59:7 64:1,19 80:7 80:20 112:3 144:21 145:2	54:1,5 55:14 55:20,25 56:5 56:14,17 57:15 57:16 60:2,4 60:14,24 61:24 61:25 62:5,14 62:20 63:1,8 63:11,18 64:2 64:18,23 65:15 65:16,21 66:7 66:14 67:14,17 68:7 70:3,6,7,8 72:16 74:17 78:3 85:20 96:15,20 107:8 107:14,19 115:23,24 116:2 117:6,11 120:8 125:22 126:14,16 127:16 130:16 130:16,18,22 134:22 135:12 135:16 136:9 136:19,21 137:4,10,14,16 138:10 139:3,8 139:23 141:11 141:13,17,21 143:21 144:21 145:3,16,25 146:19,23,25 147:25 152:10 152:12,18,21 152:22 153:9 153:17,25 154:2 156:17 156:18,25 157:11,15 158:13 159:13 161:16	65:7 90:19 100:4 sims 111:25 112:3,8 119:9 119:14 145:22 146:6 simulated 89:25 simulation 79:23 101:12 128:9 140:24 149:12 151:14 simulations 77:14,15,19 89:18,23 90:14 101:18 102:22 126:19,24 140:7 141:24 142:7,12 143:2 149:8 sincere 160:20 sir 39:8 51:8 52:19 53:2 sit 38:15,16 70:10,12 72:12 72:13 73:2 91:10 site 3:13 5:20 6:22 22:11 36:7 39:6,7,20 41:10 42:9 44:15,18,20,21 44:22 45:7,8 45:13 46:17,22 50:4 51:1 60:8 60:10 61:14 62:24 63:1,2 64:21 65:25 78:12,21 79:6 105:22,23 112:9 120:14 120:15,16 143:5,18,22 144:9,17,18 148:19,23 150:2,16,19 151:1 sites 66:22,23 105:5,8 106:7 108:5	sits 31:19 sitting 35:11 155:15 situated 78:10 situation 95:2 96:24 six 8:22 81:18 82:21 86:6 147:5 sixth 79:22 Sixty-nine 40:6 40:7 size 16:1 22:24 28:17 35:22 43:5 92:3 120:19 sketch 120:1 skinnier 100:8 slated 151:2 sleeping 51:5 sleeve 98:17 100:25 101:4 sleeveless 101:4 slender 97:19 slide 75:25 slightly 102:3 slow 56:2 smaller 30:23 36:25 90:11 99:2,20,22 101:5 SMITH 2:2 SMSA 1:4 snooty 109:3 soft 30:18 32:6 35:7 software 101:12 102:16 103:6,8 142:18,19 soil 25:18 26:21 26:22 35:8 36:2,9 soils 35:8 solo 141:4,6 somebody 22:5 40:9 60:7 61:22 125:6 160:11 someone's 113:7	someplace 33:3 soon 160:25 sorry 17:6 31:8 34:3 38:21,22 40:7 41:4,23 42:4 45:18 50:9 53:16 56:11 69:22 71:17 72:1 79:15 86:8 93:9 96:18 97:6 110:24 113:25 115:23 116:14 119:2 119:25 126:13 128:1 129:1 130:13 139:20 153:2,3 154:24 157:11 sought 17:20 22:23 106:25 107:1 sound 33:24 160:22 sounds 22:3 38:6 157:8 south 17:2 Sovolos 1:15 4:16 13:10,15 73:6,7 155:22 156:20 SP-1 16:7,25 17:10 46:11 SP-2 16:7,8,16 16:21 17:10 28:4 44:25 52:11,23 53:15 53:23 54:9 56:6 space 18:15,17 18:18 20:23 41:7 45:1 speak 50:9 74:25 80:6 speaking 69:25 111:12 117:2 124:9 speaks 137:18 139:5
---	--	---	--	---

Special 1:5 4:2 5:2 154:25 155:1,3,5,7,19 species 52:12,25 specific 7:10 133:11 148:5 specifically 5:19 5:23 7:3 15:22 69:4 133:10 specification 68:5 specifications 7:15 68:1 74:25 specifics 33:20 speculate 26:14 37:19 speculating 43:8 43:9 speculation 32:12,14 speculative 42:16 spell 141:2 spend 137:20 split 84:4 spoke 68:18 71:9 spot 36:8 Spring 155:23 156:7 square 24:20 squarely 88:17 stacked 91:12 staking 87:13 stand 4:8 95:12 112:23 standard 34:20 108:17 standing 117:9 122:8 standpoint 88:4 stands 42:6 start 130:19 started 152:15 starting 139:20 state 54:6,25 57:11 78:23 99:25 134:12	162:5 stated 132:2 statement 51:2 78:5 86:10 stealth 83:13 Steck 107:3 153:25 154:1 154:14 157:1 157:15 160:21 stenographica... 162:8 step 87:2 96:15 103:24 104:22 107:24 steps 44:3 103:20 Steve 61:16 62:16 103:15 107:8 124:10 124:16,17 STEVEN 2:3 stipulated 33:22 146:17 stories 71:3 storm 11:14 51:20 straight 37:9 street 68:22 127:14 strength 132:7,9 strengthen 88:3 strong 34:2 structural 33:15 33:18 34:23 91:13,22 94:17 113:4 structurally 33:24 95:17 96:6,8 110:14 structure 25:14 87:8,23 101:15 101:24 structures 30:1 50:4,25 71:1 studied 136:13 studies 150:10 Studio 103:8 study 137:5 151:17	stuff 71:21,21 158:24 style 28:25 subcontractor 140:19,20,23 subject 17:23 21:12 79:6 105:24 106:21 108:16 115:9 154:7 submission 39:10,11 submit 7:16 49:10 125:18 submittal 78:21 submitted 7:6 7:22 8:7 14:3 15:15 16:8 46:3 47:4 59:19 63:5,15 67:20 77:19 140:3 143:17 150:11 151:2 subsequent 23:21 78:12 143:13,19 subsequently 51:17 99:24 134:14 152:5 substantial 32:20 87:16 104:20,20 105:3,3 subterranean 31:15 32:24 sufficient 147:7 suggest 41:8 64:25 suggested 23:22 92:15,19 149:2 suggesting 41:8 138:9 suggestion 33:12 suggestions 15:7 summarize 6:6 summary 6:13 17:21 superimposed 79:12	superimposes 142:14 superimposing 102:5 supervision 15:18 supplemental 5:23 86:21 115:10 supplemented 133:15 support 32:18 33:2 108:17 supported 29:17 supports 35:6 suppose 149:24 sure 11:3 15:24 17:12 24:18 25:2,3 28:16 29:12,18 30:6 37:18 38:10 47:19 50:15 55:11,20 56:5 70:24 78:19 93:22 95:25 108:12 109:6 116:9 121:15 122:11 124:25 131:8 137:2 138:8 155:11 surface 16:11 survey 50:5,15 50:19 59:17 60:9 62:1,6,25 63:5,8,9,10,14 63:20 64:1,5,6 64:16,19,21 65:10,12 surveyor 16:22 39:24 40:16 58:16 59:14,15 60:10,16,19,23 60:25 61:2,13 61:15,23,24 62:4,6,16,17 63:3,24 65:4 surveyor's 40:1 Susan 2:9 Sussex 75:17	sworn 13:20,25 74:2 130:8 SYMOND 103:10 Symonds 1:14 4:20,21 36:23 37:7,14 73:12 73:13 101:7 102:7 103:4 129:23 142:16 <hr/> T T 3:10 74:1 162:1,1 T-1 46:17 T-Mobile 76:19 111:14,15,21 table 45:17,23 45:24 tad 77:6 TAGLAIRINO 1:17 4:12,14 4:16,20,22,24 8:25 10:3,24 11:20,24 12:8 12:15 13:14 14:7,14,23 19:22 20:7 24:18 30:13 38:14,17 71:15 73:1,4,6,8,10 73:12,14,16,18 74:11,13 81:10 81:23 82:12 83:3 84:6,25 85:6 99:18 128:6 153:13 154:21 155:10 155:14 156:3,8 157:20,23 158:4,10,17,23 159:7 take 10:5 63:22 72:20 75:5 76:4,21 80:8 83:1 92:1 96:4 96:15 112:16 114:18 118:3 124:19 128:17
---	--	--	--	--

132:1 135:22 145:5,17 146:20,24 147:1,14 taken 15:25 72:21 75:19 78:7 79:19 80:3,13,15,18 80:22 82:15,21 85:16 86:3,6 89:25 129:23 130:2,10 139:24 140:2 145:12,14 162:7 takes 109:7 talk 17:19 33:11 152:15 153:5 156:23 talked 19:15,16 21:13 24:3 39:3,4,5,16 67:24 113:3 126:23 151:20 talking 42:8 56:4 61:17,19 62:24 63:1 72:5 96:20 112:22 113:2,6 118:4 125:24 127:22,23 135:13,15 161:18 talks 46:17 tall 113:23,23 114:1 122:12 122:13 126:25 127:1 taller 100:2 117:18 138:9 139:16 taper 90:16 tapered 90:10 task 75:4 tasked 15:4,10 15:11 127:7 Tax 130:1 technical 45:1 111:7	technically 8:6 41:14 technologies 72:5 91:4 Ted 2:11 telecommunic... 45:24 88:12 tell 5:5 11:11 12:18 27:17 32:23 70:12 148:9 149:18 154:19 telling 56:18 tells 102:25 ten 7:23 27:5 77:11 80:24 99:24 152:14 152:15 terms 5:7,14 19:10 22:13 36:7 39:18 41:10 64:14 87:23 89:19 92:2 104:2 105:15 test 26:21 36:2 44:3 77:20,25 78:6,15 79:8 80:10 87:3,11 88:4,7,18,22 103:21 104:3 107:24 131:3 131:13,18 134:1 135:19 138:21 139:4 139:11 142:23 142:25 143:1,3 143:3,12,16 146:8 testified 54:20 66:5,13 88:6 132:6 137:1 141:9 145:21 145:23 146:2,6 146:15 147:16 147:19 148:8 154:9 testifies 13:25 65:2 74:2	testify 37:22 39:2 testimony 6:12 17:11 42:7 49:23 52:21 57:9 62:16 68:16 89:17,18 103:21 104:24 116:16 117:1 119:6,23 123:3 124:23 127:11 131:23 132:21 133:3,24 134:2 135:6,11 136:1 137:1 138:6,22 138:25 139:7 139:10,18 144:19 151:21 154:2 161:5 162:7 testing 135:25 136:17 tests 143:13 thank 4:25 6:2,4 13:18,23 14:21 15:24 20:7 30:14 37:14 38:21 43:1 45:21 58:8 68:8,12,14 69:12 73:22 74:4 77:8 89:14 90:7 103:10 108:18 111:10 124:21 126:8 127:9 161:21,23 thanks 123:8 theoretically 26:12 thereabouts 50:17 they'd 66:18 111:17 158:21 thing 9:22 21:7 23:8 93:23 104:9 105:7 113:9 115:12 120:23 122:10	124:3 161:10 things 5:8 7:12 23:16 34:12 45:4 72:6,16 113:11 115:13 think 5:5,6 7:14 8:10,22 9:20 10:10 19:17,25 22:13 26:3,4 28:16 29:20 33:1,18 34:2,5 34:7,11,19 38:4 43:20 44:11 47:2 61:23 62:11 64:20 65:17 66:6 67:11,17 78:17 87:2,21 87:21,24 93:7 93:18 94:12,13 95:3 98:2,2 100:22 103:21 105:19 106:12 107:10,14,15 111:16,17 112:1,24 114:10,19 118:12 120:8,9 122:10,18 124:1,3 126:1 126:6 127:16 131:9,16,20 136:15 137:9 137:20 138:18 139:8,21 141:15 142:15 144:10 146:15 147:4 148:7,21 152:25 153:4,9 153:20,21,23 158:17 159:23 161:8,10 third 18:22 76:13 88:6,17 107:24 131:2 131:17 Thirty-four 45:21 THOMAS 1:13	thought 7:17,19 86:12 three 6:6 10:5 22:21,22 39:13 39:14,15 53:16 53:17,24 54:9 56:25 75:8,14 76:12 85:9,10 87:2 97:25 99:4 103:20 113:15 149:1 153:14 155:11 155:15 156:4 three-quarters 65:24 66:11 Thursday 1:7 till 153:18 time 6:22 7:11 8:24 9:16 10:2 22:16 23:2 39:5 49:18,24 52:20 53:11,13 61:15 76:21 77:11 84:5 94:15 96:19 99:21,22,23 106:1,13,16 111:17 146:3 148:2,10 152:4 152:17,20 153:9 155:16 158:1 160:15 162:8 times 30:7 145:6 148:7 tips 89:2,8 title 127:14 128:13,13 129:15 today 100:6 106:10 144:25 148:13 told 40:9 51:10 58:16 127:7 133:24 149:15 149:19 Tom 155:20 tonight 4:2 5:2,6 5:7,15 8:21 9:3
---	--	--	---	---

9:20 10:8,9,23 11:5,7 12:3,7 48:10,14 63:14 68:17,18 72:5 119:24 135:18 140:11 144:20 145:2 146:6,7 148:15 150:11 154:4 161:23 top 8:6 31:19 46:1 75:17 76:18 79:19 80:2 84:12 85:4 90:10,17 90:17,18,20 91:9 97:14,15 97:21 98:6,17 100:16,23,25 101:2 102:2 112:22 131:9 131:21 134:18 topics 24:3 topographic 63:9 topography 65:23 66:11,22 67:6 total 39:20 touching 107:11 tower 5:4 7:4,13 18:4,16 21:13 22:25 24:8,17 24:21 31:6 34:23 35:25 40:18 44:6,8 47:10 48:2 49:5 55:1 66:18 78:6 81:14,20 83:8 93:20 94:18 95:7 96:5,11 98:9 107:13 108:24,25 109:23 110:1,4 110:13,16,18 112:13,15 115:14 116:23 120:5,12 121:9 122:11 123:23	125:20 131:4 131:19 133:13 133:14,20 134:1,13 138:9 145:20 tower's 24:9 towers 33:16 75:5 94:4 96:14 98:11 113:16 148:19 town 29:4 114:25 115:8 118:6 119:20 123:2,16 Township 1:1 4:3,6 47:8 51:24 70:18,19 75:17 76:11,17 79:20 90:1 95:7 105:24,25 105:25 106:14 106:19,23 107:4 110:15 116:19 123:14 149:4,10 158:18 159:6 Trail 70:17 trailer 52:2 trailer's 52:3 training 141:23 142:2 transcript 1:3 96:2 162:7 transparency 101:13 tree 7:13,21 8:5 16:15,20,21 20:21 26:7,8,9 28:4,5,10,19 37:8,16 40:17 41:8,20 42:13 43:6,16,25 44:17 45:12 46:1 49:6,11 51:19 52:12,25 56:8,9,10 57:13,18,20,23 57:25 58:1,21 59:10 60:18	61:20 62:18 63:2,23 64:1,3 64:5 67:22 75:5,10,16 76:9,13,15,18 76:19 79:24 80:3,20,25 81:1,18 82:14 82:14,15,20,23 87:25 89:20,25 90:1,9,9,12,22 91:4,13,15,19 95:17 97:8,13 97:17 98:5 101:9,9 102:13 103:2,3 109:3 109:6,14 111:4 115:4,17 120:4 127:5,8 129:24 130:2 142:15 149:1,9 150:1 151:16 treeline 101:10 trees 7:17,20 16:16,18 17:22 27:7,8 51:12 51:15,22 52:5 53:1,3,16,17 53:20,21,24,25 54:9,10,15,16 54:20,24,25 55:17 56:4,7 56:16,20,21,23 57:4,7,8,10 58:10,15,18,24 59:12,22 61:9 61:12,22 65:2 75:1,2,13 81:2 85:10,14 86:18 91:17 101:14 101:15,15 119:4,5,11,14 142:15 148:12 148:24 150:11 150:14 151:2,3 151:10 Tribune 4:5 trigger 21:2 trouble 42:21	troubles 118:1 truck 84:10,12 true 105:14 162:6 try 20:3 77:10 136:22 trying 29:2 60:21 62:10 95:22 102:9,14 136:7 tuck 25:11 29:15 tune 25:25 Tunis-Ellicks 82:24 turn 33:12 turnaround 121:21 Twenty 152:22 152:23 two 5:15 7:10,11 10:22 11:2 13:8 17:15 18:1 20:3 23:15 24:3 26:3,4,23 28:16,22 30:1 31:5 49:25 53:16,17,24,24 54:9,12 56:17 57:2,4,8 74:5 84:4 85:10 91:2,4 103:20 111:5 112:4 114:14 115:21 130:18 149:5 151:23 153:15 155:11 157:3 157:24 two-month's 155:16 type 25:16 27:8 31:3 66:20 114:6 141:22 141:23 142:2 typically 35:7 64:17	Uh-hum 111:20 ultimately 34:9 87:14 unacceptable 109:16 unchanged 19:13 undermining 25:14 underneath 112:13,15 understand 10:19 13:21 15:5 24:24 30:16 60:21 62:11 71:2 96:24,24 102:7 136:7,24 138:4 139:4,14 155:2 158:21 understanding 18:3 25:8,18 43:14 46:4 127:3 understood 73:25 108:12 unequivocally 95:16 unfolds 96:14 UNIDENTIFI... 42:20 unique 23:23 96:23 unknown 58:11 unnecessary 22:16 unusual 23:15 65:3 updated 50:5 upgrades 99:25 upper 77:7 97:10 use 23:3 27:24 27:24 55:16,17 57:24 71:15 89:22 91:5 94:24 99:17,21 100:6 106:21 107:4 110:4
--	--	---	---	---

131:11 135:7 149:19 160:12 uses 142:17 usually 29:17 50:19	52:2 55:1 view 22:17 79:18 81:18 82:15,24 83:1 95:11 102:11 127:14 128:13 129:8,10,13,20 145:11 viewshed 147:7 Village 80:16,23 82:21 98:9,11 100:19,21,22 100:24 125:1 133:6 virtue 58:20 87:19 visibility 101:21 102:10 visible 83:10 147:8 visit 112:23 143:5 144:9,17 144:19 visual 5:23 8:1,4 75:9 76:25 77:10,16 80:8 85:24 87:7,15 87:19,24 88:13 88:23 104:8,14 114:15 117:25 118:4,5 124:4 150:10 151:17 Vogel 2:5 5:12 VOICE 42:20 vote 9:16,19,20 9:23 10:17,21 10:23 11:5,6 12:1,3 108:8 160:24 161:3,8 161:19 votes 46:25	12:4 13:3 61:1 94:11 106:25 119:9 127:16 157:11,11 waiting 10:20 walk 20:1 118:21 want 8:23 11:2 13:2 14:8 29:25 33:3 41:5 47:17 50:17 56:2 72:12 78:17 93:11,19 96:10 97:5 115:25 116:7 117:17 117:19,20 119:1 120:1,11 122:22,24 123:5 130:19 136:20,23 138:3 139:14 145:15 147:14 155:3 157:2 159:19 wanted 28:24 78:19 92:24 95:6,13 106:1 106:15 107:23 108:23,24 114:25 115:5 wants 103:18 160:4 wasn't 42:5 144:7 wasting 96:19 water 30:11,22 way 30:20 32:11 37:22 45:14 51:18 70:19 74:21 85:21 87:18 97:1 106:20 128:16 149:24 155:18 158:13 ways 112:24 we'll 7:23 9:13 11:12 13:6 102:12 127:24	161:15 we're 7:10 9:3,4 9:8 12:3 23:10 23:12,13 27:20 33:19,19 44:11 50:22 60:13 61:3 62:8 63:22,23 64:20 65:8 75:20 80:5,5 82:8 102:3 103:1,2 107:10 112:22 117:16 122:5 125:4 126:1 127:3 135:12 142:12 143:15 145:22,23 153:14,15,21 154:3 155:17 158:14 160:19 161:8,18,18 we've 21:12 69:7 113:13 118:8 123:25 125:8,9 125:23 142:24 144:20 147:9 weak 20:1 website 4:6 week 154:20 156:3,24 157:4 157:5,6,7,8,9 158:2,3,4,5 weigh 32:21 weighing 104:3 weighs 33:1 welcome 4:2 5:4 72:23 73:21 wells 30:22,22 went 14:13 17:15 37:9 40:11 49:18,22 52:6 66:16 123:4,18 136:25 137:8 weren't 56:12 74:22 138:8 142:6 west 17:7 18:8 whatsoever	92:22 white 12:24 81:16 wide 19:9 wider 100:2 WILLIAM 3:6 willing 44:12 74:24 95:23 104:5 105:7,10 114:22,24 115:3 155:5 wind 28:20 window 76:1 windows 139:22 wings 155:15 Winter 53:21 Wintertime 150:23 wireless 1:5 5:13 45:24 88:12 89:6 129:14 wisdom 89:11 wish 69:23 withdraw 147:23 withstanding 18:13 88:20 witness 3:2 8:17 14:11,17,20 19:25 20:3,11 20:21 24:13,19 25:6,17 26:3 26:13,18,22 27:5,10,13,18 28:4,7,10 30:6 30:9,19,23 31:4,7,12,16 31:19 32:4,12 32:23 33:6,9 35:20 37:4,13 37:18 43:1 47:20 50:10 54:4 55:22 56:6,13 60:8,9 60:17,19 61:5 61:8,13 62:4 63:17 64:6,14 64:15 65:9,13 68:14 69:4,7
--	--	---	---	--

69:11 71:12 74:12,15 76:8 79:15,17 81:12 81:15,21,25 82:3,6,10,13 83:5,17,19 84:2,11,15,18 84:21 85:4,13 89:21,24 90:4 90:6,13,23 91:7,24 92:11 94:13 97:12,25 98:7,13,16,20 98:23 99:5,17 100:11,14,24 101:3,17 102:20 103:7 104:1,15,25 105:6,14 111:2 112:14,19 113:12,20,24 114:4,16 118:14 119:15 126:20,23 127:6,10,18 128:1,3,9,12 128:24 129:9 129:11,15 130:10,13,17 134:20 136:17 141:20 161:17 witnesses 5:16 woman 62:2 wonderfully 71:4 Wood 140:22 woods 51:13,15 word 125:3,16 137:2 words 9:15 37:8 78:24 102:10 120:6 work 11:17 36:6 36:12 39:11 41:10 60:11 132:3 137:10 137:13 138:8 141:5 156:12 156:13 158:11	159:12 160:9 160:10 worked 113:9 133:16 working 71:3 124:17 works 79:21 138:3 156:16 worth 10:20 wouldn't 26:19 29:25 32:25 36:16 37:2 98:14 110:11 122:6 144:6 wrong 26:4 104:6 127:16 wrote 123:12 X X 1:6 3:1,10 56:8 110:18 119:11 Xs 119:7 Y yard 129:12 148:7,10 yeah 13:5 34:11 85:7 152:3 year 22:4 75:19 119:21 148:4 years 6:14,15 49:25 50:23,23 53:12,24 54:12 57:2 63:23 64:23 96:3 99:24 106:18 117:15 124:18 125:24 139:25 140:4 142:1 144:22 145:5 147:3 148:13 yellow 14:15,15 19:22 79:12 81:11 York 1:4 Z zone 1:6 27:4 zoning 45:17,23	45:24 106:23 zoom 14:8,15,20 19:20 24:16 76:6 83:21,24 zoomed 120:13 0 00162800 162:20 07976 1:9 1 1 1:6 1,050-square 16:3 1,800-square 16:2 23:11 1.4 79:7 1:00 153:20 10 27:3 41:9 70:17 90:16 102:18 152:19 10-by-20 18:15 20:4 10-by-20-foot 18:8 41:7 10-feet 113:23 10-foot 109:12 10:05 11:12 10:30 152:13 10:40 161:25 100 76:11 137:22 100-foot 127:1 106 79:25 10th 143:14 156:4 157:17 158:15 159:8,9 159:10,11,15 159:16 160:9 160:13,15,17 11 53:17,24 54:9 110 76:18 115 76:18 116 3:19 119 48:22,23 119.5 17:7 79:4 11th 157:7,17 158:16 12 16:16 53:17	54:15 57:5,8 57:19,20,23,25 58:1 120 44:7 66:19 80:1 107:18 112:10 133:4 137:11,22 138:2,15 150:7 120-foot 44:8 126:25 120.9 48:6,9 78:21 124 3:20 125 3:20 126 3:21 79:24 88:1 128 82:4 13 3:4 18:21 21:20 22:18 24:4,11,13 25:4 26:12 36:25 37:7,12 13-foot 25:25 33:23 130 3:7 13th 153:17 154:19 14 3:13 82:21 140 66:16 106:8 108:6 140-foot 44:6 146 45:25 79:24 102:2,6 128:4 14th 75:19 15 37:2 77:12 15-inch 28:5 150 75:18 16 37:3 50:17 16th 156:4 17 1:6 80:16 121:2,4 17-18 1:4 17-foot 19:9 17-foot-wide--- 16:3 17.5 120:21 18 78:14 97:15 98:5 100:17 151:22	18th 157:5,7 19 140:22 19th 155:4 1F 79:10,13,14 79:16,17,18 80:4 2 2 37:11 2- 29:8 2-foot 99:3 2-inch 114:8 20 37:19 41:9 50:15,17 90:16 102:18 120:17 137:20 20-foot 110:22 111:1 2017 47:11 48:2 48:19 49:3,7 50:21,22,24 51:4 63:12,22 2018 77:21 78:1 78:10 106:1 143:4,12 2019 44:23 46:17 48:11,19 49:2,8 52:25 53:23 54:9 106:1 2020 49:20,21 51:14 145:24 2021 70:23 143:14 148:8 2022 1:7 20th 157:3 21 1:8 2100 132:14,17 132:19,25 21st 153:12 22 75:16 90:24 22nd 50:21,22 51:3 63:12 230 76:10 24-inch 16:20 39:23 40:21,24 41:2,3,12,16 41:18 42:2 57:14 61:20
---	--	--	---	---

25 49:1 116:10 142:1 25-feet 122:12 25.9 79:4 25th 156:8 157:8 157:10 26 151:24 26th 156:9 27 143:4,12 27th 77:21 156:9 156:11,13,15 156:15,19 28 47:12 48:3 85:17 124:14 287 90:24 124:20 28th 155:24,25 156:10 29 84:20 29-A 82:18 29.5 17:8 2F 80:15 2nd 158:7,8	38 3:5 3D 103:8 3F 80:22 3rd 156:25 157:1,13,16,18 158:10,11 159:7,11 160:8 160:10	58.9 102:4 59 47:11 48:2,9 59.6 78:10 5F 127:12 129:7 5th 157:22,23	8-feet 113:23 8.2 17:4 8:30 72:21 8:36 72:22 80 26:6,7 44:12 49:11 66:19,25 67:9 77:10 87:1 88:1 103:22,24 106:15 107:25 108:7 109:8 111:6 117:14 125:4 132:2,7 132:14,18,22 132:25 133:5 133:14,20,21 134:6,15 136:1 136:6,10 137:3 137:5,7,10,13 137:14,15,16 137:22 138:1,8 138:14,23 139:1,18 150:6 150:8	78:22 79:1 9th 157:16 158:6 158:15,15,18 158:20 159:2,3 159:4,5,11 160:9,11
3	4	6		
3 97:16 100:16 101:1 3- 31:20 113:4 3-feet 29:8 3-foot 98:4 100:10 113:3 30 5:5,14 23:1 35:23 96:3 102:18 120:25 152:22,23 160:20 30-feet 32:17 37:15 30-foot-wide-... 16:2 30-plus 124:18 30,000 119:20 30XI 162:20 31 1:7 31st 4:2 32 88:24 34 45:19 36 29:17 97:25 360 145:11	4 49:8 97:14 100:15 4-feet 31:21 113:4 4-foot 98:3 99:3 40 13:3 87:25 102:18 104:9 40-foot 104:19 105:2 45 111:17 134:24 136:2,8 48 29:18 42:17 43:7,8 140:4 49 77:23 4A 82:6 4th 44:23 46:17 48:10 52:25 53:23 54:9 157:19,21	6 55:1,24 58:12 58:18,24 59:23 90:18 120:17 60 108:23 111:6 111:19 120:21 120:25 134:1,6 600 30:22 64 41:14 64-09 21:18,21 64-09A 21:10 642-4299 1:24 66 24:24 66.3 17:4 48:15 69 3:19 16:22 39:22 69-inch 40:4	80-foot 8:2,5 43:24,25 44:17 45:12 67:22 77:1 79:19 87:19 89:12 105:5,11,12 117:21 127:3,4 85 26:7,7 86 8:6 43:25 49:11 66:19,25 79:19 81:15 107:25 134:15 138:18 148:16 86-foot 43:16 44:16 45:12 67:22 80:2,19 108:22 8F 85:16	
	5	7		
	5 17:5 30:25 36:14 37:21 48:23 78:18 90:17 97:13 100:17 5-foot 98:5 113:3 50 102:4 106:9 111:6 500 30:22 55 48:6,12,22,23 78:16,20 79:2 79:3 112:9 113:6 128:15 130:2,11,12,12 130:13 58 24:24 58.1 17:3 48:11 78:13	7 36:14 48:7,19 68:24 82:16 127:15 128:14 128:14 129:21 130:1,13 7:00 1:9 160:13 160:17 7:10 12:16 7:15 13:11,15 70 109:14,16,24 110:6 111:6,18 134:1,6,9 70-foot 110:4 700 132:25 74 3:6 750 66:11 750-square 16:10 39:17 78 149:4 7A 83:2 7F 83:6	9	
		8		
		8 23:1 48:18 129:7	9.04 17:2 47:12 48:3,11,16 78:11 112:16 908 1:24 93.6 17:7 48:11	