

In The Matter Of:
West Coast Shipping

September 8, 2020

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1 LINDEN PLANNING BOARD
 2 LINDEN, NEW JERSEY
 3 CASE NO. SP-1113-20

4 IN THE MATTER OF THE APPLICATION) VIRTUAL
 OF WEST COAST SHIPPING, 1200 W.) MEETING
 5 BLANCKE STREET for AUTOMOBILE)
 STORAGE)
 6 - - - - - Applicant.)

7 September 8, 2020
 8 7:21 P.M.

9 BOARD MEMBERS PRESENT:

10 JOSEPH LaPLACA, CHAIRMAN
 ARMAND FIORLETTI, VICE-CHAIRMAN
 11 BARRY JAVICK, COUNCILMAN
 NICHOLAS J. PANTINA
 MICHAEL ANDERSON
 12 ALEX LOSPINOSO, MAYOR'S DESIGNEE
 CURTIS HUMPHREY

13 ANTHONY D. RINALDO, JR., BOARD ATTORNEY
 14 PAUL RICCI, BOARD PLANNER
 LEE KLEIN, BOARD TRAFFIC ENGINEER
 15 DOROTHY KOTOWSKI, BOARD SECRETARY

16 APPEARANCE:

17 LEONARD & LEONARD, ESQUIRES
 18 BY: STEPHEN C. LEONARD, ESQUIRE
 715 N. Wood Avenue
 19 Linden, New Jersey 07036
 (908) 925-3737
 20 ATTORNEYS FOR APPLICANT.

21 - - - - -

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1 MR. PANTINA: Going to West
 2 Coast Shipping, 1200 West Blancke Street.
 3 Site Plan SP-1113-20. Stephen Leonard is
 4 Counsel for the applicant. Basically, for
 5 automobile storage.
 6 Stephen, you have the floor.
 7 MR. LEONARD: Thank you, very
 8 much. I have my experts lined up. I don't
 9 see my traffic expert. I assume when I call
 10 Elizabeth Dolan will be available.
 11 Mr. Chairman, Members of the
 12 Board, I'm Stephen Leonard from Leonard and
 13 Leonard in Linden. I'm here on behalf of
 14 West Coast Shipping.
 15 The property is 1200 West
 16 Blancke Street, and we'll describe the
 17 property through the experts but it's in the
 18 L-1 zone.
 19 As the City Engineer said, we
 20 are here for a conditional approval,
 21 preliminary approval of the site plan.
 22 Operations is a permitted use in the L-1
 23 district. It is the temporary storage of
 24 vehicles on the premises for the purposes of
 25 export.

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2

3

4 WITNESS	DIRECT
5 ANDREW NAUMOV	
6 BY: Mr. Leonard	5
7 ELIZABETH DOLAN	
8 BY: Mr. Leonard	35
9 RICHARD KELLER	
10 By: Mr. Leonard	43

11

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25

1 The applicant's building
 2 suffered a building collapse, roof collapse
 3 and we were delayed in getting this
 4 application before the Board. We had to
 5 revise the engineering plans based upon the
 6 changes that had to occur which were not
 7 significant but they had to occur due to the
 8 relacement and repair of the roof.
 9 As you are aware, the applicant
 10 is seeking two variances. We'll present
 11 testimony regarding the variances.
 12 As Mr. Rinaldo described, we
 13 are seeking the C-2 under the Municipal Land
 14 Use Act, C-2 variances for parking and for
 15 lot coverage. Lot coverage is not
 16 significant. It's just a slight increase.
 17 But given, I'll present testimony regarding
 18 the deviation from the parking requirements
 19 of the zoning ordinance.
 20 I believe that we will present
 21 evidence that will show that the variances
 22 can be granted without substantially any
 23 detriments to the zone plan and zoning
 24 ordinance to the public good and that these
 25 variances can be granted without any

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1 significant detriment to the neighborhood
 2 itself.
 3 Without any further delay, I
 4 would like to call my first witnesses who is
 5 the principal, Andrew Naumov, of West Coast
 6 Shipping.
 7 Andrew, You do have to be sworn
 8 in.
 9
 10 A N D R E W N A U M O V, having been duly
 11 sworn by the officer, testified as follows:
 12
 13 DIRECT EXAMINATION BY MR. LEONARD:
 14
 15 Q. Would you please give and spell
 16 your full name?
 17 A. My first name is Andrew
 18 N-a-u-m-o-v, Naumov, President and Founder
 19 of a family business that we started with my
 20 brother years ago. We are both --
 21 Q. Name of the business, Andrew?
 22 A. West Coast Shipping.
 23 Q. How many years ago was this
 24 business started?
 25 A. We started in 2008,

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1 incorporated for a while just the two of us
 2 working there as we build up our California
 3 operation we started.
 4 Let me put a few words what we
 5 do. We offer transportation, Fed Ex
 6 services for people who need to move their
 7 cars and motorcycles across the world. They
 8 move it for different reasons so they move
 9 it somewhere, others go on year-long
 10 vacation or travel around the world. We
 11 have a number of dealers who buy and sell
 12 cars all over the world, move them around
 13 where we sell these cars. The majority of
 14 the cars are classic cars. Our customers
 15 are collectors.
 16 We have the finest cars in
 17 Europe, and bring them to the United States
 18 or bring cars from the United States to
 19 Europe. We build up business nationwide.
 20 We were trucking cars to our
 21 first warehouse in California, where we
 22 would stage it, submit documents to the U.
 23 S. Customs office, load them inside ocean
 24 containers and take them to the ports.
 25 As the business grew, we

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1 started thinking about opening a second
 2 location on the east coast to be closer to
 3 the cars that were originally closer to the
 4 east coast, and we were considering either
 5 Philadelphia or New Jersey for the ports.
 6 Both of us grew up in New York/New Jersey.
 7 We were almost like homecoming for us to
 8 open a second location in our home town and
 9 create ten jobs we created since 2018 when
 10 we first opened up.
 11 Q. Are you the owner of 1200 West
 12 Blancke?
 13 A. I am.
 14 Q. Is it owned by West Coast
 15 Shipping or a different entity?
 16 A. We have different entity for
 17 the ownership, but it's same owners, me, my
 18 brother and my parents.
 19 MR. RINALDO: 1200 West
 20 Blancke, LLC?
 21 A. Yes, that's the LLC. That's
 22 the three of us company own.
 23 Q. What's your position in the
 24 corporation known as West Coast Shipping?
 25 A. We're a family run business.

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1 Official, my title is President and Chief
 2 Financial Officer. I also run the marketing,
 3 sales. My brother runs the operations.
 4 Q. When did you acquire 1200 West
 5 Blancke Street?
 6 A. We closed on February 14, 2018.
 7 Q. Are you familiar with the
 8 day-to-day operation of the location on West
 9 Blancke Street?
 10 A. Very much so, it's not a day
 11 goes by without me speaking to somebody in
 12 the office, hiring, resolving some issues.
 13 Q. Do you visit the site?
 14 A. Yes, I was just there actually
 15 in July, and in March right before the
 16 pandemic started. The pandemic made it
 17 difficult to be there regularly. I pretty
 18 much like to be present.
 19 Q. Can you describe the operation
 20 of the business at 1200 West Blancke Street?
 21 A. We have, like I mentioned,
 22 clients all over the world. We work mostly
 23 through virtual through Internet, through
 24 our website, email we get orders to ship a
 25 particular car from somewhere in the United

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1 States to somewhere outside the United
 2 States.
 3 If the Port of New Jersey is
 4 closer than the Port of Oakland where we
 5 have our first location, we hire trucking
 6 company to go pick up, you get car delivery
 7 to a warehouse, submit documents to the U.S.
 8 Customs office, we consolidate three to five
 9 of the cars at the site to an ocean
 10 container.
 11 We hold the license with the
 12 Federal Maritime Commission that gives us
 13 the right to do business and to buy space
 14 from all the major ocean carriers, Port of
 15 Elizabeth.
 16 We have been working with them
 17 the past thirteen years. We dispatch
 18 trucking, an outside trucking company to go
 19 and pick up an empty container, deliver it
 20 to the warehouse.
 21 The business, when the cars get
 22 delivered to our warehouse, we load them, we
 23 stage them, based on which cars will be
 24 consolidated with.
 25 As soon as the documents are

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1 dozen of trucking companies in the area,
 2 dispatch and pick up the cars. They go in,
 3 and depending on their schedule where they
 4 coming from, how many cars they are
 5 delivering, could be as small as a single
 6 car trailer, flatbed or tow truck, to larger
 7 ones that fit three to five cars to largest
 8 car carriers that fit up to nine cars.
 9 MR. RINALDO: You say cars or
 10 motorcyces, shipping any trucks or vans?
 11 A. Sometimes, I say a "car" I mean
 12 a van. We don't do any semi-trucks. We
 13 don't do semis. Semis are involving
 14 dismantling them, because they are so big.
 15 That's not our business.
 16 We specialize in classic cars.
 17 That's what our customers most of the time
 18 are. Even motorcycles, they find some rare
 19 motorcycles that was preserved well. It's a
 20 piece of history for them.
 21 Lots of times they end up in
 22 showrooms or private collections, people
 23 collecting such cars or motorcycles.
 24 MR. FIORLETTI: I have a
 25 question. You have a limited amount of

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1 back from U. S. Customs office clearing for
 2 export, we load the cars inside the
 3 container and trucking company takes the
 4 container and delivers it to the Port of
 5 Elizabeth. The port is our livelihood.
 6 Q. What's the hours of the
 7 operation at the 1200 West Blancke Street
 8 location?
 9 A. HOurs are standard 8 to 5
 10 Monday to Friay.
 11 Q. How many employees on the site
 12 at peak times and at normal times?
 13 A. Just we just added 11
 14 employees. We mentioned 10. We were lucky
 15 enough to see the business return back to
 16 pre-COVID level. We need 11 hired. All the
 17 people work eight to 5, the same hours. We
 18 have five people working in the office, and
 19 five people working in the warehouse.
 20 Q. You said that there are
 21 vehicles that arrive on the premises. How
 22 do they arrive and what times and what kinds
 23 of vehicles are delivered and how? Please
 24 describe that process.
 25 A. We work with probably a couple

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1 dropoff for trailers. You say you start
 2 working at eight o'clock in the morning.
 3 Are any of these trailers bringing cars to
 4 your place, park along Blancke Street?
 5 I know there's a lot of cars,
 6 truck-trailers with cars parked on these
 7 streets before you get into the site. How
 8 do you remedy that problem?
 9 A. The truck operators, they're
 10 not our employees. However, because we do a
 11 business with them, we are strict about our
 12 policy of not allowing anyone either to
 13 unload cars on West Blancke or wait for us
 14 to reopen.
 15 You can not wait for us there,
 16 eight to 5 gives us plenty of working hours
 17 to accept our cargo on our property on our
 18 front yard, instead of clogging up West
 19 Blancke.
 20 I was just talking to Head of
 21 Operations. He mentioned that our neighbor
 22 Enterprise nearby had trucks parked outside
 23 our office. He asked them to move them
 24 along because we don't want to create
 25 congestion in the front of our building.

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1 Safety is hugely important for
 2 us. The worst thing you can do is create
 3 congestion, confusion. That's how people
 4 get hurt.
 5 MR. FIORLETTI: You don't
 6 control it when the cars come in on the
 7 trailer. They come in overnight and they
 8 have to park out on the street until the
 9 time you open up your gate.
 10 A. But we control who we work
 11 with. So if truck drivers aren't listening
 12 to our guidelines, for example, if some of
 13 them speed, I had a truck driving speeding,
 14 and the neighbor called me and said, "the
 15 truck driver is speeding with a container
 16 attached." I called the owner of the
 17 company, and said them to never do this
 18 again. We handled it. I made it clear if
 19 this is going to happen again, I'm going to
 20 call the cops. I'm also going to stop doing
 21 business with you. The last thing we want
 22 is unsafe.
 23 MR. RINALDO: None of these
 24 containers should be parked overnight or in
 25 advance of your eight o'clock opening. Make

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1 that a condition.
 2 A. That's correct. In fact, the
 3 containers we unload, the truck drivers have
 4 a separate entrance to the property from a
 5 service road. They can go away. We have a
 6 private space to park the containers, if
 7 they arrive at eight, and the container
 8 doesn't get loaded until nine, one hour they
 9 wait, they wait on the private property, not
 10 the street.
 11 MR. RINALDO: Make that a
 12 condition?
 13 MR. LEONARD: Mr. Rinaldo, say
 14 that again. You want to make that a
 15 condition, is that what you're saying?
 16 MR. RINALDO: Yes, no parking
 17 of cars or containers on the street prior to
 18 eight o'clock.
 19 MR. LEONARD: You agree with
 20 that, Andrew?
 21 A. Yes. We already do not allow
 22 anyone to park on West Blancke. But I want
 23 to be clear, I'm talking about West Blancke
 24 as a street, not private property which is
 25 the front yard of West Blancke, correct?

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1 MR. RINALDO: On your property.
 2 A. I think it's reasonable. I
 3 thank the Board for enforcing them there.
 4 We wouldn't our neighbors to be clogging up
 5 the street.
 6 Q. You want to be the good
 7 neighbor as well and not clog up the street,
 8 correct?
 9 A. Correct.
 10 Q. So trucks will not park on
 11 Blancke in anticipation of you opening?
 12 A. Correct.
 13 Q. Do they ever come in overnight?
 14 What happens to overnight? Do they come in
 15 overnight?
 16 A. No, we make it clear that we
 17 are closed outside of normal business hours.
 18 The trucking industry, they don't need to be
 19 waiting for us on our street. If they know
 20 that we are not going to accept cargo unless
 21 they show up during business hours, a lot of
 22 times they go park on the specialized
 23 parking lot where they have a bathroom and
 24 shower, other ammenities so they can rest
 25 before opening.

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1 Q. Put up a copy of the site so
 2 that we can show where the trucks come in
 3 and go out.
 4 Can I do that?
 5 Can the administrator do that?
 6 MR. KELLER: I have my drawing
 7 ready to go if I can share the screen.
 8 This is the Site Plan Sheet 3
 9 of the application set. They were submitted
 10 as part of the application. There are two
 11 entrances into the site; one the northeast
 12 section where it's ingress, egress, to the
 13 bottom of the drawing or the left side of
 14 the street to the southwest, where vehicles
 15 come in, currently unload.
 16 I'm not sworn in. I'll let Mr.
 17 Naumov do it.
 18 Q. Mr. Naumov, can you see the
 19 drawing on the screen?
 20 A. I can.
 21 Q. Can you describe when trucks
 22 are coming in, where do they come in? Where
 23 do they unload and where do they exit?
 24 A. I'll describe, since I can't
 25 control the curser, the upper right corner

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1 is where we have one curbcut in for the
 2 trucks to enter, and here in the front we
 3 have plenty space for multiple trucks plus
 4 our personnel, truck drivers unload them.
 5 Once on the ground my
 6 employees, once the car is on the ground, my
 7 employees have a specialized forklift
 8 machine made for cars, trucks they use to
 9 lift the front wheels of the car. They
 10 drive the car through a slotted gate which
 11 is located on the left side of the front of
 12 the property. This gate is closed outside
 13 of eight through 5 Monay through Friday. We
 14 have added slots and add privacy so the car
 15 is not visible from the outside.
 16 As soon as the truck is
 17 unloaded, the truck exits on the second
 18 curbcut in, right where you see. When they
 19 exit, they make a right on West Blancke,
 20 avoiding to have to turn left and blocking
 21 the street. They proceed down Blancke, West
 22 Blancke.
 23 MR. RINALDO: Is there a No
 24 Left Turn sign there?
 25 A. No, there's No Left Turn, with

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1 large cars and trucks, we ask the truck
 2 drivers to go right so they don't create
 3 congestion.
 4 MR. RINALDO: You instruct them
 5 to go right, right?
 6 A. Yes. This is for delivering
 7 cars to our facility. Then the cars get
 8 brought inside the property. We are asking
 9 to let us store inside the warehouse on one
 10 of the slots that you see that Rich Keller's
 11 team drew. You will also see many of the
 12 cars parking attended.
 13 I want to address that.
 14 Attended because we allocate the cars'
 15 attended parking spots based on which
 16 container they will be consolidated to. We
 17 can see four car spots that's going to be a
 18 container going out with four cars. You'll
 19 see some three.
 20 When we move the cars, we have
 21 one employee that goes in, moves the last
 22 car that was put in, one by one, takes them
 23 to the loading dock. Once at the loading
 24 dock, the cars are loaded inside the ocean
 25 container which is delivered prior to

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1 loading.
 2 The trucks that deliver the
 3 containers, we have a service road that's on
 4 the bottom. There's a paved road that we
 5 and two other neighbors maintain. This is
 6 the road my truck drivers deliver the empty
 7 containers. That's where they also exit.
 8 We separate the ingress and
 9 egress traffic to avoid having trucks cross
 10 each other and to proceed.
 11 MR. RICCI: Under the City's
 12 code, because many of those parking spots
 13 aren't directly at the drive aisle, we don't
 14 really classify those as parking. You have
 15 your parking variance, whether your engineer
 16 classified those correctly. Those areas are
 17 really outdoor storage areas per se.
 18 They're not parking. You are asking for
 19 cars to be parked as outdoor storage. I
 20 want to be clear on that.
 21 MR. FIORLETTI: Cars in the
 22 building too?
 23 A. Yes.
 24 MR. FIORLETTI: Those are your
 25 better cars?

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1 A. Not necessarily. It all
 2 depends on which destination they are going.
 3 We have pretty good security with cameras,
 4 alarm company all throughout the property.
 5 One more thing, we are asking
 6 as part of the hearing is to give us
 7 permission to install a gate at the bottom
 8 left side of the property, a fenced gate
 9 right here. So that even though there's a
 10 private road that is only shared between the
 11 three neighbors, we would like to add the
 12 fence and gate here with the slots to give
 13 us privacy and also give us security for the
 14 cause.
 15 MR. RINALDO: Are they on the
 16 sheet? Are they shown?
 17 Q. You're referring to the
 18 fencing?
 19 MR. RINALDO: And the gate.
 20 Are they shown on the site plan?
 21 MR. LEONARD: I'll let the
 22 engineer address that.
 23 MR. RINALDO: Okay.
 24 MR. LEONARD: When he starts
 25 his testimony.

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1 Q. Andrew, you're speaking of
 2 fencing. What is your intention with regard
 3 to fencing and being able to see the back
 4 from the street? Can you describe what you
 5 intend to do to create privacy and keep the
 6 cars?
 7 A. My neighbors, immediately
 8 below, they already have a chain link fence
 9 running there. We want to continue and
 10 extend it until basically down the line.
 11 And the chain link fence that we are having
 12 plus the gate, we would like to put the same
 13 slots that block the view from the outside.
 14 MR. RICCI: Is there wire on
 15 the fence or no barbed wire?
 16 MR. RINALDO: How about the
 17 height?
 18 MR. LEONARD: The engineer will
 19 address that as well.
 20 Your intention is to have it
 21 private to obscure any vision towards the
 22 back and to keep the site private?
 23 A. Exactly.
 24 Q. Can you describe, when you talk
 25 about trucks coming onto the property, how

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1 big problem in any trucking industry. Any
 2 time you have trucks backing up, it is a
 3 recipe to hurt people.
 4 That's the one reason why we
 5 like this property so much, on the front you
 6 can enter and exit through two different
 7 sites without having trucks across each
 8 other.
 9 Q. You would not want your trucks
 10 to come towards the back of the property
 11 along that fire lane?
 12 A. The fire lane, we are very
 13 serious about safety. We're doing this for
 14 thirteen years without major accidents.
 15 Blocking fire lane is never a good part of
 16 the plan. That's why we keep the fire lane
 17 open throughout the property. That's why we
 18 don't allow our, the trucks that come in and
 19 drop the cars off to go out the property
 20 along the fire line.
 21 The fire line you're referring
 22 to, we reserve it for our the personnel to
 23 bring the forklift in to bring the car in
 24 one by one inside the property.
 25 Q. The forklift is designed

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1 large are the trucks, and how many per day
 2 come onto the site?
 3 A. When we do the traffic study,
 4 the numbers were no more than ten trucks
 5 delivering cars to the property for a day.
 6 We usually space them up, give them
 7 appointments when they come in so that all
 8 ten trucks don't show up at the same time.
 9 Be careful about that.
 10 On the way back from our
 11 property, the containers, again, right now
 12 we are doing about six to eight each day.
 13 We're hoping that the business grows to ten
 14 containers per day of trucks going in,
 15 picking up loaded containers and taking to
 16 the port.
 17 Q. How large are the trucks that
 18 come onto the premises?
 19 A. The trucks that deliver cars to
 20 the property are anywhere from single
 21 flatbed tow truck to park trailers, 56 foot
 22 long trailer attached to a semi-trailer. On
 23 the ingress and egress side we have space
 24 for trucks to enter, go through our property
 25 without having to back up. Backing up is a

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1 specifically for lifting cars?
 2 A. Yes, have a special hookup to
 3 avoid damaging the car.
 4 Q. Now, you mentioned that trucks
 5 come onto the property. How long do the
 6 trucks remain on the property while they're
 7 unloading?
 8 A. It's a good question. If you
 9 think about normal operation, they deliver
 10 the car. We give them a check for their
 11 service. We mail them a check.
 12 Our personnel does the
 13 condition report to the truck driver, the
 14 truck driver needs to go, so other people
 15 can get paid for the job. They don't like
 16 to sit still and wait.
 17 Sometimes if we are slow in
 18 documentation, they might stay there twenty
 19 minutes. Sometimes we get a full car, all
 20 nine cars which is rare. That's just how
 21 long it takes to unload.
 22 I think the most any car, truck
 23 needs to unload is about an hour. I think
 24 most of the time they are in and out within
 25 twenty minutes.

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1 Q. The size of the trucks once
 2 again?
 3 A. It's just regular semi-trucks
 4 with limited 50, 56 foot long trailers
 5 attached to the back, very standard.
 6 Q. Cars with nine cars?
 7 A. One car, three cars, five, six,
 8 seven, eight, nine, nine is the one, they
 9 double-stack them, basically three and
 10 three.
 11 Q. What's the maximum number of
 12 cars that you can process between 8 and 5?
 13 A. We get nine, average they get
 14 twenty cars a day delivered on a workday.
 15 It gets spread out through the nine working
 16 hours. Several cars per hour.
 17 Q. You said you use a forklift to
 18 move the cars. Are these cars operational?
 19 A. For the majority of the part
 20 they are operational. We prefer our
 21 employees to use the forklift. It avoids
 22 damaging the car mechanically and some of
 23 the cars are old and fragile. In addition
 24 to that, we don't like our employees to
 25 drive the cars through the warehouse,

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1 cars anywhere outside. We fully understand
 2 that and support it. We intend to bring in
 3 anything inoperable inside the warehouse.
 4 Q. Will the public ever come to
 5 the property to buy vehicles?
 6 A. We do not sell them. We do not
 7 buy them or service them. We do not
 8 dismantle them. We simply Fed Ex for these
 9 cars.
 10 MR. FIORLETTI: Mr. Naumov, all
 11 the trucks, cars that come in on the
 12 trailers, they are operable. That's the
 13 only way they get them off the trailer. You
 14 have a lot of operable cars coming in.
 15 A. So it's the responsibility of
 16 the truck driver to take the car off the car
 17 trailers, yes. They could start it. As
 18 soon as they start it, take them off, we
 19 take possession and they use the forklift.
 20 MR. FIORLETTI: They have to
 21 run them to get them off the trailer.
 22 A. Sometimes they just roll them
 23 down, depending on where they are. You're
 24 correct, the truck driver has to start the
 25 car and bring it down.

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1 running the engine. We don't want that to
 2 contaminate gases. When they use the
 3 forklift, the forklift is propane operated.
 4 It doesn't have mechanicals.
 5 Q. The cars that are delivered and
 6 stored, what percentage of them are not
 7 operable?
 8 A. I have to guess, maybe around
 9 ten percent of them inoperable. For us,
 10 operable and inoperable, we don't drive the
 11 cars. All we do is just, like any cargo, we
 12 forklift them, bring them to the loading
 13 dock, we use the forklift to insert the car
 14 inside the container, close the container.
 15 A lot of times we don't know
 16 the difference between operable and
 17 inoperable. We don't want to take the risk
 18 of running the cars.
 19 Q. In the planner's report he was
 20 concerned about the operable cars being
 21 stored inside, inoperable cars being stored
 22 inside. Is that your intention, that you
 23 have inoperable cars -- go ahead.
 24 A. We understand the City's
 25 reluctance to have, not to have salvaged

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1 Q. How long do the vehicles remain
 2 on the premises on an average basis?
 3 A. It's a function of how fast the
 4 U. S. Customs Office Port of Elizabeth can
 5 approve the export.
 6 A lot times we bring the
 7 documents. They take two to three days to
 8 approve them, stamp them. We spend a week
 9 looking for consolidation for other cars
 10 going in and ordering a container. I would
 11 say for 90 percent of the cars they are in
 12 and out of our property within two weeks.
 13 Sometimes if there's a problem
 14 with the U. S. documentation, the title
 15 needs to be restored, there's a lien on the
 16 car, that might slow things down. But those
 17 are exceptions.
 18 We have had some cars stay
 19 there for over a month. But it is a big
 20 problem for us. We are not in the business
 21 of storing them. We are in the business of
 22 getting paid only once we ship them out. If
 23 they get stuck, we spend quite a bit of
 24 efforts asking customers to remove them from
 25 our property or to get us documentation to

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1 ship them out.
 2 Q. How many spaces will be
 3 available inside? Did you discuss that?
 4 A. We did the math, roughly two
 5 hundred cars inside.
 6 Q. What's the difference between
 7 the indoor storage areas and the outdoor
 8 storage area?
 9 A. It's the weather factor. In
 10 the middle of the winter, snow, some of the
 11 cars are fragile so having the snow on top
 12 of them and we put them inside the
 13 container, which is air and water seal,
 14 creates a bad environment for rust to
 15 develop.
 16 We would like to keep them
 17 inside. The business, it goes in waves. A
 18 lot of our customers are more active in fall
 19 and spring and less active in summer and
 20 winter.
 21 In the winter we like to keep
 22 as much possible inside the warehouse.
 23 Q. The plans provide for
 24 forty-eight parking spaces. Will
 25 forty-eight parking spaces be adequate for

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1 your employees?
 2 A. Lke I mentioned we have 11
 3 employees now. I could see us growing to
 4 fifteen, 18 employees. The size of the
 5 property limits us to more cars to have more
 6 employees.
 7 How many you said is probably
 8 three times more than we'll have it.
 9 Q. At the beginning you mentioned
 10 you had a roof collapse. Can you describe
 11 the circumstances that caused you to change
 12 your plans?
 13 A. It was scary. I got a call at
 14 5 in the morning from my crew saying that
 15 they are hearing some noise, something is
 16 moving. Immediately we brought in an
 17 engineer, a contractor crew. We had plans
 18 to go in and shore up the next morning at
 19 four in the morning, we had a crew ready to
 20 go out there as emergency. Around midnight
 21 it collapsed.
 22 We spent a lot of time with
 23 insurance trying to figure out why it
 24 happened. I don't think I fully understand
 25 the reason. But maybe a combination of

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1 building going through some wind.
 2 This was February 28th, I
 3 believe ther was a big rainstorm, gust of
 4 winds. Unfortunately, the roof collapsed.
 5 Insurance company denied covering the claim.
 6 We had to go and spend money on
 7 litigation. Finally, we decided to change
 8 the commitment to cover it. They are
 9 covering us now.
 10 Now we have plans ready to
 11 submit to the Building Department for
 12 rebuilding that part of the roof exactly the
 13 same way as it was before.
 14 They re-engineered it, added a
 15 lot more, I guess, strength to them, that
 16 part of the roof that collapsed.
 17 We're hoping it's going to be
 18 completed before the end of October before
 19 the start of the snow.
 20 MR. RINALDO: Same dimensions?
 21 A. Yes. We thought that's
 22 partially why we went back and forth on this
 23 plans, we were thinking about maybe
 24 infilling that space.
 25 We have this weird courtyard

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1 full of trees and weed grass and snakes. We
 2 wanted to see if we could fill that in as
 3 well as using square footage inside the
 4 building. But the cost of that was
 5 prohibitive. All we are asking for at this
 6 meeting is to let us remove the structure
 7 that's there so we don't have to do
 8 maintenance. Two-story, I guess it was done
 9 later on. Completely useless as an office
 10 or warehouse.
 11 In that area we want to get all
 12 the greenery out, cut out all the weeds and
 13 stuff that's growing and cover it with
 14 gravel and hopefully, end the maintenance
 15 nightmare inside this area. This area is,
 16 also, there's a fence on the side so it's
 17 not visible.
 18 MR. FIORLETTI: Moving right
 19 along.
 20 MR. RINALDO: Do you have any
 21 further questions for your witness?
 22 MR. LEONARD: I have no further
 23 questions for Mr. Naumov.
 24 A. Thank you, Board members.
 25 MR. RINALDO: Any questions

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1 from our Board? Any questions from the
 2 audience?
 3 MR. KLEIN: I have a question.
 4 I just want to go back to the number of
 5 employees. You mentioned something about
 6 you have 10, going to be 11, threw out 16 to
 7 18. Is there a limit to the number of
 8 employees that you'll have at the site?
 9 A. There's a limit to the size of
 10 the property, how many cars we can receive
 11 for load. That really is a limiting factor.
 12 We would like to hire more people. With the
 13 modern warehouse and distribution, the tools
 14 and technology improve so much that you
 15 can't possibly have forty some people
 16 working, unless we have a different business
 17 model.
 18 MR. KLEIN: Do you think it's
 19 necessary to put some kind of limit on the
 20 number of employees because of the way the
 21 parking is laid out, Tony?
 22 MR. RINALDO: We need to know
 23 how it's laid out.
 24 MR. PANTINA: I'm the City
 25 Engineer. I was going to hold my question

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1 for Mr. Keller. Anybody can answer it.
 2 On the plans on the zoning
 3 table there's 65 cars required, you have 50
 4 existing. You have forty-eight proposed.
 5 None of the numbers add up on the plans.
 6 Can somebody show me where the magical
 7 number of forty-eight exists at? Point to
 8 it on the screen.
 9 MR. LEONARD: We'll leave it to
 10 Mr. Keller to answer as he's testifying as
 11 testifying engineer.
 12 Q. Mr. Naumov, do you anticipate
 13 more than fifteen employees on the premises?
 14 A. Let's call it maybe twenty if
 15 we are really good at what we're doing and
 16 the economy.
 17 MR. RINALDO: Maximum twenty,
 18 okay.
 19
 20
 21
 22
 23
 24
 25

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1 E L I Z A B E T H D O L A N, having been
 2 duly sworn by the officer, testified as
 3 follows:
 4
 5 DIRECT EXAMINATION BY MR. LEONARD:
 6
 7 Q. Please state your name and your
 8 address.
 9 A. Elizabeth Dolan, D-o-l-a-n,
 10 Dolan and Dean Consulting, 181 West High
 11 Street in Somerville, New Jersey.
 12 Q. Ms. Dolan, what's your
 13 profession?
 14 A. I'm a licensed professional
 15 engineer specializing in traffic
 16 engineering. I have been involved in
 17 traffic engineering for over thirty years.
 18 After graduation from Rutgers, I've been a
 19 Civil Engineer since 1986.
 20 MR. RINALDO: We accept.
 21 MR. LEONARD: You accept her?
 22 MR. RINALDO: Yes.
 23 MR. LEONARD: Thank you.
 24 Q. Ms. Dolan, you prepared a
 25 traffic study dated May 27, and you also had

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1 a chance to review the City's Traffic and
 2 Consulting Engineer Lee Klein's report?
 3 A. Yes, his report is dated June
 4 10th, 2020.
 5 Q. Can you please describe the
 6 premises and the operations that you
 7 observed and what your conclusions were?
 8 A. Sure. We were contacted in
 9 April of 2020 to prepare a traffic study for
 10 the application and of course, at that time,
 11 we were under a lot of shutdown lockdown
 12 associated with COVID 2020.
 13 I had the opportunity to review
 14 security video footage which was fantastic,
 15 and a fun way to count traffic.
 16 I scanned a lot of the videos
 17 and went back to February 2020. I found a
 18 day that was great weather, school in
 19 session, and I watched the site operations
 20 and counted the activity at the site
 21 driveways.
 22 You heard a lot of the
 23 operations testimony about how the trucks
 24 come in and drop off the vehicles, the
 25 employees come in and they are there by

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1 eight o'clock, leave at 5 o'clock,
 2 All of that showed up on the
 3 security footage that I watched. I was able
 4 to count the driveway activity and record
 5 the peak hour activity from 8 to 9 A.M. and
 6 from four to five P.M.
 7 The site's not very busy in
 8 terms of traffic. We had sixteen vehicles
 9 come in, and nine exit during the morning
 10 peak hour and 5 enter and nine exit during
 11 the evening peak hour. Those are low
 12 volumes from a traffic perspective. The
 13 good stuff that I saw on the video was truck
 14 maneuvering into and out of the site.
 15 There was little delay
 16 associated with these truck maneuvers, a
 17 little delay associated with passenger
 18 vehicles entering and exiting the site. It's
 19 operating very efficiently from the
 20 different videos that I observed, and the
 21 activity, as I said, is low in terms of
 22 traffic engineering standards.
 23 Andrew talked about the
 24 pre-COVID activity and the anticipated
 25 activity and the anticipated employee load.

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1 And then those vehicles are transported by
 2 forklift into the back of the site.
 3 It seems to be, from my
 4 observations, a very smooth operation from a
 5 traffic perspective, not a high volume or
 6 high intensity operation, and if activity
 7 were to double, certainly, the driveway and
 8 the roadway system can handle that additional
 9 increase and operate at acceptable levels of
 10 service.
 11 Q. From a traffic standpoint, is
 12 this site detrimental to the neighborhood?
 13 A. Certainly not. In fact, one of
 14 the things I noticed on the video was truck
 15 maneuvering at one of the properties across
 16 the street that caused some backup on
 17 Blancke.
 18 That is not anything that I
 19 noticed in the video that I reviewed for the
 20 site in question.
 21 As Andrew testified, the trucks
 22 come into the property, they turn off
 23 Blancke, come in and stage and they
 24 immediately exit so there's no backup.
 25 There's no maneuvering of trucks that would

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1 Over the course of the day, approximately
 2 ten trucks may come in to drop off vehicles
 3 at the site, another ten trucks may leave
 4 the site to transport vehicles off the site.
 5 We analyzed future volumes by
 6 simply doubling the volumes that we
 7 recorded. We found that the levels of
 8 service which is the traffic engineering's
 9 mean of analyzing driveways and
 10 intersections are in the Level of Service B
 11 range, that's consistent with the
 12 observations that I made.
 13 I think it's a very efficient
 14 operation that's existing and is expected to
 15 continue, and if there's a slight uptick in
 16 activity at the site, it can be accommodated
 17 based on the traffic counts that we
 18 conducted along Blancke Street, again
 19 pre-COVID and the driveway volumes we
 20 analyzed.
 21 The activity associated with
 22 bringing the car carrier onto the site
 23 staging in the front of the building, and
 24 then offloading the vehicles certainly makes
 25 sense. We did observe that in the video.

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1 cause hesitation out to Blancke Street.
 2 Q. On a daily basis entering and
 3 exiting, can you give us those numbers?
 4 A. Based on the pre-COVID
 5 activity, it was a maximum of ten trucks
 6 entering to drop off vehicles over the
 7 course of a day, again from 8:00 A.M. to 5
 8 P.M. Then a maximum of ten trucks taking
 9 vehicles of the property throughout the
 10 course of the day. That's spread out
 11 throughout the business day from 8 A.M. to 5
 12 P.M.
 13 Q. Mr. Klein's report, do you have
 14 any comment?
 15 A. Mr. Klein's report is broken up
 16 into two sections. The first is regarding
 17 the Traffic Impact Study. That was the
 18 testimony I just gave.
 19 He generally found our analysis
 20 to be acceptable.
 21 The balance of the comments
 22 really are based on operations and site
 23 testimony. I think a lot of that was
 24 addressed through Andrew's testimony.
 25 There's been a request both in

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1 Mr. Klein's review and Mr. Pantina's review
 2 for circulation, truck circulation exhibits.
 3 Our engineer will talk about that.
 4 I would also point out the
 5 parking calculations, and we'll get into
 6 that in engineering testimony, are based
 7 upon both the warehouse and office space
 8 that are proposed, if we were to use the
 9 current I.T.E. standards, we would calculate
 10 a much lower parking demand, I think about
 11 25 or thirty spaces. That's consistent with
 12 Andrew's testimony with the employee
 13 population that is existing and the maximum
 14 employee population that might exist on the
 15 subject property.
 16 Q. From a traffic point of view,
 17 the parking provided on the site is adequate
 18 for the purposes of the operation?
 19 A. Yes. And of course, following
 20 up on Andrew's testimony, the spaces are
 21 used, many of them are used for unloading
 22 the vehicles. It's a temporary staging type
 23 of parking.
 24 From an overall employee
 25 demand, certainly, there's ample parking and

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1 agree with what Ms. Dolan did.
 2 MR. RINALDO: Any members of
 3 the audience wish to say anything? Hearing
 4 none, your next witness, Mr. Leonard.
 5 MR. LEONARD: Our next witness
 6 is the Engineer Richard Keller.
 7
 8 R I C H A R D K E L L E R, having been duly
 9 sworn by the officer, testified as follows:
 10
 11 DIRECT EXAMINATION BY MR. LEONARD:
 12
 13 Q. Would you please state your
 14 name and address?
 15 A. Yes. Richard Keller,
 16 K-e-l-l-e-r. I'm a Licensed Professional
 17 Engineer and Planner with Casey and Keller
 18 located at 258 Main Street, Millburn, New
 19 Jersey.
 20 Q. How long have you been engaged
 21 as a professional engineer?
 22 A. I was licensed as a
 23 professional engineer in 1989 and as a
 24 planner in 1990. I have a Bachelor of
 25 Science in Civil Engineering from Rutgers

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1 we have got vehicle storage in these tandem
 2 spaces to accommodate the operation that
 3 Andrew testified to.
 4 MR. LEONARD: I have no further
 5 questions for our traffic expert.
 6 MR. RINALDO: Members of the
 7 Board, any questions?
 8 Mr. Klein?
 9 MR. KLEIN: Sure. Betsy hit
 10 most of the points, I think, in the first
 11 half of our report was based on her report.
 12 The rest of it is really something for Mr.
 13 Keller. I have a few questions to follow
 14 up.
 15 It sounds like her assumptions
 16 were pretty conservative. They're going to
 17 double the activity at this site from what
 18 Mr. Naumov said, but conservatively, it
 19 still will work. It's a level of service
 20 issue as far as the circulation, the site
 21 plan.
 22 MR. RINALDO: Change you're
 23 saying?
 24 MR. KLEIN: Impact on the
 25 streetscape, and the driveway is correct, I

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1 University with a concentration in Water
 2 Resources and Environmental Engineering. I
 3 also held a Master's of Architecture with a
 4 concentration in Urban Planning and Design.
 5 I'm attended New Jersey
 6 Institute of Technology. I also taught both
 7 graduate and undergraduate schooling of
 8 Architecture and Planning for 11 years.
 9 MR. RINALDO: Accepted.
 10 MR. LEONARD: Thank you, Mr.
 11 Rinaldo.
 12 Q. You prepared the plans that
 13 were submitted to the Board. Would you
 14 please describe the site and the
 15 characteristics of the site?
 16 A. Yes. First I will go to one of
 17 the exhibits that we presented to the Board
 18 last week up on the website.
 19 I'll go to the first exhibit
 20 Land Satellite photograph. It's a
 21 photograph from an aerial satellite called
 22 Near Map, the image date is February 23,
 23 2020.
 24 MR. LEONARD: I'm presenting
 25 Mr. Keller as a expert professional engineer

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1 and as our planner. Is he accepted as an
 2 expert in both?
 3 MR. RINALDO: Expert in both.
 4 MR. LEONARD: Thank you.
 5 Q. Would you continue?
 6 A. We have A-1, satellite
 7 photograph, Near Map image dated February
 8 23, superimposed on our site plan over the
 9 perimeter, to a scale, original drawings,
 10 one inch equals 30. It shows the site as it
 11 exists basically today but on the date of
 12 capture on February 23rd.
 13 You can see the property at the
 14 1200 West Blancke Street is 1500 feet south
 15 of the intersection of West Blancke and
 16 Stiles Street. It is 182,814 square foot
 17 lot, 4.2 acres, and located within the Light
 18 Industrial LI zone, 300 feet of frontage
 19 along West Blancke, about 610 feet deep in
 20 total.
 21 The existing building site
 22 contains a building 67,855 square feet.
 23 That's in the heavy outline, got a brick
 24 section in front that contains about 3850
 25 square feet of office space. The rest is

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1 all warehouse space. Currently the dark
 2 line is the current building conditio as it
 3 is today, 3800 square feet in the front
 4 that's office. You got 64,000 square feet
 5 in the back, that is a one-story combination
 6 of building, various time, concrete block
 7 frame metal warehouse area. The part that's
 8 purple color is being removed, has a
 9 mezzanine level, and is being removed from
 10 the site.
 11 Between the building and West
 12 Blancke Street there's a 51 car parking lot,
 13 49 standard spaces in front now, two
 14 handicap spaces that exist. As indicated
 15 with Mr. Naumov, there's a circulation where
 16 the trucks come in at the top of the site,
 17 northeast and an ingress driveway. It's
 18 very wide to truck traffic.
 19 Then trailers can then pull off
 20 where there are currently two spaces shown,
 21 ththey can unload, whether single tow truck
 22 or as many as nine on a single car carrier
 23 with the trailer and overhang, it's about 65
 24 feet, still 25 feet behind that to offload
 25 in the back.

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1 That's the way the site exists
 2 today. It was indicated some of the
 3 tractor-trailer truck traffic was blocked
 4 was actually due to the Enterprise Car.
 5 There is vehicle storage facility which sits
 6 just at the northeast of us.
 7 There's vehicle storage at that
 8 location. If you see over on the right side
 9 to the southeast off Elizabeth Avenue, this
 10 is area where cars are stored in tandem
 11 similar to what West Coast will do in the
 12 outside it does currently. We doublecheck
 13 the spaces.
 14 There's parking spaces off
 15 Elizabeth Avenue also when you measure seven
 16 or eight cars, measure width, comes to seven
 17 foot by 16 foot size. That's the size we
 18 are calling for the outdoor storage of the
 19 vehicles on the property in question.
 20 It's an industry standard given
 21 by Andrew and it's also reinforced by the
 22 fact another storage facility located off
 23 Elizabeth Avenue does pretty much the same
 24 dimensions for their stacked parking
 25 throughout their lot. That's the one

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1 exhibit.
 2 The purple sections are
 3 portions of the building that we are
 4 removing. These three sections are being
 5 removed to allow for outdoor storage in
 6 effective parts of the building outside.
 7 Removal of one section allows us to add two
 8 additional loading bays for outdoor
 9 vehicles.
 10 The second exhibit which is
 11 A-2, West Coast Shipping, their site photos,
 12 one was taken by my field staff and the
 13 other by Google View, this was taken by my
 14 staff. We did the survey for Mr. Naumov to
 15 purchase the building back in November 2018.
 16 This is the property in
 17 question 1200 West Blancke Street and on the
 18 right looking southwest along the street
 19 line, you can see there are existing
 20 landscaping that sits between the curblin
 21 and the parking lot that provides for
 22 effective screening of the area where we
 23 plan on doing the offloading of the truck.
 24 We have a unique opportunity
 25 here. He moved in, got a C.O., and we have

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1 a good opportunity to see how, what the
 2 impact is on the neighborhood. He's been
 3 operational for almost two and a half years.
 4 Our traffic expert Betsy Dolan
 5 could review security footage to see exactly
 6 the smoothness of the operation and the way
 7 that the employees arrive and park against
 8 the building, and where the offloading
 9 occurs in the screened area in the parking
 10 lot in the open area.
 11 It's rare you actually get to
 12 see the potential negative impacts of the
 13 project because it's been in operation two
 14 years.
 15 Photograph 2 from Google Street
 16 View from 2019 generous entrance into the
 17 site, landscaping.
 18 The existing brick building,
 19 that will be renovated and restored. The
 20 rest of the building will be more modern,
 21 has better longevity.
 22 The third view is the property
 23 looking at the egress driveway, looking
 24 down, you can see the privacy slats are
 25 installed in the fencing. These will not

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1 remain in this location, will go in the back
 2 of the building.
 3 Those are the street views
 4 which I'll refer to when I do the planning
 5 testimony.
 6 If I go to the sie plan that
 7 was submitted, --
 8 MR. RINALDO: Before you do
 9 that, Mr. Keller, how did we get to the
 10 Planning Board originally? Because I know
 11 that going back, I spoke to Mr. Leonard
 12 quite sometime ago. I'm not sure if you
 13 were granted a C.O. or whether or not our
 14 zoning officer said you better file with the
 15 Planning Board.
 16 Can you clarify that, for the
 17 record?
 18 MR. LEONARD: Yes. I had
 19 researched and discussed the matter with Mr.
 20 Rinaldo and with Brian Fritzsche of the
 21 Zoning Board. And because this site was a
 22 permitted use within the L-1 zone, the
 23 Secretary of the Zoning Board refused to
 24 consider it as an application.
 25 Therefore, we felt it was a

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1 matter since we are configuring the parking
 2 spaces and putting in the exterior parking
 3 spaces, that it was a matter for the
 4 Planning Board to hear, within it as
 5 required by the Municipal Land Use Statute.
 6 MR. RICCI: Just to be clear,
 7 this is not where it's clearly identified as
 8 a permitted use. The zoning officer
 9 interpreted this, my understanding that he
 10 sent it to the Planning Board but, just be
 11 clear, this is like it was a close call
 12 where it was sent.
 13 It was first rejected, went to
 14 the Zoning Board. It ended up here.
 15 There's nowhere in the code it is specified
 16 identified. Be careful how you use the
 17 vernacular that this is specifically
 18 permitted or not. That's not the case.
 19 I was told, right or wrong,
 20 what Mr. Rinaldo is looking for, that you
 21 were granted a C.O. in 2018, is that true or
 22 not?
 23 Q. Mr. Naumov, were you granted a
 24 C.O. for this site?
 25 MR. NAUMOV: I would like to

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1 address the Board member. We applied for
 2 the C.O. in 2017 before we acquired the
 3 property. It was granted, I believe, in the
 4 fall of 2017.
 5 MR. RINALDO: For better or for
 6 worse, right? Go ahead.
 7 MR. RICCI: It's my
 8 understanding, just so you know, for the
 9 record, the zoning officer granted a C.O. At
 10 that point after the C.O. was granted, I
 11 think it was his position it was unclear in
 12 the zoning officer's mind whether your use
 13 was permitted or not. I think you may be
 14 the last one where that determination had
 15 been made.
 16 Zoning is not clear about this
 17 use. You have a Mater Plan tha specifically
 18 recommends zoning clarify the issue,
 19 specifically states it's prohibited, just so
 20 you are aware.
 21 MR. LEONARD: Mr. Ricci and Mr.
 22 Rinaldo, has the zoning ordinance changed?
 23 MR. RICCI: It has not. It's
 24 still in that gray area. The zoning
 25 officer, when I spoke to him on the phone,

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1 told me based on those facts that it should
 2 go to the Planning Board to consider it a
 3 permitted use at the time. That's my
 4 understanding.
 5 MR. RINALDO: That's
 6 sufficient. Let's move on.
 7 MR. KELLER: I'd like to just
 8 clarify, I wasn't touting this was some
 9 implicit rights that were garnered.
 10 The applicant got a C.O. for
 11 whatever reason, and we are here today to
 12 basically get ourselves sanctified with what
 13 I think is a preliminary and final site
 14 plan, based upon the merits and to argue the
 15 need for two variances before the Board.
 16 The applicant is seeking to
 17 beautify the site, improve the property, and
 18 basically get everything clear on the record
 19 so if there is any gray area in the future,
 20 it's clear what the intention was and what
 21 the Board approved here. So I easn't
 22 implying any benefits, we still need site
 23 plan approval for this for two variances.
 24 MR. RINALDO: There's no
 25 situation the applicant is delaying this.

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1 The delay was because bouncing between the
 2 Planning Board and Zoning Board and the
 3 zoning officer. I think we have covered
 4 that. Now you can tell us about the plan.
 5 A. Certainly. To go over the site
 6 as indicated, let me just clear up the
 7 parking situation, we do show, if you count
 8 the number of spaces in the front, we're not
 9 counting the spaces in the back, you get
 10 eight spaces, two handicapped, three, 12,
 11 three, 12, three that all adds up to be the
 12 existing 51 cars that are on the site. What
 13 we are doing we are adding 9 spaces up in
 14 this area, against the building, and taking
 15 away 12 so then a net reduction of three.
 16 Go to the next sheet, we have
 17 added 5 spaces along the northeasterly
 18 border, four spaces facing against the
 19 building, we added nine, we taken these 12
 20 and eliminating them to make that a
 21 designated area parking spaces to be
 22 removed. We have got the car carrier
 23 loading area, excess of 96 feet, get nine
 24 car carrier and maneuvering area to get the
 25 vehicles off onto the dedicated forklift and

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1 into the back. We are removing these
 2 existing 12 parking spaces, adding nine, net
 3 reduction of three, go from 51 down to 48 in
 4 the proposed condition.
 5 If you add up the existing
 6 spaces plus the proposed, netting out we
 7 have a total of 49 cars shown on the site,
 8 46 standard and two handicap closest to the
 9 entrance to the building.
 10 MR. RINALDO: Forty-nine?
 11 A. Forty-eight. Fifty-one down to
 12 forty-eight. I apologize.
 13 We go over the other salient
 14 features of the proposal, which indicated
 15 there are three sections in the light purple
 16 of the building we are removing, one in that
 17 courtyard. It is really a gap between the
 18 buildings. It's not a usable area. As was
 19 indicated, it is overrun with rodents,
 20 snakes, hard to maintain. We are looking at
 21 removing that 1685 square foot portion of
 22 the building and actually putting gravel in
 23 there for easier maintenance, removing a
 24 small addition in the back to allow for the
 25 addition of two more loading docks, so we

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1 have a total of six loading docks. When the
 2 cars that are taking the cars to the port
 3 and they are filling those conainers,
 4 they'll come down the ingress easement to
 5 the site, come to the back area, back into
 6 one of the loading docks, and then the
 7 container will be loaded onto the vehicle.
 8 They will leave doubling back the same way
 9 and out through that easement that takes
 10 them back out to Blancke Street, so no
 11 commingling of the vehicles that are
 12 leaving. They are using the easement in and
 13 out.
 14 The car carriers are restricted
 15 to that counter clockwise, coming in, doing
 16 the dropoff, leaving again.
 17 So one of the things that Mr.
 18 Naumov expressed early on, he did not want
 19 the tractor-trailers offloading in this
 20 area, found it unsafe. You have a vehicle
 21 that would not be in a movable position for
 22 twenty minutes to an hour compromising the
 23 fire lane.
 24 What we really wanted to do was
 25 keep that benign, and our traffic consultant

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1 Betsy Dolan said that it's actually a very
 2 smooth operation and keeps the vehicles
 3 completely segregated.
 4 That way the individual workers
 5 who are moving for these cars into coming
 6 out to do one of the shipping containers,
 7 they are free to move without having the
 8 truck traffic on the very far left of the
 9 property or out in the public part. This
 10 area is rarely reserved only for the movement
 11 of outdoor storage of vehicles not trucks.
 12 That was designed, purposely to be safer.
 13 Andrew was expressing safety
 14 was his biggest concern on the operation
 15 bifurcating the arrivals and departure of
 16 the vehicles was critical, leaving this area
 17 free for his workers to pick up cars and get
 18 them into the building.
 19 With the removal of the three
 20 portions, we are removing a net of 9050
 21 square feet of the building, 7365 feet of
 22 that is going to be converted from building
 23 to pavement, taking out building sections
 24 converting to pavement and the last section
 25 we are converting to gravel.

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1 With the reduced building, as
 2 we indicated, the applicant seeks to create
 3 a tandem parking area, outdoor storage for
 4 281 vehicles. That's a maximum, allows
 5 flexibility of sections to use, three, four,
 6 five, six cars, that could be held onto
 7 vehicles as indicated, generally tend to
 8 stack them in the row by container when they
 9 leave the site.
 10 The vehicle storage area is
 11 accessed only by employees. Therefore, in
 12 the spacing 7 by 16 is actually industry
 13 standard. It is appropriate in this case.
 14 With the removal of the rear
 15 1710 square feet allows for additional
 16 loading docks. This 20 a foot fire lane not
 17 just shown as a graphic on the drawing, it
 18 will be painted as such. It will be easy
 19 for the Fire Department to be assured that
 20 no vehicles are parked in that 20 foot fire
 21 lane. It's easily enforceable because it's
 22 painted on the ground.
 23 Q. The applicant is going to
 24 stripe that area as a fire lane and clearly
 25 indicated as a fire lane.

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1 MR. RINALDO: Okay.
 2 A. The other thing we were clear
 3 on, since in the winter hours it does get
 4 dark sometimes before four or five o'clock
 5 and light after eight o'clock, we came up
 6 with the state-of-the-art lighting plan,
 7 combination pole mounted fixtures, building
 8 mounted fixtures throughout the site that
 9 provides for adequate lighting, kept it on
 10 the safe but lower end of the spectrum.
 11 We're very proud of our
 12 lighting plan. We have a very low
 13 uniformity. The average lighting is the
 14 minimum.
 15 MR. RINALDO: Shown on the
 16 plan, correct?
 17 A. Sheet 4 of the plan.
 18 MR. RINALDO: With regard to
 19 the fencing that you propose, is that shown
 20 on any of the plan?
 21 A. Yes. I was going to come back
 22 to that. That was something my office
 23 apparently goofed on. We did show the front
 24 fencing, existing fencing, chain link
 25 privacy fence continues, we show the infill

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1 fencing along the courtyard.
 2 Andrew will provide a privacy
 3 six foot fence that provides a visual
 4 screening and protects along the easement
 5 ingress and he egress.
 6 We'll modify the plan on the
 7 fly to provide a fence that would provide
 8 gates for access, and visual screening so
 9 even though it's not a street, they'll be
 10 limited view into the storage area or the
 11 operational area. That fencing is not
 12 shown. It's an area I'm pointing out on the
 13 lower left side of the drawing,
 14 northwesterly portion of the site.
 15 MR. RICCI: Mr. Keller, you
 16 said you had a conversation with the Fire
 17 Department regarding the fire lanes?
 18 MR. KELLER: Either Andrew did
 19 or the zoning officer did, it was told to us
 20 that one of the recommendations was that we
 21 needed to make sure we kept a distance from
 22 any building mounted sprinkler connections
 23 and also we provided a twenty foot stripe
 24 fire lane for access throughout the entire
 25 site.

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1 I don't know whether that came
 2 from Andrew directly or from the zoning
 3 officer. Those were, sort of pandemic
 4 times, we relied on the owner interfacing
 5 with the zoning officer.
 6 We are willing to meet with the
 7 fire code official to make sure they are
 8 comfortable with it.
 9 We'll certainly throw some
 10 truck turning templates, so we got the
 11 letter too late from traffic and engineering
 12 to respond to that. We'll show the truck
 13 turning templates to show trucks can get in
 14 and a fire vehicle the town would use can
 15 get into the site and have access to the
 16 site, and circumnavigate the site and get
 17 out. We are happy to do that.
 18 We hope that could be an
 19 approval.
 20 MR. KLEIN: Can you also show
 21 the car carrier coming in?
 22 A. You got enough room to pull in
 23 and all the way out. The car carrier,
 24 maximum of 55, we show 96 feet, they have a
 25 hundred feet. They can actually pull in.

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1 We witness them doing that already. One of
 2 the benefits of the user being in operation,
 3 you can see.
 4 MR. KLEIN: Can you go back to
 5 the corner again with the fence, what's the
 6 cross hatch?
 7 A. It is part of the subject
 8 property deeded to use easement by somebody
 9 else, chain link fence comes around. It's
 10 part of the property. We don't have use of
 11 that gravel area. We would pick up off that
 12 fence and close off the rear fence.
 13 There's a fence on the
 14 restricted portion, the easement portion,
 15 another fence on the left side. We would
 16 like to connect that with a gate, 10 foot
 17 gate across the drive area, continue that
 18 all the way across and merge up, turn the
 19 angle and against the corner there, both
 20 security and visually protection for the
 21 people to the west.
 22 MR. KLEIN: Will you put a Knox
 23 box, some kind of access for the Fire
 24 Department?
 25 A. Absolutely.

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1 MR. KLEIN: Make that a
 2 condition.
 3 MR. NAUMOV: I spoke to the
 4 deputy chief about ingress and egress to
 5 fire. That's part of our plan to stripe it.
 6 MR. RINALDO: Did you review
 7 the Fire Department letter of August 26th?
 8 Do you agree with the suggestions that he
 9 made in that report?
 10 MR. LEONARD: If you would
 11 kindly tell us what it says. I did not see
 12 it. I don't know if I didn't pick it up as
 13 an email. I did not see that report. I
 14 assume that it's not burdensome.
 15 MR. RINALDO: Need approved for
 16 uniformed passageways between vehicle
 17 storage to access doors, FDC's and building,
 18 number one.
 19 Marking is number two.
 20 Required access is number 3.
 21 Garage and exit doors need to
 22 be accessible at all times.
 23 The applicant must provide a
 24 Suprasafe key box, we just spoke about.
 25 Install bollards to protect FDC's and yard

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1 hydrants, plus all the regulations.
 2 MR. KELLER: I don't think we
 3 have any problems meeting any of those
 4 requirements.
 5 MR. PANTINA: Mr. Keller, have
 6 you received my report, is that correct,
 7 Nick Pantina, City Engineer?
 8 A. Yes. I haven't done my
 9 planning testimony. I can look at your
 10 letter in front of me.
 11 MR. PANTINA: I just have a
 12 couple questions, we got testimony from you
 13 and Mr. Naumov, thank you very much. There
 14 are some things that you want to show on the
 15 plan, fencing. You mentioned us of the
 16 easements at the southerly end of the site
 17 to get out. At one point, I heard that.
 18 MR. KELLER: That is correct.
 19 MR. PANTINA: Why isn't that
 20 information shown on the plan? If there's
 21 an easement there, why isn't the driveway
 22 access shown? It's shown on the exhibit.
 23 Why isn't it shown on the site plan?
 24 Driveway there or driveway access or
 25 driveway curbcut down the street?

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1 MR. KELLER: When we started
 2 this, there were no changes to the site. It
 3 was thought there would not be any changes
 4 to the building. It was a striping plan.
 5 We started with our land and
 6 title survey, and we showed the curb
 7 information. We did not show, it's really
 8 an edge of pavement runs throughout the
 9 easement. We showed the easement egress and
 10 ingress. It was shown on the site plan and
 11 survey.
 12 We show the fire lane coming
 13 out and to the property line, implying
 14 there's a driveway there. We didn't show
 15 it. We didn't have the information as to
 16 the exact limits. There were two inlets
 17 shown. It's sort of an area where it turns
 18 from pavement into edge of pavement and
 19 dirt. Kind of all over the place.
 20 We can certainly clarify that
 21 to show the limits of pavement in this area.
 22 Then, of course, we would add the fencing
 23 and the cross area.
 24 MR. PANTINA Since you added
 25 the stuff to the plan, I think you should

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1 add those features to the plan. Even though
 2 you killed it with the circulation or the
 3 access and how you can unload the car
 4 carriers, I believe in my report, maybe
 5 possibly, Mr. Klein's report, you talked
 6 about a circulation plan, maybe turning
 7 movements.
 8 Maybe you could show us
 9 movements or a quick graphic, a subset
 10 somewhere on how the car carrier is going to
 11 be unloaded with the existing cars parked
 12 there and cars parked around it.
 13 A. Yes. We have no problem
 14 supplementing the drawing with an additional
 15 maneuvering plan showing both an emergency
 16 vehicle as well as the car carrier.
 17 MR. PANTINA: How you get the
 18 refuse out too.
 19 A. Refuse with 10, now 11
 20 employees, maybe going up to twenty, we
 21 don't generate any waste. Whatever minor
 22 office paper is generated, maybe lunch
 23 containers, et cetera. We believe that's
 24 going to be back at the end of the site.
 25 We'll clarify that and we'll show how

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1 vehicles would get access to them.
 2 MR. PANTINA: Other comments on
 3 my report are basically maintenance,
 4 housekeeping. Show some spots, got to show
 5 the sign. I didn't see architectural plans
 6 to support the loading docks you're going to
 7 create. You have to provide that.
 8 Do you have any issue to
 9 satisfy my report?
 10 MR. KELLER: We have no
 11 problems. We didn't do it until traffic
 12 survey. We called for everything to be
 13 drained in the current direction. We felt
 14 Andrew, hoping the Board would approve it,
 15 get the topographic information to show the
 16 grades of the proposed pavements, etc. No
 17 problems with anything in your letter at
 18 all.
 19 I do know that an architect had
 20 done pretty detailed plans before we came
 21 before the building collapse. He will
 22 certainly come up with an elevation for the
 23 loading dock.
 24 I know Andrew, I think we
 25 submitted this, it may not have made it to

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1 the website. There was an exhibit A-3.
 2 Andrew had a photo rendering of the
 3 aesthetics of what Andrew wanted the
 4 building to look like.
 5 The existing brick would be
 6 detailed clean, fixed up and painted and the
 7 building itself would be clad with weather
 8 resistant material that would last twenty
 9 years without being painted. We really
 10 dress it up, make it more attractive, would
 11 be a plus to the streetscape.
 12 This is, basically, this was
 13 not done by the architect but by Andrew and
 14 one of his designers, this sort of
 15 aesthetic.
 16 MR. PANTINA: We didn't receive
 17 that. We received September 4th your
 18 exhibits which were the three existing
 19 photos and the aerial.
 20 MR. KELLER: There was a typo
 21 in one of the emails from the team to the
 22 Board's secretary. I thought I doubled back
 23 and later emailed, sent it to email blast.
 24 Certainly, I would submit this, call it
 25 exhibit A-3, I'm sorry, A-4.

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1 MR. PANTINA: Seeing you'll
 2 comply with my letter, I have no further
 3 comments.
 4 MR. RICCI: I missed the
 5 material it was made out of?
 6 A. Mr. Naumov, you talk about your
 7 vision.
 8 MR. NAUMOV: This is a regular
 9 siding material made out of composite. It
 10 is already painted in the factory and has a
 11 clear coat, and works for thirty years.
 12 The reason we picked that
 13 color, our company's brand color has that
 14 dark blue. We just thought it was an
 15 economic way of making it look like, the
 16 work and the marketing image we have through
 17 our website.
 18 MR. RICCI: That's fine. But
 19 you have to understand at some point these
 20 buildings are inspected. What we are
 21 inspecting, we need to understand what that
 22 is at some point. When you submit A-4, can
 23 yo just put a note what the material is.
 24 MR. NAUMOV: Absolutely.
 25 MR. LEONARD: Quickly planning.

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1 MR. KELLER: We need two
 2 variances, one for lot coverage, fifty
 3 percent is permitted, existing site is 93.5.
 4 MR. RICCI: Coverage in the
 5 City of Linden under the definition it is
 6 the building coverage. It's not the total
 7 impervious coverage. I'll do a quick
 8 calculation. Your building is what size?
 9 A. Building in its proposed
 10 condition, I'll go to the zoning table,
 11 building size is 58,835 square feet.
 12 MR. RICCI: You're well under
 13 the permitted building coverage. You don't
 14 need that. Update your plan.
 15 A. Thank you. I appreciate that.
 16 We do not need a coverage variance, just
 17 need a parking variance.
 18 I'm going to, basically, the
 19 parking variance, fifty-nine are required,
 20 not 65 which was in our original zoning
 21 table. We did not need to break out the
 22 office space, less than ten percent is
 23 allocated under office comes under the
 24 warehouse heading, so accordingly, we
 25 require 59 spaces, there are fifty-one

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1 existing, proposed is forty-eight. We need
 2 a variance for eleven cars. We see this as
 3 essentially a C2 variance.
 4 This is a flexible variance
 5 where the variance represents a better
 6 planning alternative than the conforming
 7 one.
 8 The purposes of the Municipal
 9 Land Use Act are advanced is that basically
 10 the parking that's required by ordinance is
 11 not needed for the proposed use. To allow
 12 12 isolated spaces to be used for offloading
 13 vehicles , safety for employees, moving the
 14 cars from the building for shipment, the use
 15 of the front are are provides a safer
 16 alternative than providing 12 additional
 17 spaces that are not needed.
 18 As indicated by Betty, while
 19 your ordinance requires significant amounts
 20 of parking, I.T.E. Fifth Generation Parking
 21 Manual for this type of use would only
 22 require us to have twenty-three spaces. We
 23 are providing forty-eight. It's closer to
 24 the use that Mr. Naumov is proposing. We
 25 don't need the spaces, and have a safer

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1 alternative to use that for bifurcated
 2 offloading of the vehicles. It allows for a
 3 safe operation.
 4 Obviously, we think we advance
 5 the positive critera. The other purposes
 6 are advanced, aesthetics, for cleaning up
 7 the site and building, fencing those areas
 8 and putting privacy screening in.
 9 We are clearly creating a more
 10 attractive building than exists today.
 11 With regard to the negative
 12 criteria, there's no substatial detriment to
 13 the public good, and no substantial
 14 impairment to the intent of the zone plan of
 15 the zoning ordinance and zoning plan.
 16 Impervious comes down to
 17 traffic consultant who has confirmed that
 18 with the ten employees there, there's a safe
 19 traffic flow with the offloading, very low
 20 in density of use, and no detrimental impact
 21 to the West Blancke Street traffic.
 22 While your Master Plan does
 23 speak to limiting these types of uses in the
 24 future, this use is permitted by the zoning
 25 officer, and it may be a gray area, but we

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1 received a C.O. to occupy it. The aesthetic
 2 improvement to the streetscape and the site
 3 is consistent with the goals of the Master
 4 Plan.
 5 We think it is actually an
 6 opportunity to clean up a site that's been
 7 falling on hard times, obviously, as is
 8 evidenced by the fact there was a partial
 9 building collapse.
 10 The applicant has shown a
 11 dedication to bring a business and employees
 12 and create jobs within the city, and we ask
 13 for approval.
 14 MR. RINALDO: Mr. Keller, you
 15 satisfied the criteria with regard to the
 16 variance. Okay.
 17 Now, any other members of the
 18 Board or any members of our professional
 19 people have any questions for Mr. Keller?
 20 MR. KLEIN: I just want to make
 21 sure we get all the turning templates we
 22 needed. Sounded like garbage collection, we
 23 weren't quite sure if there's going to be a
 24 dumpster or garbage cans. We'll make it a
 25 condition. That's something.

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1 MR. RINALDO: Is that accurate,
 2 Mr. Keller?
 3 A. We have no problem providing
 4 the requested turning templates.
 5 MR. RINALDO: I understand that
 6 we have a member of the audience who has a
 7 question or comment. Could you identify
 8 yourself, please?
 9 MR. BUCKMAN: David Buckman. I
 10 happen to be the architect. I just wanted
 11 to let you know I was here. It was answered
 12 already since I raised my hand.
 13 MR. RINALDO: Thank you for
 14 participating anyway. Thank you, very much.
 15 MR. LEONARD: I meant to
 16 mention you were available for any questions
 17 that might arise.
 18 MR. RINALDO: Any other members
 19 of the audience have a question or a
 20 comment?
 21 Hearing none, Mr. Leonard,
 22 unless you have a great summation that we
 23 don't need it, we'll close the hearing.
 24 MR. LEONARD: I think we
 25 satisfied the C-2 variance requirements, and

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1 I think --
 2 MR. RINALDO: I said you don't
 3 need to say anything.
 4 MR. LEONARD: All right. I
 5 thank you very much for your attention. I
 6 ask you to approve this application.
 7 MR. PANTINA: Seeing that there
 8 are no more questions from the Board or from
 9 the audience, I'll close the meeting. I
 10 would like to ask for a vote to move on this
 11 application.
 12 MR. RINALDO: We need a motion.
 13 COUNCILMAN JAVICK: I make a
 14 motion to move on this.
 15 MR. PANTINA: I have a motion
 16 to approve the application by Councilman
 17 Javick. Do I have a second?
 18 MR. ANDERSON: Second.
 19 MR. PANTINA: Second by Mr.
 20 Anderson. Roll call.
 21 MS. KOTOWSKI: Mr. Pantina.
 22 MR. PANTINA: Yes.
 23 MS. KOTOWSKI: Mr. Lospinoso.
 24 MR. LOSPINOSO: Yes.
 25 MS. KOTOWSKI: Councilman

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1 Javick.
 2 COUNCILMAN JAVICK: Yes.
 3 MS. KOTOWSKI: Chairman
 4 LaPlaca.
 5 CHAIRMAN LaPLACA: Yes.
 6 MS. KOTOWSKI: Mr. Fiorletti.
 7 MR. FIORLETTI: Yes.
 8 MS. KOTOWSKI: Mr. Humphrey.
 9 MR. HUMPHREY: Yes.
 10 MS. KOTOWSKI: Michael
 11 Anderson.
 12 MR. ANDERSON: Yes.
 13 MR. PANTINA: We'll take a
 14 quick break for 5 minutes, and come back and
 15 the next case will be Renewable Energy.
 16 MR. LEONARD: Thank you very
 17 much. Appreciate your attention.
 18 (Recess.)
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C E R T I F I C A T E

I, M. VIRGINIA GUINTA, a Certified
Court Reporter of the State of New Jersey,
do hereby certify that the foregoing is a
true and accurate transcript of proceedings
had in this matter.

M. VIRGINIA GUINTA, C.C.R.
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