

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

2

3

4

5

6

7

8

TRANSCRIPT OF VIDEO-RECORDED

9

PLANNING BOARD SPECIAL MEETING OF THE

10

TOWNSHIP OF BLOOMFIELD, NEW JERSEY

11

12

TUESDAY, DECEMBER 6TH, 2022

13

14

15

16

17

18

19

20

21

22

23

24

25

1 MS. WATERS: Okay. You can begin.

2 MR. LAQUAGLIA: We can go? All right, let's go,
3 guys. Regular meeting of the planning board for the
4 township of Bloomfield, Tuesday, December 6, 2022, is
5 now in session.

6 Notice of the time, date, location and agenda of
7 this meeting to the extent [inaudible] was provided at
8 least 48 hours prior to the commencement of this
9 meeting in the following manner pursuant to the
10 provisions of Chapter 231 of the law of 1975, The Open
11 Public Meetings Act.

12 One, but posting such notice on a bulletin board
13 at the municipal building and two, by mailing such
14 notices to the offices of the independent press,
15 Bloomfield Life and Star Ledger.

16 Please stand for the salute to the flag.

17 GROUP: I pledge allegiance to the Flag of the
18 United States of America, and to the Republic for
19 which it stands, one Nation under God, indivisible,
20 with liberty and justice for all.

21 MR. LAQUAGLIA: Take the roll please, Amanda.

22 MS. WATERS: Councilman Rockwell?

23 MR. ROCKWELL: Here.

24 MS. WATERS: Councilwoman Mundell?

25 MS. MUNDELL: Here.

1 MS. WATERS: Gregory Babula?
2 MR. BABULA: Here.
3 MS. WATERS: Sorry. Mr. Zitka?
4 MR. ZITKA: Here.
5 MS. WATERS: Mr. Lasek?
6 MR. LASEK: Here.
7 MS. WATERS: Mr. Farnsworth?
8 MR. FARNSWORTH: Here.
9 MS. WATERS: Mr. Harvey?
10 MR. HARVEY: Here.
11 MS. WATERS: Ms. Richardson?
12 MS. RICHARDSON: Present.
13 MS. WATERS: Chairman LaQuaglia?
14 MR. LAQUAGLIA: Here. Okay and we have Mr. Rubin.
15 MS. WATERS: Oh.
16 MR. LAQUAGLIA: Attorney.
17 MS. WATERS: Sorry, yes. We also have with us
18 tonight, um, consultants, uh, Nick Marucci for Marucci
19 Engineering, Michael Rubin, the board attorney, and
20 Brian Intindola [ph].
21 MR. LAQUAGLIA: And Mr. Phillips, Paul Phillips
22 is here.
23 MS. WATERS: Is Paul on? And Paul Phillips. I'm
24 sorry.
25 MR. LAQUAGLIA: Okay. I think that's everybody.

1 Okay, first order of business, minutes of 11/22/22.
2 Any questions, Board? If not, can I have a motion in
3 to approve the minutes of 11/22/22?

4 MS. MUNDELL: Motion.

5 MR. LAQUAGLIA: Uh, Councilwoman Mundell. A
6 second? Anybody?

7 MR. ZITKA: Second.

8 MR. LAQUAGLIA: That you, John Zitka?

9 MR. ZITKA: Yes.

10 MR. LAQUAGLIA: Mr. Zitka. All in favor?

11 GROUP: Aye.

12 MR. LAQUAGLIA: Opposed? None. So moved. Okay,
13 let's get to old business then. There's no
14 resolutions, correct?

15 MS. WATERS: Correct.

16 MR. LAQUAGLIA: Okay. Old business. 1243 Broad
17 Street, block 1088, lot 59, zoned B2. Applicant owner
18 Finomous Bloomfield RE Holdings, LLC application.

19 Preliminary and final major site plan approval,
20 [inaudible] variances and any such other relief may --
21 as may be required from the zoning ordinance to
22 develop a restaurant and a neighborhood business B2
23 zone.

24 And I thought I saw Mr. Joseph before.

25 MR. JOSEPH: I'm right here.

1 MR. LAQUAGLIA: Okay, Mr. Joseph.

2 MR. JOSEPH: How are you? Good evening. Uh,
3 Stephen Joseph, the applicant.

4 MR. LAQUAGLIA: [inaudible] Yes, okay. So where
5 exactly did we leave off this?

6 MR. JOSEPH: Good question. Um, so we left off
7 with, uh, requesting some additional, um, supplemental
8 traffic information.

9 MR. LAQUAGLIA: Yes.

10 MR. JOSEPH: That was sent over, uh, to the
11 board's traffic engineer. I know there was a
12 conversation that was had today, um, and we were
13 talking a little bit about, um, the -- the planning
14 testimony we had just finished.

15 We were talking a little bit about the traffic
16 and the operations and the board had requested that we
17 come back this time with some experts to testify about
18 the operations, some supplemental traffic, um, try to
19 keep that, uh, somewhat limited and some additional,
20 um, planning testimony.

21 So my -- my plan, um, unless the board disagrees,
22 I was going to bring up John McDonough [ph]. He was
23 going to kind of just, uh, bridge the gap between the
24 last meeting and this meeting, give a little recap on
25 the -- on the planning.

1 We're then going to go into the operations
2 testimony and then cap it off with traffic.

3 MR. LAQUAGLIA: That's fine, Mr. Joseph. Please -
4 - please do.

5 MR. JOSEPH: Great. Um, so John McDonough should
6 be available.

7 MR. MCDONOUGH: Yep, I'm right here, Stephen.

8 MR. JOSEPH: Great. Um, all right, John was --

9 MR. LAQUAGLIA: He's still under oath, correct
10 Mr. Rubin?

11 MR. RUBIN: Yes, he's still under oath.

12 MR. LAQUAGLIA: You're still under oath from the
13 last meeting. Okay.

14 MR. JOSEPH: Great. So John, why don't you, um,
15 you know, give us a little recap on -- on the
16 planning. Maybe say a little bit more about, uh, the -
17 - the design waiver for the front yard parking and
18 then we can get into the operations.

19 MR. MCDONOUGH: Sure. And Mr. Chairman, with your
20 permission, I would just like to help give the board a
21 little context here by sharing screen. Um.

22 MR. LAQUAGLIA: [inaudible]

23 MR. MCDONOUGH: And this is going to be just a,
24 uh, a simple Google image showing the subject site,
25 1243 Broad Street and I gave the board some aerials

1 last time, this --

2 MR. JOSEPH: So, I'm sorry. I'm sorry, John,
3 before we move forward. Uh, uh, Mr. Rubin, I have no
4 idea where we left off with exhibit numbers.

5 MR. RUBIN: I'm checking right now. Just give me
6 one second.

7 MR. JOSEPH: Sure.

8 MR. RUBIN: I'll come up with -- John, don't stop
9 for me. I'll just find it and [inaudible].

10 MR. JOSEPH: Okay.

11 MR. RUBIN: Cut in when I'm ready, okay?

12 MR. MCDONOUGH: Okay, Michael. Um, so really what
13 I was trying to show was the greater context of the
14 zone here and the board may recall at the end of the
15 last meeting, uh, Mr. Phillips, your planner,
16 identified a design exception, uh, for a design having
17 the parking in the front yard.

18 The parking in the front of the building. And
19 bearing in mind here, again, just to the left of this
20 red, uh, flag, if you will, is the subject site, which
21 is predominantly paved over now and right where the
22 flag is, is a former now vacant Friendly's restaurant.

23 And the proposal is to put the building at the
24 back of the site, which will be cobranded as a Wendy's
25 and a Taco Bell. So the relief, the design exception,

1 would be to have a parking field in front of a
2 building, uh, which is not what the zone wants.

3 It's a -- a design exception. And I don't think
4 my exhibits last time made it clear to the board that
5 there is a distinction here between this particular
6 site and the rest of the zone, which starts to work
7 it's way down, uh, as you see where my arrow is -- is
8 pointing now and where we do have a clear street wall
9 effect, um, and buildings that, uh, certainly are in
10 front of the parking.

11 An important distinction here, um, is that we
12 don't have the defined street wall effect at this
13 particular section of the zone and again, we're
14 dealing with a design exception here, not with a
15 variance condition.

16 So it's not a -- the applicant's burden to tie
17 this back to the purposes of the land use law or apply
18 any of the -- the balancing.

19 And we used the -- the word last time that the
20 standard or the burden here, uh, is impracticable,
21 which, um, is a word that's used in the statute that's
22 different than the word impractical, which, uh, as I
23 look it up is generally used to describe something
24 that is, um, unwise, without common sense or
25 idealistic and is somewhat distinct from impractical,

1 which would be unfeasible or -- or impossible.

2 So the only point we're trying to make here,
3 again, it's the applicant's burden to show that the
4 relief is reasonable and appropriate in the context of
5 the existing site condition, in the, uh, context of
6 what is around the site.

7 And most importantly, I think the -- the clear
8 distinction that this, uh, site has in comparison to
9 the other sites in the zone is you can see what these
10 other sites back up to, which is a woodland whereas
11 the subject site backs up to homes.

12 So we [inaudible].

13 MR. JOSEPH: You -- we're losing you a little,
14 John.

15 MR. LAQUAGLIA: We're losing you.

16 MR. MCDONOUGH: [inaudible]

17 MR. LAQUAGLIA: I can't hear anything.

18 MR. MCDONOUGH: [inaudible]

19 MR. JOSEPH: John, we're -- we're losing you a
20 little bit. I'll text you as well.

21 MR. MCDONOUGH: [inaudible] this design exception
22 being the [inaudible].

23 MR. JOSEPH: There we go. We got you back. John,
24 we -- we lost you. Lost you for a couple seconds
25 there.

1 MR. MCDONOUGH: Okay. Yeah. And I'll put my face
2 back on the screen, but sometimes when you, uh, when
3 you turn the video off, the -- the sound stabilizes.
4 So hopefully when I come back on you can still hear me
5 okay.

6 Um, is everybody still with me? Stephen, can you
7 still hear me?

8 MR. JOSEPH: We -- we are. We can hear you.

9 MR. MCDONOUGH: Okay.

10 MR. JOSEPH: There's a little delay, but, uh, we
11 can hear you.

12 MR. MCDONOUGH: All right. And I can switch to
13 another, uh, internet source if need be. But again,
14 the bottom line here for the --

15 MR. RUBIN: John, before you -- before you begin,
16 this will be A10. The aerial is A10.

17 MR. JOSEPH: A10. Okay.

18 MR. MCDONOUGH: A10, for the record, again, was a
19 Google image that I can certainly provide to the board
20 in the form of a -- a screenshot of what I just
21 showed.

22 But the -- the purpose of the exhibit is to show
23 the zone in the greater context and how in this
24 particular segment of the zone we don't have the
25 street wall effect that we have, uh, at the other end

1 of the zone and also, this particular site backs up to
2 residential where we think it's a better alternative
3 to put the building in the [inaudible].

4 MR. JOSEPH: You're breaking up.

5 MR. MCDONOUGH: -- back, uh, where the building
6 becomes a shield from the more -- is that better? I'm
7 sorry, Mr. Chairman.

8 MR. JOSEPH: That's better.

9 MR. MCDONOUGH: Can you hear me okay?

10 MR. LAQUAGLIA: Yeah, now you're clear, yeah.

11 MR. MCDONOUGH: All right. I'll keep coming back
12 in on video so you know it's really me testifying
13 here. I know that's awkward, but, um.

14 MR. LAQUAGLIA: [inaudible]

15 MR. MCDONOUGH: I think it's the video that's
16 probably making it, uh, unstable. All of that said,
17 um, and I think I'm able to wrap up here.

18 It's in applicant's burden to show that the
19 relief is reasonable and appropriate, uh, not
20 necessarily to tie it back to the statute or to apply
21 the balancing where the benefits of the relief would
22 outweigh the detriments.

23 And with that, I think, uh, looking at the
24 greater context, in consideration of the fact that
25 this site backs up to residential, I think the board

1 can find that at this particular location, the relief
2 is reasonable and appropriate as compared to other
3 sites, uh, within the zone.

4 And Stephen, with that, I'll rest unless you have
5 any redirect.

6 MR. JOSEPH: No, I -- I don't have any questions
7 for you at this time. Um.

8 MR. LAQUAGLIA: Board, any questions for Mr.
9 McDonough? I don't see any hands. Mr. Phillips, any
10 questions for Mr. McDonough?

11 MR. PHILLIPS: No questions, Mr. Chairman.

12 MR. LAQUAGLIA: Okay. Mr. Rubin?

13 MR. BABULA: Mr. Chairman? Mr. Chairman?

14 MR. LAQUAGLIA: Yes? Who's talking? I can't see.

15 MR. BABULA: Gregory Babula.

16 MR. LAQUAGLIA: Oh, Greg. Okay, I'm sorry.

17 MR. BABULA: Yeah, I was [inaudible] here. I have
18 a question.

19 MR. LAQUAGLIA: Yeah.

20 MR. BABULA: Um, so Mr. McDonough, um, so my
21 understanding is the design waiver -- or I'm sorry,
22 the design requirement, I should say, in our
23 ordinance, I don't believe it refers to a street wall.
24 It refers to no parking in the front yard. Is that
25 correct?

1 MR. MCDONOUGH: That's correct.

2 MR. BABULA: Okay. Um, so wouldn't it be fair to
3 -- to, um, assume that if the governing body had
4 envisioned a situation where a waiver from that design
5 would be permissible, that they would put this parcel
6 in a different zone or have something in the design,
7 uh, guidelines in the ordinance that would contemplate
8 that?

9 MR. MCDONOUGH: Uh, I think that would be
10 overreaching. Um, again, when we -- when we zone, we -
11 - we certainly can't catch everything and that's why
12 the relief mechanism is there. Um, to be particular
13 about a specific site and the reasons why, uh, parking
14 may be allowed, uh, in -- in the front yard would, in
15 my view, be atypical.

16 MR. BABULA: Thank you.

17 MR. LAQUAGLIA: Any other questions, Board? I'll
18 get to the public in a second but let me just run
19 through the board again. I don't see anybody. Amanda,
20 you see anybody raising a hand?

21 MS. WATERS: No.

22 MR. LAQUAGLIA: Okay. So Mr. McDonough, um,
23 correct me if I'm wrong, but you're saying that by
24 putting this towards the back there, [inaudible]
25 basically into the whole scape of the area? Is that

1 what you're saying?

2 MR. MCDONOUGH: I'm saying it is compatible with
3 the character of the area.

4 MR. LAQUAGLIA: Character of the area.

5 MR. MCDONOUGH: And is -- yeah, and -- and Mr.
6 Chairman, it's also just, in my view, a better layout.
7 A more reasonable and appropriate layout in the
8 context of what sits at the back of this site compared
9 to other sites in the zone.

10 MR. LAQUAGLIA: Well, let me -- let me ask you
11 this then, Mr. McDonough and, uh, Mr. Phillips, I'll
12 ask his opinion on it too, but for it to -- for this
13 application to fit into the neighborhood, so to speak,
14 wouldn't the brick siding, red brick siding, be more
15 suitable for this complete area?

16 Um, the firehouse next door is red brick. The
17 school across the street is. The new apartment house
18 is.

19 MR. MCDONOUGH: Um, again, I did not do an
20 inventory of the building facades in the -- in the
21 entire district, so I'm probably the wrong -- wrong
22 person to answer in that regard.

23 MR. LAQUAGLIA: Okay. Mr. Phillips, what do you
24 think about that?

25 MR. PHILLIPS: Well, Mr. Chairman, um, certainly

1 the --

2 MR. RUBIN: I believe Mr. Phillips is still under
3 oath, I believe. I think he was put under oath the
4 last meeting?

5 MR. LAQUAGLIA: He was put under oath the last
6 meeting too, I guess. Should we swear him again to be
7 safe, Mike?

8 MR. RUBIN: [inaudible] remember.

9 MR. LAQUAGLIA: You were sworn in [inaudible]?

10 MR. RUBIN: [inaudible] put under oath at the
11 last meeting, Mr. Phillips?

12 MR. PHILLIPS: I think so, but I can't say with
13 100 percent certainty.

14 MR. RUBIN: All right, let's swear in.

15 MR. PHILLIPS: So why don't we just do it.

16 MR. LAQUAGLIA: Yeah, let's swear him in real
17 quick [inaudible].

18 MS. WATERS: Do you swear that the testimony you
19 are about to give is the truth, the whole truth and
20 nothing but the truth?

21 MR. PHILLIPS: I do.

22 MS. WATERS: Okay. Please state your first and
23 last name for the record.

24 MR. PHILLIPS: Uh, it's Paul Phillips.

25 MS. WATERS: Thank you.

1 MR. PHILLIPS: So, uh, Mr. Chairman, in answer to
2 your inquiry, I would just state that, um, yes, I
3 think that there are a number of surrounding
4 buildings, uh, that do have a, uh, context in terms of
5 material treatment being brick, but, uh, I don't know
6 of any particular standards in terms of building
7 design and materials that would require, uh, this
8 applicant to do a similar, uh, material treatment on
9 this building unless I'm missing something in any of
10 your, uh, ordinances.

11 Uh, so you know, I think certainly you could ask
12 the applicant whether or not they would be amenable to
13 some other type of building treatment that's more
14 contextual. Uh, you don't think there's anything in
15 the development regs that would require them to do so.

16 If that answers your question.

17 MR. LAQUAGLIA: Councilman Rockwell, you had a
18 question, sir?

19 MR. ROCKWELL: Uh, yes. Um, so Mr. McDonough,
20 you're saying that having a restaurant -- having two
21 restaurants closer to people's homes is less intrusive
22 than having a parking lot there, correct?

23 MR. MCDONOUGH: Yes. What we like to say from a
24 planning standpoint is that the active land use is the
25 parking lot while certainly activities taking place

1 inside the building, it's fortified, uh, whereas a
2 parking lot is open air.

3 So we think that's a better integration with
4 residential and -- and commercial properties to have
5 the building mass in the back. In this particular
6 instance. I think it is, uh, sensitive to the
7 neighbors.

8 MR. ROCKWELL: Wouldn't there be cooking odors
9 and, um, noise from moving -- bringing trash out and
10 people coming and going in -- in and out of the
11 restaurant? More noise than cars in a parking lot and
12 more intrusion?

13 MR. MCDONOUGH: I don't believe so, and I'll rely
14 on the record.

15 MR. ROCKWELL: But what -- what record?

16 MR. MCDONOUGH: If the testimony of all the
17 witnesses that have gone before me and site engineer,
18 architect.

19 MR. ROCKWELL: I -- I don't recall anyone
20 testifying about, um, cooking odors and noise from
21 restaurants.

22 MR. MCDONOUGH: Uh, you may hear that as part of
23 the operational testimony.

24 MR. ROCKWELL: Okay, thank you.

25 MR. JOSEPH: I believe the architect did give

1 some, uh, testimony on -- on ventilation, um, at some
2 point, but we can certainly talk about it again.

3 MR. LAQUAGLIA: I lost Mr. Joseph. I don't see
4 him on his -- oh, there he is on the corner. Okay.

5 MR. MCDONOUGH: And again, just reminding the
6 board that there was a restaurant there before as
7 well.

8 MR. ROCKWELL: The restaurant that's there was up
9 towards Broad Street. It wasn't back near the -- the
10 residential area.

11 MR. MCDONOUGH: It -- it was adjacent to the
12 subject's -- to the adjacent residential properties.
13 It was not as far back.

14 MR. ROCKWELL: [inaudible] map again?

15 MR. MCDONOUGH: I'm sorry?

16 MR. ROCKWELL: Can you show the aerial map again
17 and show me where the restaurant is close to the
18 residential properties? The existing restaurant
19 building?

20 MR. MCDONOUGH: So I'm putting A10 back on the
21 screen. And as I said, the arrow, uh, is -- the red
22 arrow is pointing to the existing building.

23 MR. ROCKWELL: Right.

24 MR. LAQUAGLIA: Can you blow that up a little
25 bit, uh, Mr. McDonough? I can't see it clearly.

1 MR. JOSEPH: Uh, John, if it's easier, I could --
2 I could do it on my screen.

3 MR. MCDONOUGH: Does that work, Mr. Chairman?

4 MR. LAQUAGLIA: [inaudible]

5 MR. JOSEPH: John, why don't you -- why don't you
6 close it out. I -- I could pull the -- I could pull
7 the same thing up on mine.

8 MR. LAQUAGLIA: [inaudible] that's fine. Okay. I
9 could see it. Uh, I could see the councilman's point
10 there, sir.

11 MR. ROCKWELL: I'm talking about the residences
12 on McCloud Lane. The two houses.

13 MR. LAQUAGLIA: Yeah. Yeah.

14 MR. ROCKWELL: They --

15 MR. MCDONOUGH: Yes. Uh, I'm -- I'm not disputing
16 that the existing restaurant is, um, the same distance
17 from the, uh, homes as the proposed restaurant.

18 MR. LAQUAGLIA: [inaudible] thank you.

19 MR. MCDONOUGH: Yeah.

20 MR. LAQUAGLIA: Not to interrupt, Councilman, but
21 -- but Mr. McDonough, you do see his point there?

22 MR. MCDONOUGH: I don't -- honestly I -- I mean,
23 factually the existing restaurant is further away from
24 the homes than the -- the proposed restaurant. Is that
25 the -- the point?

1 MR. ROCKWELL: Yes. I believe -- I thought you
2 were suggesting that -- that the existing restaurant
3 is the same distance from the homes.

4 MR. MCDONOUGH: No, no, no, what I'm saying is
5 that the building mass fortifies the site by creating
6 a separation between the active land use, which is the
7 parking lot. Uh, to the extent that there is concerns
8 about odors, um, again, I'm going to fall back on the
9 record.

10 I'm not a, uh, I'm not a ventilation expert.

11 MR. ROCKWELL: Okay, thank you.

12 MR. LAQUAGLIA: Mr. Babula, I see your hand up.

13 MR. BABULA: Yes. Um, well, I was curious to hear
14 Mr. Phillips, um, opinion of Mr. McDonough's testimony
15 regarding the front yard parking and how it fits in
16 with the streetscape, but if Mr. Phillips is going to
17 respond to that later, I didn't want to jump ahead.

18 But I also didn't want to miss this opportunity
19 to ask that if he wasn't going to address that later.
20 So I'll leave it up to him if he wants to respond to
21 that now or later.

22 MR. RUBIN: He can address that later rather than
23 cutting into the applicant's case.

24 MR. BABULA: [inaudible]

25 MR. RUBIN: He's going to have an opportunity to

1 present testimony in -- in full and that would be
2 better than chopping it up issue by issue.

3 MR. BABULA: That's what I wanted to hear. Thank
4 you very much.

5 MR. LAQUAGLIA: Good. Board, any other questions?
6 I don't see any hands.

7 MR. RUBIN: Mr. Chairman, I -- I --

8 MR. LAQUAGLIA: Yeah, Mr. Rubin.

9 MR. RUBIN: [inaudible] get in the middle of
10 this, but I have a really old dictionary to show how
11 old I am. Um, and it -- and it's a -- it's a, um,
12 American Heritage Dictionary with a copyright of 1991.

13 So I don't know whether the definitions have
14 changed, but this -- this, um, dictionary says usage,
15 a practical [inaudible] to that which is not capable
16 of being carried out or put into practice. Impractical
17 refers to that which is not sensible or prudent.

18 So when -- Section 51 of the statute talks about
19 grant exceptions for design, um, standards, it says if
20 the little -- um, if the literal enforcement of one or
21 more provisions of the ordinance is impracticable or
22 will exact undue hardship because of [inaudible].

23 So I believe, based upon the definition that I
24 have in front of me, that impracticable means that it
25 is not capable of being carried out or put into place

1 rather than it doesn't make sense. That's impractical.
2 Not sensible or prudent.

3 Now, if Mr. McDonough has a different definition
4 of impractical, um, you know, that's fine, but I don't
5 believe his testimony addressed why it's not -- why,
6 um, building this site with parking not in the front
7 yard is impracticable.

8 In other words, not capable of being carried out
9 or put into place or that it will exact undue hardship
10 because of peculiar conditions pertaining to the land
11 in question. So since I -- I would ask Mr. Phillips to
12 address that standard, since he's the one who raised
13 this design waiver.

14 I'm going to give Mr. McDonough an opportunity to
15 do that as well before he leaves and -- and misses
16 that chance, which I don't think would be fair.

17 MR. MCDONOUGH: And, uh, did you want me to go
18 first or -- or Paul?

19 MR. RUBIN: Yeah, this is your direct. This is
20 your direct testimony.

21 MR. MCDONOUGH: Okay.

22 MR. RUBIN: Paul will do his schtick later. I
23 just -- I just -- maybe you have a different
24 definition of impracticable, but the one in my
25 dictionary states what I read.

1 MR. MCDONOUGH: All -- all I can say is I've gone
2 through this exact same, uh, cross examination in
3 front of Jonathan Drill, who happens to be the author
4 of the -- the current version of the land use
5 treatise.

6 Um, uh, the old Cox book and that was the way --
7 he walked me through the -- the rationale on the cross
8 examination. That it does not serve a practical
9 planning purpose. That's the intent of the language in
10 the statute.

11 MR. RUBIN: Well, if it doesn't serve a practical
12 planning purpose, that makes it impractical and not
13 impracticable.

14 MR. MCDONOUGH: Again, the distinction that Mr.
15 Drill posed to me under cross examination was that the
16 language in the statute is that it does not serve a
17 practical -- is meant to read as it does not serve a
18 practical planning purpose.

19 MR. RUBIN: Okay. I just wanted to make sure that
20 that was clear. Thank you.

21 MR. MCDONOUGH: Yep.

22 MR. LAQUAGLIA: You want Mr. Phillips to address
23 that, Mr. Rubin?

24 MR. RUBIN: Well, when his turn comes.

25 MR. LAQUAGLIA: [inaudible] testimony.

1 MR. RUBIN: I don't think we should be cut and
2 pasting stuff, that's all.

3 MR. LAQUAGLIA: Yeah. Okay, fine. Councilman
4 Rockwell, you had another question, sir?

5 MR. ROCKWELL: Yes. So as a result, I mean, the
6 bottom line -- it's the bottom line that you're --
7 you're saying that you couldn't have designed these
8 with the restaurants up towards Broad Street instead
9 of having parking there?

10 Couldn't -- couldn't you have designed this so
11 that the restaurants were face -- were on Broad Street
12 and the parking lot was behind them? What's -- what's
13 the reasoning that you can't do that? That it's --
14 whether it's impractical or impracticable?

15 MR. MCDONOUGH: I don't know.

16 MR. ROCKWELL: Okay. Thank you.

17 MR. LAQUAGLIA: [inaudible] councilman, for now.
18 Any other questions, Board? Amanda, you see anybody
19 raising their hand? Because I've lost some of the
20 board members. I've got --

21 MS. WATERS: Not -- not from the board.

22 MR. LAQUAGLIA: Not from the board, no. Okay. All
23 right. That portion is closed. At this point, we'll
24 have questions from the public, but only questions
25 regarding Mr. McDonough's testimony.

1 MS. WATERS: So --

2 MR. LAQUAGLIA: Yes, please.

3 MS. WATERS: Chairman, I'm sorry to interrupt,
4 but we still have one person logged on as a phone
5 number. 201-702-2956, and I called it out once before.

6 MR. LAQUAGLIA: Uh, whoever that is, you have
7 like two minutes to change it or get in touch with Ms.
8 Waters and she'll change it for you, otherwise you
9 will be removed.

10 MS. WATERS: Thank you.

11 MR. LAQUAGLIA: Okay. At this point then, I'll
12 open it up. Ask your question when you're called on.
13 It has to be a question and it has to be regarding Mr.
14 McDonough's testimony. I see Aneel Aria?

15 MR. ARIA: That's correct, Mr. Chairman.

16 MR. LAQUAGLIA: Identify yourself and your
17 address, sir.

18 MR. ARIA: Aneel Aria, 39 McCloud Lane,
19 Bloomfield.

20 MR. LAQUAGLIA: 39 McCloud Lane?

21 MR. ARIA: That's correct.

22 MR. LAQUAGLIA: Okay, sir. Ask your question to
23 Mr. McDonough.

24 MR. ARIA: So Mr. McDonough kind of cut out when
25 he was having some audio issues, but he was saying --

1 MR. LAQUAGLIA: Well, he's still on -- he's still
2 on board. I see his -- they can hear you.

3 MR. ARIA: Okay. So if he can hear me, the
4 question was while he was giving his testimony he cut
5 out for a minute.

6 He was saying we almost think it's better that
7 the restaurant be aligned to the residential area
8 versus the other properties, which are aligned to I
9 guess greenspace or, you know, um, along Broad Street
10 where the street front is or however you guys define
11 it.

12 I am not a legal expert, so I don't know the
13 terminology. But I would like to understand the
14 rationale of that testimony as to why it would be
15 better to have restaurants closer to residential areas
16 and is there logic to it or not?

17 And maybe he is not the expert for it, but I
18 would like to ask him to clarify that comment.

19 MR. MCDONOUGH: Sure. Uh, building mass is an
20 inert land use, because it's enclosed. Parking lot is
21 exposed to the sky. You've got lights, you've got, uh,
22 sound, you've got, uh, activity, movement that is not
23 evident as compared to the activity that takes place
24 inside a building.

25 It's akin to, um, again, fortifying a site.

1 Creating -- a building, in my view, can be a buffer
2 and create separation.

3 MR. ARIA: If -- may I redirect? May I ask
4 another question?

5 MR. LAQUAGLIA: [inaudible] question sir, yes.

6 MR. ARIA: Yeah, it is a question. So if I am
7 correct, Mr. McDonough said he's not the expert on
8 ventilation and does not know about smells. But then
9 how would we --

10 MR. LAQUAGLIA: We can address that later. We do
11 have an operations expert, uh, due to testify this
12 evening.

13 MR. ARIA: Got it.

14 MR. LAQUAGLIA: That would --

15 MR. ARIA: And they would cover the signage and
16 the lights and everything in the operational?

17 MR. MCDONOUGH: Uh, well, Mr. Chairman, if I may,
18 that's all -- signage, lights, etcetera, has already
19 been addressed on the record to the extent, uh, odors,
20 my recollection is the architect did address odors.

21 Uh, but if the board is looking for more
22 specificity about the ventilation system, uh, odors
23 and the like, I do believe there's another witness to
24 follow.

25 MR. JOSEPH: Operations can surely address the --

1 the odors and -- and John, just to clarify one more
2 time, right, it's your testimony that having the bulk
3 of the building towards the residential properties
4 rather than the parking, that it acts as a barrier for
5 light and sound, um, and by not having the parking lot
6 in the rear, it's -- that means that there's not
7 people driving back there, getting out of their cars,
8 um, walking back and forth towards the restaurant
9 adjacent to the neighboring residential properties,
10 correct?

11 MR. MCDONOUGH: Correct.

12 MR. ARIA: Thank you.

13 MR. LAQUAGLIA: Are there any other questions
14 from the public? Amanda, do you see anybody?

15 MS. WATERS: No. No other questions.

16 MR. LAQUAGLIA: [inaudible]

17 MS. WATERS: And I still have that one phone
18 number.

19 MR. LAQUAGLIA: Whoever that -- repeat the number
20 again, Amanda, please.

21 MS. WATERS: 201-702-2956.

22 MR. LAQUAGLIA: You have one more minute to
23 either contact Ms. Waters or change it to your name or
24 you will be removed. And we'll leave it at that. Give
25 them another minute, Amanda, then you'll have to take

1 them off. So.

2 MS. WATERS: Okay.

3 MR. LAQUAGLIA: Rules are the rules. Are there
4 any other questions from the public for Mr. McDonough?
5 I don't see any hands, Amanda, do you?

6 MS. WATERS: No.

7 MR. LAQUAGLIA: That portion is closed. Continue,
8 Mr. Joseph. Thank you.

9 MR. MCDONOUGH: Thank you, Mr. Chairman.

10 MR. LAQUAGLIA: Thank you, sir.

11 MR. JOSEPH: All right. So Tim Enos is our next
12 expert. Um, he is one of the operations managers
13 working for, um, my client's company. He's very
14 familiar, uh, with the operations of these sorts of
15 businesses.

16 Um, we'll get Tim sworn in. I'm going to ask him
17 a few questions just about his background and then he
18 has a -- a PowerPoint presentation. That was not
19 submitted to the board in advance.

20 It's -- it's just meant to be a bullet point
21 guide to what he's actually saying. Just to have a --
22 a visual aid. Um.

23 MR. RUBIN: It will have to be submitted to the
24 board, um, after the hearing.

25 MR. JOSEPH: Of course.

1 MR. RUBIN: As part of the record.

2 MR. JOSEPH: Of course. Um, all right, Tim. Let's
3 get you sworn in.

4 MS. WATERS: Um, do you swear that the testimony
5 you are about to give is the truth, the whole truth
6 and nothing but the truth?

7 MR. ENOS: I do.

8 MS. WATERS: Okay. Please state your first and
9 last name for the record.

10 MR. ENOS: It's Tim Enos, E-n-o-s.

11 MS. WATERS: Thank you.

12 MR. JOSEPH: Great, Tim. So can you just tell us
13 a little bit about yourself? Um, number of years of
14 experience and what that experience entails?

15 MR. ENOS: Sure. Uh, I spent, uh, 27 years of my
16 career with, um, the Wendy's corporation on the
17 corporate side versus the franchise side.

18 Uh, I worked in, um, all roles from restaurant
19 crew person up to most recently, uh, I was one of
20 their national training directors and supported the
21 eastern, um, part of the United States. Recently come
22 on board with Young [inaudible] Restaurant Group and -
23 - and their VP of operations, um, overseeing their --
24 both their Taco Bell and Wendy's [inaudible].

25 MR. JOSEPH: Great. Thank you, Tim. So if you

1 could, um, share your screen, just let us know how
2 many, uh, how many slides is in -- is in the
3 presentation so we can mark it as evidence.

4 MR. ENOS: Okay, yeah. Just give me one second.
5 There will be nine slides and --

6 MR. JOSEPH: All right. So this is going to be a
7 nine slide, uh, PowerPoint presentation prepared by
8 Tim, just as a -- a visual aid for, um, his
9 presentation. I think that's All now. All right, Tim,
10 whenever you're ready you could share your screen and
11 -- and walk through your presentation.

12 MR. ENOS: Yep, I'm trying to -- all right, I
13 seem to be having some trouble. Oh, [inaudible] try
14 now. My apologies for the delay. I'm not as familiar
15 with Zoom as I am with Teams. I'm sorry. I think I
16 figured out what was wrong, though.

17 Can you see my screen now?

18 MR. JOSEPH: Perfect.

19 MR. ENOS: Okay, just give me one second and I'll
20 get it shared [inaudible]. Okay, there we go. So what
21 I wanted to share with you today, um, was just some
22 information around, uh, the typical, average, um,
23 execution in both the Wendy's and Taco Bell.

24 Um, I will do my best to, um, give you these
25 prepared comments and then answer any questions that,

1 um, any of the board members or public have.

2 So in an average shift deployment, um, during our
3 peak periods -- uh, and our peak periods tend to run
4 between, uh, 12:00 to 1:30 p.m. and 5:30 p.m. to 7:00
5 p.m.

6 Uh, at a given time, we could have up to as many
7 as eight employees on the Wendy's side and six
8 employees on the Taco Bell side. And I've laid out how
9 they, um, [inaudible] out across each of those brands,
10 uh, and why those employees, uh, would be necessary.

11 Um, less employees on the Taco Bell side because
12 of the nature of the way we produce the food for Taco
13 Bell versus at Wendy's, it's a little bit more complex
14 operation so it takes a few extra people in order to
15 ensure we can serve it quickly, um, and turn over
16 guests, uh, and get more guests in.

17 Um, also, uh, important to note that typically
18 our employees don't drive. They either use public
19 transportation or rely on family members to drop off
20 and pick up. Um, moms and dads, uh, evening and
21 weekends or, uh, friends or family during -- or Uber,
22 uh, during the course of the workweek.

23 Uh, so typically one on each of the brands would
24 have a car and it's generally the manager. Um, so of
25 the, um, and six employees you see here, two vehicles

1 would be accounted for.

2 Um, as you think about some of the things that
3 could potentially slow down, uh --

4 MR. JOSEPH: So Tim -- Tim, the slides have not
5 changed. I wasn't sure if that was intentional or not.
6 We're still on the cover page.

7 MR. ENOS: Uh, oh, really? Oh.

8 MR. JOSEPH: Yep.

9 MR. ENOS: Not sure why that happens. It is
10 changing my end. Um, give me one sec. Okay, how about
11 now? Can you see this slide? The average --

12 MR. JOSEPH: Yes.

13 MR. LAQUAGLIA: We have the employees on now.

14 MR. ENOS: I'm just going to do it this way
15 [inaudible].

16 MR. JOSEPH: Perfect.

17 MR. ENOS: This was the -- this was the slide
18 that I was just speaking about. So I'll just pause for
19 a moment and give you an opportunity to review that
20 seeing it wasn't on the screen while I was talking. My
21 apologies. And then I can shift into the next slide.

22 Okay. So what I tried to cover here were some
23 potential slow points, um, that my understanding was
24 there were some questions around, uh, during the
25 course of one of the previous meetings.

1 And, um, the whole idea here is to lay out for
2 the board, um, when things happen throughout the
3 restaurants, in either of the concepts these apply,
4 um, what our potential solutions are for rectifying it
5 quickly, because we never want there to be a slow-down
6 in service.

7 A slow down in service hurts us from a business
8 perspective, because our goal is to serve as many
9 customers as we can, um, because that's how we're
10 going to make our money.

11 So in here, for example, um, during an employee
12 break, um, obviously we try to give those during non-
13 peak periods. Um, as a general rule, because of the
14 way the labor laws are written and the way we write
15 our schedules, um, they are planned for non-peak
16 periods.

17 Um, so that helps us, because we don't need those
18 full eight and six employees, um, during the non-peak
19 and it allows us to go ahead and sub people out
20 [inaudible] breaks.

21 Um, and then we would reposition employees as a
22 result and we're going to handle the business needs.
23 If an employee were to call out or no show, um, we
24 would call in a replacement for the existing
25 restaurant, in this case Bloomfield, or we would call

1 surrounding locations where we have other restaurants
2 that are located, um, in order to get folks in.

3 In order to make sure that we can run that shift,
4 uh, to our best ability and fortunately, knock on
5 wood, our staffing situation in all of our restaurants
6 has been, um, very positive, which is not typical in
7 the industry currently.

8 Um, but, uh, we're doing very well on that front.
9 Say somebody spilled a drink in the dining room.
10 Manager, who would typically be running the shift and
11 not be locked into a position, um, would slide into a
12 position, have that employee go clean up that spill.

13 Wet floor cones out, mop it up so it's safe. They
14 will wash their hands, get back into position.
15 Typically you're looking at a three minute turnaround
16 where they'd be out, a manager would be covering, then
17 the manager would back out of the position and go back
18 to running, uh, the shift, eliminating slow points and
19 taking care of customers.

20 Um, order remakes, it happens. Um, ideally, not a
21 lot, um, but it can happen where an order gets made
22 incorrectly or a customer ordered something
23 incorrectly and we need to fix that.

24 Um, we would just prioritize that order, um,
25 because that customer has been there, um, gotten their

1 food, waited their turn and we need to get that
2 corrected for them quickly.

3 Um, manager can also jump in and support in order
4 to move the line along if something like that were to
5 happen, because managers are typically not locked into
6 a position. They're floating and the whole concept
7 there is for them to be able to jump in and eliminate
8 slow points and move the lines quicker.

9 Um, or new employees. Uh, new employees will
10 obviously need to be trained and they will operate and
11 execute slower than our veteran employees. Um, we do
12 our training during non-peak periods.

13 Um, we want to, uh, train during non-peak and
14 certify and execute [inaudible]. I always like to say
15 we fish when the fish are biting, because that's our -
16 - our key moments.

17 Obviously that's not all inclusive of all
18 potential slow points that could occur, but these are
19 the main ones that we would come across in the
20 restaurant industry [inaudible] um, throughout the
21 course of the day [inaudible].

22 Um, here what I tried to do was lay out for, um,
23 everyone the -- kind of the journey or the flow of how
24 a customer would order and then pick up their food,
25 um, in either of the, uh, locations.

1 Um, so the first thing would be order placement.
2 Uh, and there are multiple avenues for that order to
3 be placed. Typically this is, um, this is specific to
4 mobile and delivery. Um, you could do that through the
5 delivery provider.

6 Uber Eats, Door Dash, Grub Hub, or you could do
7 it right through the Taco Bell or Wendy's app, uh, and
8 complete that right on your smartphone or from your
9 computer at home.

10 That all happens prior to anyone arriving on the
11 lot. Um, then the orders are assembled at the
12 restaurant. The orders get sent to the restaurant, um,
13 system to be assembled, um, a little bit differently
14 depending on delivery and, um, mobile.

15 So delivery, meaning through one of our third
16 party delivery providers, um, those orders are sent to
17 the restaurants when the driver is approximately four
18 minutes away from the restaurant.

19 Um, they accomplish that through geofencing, uh,
20 and location services. Um, that way the goal is when
21 the delivery driver arrives to the restaurant in their
22 vehicle, they are going up to the walk-up window,
23 grabbing their food and getting on the road.

24 They have the option of going inside, but
25 delivery drivers, by nature, are trying to turn over

1 as many orders as they can. That's how they make their
2 money. So providing them that walk-up window, grab
3 their food and get on their way, uh, is really
4 important to -- not only to customers' experience, but
5 the experience of the delivery driver to turn things
6 around.

7 Um, prior, uh, while an order, uh, gets
8 assembled, then order accuracy would occur. We'd make
9 sure everything is in the order that should be there
10 so there's no slow-downs, um, and then, uh, we stage
11 that order so it's ready for when the delivery driver
12 or the customer come to pick it up.

13 Customers will also have the option to use that
14 pickup window to pick up orders only. Um, or they have
15 the option of coming inside where we have a dedicated
16 mobile pickup shelf. Um, we have one in each concept.

17 And they would pick that food up, um, right off
18 of the shelf and be on their way if they're taking
19 their food to go.

20 Um, you can see over on the left of the slide,
21 I've made some average notes on, um, your total, uh,
22 lot time. Uh, runs approximately three minutes. Um,
23 for a delivery driver, it's a little bit quicker, uh,
24 because their orders are sent four minutes prior to
25 arriving.

1 A customer's order, when they do through mobile,
2 not third party delivery, um, it signifies it knows
3 when they pull onto the lot. So when they turn into
4 our parking lot, it immediately prompts them, we see
5 that you're here. Would you like us to prepare your
6 order?

7 Um, some customers have the ability, like myself,
8 when I place orders, um, you can push the order to be
9 made sooner than your arrival, it just asks you in the
10 app are you sure you want to get this made now? You're
11 not at the site yet.

12 Uh, I always do that, because I like it to be
13 there as soon as I, um, get on or into the restaurant.
14 That's why there's a slight uptick in the amount of
15 time a mobile customer would take to get in and out of
16 the lot versus a delivery driver, because of that, uh,
17 geofencing that occurs when it comes to the delivery
18 driver.

19 Um, in terms of the mobile spots, I know there's
20 been a couple identified on the site plan. I believe
21 it's two. One for each concept. If the mobile spot is
22 full, um, because someone is there picking up a mobile
23 order or a delivery order, um, customers are welcome
24 to park in any spot that's available, um, because, uh,
25 the goal is, again, just get them in and get them out.

1 Um, in our other locations where we have mobile
2 spots, this is exactly what happens. If the mobile
3 spot is occupied, they park in the next closest spot
4 that gets them to the door faster or, in this case, to
5 a pickup window.

6 Um, specific to that pickup window utilization,
7 um, you are not going to have the capability to place
8 an order at the pickup window. Um, the pickup window
9 is designed for exactly what it sounds like. Picking
10 up your order only.

11 Typically, 90 percent of that is going to be
12 delivery drivers. Um, customers that are not delivery
13 drivers have the ability to do the same, if they
14 placed a mobile order.

15 They did not place a mobile order and they walk
16 up to that window, we're going to explain to them that
17 this is a pickup window only and you can either order
18 on your phone, proceed inside to use the kiosk or to
19 use the register, uh, and talk to a -- a person and
20 place your order.

21 The goal of the window is really to get people in
22 and out as fast as possible, get them on the lot, off
23 the lot and on their way. Um, and the average lot
24 time, like I talked about for the delivery drivers, is
25 about two minutes.

1 From a flow of customer perspective, um, in the
2 parking lot, I'm by no means a traffic expert. I'm
3 speaking more about the operations. Um, but customers,
4 when they, uh, enter the lot, if the lot's full,
5 unfortunately they're going to leave.

6 Um, and, uh, we don't want that to happen. You
7 know, my goal in running these restaurants is for
8 there always to be a place for them, because if they
9 leave, I lose their business.

10 They go to McDonalds, Burger King, Chipotle, Taco
11 -- I mean, you name it, KFC, and we lose those dollars
12 and that's not what we're in the business of doing.

13 Um, they exit their vehicle once they get into
14 the lot and then they enter the building, unless a
15 delivery driver is already [inaudible]. Um, customers
16 are going to grab their food either from the pickup
17 shelf or they're going to place their order at the
18 kiosk.

19 Kiosk being, um, the digital device they can -- I
20 think we're all familiar, but just in the event that
21 we're not, they can place their own order, um, into
22 our system using the kiosk right in the dining room.

23 And then I tried to, um, block out for you here,
24 uh, what our typical mixes are of customers, um, who
25 take their food to go or sit and enjoy their meal.

1 Um, typically, carryout where they order using
2 the register with a live person like myself, about six
3 percent of our customers use that function. Uh, it's
4 very low in nature. Typically carry out is about four
5 minutes if you're using the kiosk.

6 Um, typical carry out of three minutes if you're
7 using mobile. And then your sit-down customers, about
8 20 minutes. Um, 15 to 20, but say 20 to be
9 conservative, and that accounts for about 11 percent
10 of our overall, um, customers that, uh, visit us
11 during the course of a day.

12 As I mentioned earlier, um, typically our peak
13 periods are 12:00 to 1:30 p.m. and 5:30 p.m. to 7:00
14 p.m. and our average order production time, um, can be
15 about three minutes, um, depending on, you know, size
16 of order, etcetera.

17 And then just some key notes here on just how
18 we're able to actually be that fast when it comes to
19 making the orders. Um, and it all comes down to having
20 really well-trained people.

21 Making sure that they are positioned in a way
22 that's designed to serve the customers as quickly as
23 possible and, um, get people the right food, hot and
24 fresh, and in a friendly manner and accurate.

25 And that would -- that would conclude the slides

1 that I had prepared for you, um, this evening. Happy
2 to take any --

3 MR. JOSEPH: So -- so Tim, just a couple of
4 points. Um, uh, so the -- the pickup windows, I know
5 that's a big point. Everybody has a lot of questions
6 about the pickup windows. Can -- can you just go over
7 again the purpose of -- of those windows?

8 Who the target audience for those windows are and
9 why that's so important to your -- to your business?

10 MR. ENOS: Sure. Um, it's predominantly for
11 delivery drivers. Um, like I said, delivery drivers --
12 so the delivery business, obviously during Covid,
13 exploded. Right? We had delivery prior.

14 Um, it -- it just took off for obvious reasons
15 during, um, the pandemic and a lot of the shutdowns.
16 And what we learned during the course of that time is
17 that delivery drivers have a choice as to where
18 they're going to pick up food from.

19 So in their app, they get a notification. There
20 are these orders. Do they want to accept them? They
21 learn what restaurants are the fastest for them to get
22 in and out of and they will pick those locations more
23 frequently.

24 So the pickup window utilization allows us to
25 make it easier for our delivery providers to get in

1 and out of the lot and the restaurant as fast as
2 possible.

3 We want them to pick us. We want them to take
4 those orders and for those orders to turn over faster.
5 The less people wait for food, the better the quality
6 of the food is as well. And so --

7 MR. JOSEPH: So --

8 MR. ENOS: Sorry, go ahead.

9 MR. JOSEPH: No, go ahead. I'm sorry, Tim.

10 MR. ENOS: No, I was just, um, I was just kind of
11 finishing saying that, um, higher quality food,
12 happier customers, they're going to order from us more
13 often using the delivery provider.

14 Delivery drivers get on the lot, go to the
15 window, leave with their food immediately, get back in
16 their car and keep on going. They can do more orders.
17 They can make more money. So it's a win for them. It's
18 a win for our customers and obviously for our business
19 as well.

20 MR. JOSEPH: So -- so you would say by -- by
21 being -- by being more efficient or the most efficient
22 restaurant by having this pickup window, uh, rather
23 than making delivery drivers get out of their cars,
24 walk into -- walk into the restaurant, uh, navigate
25 around other people that are picking up inside the

1 restaurant and then walk back outside, get back in
2 their car and leave, this -- this expedites and makes
3 the process more efficient, which in turn is better
4 for your -- for your business?

5 MR. ENOS: Yes. Correct.

6 MR. JOSEPH: Right. And it's not -- there's no
7 way for somebody to pull up with a car and get, uh,
8 get their orders from -- from their car or place
9 orders in any way at the window?

10 MR. ENOS: Not -- not that I'm aware of. Um, I
11 haven't seen the exact site plan to see if a car even
12 could pull up to it, but that's not what the window is
13 for and we wouldn't accept anybody who's trying to
14 pull up to the window in a vehicle.

15 We would explain to them it's a walk-up window
16 only. You need to park your car and get out.

17 MR. JOSEPH: Understood.

18 MR. ENOS: [inaudible]

19 MR. JOSEPH: Uh, there was some questions about -
20 - about ventilation and odors and -- and all of that.
21 Are -- and if you're not comfortable answering those
22 questions, we have other experts we could bring up.

23 But just from an operations standpoint, um, since
24 you have so much experience in these sorts of
25 restaurants, are you able to say anything about odor

1 mitigation?

2 MR. ENOS: I think I can speak to a little bit of
3 it. I'm obviously not an expert in ventilation
4 systems, um, so I don't claim to be. Um, but the way
5 the restaurants function in nature is, um, the only
6 thing that would be exhausting any type of cooking
7 odors, um, would be our hood.

8 Um, we typically have two in a Wendy's. One above
9 the fryer one, one above the grill area. Um, the way I
10 like -- I -- I would say as an analogy would be Burger
11 King would be your worst case scenario because of the
12 way they cook their food.

13 They flame broil over an open flame on like kind
14 of a conveyer. That creates a lot of smoke and a lot
15 of smell. Uh, as if you were grilling out on a
16 barbeque. Because of the way that we cook our food,
17 um, you don't get that smell, that smoke.

18 Um, I can't say that there's no odor whatsoever.
19 I would say that it -- it generally is minimal. I
20 don't typically, um, when I'm even working in a
21 Wendy's or a Taco Bell anymore smell when I leave
22 there, um, because of the way that they've designed
23 the equipment.

24 Um, the couple of things that we do to make sure
25 that that equipment is operating, um, property, is

1 hood systems are cleaned, um, four times a year.

2 They're done every quarter.

3 So every three months to make sure that they're
4 operating properly, that there's no buildup inside
5 them. Um, that's for safety reasons and for, obviously
6 the, um, preventative maintenance on the equipment.

7 In addition to that, um, our oil, which we cook
8 in, Taco Bell in a more limited capacity than at
9 Wendy's, because of the food we serve, um, is changed
10 regularly and filtered, um, throughout the course, um,
11 of the day multiple times in order to not only extend
12 the life and quality of that shortening, um, which is
13 important because as shortening breaks down,
14 shortening begins to smoke.

15 As shortening is well-maintained and cared for,
16 it lasts longer. We don't have to change it as
17 frequently and it doesn't smoke, um, which is a win
18 for everybody. That's probably the best I could speak
19 to related to ventilation and odors and smell.

20 Um, just because that's just the operational
21 stuff that I'm aware of.

22 MR. JOSEPH: Understood. Okay. So your -- your
23 overall -- your testimony here is that everything
24 you're doing, everything -- the way it's designed, the
25 way you're training employees, is to make sure

1 customers are able to access, get their food, park
2 their cars, have available spaces in the cars and
3 leave the lot as -- as efficiently and as safely as
4 possible?

5 MR. ENOS: Correct.

6 MR. JOSEPH: Okay. That -- that's all the
7 questions I have for Tim. I'm -- I'm sure the board
8 has some questions, uh, which Tim will be happy to
9 answer.

10 MR. LAQUAGLIA: Okay. Board, I'll open it up. Are
11 there -- Councilman Rockwell?

12 MR. ROCKWELL: Yes. Could -- um, could you go
13 back to the slide number eight? The flow of customer?
14 So are those percentages the percentages of that type
15 of customer?

16 MR. ENOS: Yes, so --

17 MR. ROCKWELL: It doesn't add up. It doesn't add
18 up to 100. That's about 50 percent. What's the
19 discrepancy there?

20 MR. ENOS: The other 46 percent would be
21 delivery.

22 MR. ROCKWELL: Would be delivery?

23 MR. ENOS: [inaudible] carry out orders and sit-
24 down customers. The remaining percentage would be our
25 third-party delivery providers.

1 MR. ROCKWELL: What -- what percentage would that
2 be?

3 MR. ENOS: Uh, I think it was roughly 46 percent.

4 MR. ROCKWELL: Okay. Um, and --

5 MR. ENOS: [inaudible]

6 MR. LAQUAGLIA: Excuse me, Councilman. Uh, you're
7 saying delivery drivers, that means like the Uber Eats
8 and things like that? You don't have your own delivery
9 service, correct?

10 MR. ENOS: [inaudible] Door Dash.

11 MR. LAQUAGLIA: Yes. Okay. No, I just -- I
12 couldn't understand what you were saying. You're
13 breaking up a little bit. That's fine. Okay. I'm
14 sorry, Councilman. Go ahead.

15 MR. ROCKWELL: The, um, the oil, um, you're
16 talking about the oil being changed periodically.
17 About how many times a day does it get changed?

18 MR. ENOS: Um, the oil doesn't get changed every
19 day. It gets filtered. Um, on the Wendy's side with
20 the, um, evolution fryers that we have, um, the oil
21 will get filtered. There's four vats or bays, if you
22 will.

23 Um, on average, you're talking 15 to 16 times per
24 day per vat. The actual fryer tells us when it's time
25 to filter by usage and then we filter it automatically

1 the way the fryer works. It won't let us cook without
2 doing the filtration that often.

3 MR. ROCKWELL: But do --

4 MR. ENOS: On the Taco Bell side, it's less.

5 MR. ROCKWELL: Do you -- is there a time you have
6 to remove the oil from -- from --

7 MR. ENOS: Yes. Yeah, so we use -- we use a test
8 strip. Oh, I'm sorry, my chair just broke. Um, and the
9 test strip, uh, gives us the indication based on the,
10 um, deterioration of the oil. When it's time, from a
11 quality perspective, [inaudible] from it.

12 On average, that runs about once per week. It
13 could sometimes, depending on, um, usage, go a little
14 bit longer than that.

15 MR. ROCKWELL: Where -- where does that oil get
16 stored?

17 MR. ENOS: Um, so what happens is, it's all
18 called what we call direct to plumbing, uh, in both
19 locations. So when the oil gets discarded, it's
20 dropped into a bottom pan below the fryer and then we
21 turn a lever and it's sucked out through a pipe into a
22 larger holding tank.

23 That larger holding tank is housed generally in
24 the back of the house of the restaurant and there's a
25 spigot that comes out of that housing and a truck

1 comes, plugs into the spigot, sucks that oil up and
2 leaves with it.

3 MR. ROCKWELL: Okay.

4 MR. ENOS: So our employees don't have to touch
5 it. It doesn't go out to dumpster areas or anything of
6 that nature.

7 MR. ROCKWELL: Okay, thank you.

8 MR. LAQUAGLIA: Mr. Babula?

9 MR. BABULA: Yes. Um, Mr. Enos, if you could
10 return to your testimony regarding the delivery
11 drivers, uh, the operation of -- of the mobile app.

12 I believe you said something to the effect that
13 the deliver driver, such as like Uber, Grub Hub, um,
14 can select which restaurant they would direct the
15 order to and pick it up from? Is that correct?

16 MR. ENOS: Yeah, so they don't necessarily get to
17 individually select all of the orders, but what they
18 have the ability to do is decide whether they're going
19 to pick an order up or not.

20 So when they get the alert, do you want to accept
21 this order, they see, oh, it's at that McDonalds
22 that's really slow. I'm going to be there for 20
23 minutes. No thank you.

24 Or they can cancel their order, um, because they
25 -- they've forced to accept it, they cancel it and if

1 they cancel too many orders, that delivery provider
2 will actually turn those off. They'll say nope, we've
3 had two cancellations in a row because of whatever the
4 reason may be by the driver.

5 We're pausing your ability to take orders on this
6 system until you tell us you're good to go. Um, so
7 they have those two kind of functionalities. That's
8 why it's in our best interest to keep the delivery
9 drivers happy and keep them moving.

10 MR. BABULA: All right. So to clarify, it's not a
11 matter of the driver gets a request to pick up a Taco
12 Bell order and the driver says, okay, I want to pick
13 it up from the Bloomfield location, not Little Falls.

14 They cannot do that. It's a matter of they're
15 going to see which restaurant the order is going to be
16 waiting for them at and they decide do I want to go
17 through the trouble of going over there to pick it up
18 or not. Is it worth my time?

19 MR. ENOS: That is correct. Yes. That
20 clarification would be accurate.

21 MR. BABULA: All right. All right, thank you for
22 your clarification.

23 MR. ENOS: You're welcome.

24 MR. LAQUAGLIA: Any other questions, Board?

25 MR. LASEK: Mr. Chairman?

1 MR. LAQUAGLIA: Yeah, Mr. Lasek?

2 MR. LASEK: Yeah, just -- just one question. Um,
3 during the -- during the peak time, um, how many, uh,
4 customers do you normally serve or would think you
5 would serve in a restaurant of these -- of these
6 sizes? Um, you know, considering all the different
7 options.

8 MR. ENOS: During the peak period of time?

9 MR. LASEK: Yes.

10 MR. ENOS: Yep. Give me one sec. I'm just going
11 to do some quick math here and I should be able to
12 give you a rough number. Uh, during the peak period,
13 you're looking at about 120-ish or so customers.

14 MR. LASEK: So essentially that's 120 customers
15 coming in within that hour, um, [inaudible] space?

16 MR. ENOS: Uh, hour and a half. Yeah, I think --
17 I believe the --

18 MR. LASEK: Okay, within that hour and a half,
19 there's 120 customers coming onto the site, finding a
20 parking space, either walking to the window or going
21 inside the restaurant and making your pickups?

22 MR. ENOS: Roughly between both brands, yeah.

23 MR. LASEK: Between both brands.

24 MR. ENOS: Yep.

25 MR. LASEK: And, um, a single pickup window per,

1 uh, restaurant would be sufficient to handle that
2 amount of, uh, customers?

3 MR. ENOS: The, um, you're talking about that
4 exterior, like delivery pickup window you're
5 referencing?

6 MR. LASEK: Correct.

7 MR. ENOS: Yeah, I believe so. Uh, because the
8 exchange at the -- the actual pickup window is very,
9 um, very quick. It's, um, who's order are you here to
10 pick up? They say Matt or Mike. We grab the bag that's
11 already been tagged and prepared for Matt or Mike.

12 We hand them the bag. They turn around and they
13 leave.

14 MR. LASEK: Okay. Thank you.

15 MR. ENOS: You're welcome.

16 MR. LAQUAGLIA: Any other questions, Board?
17 Amanda, I can't see if anybody's raising their -- Mr.
18 Babula, I see your hand.

19 MR. BABULA: Yeah, thank you. I just wanted to
20 follow up on what Mr. Lasek just asked about. The
21 customer volume. So just to make sure I understand
22 this correctly, so you're saying that you expect
23 roughly 120 customers during the peak periods, which
24 you defined as 12:00 noon to 1:30 p.m. and 5:30 p.m.
25 to 7:00 p.m. Is that correct?

1 MR. ENOS: Yes, correct.

2 MR. BABULA: Okay. So those peak periods, those
3 are 90 minutes, correct?

4 MR. ENOS: Uh, yeah, roughly. I mean, they --
5 sometimes they're a little shorter. Sometimes a little
6 bit longer. But on average.

7 MR. BABULA: Okay.

8 MR. ENOS: [inaudible]

9 MR. BABULA: Right. So if we have 120 customers
10 during a peak period of 90 minutes, that's going to be
11 --

12 MR. ENOS: Oh, I'm -- no, I'm sorry, 120
13 customers in both of those 90-minute periods. Not 120
14 and 120. I'm talking about 120 kind of spread out
15 across both of the 90-minute windows.

16 MR. BABULA: Okay.

17 MR. ENOS: My apologies.

18 MR. BABULA: And what -- okay. So then what would
19 you say is the breakdown for the lunch and dinner?
20 Well, the -- I'll call them the lunch and dinner peak
21 periods, unless we have different terminology you'd
22 prefer.

23 MR. ENOS: Yeah. The -- the interesting thing
24 there is that, um, the two concepts actually kind of
25 operate on the opposite. So Wendy's is a busier lunch

1 business and Taco Bell is a busier dinner business.

2 Taco Bell is not as steady during the daytime.

3 Um, we really kind of [inaudible] more in the evening
4 timeframe. Um, so it would be about a split. It would
5 just be in the different concepts at different times,
6 really.

7 MR. BABULA: So I mean, ballpark, I mean, would
8 you say that it's going to be 60/60 or would it be
9 different? You know, the lunch [inaudible]?

10 MR. ENOS: Yeah, probably. I would just say -- I
11 would say roughly 60/60, yeah.

12 MR. BABULA: So that would be roughly 60
13 customers within a 90-minute window, correct?

14 MR. ENOS: Yeah. Correct.

15 MR. BABULA: All right. Thank you.

16 MR. ENOS: You're welcome.

17 MR. LAQUAGLIA: Councilwoman?

18 MS. MUNDELL: Hi. So I think I heard prior
19 testimony that gave us different numbers and there may
20 have been an exhibit that indicated that as well. I
21 don't know if we can go back and reference that.

22 MR. JOSEPH: I'm not -- I'm not sure what, uh,
23 prior exhibit we would have had. We may have had --

24 MS. MUNDELL: I want to say there was a
25 spreadsheet or something and it may have been from

1 your traffic expert.

2 MR. JOSEPH: -- traffic. Yeah.

3 MS. MUNDELL: But it's different from what -- the
4 number of customers, etcetera, it's different from
5 what you're saying right now.

6 MR. JOSEPH: Sure, so the traffic --

7 MS. MUNDELL: So I just want to be clear.

8 MR. JOSEPH: Yep. Uh, we could certainly have the
9 traffic expert come up next, which was our plan
10 anyway, and talk about that. I know they pulled
11 numbers from -- from different sources.

12 Tim works for this company and -- and after the
13 last hearing, we asked Tim to do research on numbers
14 that he has with the brands and based on his
15 experience and what he anticipates as the operations,
16 uh, VP for this particular site.

17 So, um, someone from, uh, from Stonefields will
18 be our next expert and they can address that.

19 MS. MUNDELL: [inaudible]

20 MR. LAQUAGLIA: [inaudible] Councilwoman?

21 MR. LASEK: Can I quick -- can I quickly follow
22 up? I'm just a little confused.

23 MR. LAQUAGLIA: [inaudible] Councilwoman, are you
24 done?

25 MR. LASEK: I'm sorry.

1 MS. MUNDELL: Uh, sorry, just -- and just one
2 more question to clarify and then Paul.

3 MR. LASEK: Sorry.

4 MS. MUNDELL: Absolutely, no worries. Um, so I
5 think what, um, your expert is saying is if -- if
6 you're doing this right, you're going to try to push
7 as much volume as possible during these peak hours to
8 get as many cars in and out as possible. Right?

9 I mean, that's what I'm hearing. You -- you used
10 the word fast. You used the word, um, so I just want
11 to make sure I'm understanding correct.

12 MR. JOSEPH: Yeah, we want to --

13 MS. MUNDELL: Your goal is to push as high volume
14 as you can.

15 MR. ENOS: Yeah, I --

16 MR. JOSEPH: Yeah, the goal is to get the -- the
17 number of people in and out as -- as efficiently as
18 possible. Right.

19 MR. ENOS: And we operate that way all day, not
20 just during the peak periods, but.

21 MS. MUNDELL: Thank you.

22 MR. LAQUAGLIA: Mr. Lasek?

23 MR. LASEK: Yeah, just going back to the numbers
24 just for clarification. There was 120 employees -- not
25 employees, I'm sorry, customers. That's the entire

1 site, not breaking down the two restaurants. We're
2 just looking at it from a site perspective.

3 You indicated there's 120 customers. Is that
4 right? Is that -- is that correct?

5 MR. ENOS: Yes.

6 MR. LASEK: Okay.

7 MR. ENOS: Between -- between the two timeframes
8 on the screen. Between 12:00 and 1:30 and 5:30 and
9 7:00.

10 MR. LASEK: Right, because regardless of if
11 there's one or two restaurants, uh, it's basically the
12 site design that's really going to drive this thing,
13 so I just wanted to make sure we were getting these
14 numbers and we could compare them with what the
15 traffic, um, uh, testimony was from the past.

16 Just so I understand where we are. Thank you.

17 MR. ENOS: You're welcome.

18 MR. LAQUAGLIA: Any other questions, Board?

19 Amanda, do you see anybody's hand? I can't see
20 everybody.

21 MS. WATERS: Not from the board.

22 MR. LAQUAGLIA: Not from the board. Okay. At this
23 time, I'll open up the questions to the public. Again,
24 it has to be a question and only on Mr. Enos'
25 testimony. I see that Aneel Aria again?

1 MR. ARIA: Aneel.

2 MR. LAQUAGLIA: [inaudible]

3 MR. ARIA: That's Aneel Aria. Yep.

4 MR. LAQUAGLIA: Aneel, okay. I'm sorry.

5 MR. ARIA: No worries.

6 MR. LAQUAGLIA: [inaudible]

7 MR. ARIA: Sure. So thank you.

8 MR. LAQUAGLIA: Your address, sir.

9 MR. ARIA: Yep. Thank you for opening it up, I
10 hope you can hear me. The question is fairly
11 straightforward.

12 MR. LAQUAGLIA: Mr. Aria, what is your address?

13 MR. ARIA: 39 McCloud Lane.

14 MR. LAQUAGLIA: Thank you, sir. Go ahead.

15 MR. ARIA: Okay. The testimony was I believe that
16 there are, at any point, eight employees, and please
17 correct me if I'm wrong. I believe that would be about
18 -- and six employees for Taco Bell, eight across
19 Wendy's.

20 I think it's a total of 14 employees at any point
21 in time. That would mean a spillover from cars. Are we
22 guaranteeing that these employees will be utilizing
23 public transportation if only two slots, parking slots
24 are open for employee usage in the restaurant parking
25 lot?

1 Where would they be parking and would McCloud
2 Lane be the next best alternative to park when they're
3 utilizing or working in that facility?

4 The testimony was that most of these employees
5 use public transport, but is there guarantee that
6 McCloud Lane would not be utilized as public parking
7 for employees when they are doing their shifts?

8 MR. ENOS: Um, we could definitely tell our
9 employees, any that do park, that they cannot park
10 over there. Um, we would -- our -- our employees park
11 on our parking lots. Um, we don't -- I don't -- can't
12 think of any sites where they don't do that.

13 Um, we typically will even have designated
14 employee parking spots. I don't know if that's the
15 case in this particular location or not. It depends on
16 the site. Um, but our employees always park in our
17 parking lot.

18 MR. ARIA: Thank you. So I --

19 MR. ENOS: [inaudible]

20 MR. ARIA: I believe -- yeah, I believe then
21 we'll have to defer this question to -- if this has
22 already been addressed within operations as to where
23 do those additional cars go, because if I understand -
24 -

25 MR. LAQUAGLIA: Traffic engineer will testify,

1 Mr. Aria.

2 MR. ARIA: Thank you very much.

3 MR. LAQUAGLIA: Thank you, sir. Are there any
4 other questions from the public?

5 MR. ARIA: If I may ask one more question, it's
6 Aneel again.

7 MR. LAQUAGLIA: As long as it's a question, sir.

8 MR. ARIA: It will be a question, sir.

9 MR. LAQUAGLIA: Go ahead.

10 MR. ARIA: Do we know what time the trash would
11 be picked up and where the trash is located or is that
12 for some other department as well?

13 MR. JOSEPH: So that -- that was addressed in --
14 in prior -- in prior testimony. Um, you know, I'm
15 somewhat hesitant to recall every single one of our
16 witnesses to -- to --

17 MR. ARIA: That's fine.

18 MR. JOSEPH: But we can -- it's a simple question
19 that I think we can get an answer to. Um, you know,
20 this is the, I think fourth hearing now. So if -- if
21 there's any other --

22 MR. ARIA: This is my second, so I might have
23 missed two in the middle, but yeah. Thank you.

24 MR. LAQUAGLIA: Yeah, Mr. Enos, can you answer
25 that? What time do they normally pick up the garbage?

1 MR. ENOS: I can't. It does depend on site.

2 MR. JOSEPH: Our, um.

3 MR. ENOS: We haven't even set up a trash
4 provider.

5 MR. JOSEPH: Yeah, thanks, Tim. Um, we gave prior
6 testimony on that. I'm going to get that answered for
7 you while our traffic expert is --

8 MR. ARIA: And the location of the --

9 MR. LAQUAGLIA: [inaudible] that answer will be
10 given to your shortly, Mr. Aria. Mr. Joseph will look
11 it up and relay it to the board and to the public.

12 MR. ARIA: Thank you and then the last question
13 is on slide eight, where the numbers are. If you don't
14 mind going back to that slide.

15 I believe the turnover was indicated that you
16 have 60 cars coming for pickup, 50 percent of the
17 orders are pickup orders, which would indicate only 30
18 orders by third party delivery drivers.

19 If my math's correct, I think that would grossly
20 understate the revenues and the turnover. So if we can
21 go over --

22 MR. LAQUAGLIA: What is your question, sir?

23 MR. ARIA: The question is that slide eight math
24 where it has been said 50 percent of the orders are
25 driven by third party pickup. If you're to look at the

1 number of orders that we are actually covering, which
2 is 60 orders within an hour and a half, how many of
3 those orders would be pickups?

4 And if that's not within the slide and has been
5 excluded, then how many cars do we anticipate going
6 through just for pickup?

7 MR. JOSEPH: I'm sorry, I don't understand the
8 question.

9 MR. ARIA: The question is how much traffic do we
10 expect to come through for pickup drivers within the
11 peak hours.

12 MR. JOSEPH: I mean, just extrapolating from what
13 Tim said, I think he said 46 percent is delivery
14 drivers? You're asking about delivery drivers, so 46
15 percent of -- of 60, uh, is 27 and a half or 28.

16 MR. ARIA: So we're only expecting 30 cars within
17 a 90-minute period for pickup orders?

18 MR. JOSEPH: For delivery. For delivery.

19 MR. ARIA: Okay. I just wanted to be sure that --

20 MR. JOSEPH: Just -- just extrapolating -- just
21 extrapolating based on what Tim said, right?

22 MR. ARIA: That's my math too.

23 MR. ENOS: Yeah.

24 MR. JOSEPH: I'm not testifying, I'm just --
25 based on Tim's prior testimony.

1 MR. ARIA: No, Stephen, I totally, totally agree.
2 That's my math too. It just seems off. That's all I'm
3 saying. That that number of drivers coming through,
4 based on the fact that it's speed, its turnover
5 focusing on --

6 MR. LAQUAGLIA: Mr. Aria, it has to be a question
7 sir at this time.

8 MR. ARIA: Sir, that is my question is the math
9 correct.

10 MR. LAQUAGLIA: Okay.

11 MR. ARIA: Is that what -- is that the figure?
12 That we will have 20 pickup cars?

13 MR. LAQUAGLIA: Mr. Enos, can you give him a
14 clear answer on that, sir?

15 MR. JOSEPH: I -- I --

16 MR. LAQUAGLIA: Or Mr. Joseph.

17 MR. JOSEPH: Sure. Um, so.

18 MR. ARIA: Thank you. That's all from my side.

19 MR. JOSEPH: So Tim -- Tim, the percentage of the
20 deliveries you said was 46 percent? I don't remember
21 off the top of my head. Thereabouts?

22 MR. ENOS: Yeah, that's correct.

23 MR. JOSEPH: So -- so 46 percent of -- of 60 is
24 27.6.

25 MR. LAQUAGLIA: What?

1 MR. JOSEPH: That -- I think that's the question
2 that's being asked.

3 MR. ARIA: I believe I'm asking are we only
4 expecting --

5 MR. LAQUAGLIA: Everybody stop talking for
6 [inaudible] excuse me. If I understand correctly,
7 you're expecting -- and I got a little confused with
8 the numbers there, but more or less you're -- you're
9 saying 30 -- and I'm just going to say Uber drivers,
10 but you understand that's all the pickup --
11 professional drivers.

12 You're anticipating roughly 30 of the Uber
13 drivers during each of the pickup times -- peak hour
14 times. Is that correct?

15 MR. ENOS: Yes.

16 MR. JOSEPH: Cor --

17 MR. LAQUAGLIA: More or less, around 30.

18 MR. JOSEPH: More or less.

19 MR. LAQUAGLIA: Of the professional drivers with
20 the pickup. Okay. Does that answer your question, Mr.
21 Aria?

22 MR. ARIA: Yes, I guess if they're only expecting
23 30. Thank you.

24 MR. LAQUAGLIA: Well, that's what their testimony
25 is, sir.

1 MR. ARIA: Yeah. Thank you.

2 MR. LAQUAGLIA: Okay. Councilman Rockwell, I see
3 your hand up again, sir?

4 MR. ROCKWELL: Uh, yeah, sorry. I forgot this
5 before. The question came up, um, in previous
6 testimony, um, and we were waiting for the operations.
7 The -- does the food deliveries, does one truck
8 deliver to Taco Bell and Wendy's or is there a Wendy's
9 truck and a Taco Bell truck?

10 MR. ENOS: There's a Wendy's truck and a Taco
11 Bell truck. They're two different companies.

12 MR. ROCKWELL: Okay, thank you.

13 MR. ENOS: You're welcome.

14 MR. LAQUAGLIA: Board, real quick, any other
15 questions from the board before I go back to the
16 public?

17 MR. INTINDOLA: Chairman?

18 MR. LAQUAGLIA: Who is that? Oh, Mr. Intindola,
19 yes, sir. [inaudible] well, he's still sworn in,
20 correct, Mike? Mr. Rubin? Mr. Intindola has a
21 question.

22 MR. RUBIN: Yes. He's still sworn in.

23 MR. LAQUAGLIA: Okay.

24 MR. RUBIN: [inaudible] question.

25 MR. INTINDOLA: It's not a question, it's just a

1 summary of the information as I understand it. Um,
2 the, uh, operations expert has testified to 120
3 customers over the 90-minute period. I just want to
4 confirm that, for both restaurants?

5 MR. ENOS: Both 90-minute periods.

6 MR. INTINDOLA: For each 90-minute period would
7 be 120?

8 MR. RUBIN: No, each 90-minute period would be
9 60.

10 MR. ENOS: Yeah. Correct.

11 MR. INTINDOLA: Okay. So then lunchtime would be
12 60?

13 MR. RUBIN: Mm-hmm.

14 MR. INTINDOLA: Okay. So just wanted to confirm
15 that, because I kind of lost a thread of that. So
16 there's 60 peak in your lunchtime and then 60 peak in
17 your dinnertime, which each unit having its own
18 [inaudible] depending on the customer, uh, uh,
19 demographic, whatever you want to call that.

20 Okay. That's all. I -- I was -- [inaudible].

21 MR. LAQUAGLIA: [inaudible]

22 MR. JOSEPH: And Tim, other locations that have,
23 for example, a drive through or in urban areas, the
24 numbers in peak are, I would say much, much higher. Is
25 that correct?

1 MR. ENOS: Correct, because of the drive through
2 lane. Yeah.

3 MR. LAQUAGLIA: Okay. Um, real quick, Mr. Enos,
4 before I go back to the public. It seems like your
5 method of operation is so efficient with these pickup
6 windows, particularly with the professional drivers.

7 You're -- you're almost quicker than a drive
8 through window in like [inaudible] McDonalds or
9 whatever, you know.

10 MR. ENOS: To turn -- to turn over the order at
11 the restaurant.

12 MR. LAQUAGLIA: Yeah.

13 MR. ENOS: Yes, we are. We are quicker than a
14 drive through window [inaudible].

15 MR. LAQUAGLIA: Okay. All right. Board, any other
16 questions or, uh, Mr. Babula?

17 MR. BABULA: Thank you, Mr. Chairman.

18 MR. LAQUAGLIA: [inaudible]

19 MR. BABULA: Yeah, no, I just have to -- had to
20 unmute here. Um, no, I just wanted -- just had a
21 thought, you know, um, Mr. Joseph just referred to the
22 urban restaurants and the higher volume of customers.

23 So Mr. Enos, um, so the 120 customers for the two
24 peak periods or 60 customers per each peak period, um,
25 what is that estimate based on? Um, since this

1 restaurant does not exist yet.

2 MR. ENOS: Mm-hmm. It's based on a couple of
3 things. One, um, our predicted, uh, sales volumes, uh,
4 and then average check orders based on historical data
5 from other locations inside business.

6 Um, also, we used a couple of, um, Wendy's
7 locations that, uh, do not -- uh, Wendy's and Taco
8 Bell locations that do not have pickup currently. Or
9 I'm sorry, for sake of, um, keeping it clear, drive
10 through windows with a car.

11 Um, we have other what we call in line
12 restaurants, uh, that do not have drive through
13 windows, uh, in different areas. Um, and we referred
14 to that data, um, to come up with our projections.

15 MR. BABULA: Um, so if we have, on average, 60
16 customers within a 90 minute window, um, that would
17 seem to suggest that each order would have to be
18 turned -- you know, each customer would, you know,
19 would be there for like a minute and a half.

20 Does that make sense? Am I interpreting that
21 correctly?

22 MR. ENOS: I'm not sure in terms of like, uh, um,
23 turnaround. I can speak to like how quickly we move
24 orders. I don't know how that kind of works in terms
25 of formula of number of cars getting off and on a lot.

1 That wouldn't [inaudible].

2 MR. BABULA: Okay and perhaps that not a question
3 I need to direct to you. Um, all right. Thank you very
4 much.

5 MR. LAQUAGLIA: Any other questions, Board?

6 MR. PHILLIPS: Can I ask a question, Mr.
7 Chairman?

8 MR. LAQUAGLIA: Of course, Mr. Phillips.

9 MR. PHILLIPS: So I -- I think part of what the
10 board is grappling with here is to try and get a sense
11 of the anticipated levels of, uh, customer activity
12 and the adequacy of the parking and particularly
13 during the peak periods.

14 And I say that recognizing that the proposal
15 involves two separate businesses, two separate pickup
16 windows.

17 Um, there's anticipated to be significant use of
18 apps and delivery services sort of post-Covid and is
19 there -- is there any example of a comparable facility
20 where you have this fact pattern in terms of the two
21 businesses, Wendy's, Taco Bell, two pickup windows
22 that -- that somehow or another there is some
23 empirical data accounts that can be shared with the
24 board?

25 I mean, I don't want to speak for the board, but

1 I'm listening to the board's questions and I think
2 that's one of the levels of sort of discomfort here.

3 MR. JOSEPH: Yeah, I -- I think the answer to
4 that is no, not exactly. Right? Because our traffic
5 engineer has pulled data from a lot of the locations.
6 Many of them have -- have drive throughs and that's
7 not necessarily accurate.

8 Tim had some in-house data that he pulled from
9 some other locations and some algorithms that predict
10 how many customers they will have. But, um, you know,
11 it's a -- it's a brand new building.

12 And Tim, correct me if I'm wrong, but I think the
13 answer is no, not exactly like this.

14 MR. ENOS: I would agree with that.

15 MR. PHILLIPS: Okay, thank you.

16 MR. LAQUAGLIA: Thank you, Mr. Phillips. Board,
17 anybody else? Okay. Uh, I'm going to open it up to the
18 public again. Questions only and only, uh, for Mr.
19 Enos regarding his testimony. Kay -- Kay Diane Brown?
20 Am I pronouncing that right?

21 MS. BROWN: Yes, that's correct.

22 MR. LAQUAGLIA: Okay. Identify yourself and your
23 address, please.

24 MS. BROWN: Um, hi, my name is Kay Diane Brown
25 and my address is 14 Ernst Avenue, Bloomfield.

1 MR. LAQUAGLIA: 14 Ernst Avenue?

2 MS. BROWN: Yes.

3 MR. LAQUAGLIA: Okay, thank you, ma'am. What's
4 your question?

5 MS. BROWN: Um, going back to the averages that
6 were provided, um, my concern is that they may not
7 reflect the reality of, um --

8 MR. LAQUAGLIA: Could you speak just a little
9 louder, ma'am? I'm having trouble hearing you. I'm
10 sure everyone else is.

11 MS. BROWN: Sure. So the -- can I ask where the
12 average numbers, how they were, um, formulated?
13 Because to Mr. Babula's point, if you have 60
14 customers during your peak period and that 90 minutes,
15 that means that you would have to turn those orders
16 around in a minute and a half.

17 Not the three minutes that was noted on slide
18 nine.

19 MR. LAQUAGLIA: Mr. Joseph?

20 MR. JOSEPH: Yeah, so Tim, maybe you could
21 clarify, but I think the -- the numbers in terms of
22 minutes that you had on your PowerPoint was the amount
23 of time it takes for the customer to pick up, uh, pick
24 up the order and maybe you could just repeat again the
25 differences between, uh, the order types versus

1 ordering on your app and somebody physically coming
2 in.

3 Um, that there's a lot of overlap.

4 MR. ENOS: Sure. Yeah, they were, uh, we got the
5 numbers from, um, looking at restaurants that don't
6 have pickup windows and looking at their averages in
7 terms of how those transactions mix.

8 Um, that's where those percentages came from. Um,
9 and so you have, you know, your carryout customer that
10 orders, I'll say old school, at the register, talking
11 to a person, um, which accounts for about six percent
12 of the transactions.

13 Um, ordering carryout using the kiosk, um, counts
14 for about 28 percent. Um, carryout using mobile,
15 meaning, um, ordering either on your computer or on
16 your phone through, um, either the Wendy's or Taco
17 Bell, uh, app, um, and then sit down customers, um,
18 which are -- account for about 11 percent.

19 Ever since the pandemic, that number has been
20 pretty low, um, in our dining rooms, which is why
21 we've actually shrunk a lot of our dining rooms down,
22 because we don't need [inaudible] anymore.

23 MS. BROWN: Yeah, so my question was more in
24 regards to the rates. So when you talk about the
25 average production time on slide nine, I don't know if

1 you can represent it, but the average production time
2 was three minutes.

3 MR. ENOS: Mm-hmm. Yeah, so that's --

4 MS. BROWN: So that would be the time it takes to
5 create -- to -- to prepare the order, correct?

6 MR. ENOS: Yeah. Correct. Correct. To prepare the
7 order, uh, once it's received by the kitchen. Yes.

8 MR. JOSEPH: But Tim -- Tim, you're not --

9 MS. BROWN: So that's -- okay, sorry. So that --
10 so that would mean that to prepare the order, if you
11 have 60 guests within 90 minutes, you would have to
12 prepare those orders in an average of a minute and a
13 half, not three minutes, to support that number of
14 guests during that time.

15 MR. ENOS: Yeah. So the way the orders get
16 filtered in though are a little bit different based on
17 the avenue. Um.

18 MR. JOSEPH: And -- and Tim, I -- you make
19 multiple orders at the same time, right?

20 MR. ENOS: Right, yeah.

21 MR. JOSEPH: It's not like everybody is working
22 on making one taco for three minutes and then move on
23 to the next one, right?

24 MR. ENOS: Correct.

25 MR. JOSEPH: It's -- it's concurrent. So it's not

1 --

2 MR. ENOS: There are multiple --

3 MR. JOSEPH: -- you know, a minute and a half.

4 MR. ENOS: Yeah. So there are, um, multiple lines
5 -- production lines, if you will, within the kitchens.

6 MS. BROWN: Okay.

7 MR. ENOS: Um, so there are multiple people
8 working on the orders. Multiple orders.

9 MS. BROWN: Okay, so the average per order would
10 be what?

11 MR. ENOS: The average per order would remain the
12 same, it's just there are multiple orders being
13 produced at the same time.

14 MS. BROWN: Okay. That makes sense. But we're
15 talking about the time it takes you to make an order,
16 it's still three minutes.

17 MR. ENOS: Correct.

18 MS. BROWN: So you're saying you could be making
19 two orders in three minutes and that would get you to
20 a minute and a half each?

21 MR. JOSEPH: Or more, correct. It's the -- from
22 the time -- you know, I'm just going to keep using the
23 example of the taco. It's the life cycle of the taco.
24 It's from shell all the way to -- to sour cream.

25 MR. ENOS: Yeah, [inaudible].

1 MR. JOSEPH: For one. But five, 10, however many
2 they could do at the same time can be made at the same
3 time on that assembly line.

4 MS. BROWN: But how many times would you receive
5 five orders at once? Because we're not talking about
6 items within the order, we're talking about the entire
7 order.

8 MR. ENOS: Right. Yeah, so with the amount of
9 avenues that we have, in theory we could get five
10 orders all at one time pretty easily, because you
11 could get multiple orders come in through delivery
12 means.

13 Um, somebody orders at the front register,
14 somebody is standing at the kiosk and orders, you
15 know, through the kiosk.

16 Um, so the -- the orders, um, stack and get made
17 in order that they hit the production screens in the
18 kitchens and there are multiple lines and production
19 screens within the kitchens to be made.

20 So you may have three orders being worked on at
21 the same time that are getting accomplished within the
22 same three minutes on the clock, if you will.

23 MS. BROWN: Okay. Thank you.

24 MR. LAQUAGLIA: Okay.

25 MR. LASEK: Mr. Chairman?

1 MR. LAQUAGLIA: Yes, who -- who is -- Mr. Lasek?

2 MR. LASEK: It's -- I'm sorry to interrupt, but
3 I'm noticing there's a chat going on during the
4 testimony and by way of process I don't think they're
5 supposed to do that, because they're popping up on my
6 screen with all these different comments.

7 MR. LAQUAGLIA: Yeah, will you stop that, Amanda?

8 MS. WATERS: I don't think I can stop the --

9 MR. LAQUAGLIA: Okay. I'm going to ask the
10 public, uh.

11 MS. WATERS: -- chat, but I can, um, you know
12 what? I can reach out and ask, uh, Rayona [ph] uh, or
13 Jondi [ph] to see if they can stop it.

14 MR. LAQUAGLIA: Okay. That -- we'd appreciate
15 that.

16 MS. WATERS: Okay.

17 MR. LAQUAGLIA: Okay? Babula? I'm sorry,
18 [inaudible].

19 MR. BABULA: What's that?

20 MR. LAQUAGLIA: Mr. Lasek, were you done?

21 MR. LASEK: Yes, I was. Thank you.

22 MR. LAQUAGLIA: Thank you, sir. Mr. Babula?

23 MR. BABULA: I -- I just wanted to return to my
24 previous question since, you know, it's become a topic
25 of discussion, because I don't think it's been

1 adequately, um, addressed.

2 So during Mr. Enos', you know, testimony a few
3 minutes ago, I -- I believe he testified that the time
4 that customers would spend in the lot -- parking lot
5 was three minutes for customers who were picking up
6 orders and two minutes for delivery service drivers
7 who were picking up orders.

8 So that's three minutes and two minutes. And what
9 I was getting at with my earlier question, you know,
10 the testimony from Mr. Enos was they -- they expect 60
11 minutes -- I'm sorry, 60 customers in the peak
12 [inaudible].

13 In -- in the afternoon peak period of 90 minutes
14 and 60 customers in the evening peak period of 90
15 minutes, which just doing simple math means that each
16 customer would be there for only a minute and a half.

17 And so that's what I'm struggling [inaudible] on
18 this is there seems to be a discrepancy.

19 On the one hand, we're hearing from Mr. Enos
20 that, um, the parking lot linger time, I will call it,
21 is anywhere on average from two to three minutes
22 depending on if it's a pickup or delivery driver or if
23 we're looking at the number of customers they expect
24 during these 90 minute peak windows, that suggests
25 that the parking lot would max out if any of those

1 customers spend more than a minute and a half.

2 And so that's what I'm struggling with and I
3 haven't gotten a satisfactory answer. I don't know if
4 there is one. But I wanted to clarify that.

5 MR. RUBIN: If I may, I think what you're
6 forgetting is there's 29 parking spaces on site. So --
7 so it can handle, in the course of a -- you know, a
8 three minute period, it can handle 25 people.

9 MR. BABULA: Right. So then perhaps when we get
10 to the traffic, someone -- you know, I'll put that out
11 there. Perhaps someone can, you know, maybe cover that
12 and explain how that [inaudible] you know, parking lot
13 would be sufficient for covering the -- the
14 anticipated peak volume of customers.

15 MR. LAQUAGLIA: Thank you.

16 MR. BABULA: All right, thank you, Mr. Chairman.

17 MR. LAQUAGLIA: Thank you, Mr. Babula. Board,
18 anybody else before I go back to the public? Okay. Uh,
19 Kevin Edwards.

20 MR. EDWARDS: Yes.

21 MR. LAQUAGLIA: Yes, identify yourself and your
22 address, sir.

23 MR. EDWARDS: Kevin Edwards, 55 Collins Avenue.

24 MR. LAQUAGLIA: 55 Collins Avenue. Okay.

25 MR. EDWARDS: Uh, I --

1 MR. LAQUAGLIA: Questions only now, sir, correct?

2 MR. EDWARDS: Yep. Uh, I had a question if the 60
3 per 90 minute, uh, rate, does that represent a maximum
4 from your, uh, the -- the stores that you were looking
5 at or 80th percentile or average?

6 Is it -- is it a reasonable maximum? I guess what
7 -- what does that 60 represent?

8 MR. ENOS: Represents the average [inaudible].

9 MR. EDWARDS: And then, uh, I had a question on
10 the -- the dwell time when vehicles are in. Does the,
11 uh, dwell time account for any idling that might
12 remain or would there be signage to prevent idling for
13 a long period of time while people are coming in and
14 coming out?

15 MR. ENOS: I'm not sure I'm the right person to
16 answer that.

17 MR. EDWARDS: Okay.

18 MR. LAQUAGLIA: Thank you, Mr. Edwards.

19 MR. EDWARDS: Thank you.

20 MR. LAQUAGLIA: Anybody else on the audience? Do
21 you see any hands, Amanda?

22 MS. WATERS: No. Mr. Edwards, you can take your
23 hand down.

24 MR. LAQUAGLIA: Uh, before you leave, Mr. Enos,
25 doesn't Wendy's or Taco Bell, I know one of them is

1 promoting a breakfast special.

2 MR. ENOS: Um, they both probably -- yeah, they
3 both are.

4 MR. LAQUAGLIA: I've seen commercials
5 [inaudible].

6 MR. ENOS: Yeah, they both have breakfast.
7 Wendy's is [inaudible] right now.

8 MR. LAQUAGLIA: So what -- what will be the, uh,
9 amount of customers for breakfast? You didn't -- you
10 didn't touch on that.

11 MR. ENOS: Yeah, it's very -- because it's
12 minimal. Um, breakfast, uh, does not account for a
13 high percentage of our, um, day. Um, as much we would
14 like for it to, um, it just doesn't, particularly in
15 the northeast.

16 I would say on the Wendy's side, around seven
17 percent of our business, like and that's good. It's
18 probably closer to five. Um, I'm being generous with
19 that seven percent number. On the Taco Bell side, it
20 runs around that seven or eight percent as well.

21 MR. LAQUAGLIA: So how many cars would you
22 expect? You know, pickups, uh, at that point?

23 MR. ENOS: One sec.

24 MR. LAQUAGLIA: Roughly. Let's say between 7:00
25 and I guess, what, 7:00 and 9:00 or 8:00 and 9:00 or

1 whatever restaurant [inaudible].

2 MR. ENOS: Yeah. Wendy's, uh, on Wendy's, it
3 would be, uh, we do breakfast 6:30 to, um, 10:30.

4 MR. LAQUAGLIA: Okay.

5 MR. ENOS: And at Taco Bell, it's 8:00 until
6 10:30. Um, and you're talking between both of the
7 concepts?

8 MR. LAQUAGLIA: Yes.

9 MR. ENOS: Fifteen cars, 20 cars? It's really
10 minimal.

11 MR. LAQUAGLIA: Fifteen to 20.

12 MR. ENOS: During that timespan, yeah.

13 MR. LAQUAGLIA: Okay. It just stuck out. You
14 know, I -- I knew that I remember seeing the
15 commercials.

16 MR. ENOS: Yeah. Wendy's has the two for \$3 right
17 now.

18 MR. LAQUAGLIA: Oh, that's good to know. Um,
19 Board, anybody else? No hands. Jane Stephen?

20 MS. STEFFEN: Hi, yes, Jane Steffen. I live at 40
21 Ernst Avenue.

22 MR. LAQUAGLIA: 40 [inaudible].

23 MS. STEFFEN: Um, I have questions, uh, twofold
24 about the numbers that you presented. First, if you
25 could provide -- and perhaps not now, but if you could

1 provide the range, you used the average to, um,
2 identify the number of cars that one would expect in
3 these times.

4 But I would assume that we would want to look at
5 what that range is and what kind of outliers you would
6 be, um, if you excluded outliers and what those
7 outliers were at the high end when we're looking at
8 the traffic.

9 Number two, my question would be what kind of,
10 um, time periods were you looking at? Are we talking
11 about Monday through Friday on this? Are we looking at
12 weekends? And I did miss the first few minutes, so I
13 apologize if you discussed this.

14 What numbers were you looking at for the non-peak
15 times? Especially on weekends and on times like 1:00
16 in the afternoon? Thank you.

17 MR. ENOS: Um, so I'll try to remember all of
18 them. So if I don't get them, please come back on. Um,
19 in terms of, um, 1:00 would be, um, considered part of
20 the peak period. Typically runs until 1:30.

21 Um, so that would be factored in there. Um, I'm
22 sure I can provide Stephen with the, um, ranges that
23 you're speaking about. Um, and then, I'm sorry, there
24 was one other. Oh, non-peak periods, right?

25 Um, I think that's addressed in the traffic

1 information, but Stephen, maybe you could help me out
2 with that?

3 MR. JOSEPH: Uh, I don't -- I definitely don't
4 know that off the top of my head, but we could
5 certainly ask one of our, uh, one of our traffic
6 experts. I mean, I'm sorry.

7 MR. LAQUAGLIA: We can ask one of the traffic
8 experts to come back, Ms. Stephen.

9 MS. STEFFEN: Thank you. And then, um, to clarify
10 my -- my other question, I'm asking does those peak
11 periods -- are those Monday through Friday peak
12 periods? Are those same peak periods, um, exist on the
13 weekends?

14 Do you look at different peak periods since, you
15 know, obviously people's lives are different on the
16 weekends and then if you could provide those ranges, I
17 think that would be essential, because I believe in
18 planning we usually look at 80 percent.

19 Because if you're looking for the mean or the
20 average, that would be dead center, which would assume
21 that at least 50 percent of the time you would be
22 looking for -- you know, you would be seeing higher
23 traffic than that.

24 MR. ENOS: Yeah, so [inaudible].

25 MS. STEFFEN: It would be important [inaudible].

1 MR. ENOS: Yeah. Um, that is the peak periods for
2 weekdays and weekends. Um, on Sundays, it might shift
3 30 minutes or so. People tend to move a little bit
4 later in the day on Sunday, depending on the
5 community.

6 But generally speaking, six days out of the week
7 those are our peak periods. On Sunday, it might --
8 like I said, it might swing to like 12:30 to 2:00
9 instead of -- but it's still generally 90 minutes. It
10 just might jockey a little bit on a Sunday.

11 MR. LAQUAGLIA: Just to go back to Ms. Stephen's
12 question, what would be the high and low marks if 60
13 is an average, what could be an anticipated high?

14 MR. ENOS: Um, yeah, on a really good day or
15 really busy, 70, 75, perhaps?

16 MR. LAQUAGLIA: Okay. For both times? Both peak
17 periods?

18 MR. ENOS: Mm-hmm.

19 MR. LAQUAGLIA: On average, yeah.

20 MR. ENOS: Yeah. Yeah.

21 MR. LAQUAGLIA: Okay.

22 MS. STEFFEN: Would you be, um, able to present
23 the data in a fashion that was not averages?

24 Um, looking maybe at, um, the frequency of each
25 of the different ranges might be helpful data analysis

1 so that the board would understand how frequently we
2 would be seeing 75 versus days where we would see 35,
3 where we would end up in that average of, you know, 60
4 might be a -- a -- a way that we could see that data
5 and make better sense of it.

6 MR. JOSEPH: Yeah, that's -- it's really hard to
7 do since the, you know, the location doesn't --
8 doesn't exist, right? Um, just a reminder for
9 everyone, Tim is not -- he's not a traffic expert. He
10 is testifying as someone with a lot of operations
11 experience. Someone who's familiar with these
12 concepts.

13 These restaurants, the way they work, to give a
14 little more context to the board for -- for how the
15 customer interaction is going to work and connect that
16 with the traffic testimony that was previously heard
17 and that you're going to hear again next.

18 Um, there's a lot of -- lot of data that was
19 exchanged back and forth between the traffic
20 engineers, um, and that data was pulled from many,
21 many different -- different sources.

22 So I know there's a lot of hard numbers in there.
23 Tim's testimony is not meant to be hard numbers. He's
24 giving you his experience and his expectations as the
25 operations, um.

1 MR. LAQUAGLIA: [inaudible] ask that question,
2 Ms. Stephen, when the traffic engineers come back on.
3 You might get a clearer answer at that time.

4 MS. STEFFEN: Thank you so much. I think just if
5 whomever is looking at the numbers, the number that
6 I'm looking for is the mode. Um, I taught seventh
7 grade math, so I apologize, but we're looking for the
8 mode here and that would be helpful. Thank you.

9 MR. LAQUAGLIA: Thank you, ma'am. Amy Burgan?

10 MR. BURGAN: Hey, this is actually Shane Burgan,
11 uh, Amy's husband.

12 MR. LAQUAGLIA: Shane Burgan?

13 MR. BURGAN: Hey, we're at 122 Raab Avenue.

14 MR. LAQUAGLIA: Okay.

15 MR. BURGAN: Um, there -- there's been a lot of
16 discussion about the peak, um, customers. What -- does
17 that represent like 80 percent of the customers in a
18 day or 50 percent of the customers in a day?

19 MR. JOSEPH: That's -- that's a good question. So
20 -- so Tim, out -- out of, uh, um, so out of those peak
21 periods, what -- what is that in relation to the
22 entire -- the entire day of business?

23 It is a substantial amount of time of day, but I
24 think you understand what we're -- what the board's
25 looking for.

1 MR. ENOS: Yeah. It's about 45 percent.

2 MR. BURGAN: Got it, and --

3 MR. ENOS: Of the entire [inaudible].

4 MR. BURGAN: Would you remind me how many
5 employees over -- over the -- over the course of the
6 day?

7 MR. ENOS: Um, over the course of the day or
8 during the peak period?

9 MR. BURGAN: On average, throughout the day.
10 We're just wondering like is --

11 MR. ENOS: Yeah, 14 during the peak periods
12 between both concepts. It would be less during the
13 non-peak periods. We go down to as low as, um, three
14 people, um, in the Taco Bell concept, four people in
15 the Wendy's concept during non -- we go as low as
16 that.

17 The sales dictate, you know, where we are in
18 between that four and eight range on Wendy's and three
19 and six on Taco Bell.

20 MR. BURGAN: Got it. And these are, um, these are
21 the figures that are in your financial model that --
22 that you, I guess, presumably used to get -- to get
23 financing for the -- for the project?

24 MR. ENOS: Yeah, there [inaudible].

25 MR. BURGAN: Um, and then was it disclosed what

1 the average ticket size was for these customers?

2 MR. ENOS: It was not.

3 MR. BURGAN: Okay. Is that something that you're
4 able to disclose or is that?

5 MR. ENOS: Yeah, I mean, I -- I don't know that
6 in, um, I would probably have to refer to Stephen. I
7 just don't know in a public hearing if we wanted to
8 share sales figures.

9 MR. JOSEPH: So the -- I'm sorry, the question is
10 the average, uh, ticket size you said? So the number
11 of food items or the dollar amount?

12 MR. BURGAN: Yeah, the -- like the dollar amount.
13 The reason I'm -- I'm asking is just thinking about
14 the -- like the liability of it. If we're talking 120
15 customers a day and it's \$10 a customer, it's \$1200 in
16 those peak periods just doesn't seem like --

17 MR. RUBIN: That's not really -- that's not
18 really the board's concern, whether or not this is a
19 viable business or not.

20 MR. BURGAN: [inaudible] what I'm getting at in
21 order for it to be a viable business strategy --

22 MR. RUBIN: Sir, sir, sir, sir, it's not the
23 board's business as to whether or not this is going to
24 be a viable business.

25 MR. BURGAN: No, I heard you. I'm not confused

1 about that. I'm tracking. My -- my -- the reason why
2 I'm concerned about the financial viability is how
3 real are the volumes that we're assuming.

4 It seems like you would need something greater
5 than that really to sustain a profitable business.

6 MR. RUBIN: That's your speculative conclusion
7 that you're testifying to. This is the question period
8 of time. We're not interested in whether or not this
9 is a viable business, okay?

10 MS. BURGAN: That wasn't the question, sir.

11 MR. BURGAN: No, I'm not --

12 MR. LAQUAGLIA: Wait, wait, wait, let's back up.
13 Everybody back up for a second. Mr. Rubin is
14 completely correct, of course. Mr. Joseph, I believe
15 what Mr. Burgan is trying to get at is how big are
16 these orders.

17 In other words, if somebody comes in and orders a
18 cheeseburger and a Coke, that's one thing. If somebody
19 orders 10 cheeseburgers and five fries and two
20 milkshakes and whatever, there's a difference between
21 that and the other one.

22 So that would -- assume more time would be taken
23 for larger orders rather than small.

24 MR. JOSEPH: Sure. Uh, I think Tim might be able
25 to speak a little bit to that. I -- I would -- you

1 know.

2 MR. LAQUAGLIA: Rather [inaudible].

3 MR. JOSEPH: The other thing is here --

4 MR. LAQUAGLIA: -- orders.

5 MR. JOSEPH: Yeah. And the other thing is just
6 frankly I don't want to get my client in trouble with
7 the franchise. Uh, right? So I'm not sure what --

8 MR. LAQUAGLIA: Okay.

9 MR. JOSEPH: That's sort of information I'm a
10 little hesitant, uh, getting too specific on in terms
11 of that -- that data.

12 MR. LAQUAGLIA: Yeah.

13 MR. BURGAN: Yeah, let me -- I'll pull back.
14 Sorry, let me -- I'll withdraw that. What -- what I'm
15 -- what I'm trying to get at is just in a different
16 way, the same question that was asked, which is the
17 range.

18 I -- I don't know that -- that, um, 200 customers
19 a day or whatever is in the model. What I'm interested
20 in is really like are you really expecting 300 a day
21 in order for this to be something that's of interest
22 or -- or like what is that range?

23 MR. JOSEPH: Yeah, so look, I could, uh, I could
24 -- I could stipulate that the, you know, I -- I don't
25 think the member of the public believes the numbers

1 that we're giving are accurate and our testimony from
2 Tim is that those are the numbers they're -- they're
3 basing this off of.

4 That -- that is it accurate. Um, I don't know if
5 we could resolve that in a back and forth.

6 MR. LAQUAGLIA: There's no sense going back and
7 forth any longer. Do you have any other question
8 besides that, Mr. Burgan?

9 MR. BURGAN: No, that's it. Thank you.

10 MR. LAQUAGLIA: Thank you, sir. Are there any
11 other questions? Amanda, do you see anybody? I don't
12 even see Amanda. Uh, Amanda, anybody raising their
13 hand? You're muted, Amanda.

14 MS. WATERS: Oh, and Shane, you can, um, take
15 your hand down. I don't see anyone.

16 MR. LAQUAGLIA: Okay. One more time. Board, any
17 other questions for Mr. Enos? Okay. That's said and
18 done. Thank you very much, sir. That -- that is over.

19 MR. JOSEPH: Okay, um, before we call the next
20 expert, I did get an answer on the garbage pickup.
21 This was testified to previously. Uh, 7:00 to 9:00
22 a.m.-ish, depending on the -- the pickup, uh,
23 provider's schedule is when trash would be picked up.

24 MR. LAQUAGLIA: Seven -- between 7:00 and 9:00
25 a.m.?

1 MR. JOSEPH: Seven to 9:00.

2 MR. LAQUAGLIA: Okay.

3 MR. ARIA: Thank you for that.

4 MR. LAQUAGLIA: Moving on, Mr. Joseph.

5 MR. JOSEPH: All right. Um, so traffic. Uh, we
6 have someone from Stonefield. We have Matt. Matt, uh,
7 did not testify at the prior hearing. John did. So we
8 -- let's get Matt sworn in and -- and qualified just
9 for the -- for the record.

10 MR. LAQUAGLIA: I don't see Matt through
11 anywhere.

12 MS. WATERS: I don't see him.

13 MR. JOSEPH: I see him.

14 MR. SECKLER: I'm here. I don't know if me
15 talking gets me closer.

16 MS. WATERS: Oh, there [inaudible].

17 MR. LAQUAGLIA: Now I see him. Okay, yeah.

18 MS. WATERS: Okay. Okay, so, um, do you swear
19 that the testimony you are about to give is the truth,
20 the whole truth and nothing but the truth?

21 MR. SECKLER: Yes, I do.

22 MS. WATERS: Please state your first and last
23 name for the record.

24 MR. SECKLER: Good evening. My name is Matthew
25 Seckler. That is S-e-c-k-l-e-r-.

1 MS. WATERS: Thank you.

2 MR. JOSEPH: All right, Matt. I guess just a
3 little bit of, uh, uh, what your license is, that it's
4 current, a little bit of your background for the board
5 to qualify you.

6 MR. SECKLER: Yes. I am a principal at Stonefield
7 Engineering and Design. The address is 92 Park Avenue
8 in Rutherford, New Jersey. I'm a licensed professional
9 engineer and professional planner in the state of New
10 Jersey.

11 I'm a recognized professional traffic operations
12 engineer by the Institute of Transportation Engineers,
13 uh, which requires both an examination and experience.

14 Been before this board and over 150 other boards
15 in the state of New Jersey. Uh, specifically as it
16 relates to this application, I've worked on over three
17 dozen, uh, fast food type operations, uh,
18 applications, uh, and I think for this application
19 I'll primarily be discussing, uh, traffic engineering
20 as it relates to the operational testimony we just
21 heard.

22 MR. JOSEPH: I would ask that the board, uh,
23 accept Mr. Seckler's qualifications.

24 MR. LAQUAGLIA: Yeah, [inaudible] we accept him,
25 Mr. Joseph.

1 MR. JOSEPH: Thank you. All right, Matt. So you -
2 - you heard all of, uh, Tim's testimony, correct?

3 MR. SECKLER: Yes, I have.

4 MR. JOSEPH: Okay. Let's supplement some of that
5 with, uh, some traffic testimony and then there were
6 some questions from the public and from the board that
7 we'll repeat again, um, for you.

8 MR. SECKLER: Yes. And obviously my goal here is
9 not to, uh, retestify to I think the four or five
10 hours that my associate John had testified here. I
11 know the board's heard a lot of traffic testimony up
12 to this point.

13 But I just want to break down this application,
14 uh, basically into three parts and summarize, uh, the
15 traffic aspects of the -- of this project.

16 One is traffic impacts on the adjacent roadway
17 network along Broad Street and the kind of traffic
18 operations that are experienced during the school
19 periods, off school periods, weekends.

20 Uh, secondly, I'll summarize the onsite
21 operations. Again, more about parking and turnover of
22 the spaces. And then lastly, uh, I would say more of
23 the operational testimony which kind of, uh, taking a
24 traffic engineering spin on the information that you
25 just heard.

1 Um, as it relates to, you know, the impacts
2 along Broad Street and I would say, you know, off the
3 site, uh, you again heard extensive testimony from my
4 associate, John Corack [ph] um, regarding the various
5 traffic counts that were performed, uh, in and around
6 this, uh, project site.

7 I would, um, remind the board that what we are
8 seeking is a permitted use. One that is, uh, obviously
9 contemplated within the, um, uh, governing body's
10 zoning ordinance and I obviously would have left it up
11 to John McDonough, uh, to explain, you know, what
12 traffic impacts from permitted use is, uh, and offsite
13 intersections, uh, relates to in terms of what the
14 board should consider.

15 Uh, that said, uh, the analysis that we showed,
16 uh, included, and I think this is a key part to kind
17 of, uh, correlate what we just heard from the previous
18 expert and the traffic testimony you heard previously
19 is that all our analysis was based on the ITE trip
20 generation manual data.

21 And what that is, is a, um, is a, um, uh,
22 database that includes traffic impacts and trip
23 generations for all different types of fast food
24 restaurants.

25 So as opposed to the witness that you just heard,

1 which was very specific to Taco Bell, Wendy's and a
2 non-drive through environment, the data that we
3 utilized for our analysis included, um, fast food
4 restaurants that ranged, uh, you know, Popeye's, Chick
5 Fil A, McDonalds, Burger King, uh, Chipotle, you name
6 it.

7 So the analysis that we included, uh, that we
8 performed included trip generation rates that were
9 higher than the -- than the values that you heard from
10 the previous witness, which was previous -- was
11 specifically Taco Bell's, Wendy's, what they expect at
12 this specific site.

13 So in terms of the analysis that was performed
14 and to remind members of the board or the public that
15 may have not been in earlier hearings, that included
16 analysis, uh, that took place, um, during various
17 times of day.

18 Um, we looked at, uh, times of day that included
19 your, um, your weekday, uh, morning peak hour, your
20 weekday midday peak out, so your lunchtime, your
21 weekday evening peak hour, your dinnertime, and then
22 your Saturday middays. So your Saturday lunchtime time
23 periods.

24 So we did analysis that looked at the offsite
25 intersections, um, including that school dismissal

1 period for the trip generation rates that were
2 significantly higher than what you just heard from the
3 last witness.

4 So if there is concerns, what if it's 20 percent
5 higher, 30 percent higher, 40 percent higher than what
6 the last witness said in terms of traffic impacts,
7 that was covered within the traffic studies that were
8 provided, that your, um, um, reviewing traffic
9 engineer has -- has reviewed.

10 And again, I don't want to retestify to the five
11 hours of testimony, so again, I would somewhat defer
12 to your, uh, board's traffic engineer, um, you know,
13 in terms of hearing from their side what they felt
14 about the analysis we prepared.

15 But I could state that based on the driveway
16 design that we have, based on the trip generation that
17 we are, um, that we projected using the higher
18 numbers, that they'll not be a significant negative
19 impact on the offsite roadway network.

20 Secondly, summarizing the onsite operations, and
21 this is where we heard, uh, earlier testimony about
22 the parking spaces on site. Um, again, this is an
23 application that is not seeking a parking variance.

24 Uh, we exceed the number of parking spaces that
25 are required, which based on your ordinance is based

1 on the number of seats.

2 As you could imagine, uh, even the -- even the
3 Friendly's that previously, uh, was on this site
4 earlier, uh, people dwelled in that type of restaurant
5 much longer than they would dwell in the operations of
6 a fast food restaurant type use.

7 Specifically one that we've now seen this
8 industry shift. We've seen, uh, uh, up to, you know, I
9 think the numbers were around almost 50 percent, 46
10 percent is delivery drivers. Um, you know, it --
11 clearly these parking spaces are not long dwell
12 parking spaces.

13 Um, which again, is -- is different than, you
14 know, some of the more traditional sit down
15 restaurants like the Friendly's that was previously on
16 the site.

17 Um, that said, again, we are not seeking a
18 parking variance, but I also believe that this
19 parking, uh, lot can accommodate the expected in and
20 out flow of those delivery drivers, mobile pickup
21 order customers, uh, the occasional sit down, uh,
22 customers as well as the, you know, walk-ins that are
23 just placing their order on the kiosk or at the, uh,
24 or at the, uh, um, counter and leaving the site.

25 I think the key aspect here is you heard, uh,

1 actually I think it was your board's, um, uh,
2 attorney, counsel, that talked about how many times
3 these customer parking spaces can be turned over in a
4 single hour.

5 Again, if, you know, even if we take a
6 conservative dwell time of a five minute customer,
7 that someone's parking space is occupied for five
8 minutes, um, you know, the 29 parking spaces would
9 basically each turn over 15 times an hour, um, sorry,
10 uh, 12 times an hour, which would be about 350
11 customers could be served out of those 29 parking
12 spaces.

13 Now, again, not every 29 parking spaces will be
14 occupied. Not all of them will be for customers. Some
15 will likely be for employees.

16 So again, even if we took a lower number there,
17 you're still talking about, you know, 300, 250 times,
18 uh, in an hour can one of these parking spaces be
19 utilized, um, in this lot for customers.

20 And you heard the trip generation rates that
21 they're expecting are significantly lower. Even the IT
22 numbers that account for some of those, I'd say, um,
23 uh, more popular or -- or busier stores like those
24 Chick Fil A's, uh, even those wouldn't even be half as
25 many, um, uh, customers, uh, than what this parking

1 lot could accommodate.

2 Uh, in addition, uh, as was testified to
3 previously, parking spaces are designed adequately,
4 uh, in terms of their dimensions and the, uh, aisle
5 widths are designed appropriately and just
6 reemphasizing this is a right in, right out driveway.

7 Uh, in the traffic engineering industry, that is
8 the easiest movement to make. Um, you know, it does
9 not cross any lanes of flowing traffic. Uh, and -- and
10 that is the driveway arrangement that currently exists
11 in the site today and will be maintained as part of
12 this proposed development.

13 Lastly, the third piece of summary, which is
14 basically, um, uh, kind of harkening back to the
15 testimony you just heard from the operator, um, that
16 is really the -- you know, the missing piece that kind
17 of connects how and why we think this site will
18 operate efficiently.

19 And that is the extreme shift towards delivery
20 service or mobile ordering. Uh, one of the earlier
21 witnesses asked isn't this like, you know, how come it
22 takes so much longer when you're at a McDonalds drive
23 through or something like that.

24 And that is because at those places, you're
25 placing your order at the site. So you're getting to

1 the window, you're placing the order and that's when
2 they have to basically start -- start the process.

3 Here, we've cut out that whole piece. There's no
4 cash transaction for the mobile -- for the mobile
5 pickups. There's no credit card transaction for the
6 delivery drivers. They literally are just walking in
7 or walking to the window, grabbing the -- the bag that
8 has the person's name on it and getting back to their
9 car.

10 There's no, uh, there's no reviewing the order.
11 There's no, uh, making change. There's no waiting for
12 someone to sign the -- the signature slip. All that
13 has been taken care of prior to it.

14 So again, it's a much more efficient operation,
15 uh, than even, you know, what 10 years ago fast food,
16 uh, operators were -- were pushing out of these sites.

17 So overall, um, what you have here is a site that
18 I think has been designed for efficiency being the
19 key. The two -- the two, uh, outside pickup windows
20 that have no cash register, there's no credit card
21 machine. There's no transaction being made at those
22 other than pick up the bag and go.

23 Inside the store, you saw the efficient model
24 where you have the kiosks inside so that you can even
25 have four people placing orders at once when in the

1 old days, you may have four people standing there
2 waiting in line for the person at the counter to make
3 the order, put it in the system, make the change and
4 then go to the next person in the line.

5 That's -- that's a thing of the past. You could
6 have these people kiosk four at a time. Seeing that
7 your order is, uh, being made exactly as you want. If
8 you don't want tomatoes on your -- your -- your taco,
9 it's not on there and it's being made very
10 efficiently.

11 So again, that's really, from a traffic
12 engineering perspective, how the operations work is
13 that it gets people in and it gets them out of that --
14 in -- out of their car, into the site, back to the car
15 and out of the site in as fast a process as possible
16 using those right in, right out driveways along Broad
17 Street.

18 So again, I -- I don't want to reopen four and a
19 half, five hours of testimony that's previously
20 provided. The hours of data that our -- our team has
21 collected in terms of counts, uh, at the nearby
22 intersections during the school periods, during the
23 weekends.

24 All that has been put on the record. Um, and
25 again, I'd be happy to answer questions that are, you

1 know, uh, specific to that, uh, but again, I -- I just
2 want to emphasize that this is a site that is not
3 seeking a use variance.

4 It's permitted use. Not seeking, um, uh, a
5 parking variance. We have sufficient parking. And the
6 onsite design has been designed meeting the typical
7 industry standards in terms of dimensions.

8 MR. JOSEPH: Thank you, Matt.

9 MR. LAQUAGLIA: Are we all online? Everyone's
10 breaking up a little bit. Are you still there, Mr.
11 Joseph?

12 MR. JOSEPH: I'm here.

13 MR. LAQUAGLIA: Okay.

14 MR. JOSEPH: Uh, can you hear me okay?

15 MR. LAQUAGLIA: [inaudible] fine, I just had a
16 little static there.

17 MR. JOSEPH: Yeah, no worries. Um, so that --
18 that's, uh, Matt's direct testimony. Obviously, um,
19 I'm sure there's questions.

20 MR. LAQUAGLIA: I'm sure. Are there any questions
21 from the board for Mr. Seckler? Uh, Mr. Lasek.

22 MR. LASEK: Uh, yeah, just -- just kind of a
23 point maybe not really a question, but we have a --
24 it's a right in and a right out. Um, in order for that
25 to be enforceable, um, wouldn't you agree that we

1 would need an ordinance in order to make, um, the --
2 those movements enforceable?

3 I don't believe there's one there now.

4 MR. SECKLER: Yeah, I don't know if Title 39 had
5 previously been provided and that's the typical
6 ordinance that allows for police enforcement. Again, I
7 would defer to our counsel, but in most other
8 applications I don't know of any concern, uh, with
9 providing that to the municipality and the police.

10 MR. LASEK: Okay, so all right, just as long as
11 the applicant is agreeable to a condition that an
12 ordinance be, uh, you know, placed for that type of
13 situation. Uh, that's the only question I have at this
14 point.

15 MR. JOSEPH: The applicant would -- would be
16 agreeable to that.

17 MR. LASEK: Thank you.

18 MR. LAQUAGLIA: Councilwoman Mundell?

19 MS. MUNDELL: Thank you, Chairman. Uh, I'm also
20 wondering if the applicant would be amenable to
21 hiring, uh, police, like, uh, like a police presence
22 to help with, uh, like ensuring that this is enforced?

23 Um, and that the traffic is flowing
24 appropriately. Uh, we've done that at -- I know we've
25 talked before about McDonalds on Broad Street, uh,

1 during this application and that's what we've -- we've
2 done with them to help alleviate some of the traffic.

3 MR. JOSEPH: Yeah, the applicant would be, uh,
4 would be amenable to that. I would want, um, I don't
5 know if it would be with Mr. Rubin or -- or township,
6 uh, attorney to review some of the details of that.

7 Um, whether this is a temporary thing or it's
8 something we revisit every, you know, however many
9 months or -- or something like that.

10 I would be hesitant, um, to recommend my client
11 to agree to just an indefinite, um, you know, paid
12 police, uh, present on -- on the site without some
13 type of periodic revisiting to see what the actual
14 traffic situation --

15 MR. RUBIN: We'd have to determine the hours that
16 that would be necessary.

17 MR. JOSEPH: [inaudible]

18 MR. RUBIN: Councilwoman, if you don't mind me
19 just stepping in for a minute, I would think we would
20 need a police officer if we do approve this, however
21 it goes, uh, from the 7:00 a.m. to 9:00 a.m. period
22 and 3:00 to 6:00 p.m., um, and I would also have to
23 say that it should be under the guidance of our police
24 director and run by our own police department.

25 And be revisited, I would think, maybe every

1 whatever timeframe we come up with. I would leave this
2 up -- something like this up to the police director or
3 his traffic people and let them determine how often.

4 But you're all right, Mr. Joseph, of course it
5 would have to be revisited occasionally, um, just to
6 see how things are working out and if it could be
7 loosened up or if he feels that a police presence is
8 even more necessary at more time, would your client
9 also be agreeable to that?

10 MR. JOSEPH: Of course, right? So I think the
11 concern of the board is that the -- these traffic
12 numbers are a lot higher than -- than kind of what
13 we're anticipating, right? So if -- if after, let's
14 say, um, I'm just going to make up numbers.

15 But for first three months we agree to have the
16 police presence there, Bloomfield's police department
17 arranges it. After three months, we revisit it.

18 MR. RUBIN: Yeah.

19 MR. JOSEPH: If it's much lower than anticipated,
20 it could be -- I would recommend it'd be something
21 that goes away at that point. If it's higher, then we
22 would have to obviously talk about extending that and
23 -- and seeing what that looks like.

24 MR. RUBIN: I would leave that in the hands of
25 our police department.

1 MR. JOSEPH: And --

2 MR. RUBIN: I mean, if and what has to be done.

3 MR. JOSEPH: Would absolutely, um, yeah, be happy
4 to work with the police department on that.

5 MR. RUBIN: Okay. Does that answer your question,
6 Councilwoman?

7 MS. MUNDELL: It does. I'm also wondering, Mr.
8 Rubin, if you were requesting those hours so that you
9 could include it in any sort of stipulations for this
10 application, I would also add 5:00 to 7:30 based on
11 the prior testimony of, uh, when the peak hours are.

12 MR. RUBIN: There's overlap between the 3:00 to
13 6:00 and the 5:00 to 7:30.

14 MS. MUNDELL: Right, so it'd be 3:00 to 7:30, I
15 guess, right?

16 MR. LAQUAGLIA: Oh, 3:00 to 7:30.

17 MS. MUNDELL: Right.

18 MR. LAQUAGLIA: Oh, I see what you're saying.
19 Yeah. Is that agreeable, Mr. Joseph, 3:00 to 7:30?

20 MR. JOSEPH: Uh, I have to -- I'd have to confer
21 with my client. That should not be an issue, though.
22 Um, I'll -- I'll get that answer before we, you know,
23 shortly. Shortly I'll get that answer.

24 MR. LAQUAGLIA: Councilwoman, 7:00 a.m. to 9:00
25 a.m., that should suffice the morning rush hour and

1 the school, actually. [inaudible] schoolchildren
2 coming in and out.

3 MS. MUNDELL: I think that's why you would need
4 the 3:00 also, right? So and then I --

5 MR. LAQUAGLIA: 3:00, that would also include the
6 -- the, uh, getting out of the children too.

7 MS. MUNDELL: Yep.

8 MR. LAQUAGLIA: So 3:00 to -- 7:00 to 9:00 in the
9 morning, 3:00 to 7:30 in the evening. Okay, any other
10 questions, Councilwoman? No.

11 MS. MUNDELL: That's it, thank you.

12 MR. LAQUAGLIA: Uh, any other questions for the
13 traffic engineer? I see no -- Amanda, do you see any
14 hands? Uh, yeah, Councilwoman, go ahead.

15 MS. MUNDELL: I did. I had asked before if we
16 could get some clarification on the discrepancy in
17 numbers, um, I think between what your operations
18 expert had testified to and then what your traffic
19 experts had, uh, testified to as well.

20 MR. LAQUAGLIA: Yes, you did, yes.

21 MR. SECKLER: So, and again, I tried to say it in
22 my testimony, because I was anticipating it listening
23 to the questions or the comments earlier. So our
24 analysis and our trip generation numbers were a global
25 fast food type restaurant user.

1 So again, it gets mixed in with users like Chick
2 Fil A, McDonalds, things that have much higher levels
3 of trip generation.

4 For instance, the traffic study that we testified
5 to earlier, included, um, you know, depending on the -
6 - the hour of the day, some hours had 70 customers an
7 hour. Some hours had 120 customers an hour.

8 So our trip generation, the analysis that your
9 traffic engineer has, I'm sure pored over for hours
10 and hours, included that much higher trip generation,
11 which again, to me, hopefully gives the board some
12 comfort that if things are busier than what the last
13 witness said, that what we've reported from a traffic
14 engineering point of view has accounted for that.

15 MR. RUBIN: Mr. Seckler, your -- your -- your,
16 uh, colleague introduced Exhibit A7.

17 MR. SECKLER: Yes.

18 MR. RUBIN: Which is a trip shown on a graph,
19 which I -- my notes reflect work with applicant on
20 accounts. Taco Bell North Amboy, Wendy's Short Hills.
21 Pickup only [inaudible] drive through and that's where
22 those numbers came for.

23 They were not ITE numbers and I think those are
24 the numbers that the councilwoman is asking about.

25 MR. SECKLER: Okay, yeah. I was referring to the

1 numbers within the traffic studies that we had
2 prepared, um, which for instance, table six in that
3 has numbers of, um, 70 trips -- uh, 70 customers and
4 the lunch period during the week, 120 customers in the
5 Saturday period during the week.

6 So again, when I was referring to, um, when I was
7 referring to those level of numbers, it was that and,
8 um, not, I believe, what you're referring to, which
9 was A -- what was your number again? Four or seven?

10 MR. RUBIN: A7. A7 showed that there would be 92
11 trips in and out in the peak half hour and that was
12 A7, which were -- the one I just labeled it trips
13 shown on a graph. I don't know much more than that
14 what it was.

15 MR. SECKLER: Okay.

16 MR. RUBIN: I don't have a -- I'm not sure I even
17 have a copy of it.

18 MR. SECKLER: Yeah. I've got to see if I have,
19 uh, a copy somewhere on my file system here to share,
20 but again, I -- what I could testify to is that in the
21 submitted reports. Again, we had, you know, up to 120
22 trips in the -- in the Saturday busiest hour. Um, and
23 again that's --

24 MR. RUBIN: But this is -- this is 92 trips in a
25 half hour.

1 MR. SECKLER: Right.

2 MR. RUBIN: You're talking -- you're talking
3 about 60 trips in an hour and a half and that's the
4 discrepancy that I think the members of the board are
5 -- are questioning.

6 MR. SECKLER: Understood, yes. Um, and again --

7 MR. INTINDOLA: Mr. -- Mr. Rubin?

8 MR. RUBIN: And that data was not based on ITE,
9 at least according to my notes, it was based on actual
10 counts from facilities, um, like I said, a Taco Boy in
11 North Amboy and a Wendy's in Short Hills. That's what
12 my notes reflect.

13 You know, I'm -- I'm usually a pretty good
14 notetaker, but you know, I don't know how accurate
15 that is.

16 MR. SECKLER: Right. Uh, hold on, I'm trying to
17 pull it up in my system.

18 MR. INTINDOLA: Mr. Rubin?

19 MR. LAQUAGLIA: Mr. Intindola?

20 MR. INTINDOLA: Yes. That 92 refers to the
21 spreadsheet that the applicant submitted that went
22 through, um, a Taco, uh, Bell, Wendy's and then
23 combined. And that's what the data sources that, um
24 Mr. Corack had intimated that when we asked for that,
25 what would be the different splits.

1 So, Mr. Seckler, that's what the board is
2 reconciling. The testimony tonight and then there was
3 one half hour period that had a total of 92.

4 MR. JOSEPH: Right, okay. I just sent that over
5 to you, Matt. The -- the second email I sent you has -
6 - is filled in. The first one I sent you is just
7 blank.

8 MR. SECKLER: Okay.

9 MR. INTINDOLA: And then that -- and then that
10 spreadsheet was further vetted by operations, which --
11 what the board asked for in the last hearing. So I'll
12 leave it at that.

13 MR. LAQUAGLIA: Wait a minute, gentlemen, wait a
14 minute. Mr. Enos testified that we were anticipating
15 60 in an hour and a half window.

16 MR. INTINDOLA: Correct.

17 MR. LAQUAGLIA: But now you gentlemen are
18 agreeing the possibility of 92?

19 MR. RUBIN: No, no, all that -- Mr. Chairman, all
20 we're -- all the -- the councilwoman is asking is they
21 -- they presented an exhibit, A7, which showed in one
22 particular peak half hour there would be 92 trips.

23 MR. LAQUAGLIA: Right.

24 MR. RUBIN: In and out. So then a total of 92
25 customers would be in and out of that site in that

1 half hour.

2 MR. LAQUAGLIA: In a half hour, yeah.

3 MR. RUBIN: The only thing that -- that the
4 question is, is asking them to reconcile the
5 information that was provided at the previous hearing
6 and the -- and the data that was provided with the
7 testimony that was given today.

8 MR. LAQUAGLIA: Yeah, but Mr. Rubin, one point
9 they're saying 92.

10 MR. RUBIN: Well, that's why we're -- Mr.
11 Chairman, that's what we're asking.

12 MR. LAQUAGLIA: [inaudible] half hour.

13 MR. RUBIN: We're asking them to explain that
14 discrepancy. That's all we're asking to do.

15 MR. LAQUAGLIA: That's a very big discrepancy.

16 MR. RUBIN: We're asking [inaudible] to explain
17 [inaudible]. That's what we're asking them to do.

18 MR. LAQUAGLIA: Okay. Do we have an answer for
19 that, gentlemen? [inaudible]

20 MR. SECKLER: Yeah. So it appears to me that the
21 differences could be, I would say site specific. Um, I
22 believe that the range of, you know, such a high range
23 probably relates to, um, data that the operations
24 person may have been looking at stores that may be in
25 a more, I'd say, urban area. Some of these other

1 stores, I would say, highway sites. Um, highway sites
2 because of the nature of having higher pass-by traffic
3 may have generated higher levels of trips.

4 So again, the data that we, uh -- that my
5 associate provided at the earlier hearing with 92.5
6 hour period, uh, I believe is for, I would say, more
7 highway sites versus, um, I would say more -- I'm
8 going to say urban or lesser, uh, arterial roadway
9 sites.

10 MR. LAQUAGLIA: That's not --

11 MR. SECKLER: Um, obviously, the --

12 MR. LAQUAGLIA: Mr. Seckler, that's not how it
13 was presented the last time. As I said, the Taco Bell
14 is in North Amboy, and the Wendy's was in Short Hills.

15 MR. SECKLER: Yeah. I think the Short Hills one
16 is on, uh, probably State Route 124 is my guess. Um,
17 and I think the --

18 MR. LAQUAGLIA: Do you know that's -- that -- do
19 you know that's a busier road than Broad Street?

20 MR. SECKLER: Um, I don't know specifically the
21 traffic volumes on both of those roads. I do know it's
22 right next to the, uh, access point for Route 24.

23 MR. LAQUAGLIA: Okay. Um, Councilwoman, I don't
24 know if that answers your question. Because I, uh --
25 it's very confusing to me. It seems like we're --

1 MS. MUNDELL: I'm not sure it answers my
2 question. But I think they attempted to answer the
3 question. So we'll -- we'll roll with it and consider
4 it later.

5 MR. LAQUAGLIA: It will -- yeah. It's in
6 consideration, of course. Uh, hey, board, any other
7 questions from the board? I don't see any hands.
8 Amanda, do you see anybody raising their hands --

9 MS. WATERS: Not -- not from --

10 MR. LAQUAGLIA: -- from the board?

11 MS. WATERS: Not from the board.

12 MR. LAQUAGLIA: Okay. I'm going to open this up
13 to the public. Again, it has to be a question, and
14 only as to what Mr. Seckler testified. I don't know
15 who's first. So, Kevin Edwards, I see you to my right.
16 Uh, ask -- identify yourself and ask your question,
17 sir, and your address.

18 MR. EDWARDS: Uh, Kevin Edwards, 55 Collins
19 Avenue.

20 MR. LAQUAGLIA: Yeah. Okay.

21 MR. EDWARDS: Um, I -- the first question I had
22 was just a confirmation on these numbers that we were
23 talking about. Um, it sounded like the -- he confirmed
24 that the analysis used 92 trips per half hour, is what
25 it sounds like that --

1 MR. SECKLER: What I could confirm is the traffic
2 studies in which we performed the lay analysis,
3 queuing analysis, you know, getting in and out of the
4 site, in front of the site. That was utilizing the ITE
5 numbers. Those were, uh, 100 and -- approximately 120
6 customers over an hour. Typically in traffic
7 engineering, we look at a hour period, uh, as the --
8 as the measured period.

9 MR. EDWARDS: Okay. So then -- so the ITE numbers
10 gave 120 trips per hour, and based on, uh, Mr. Tim
11 Enos's testimony, it sounded like they had site
12 specific information that was about 120, so 60 and 60
13 per hour and a half. Then --

14 MR. SECKLER: I think I might've lost connection
15 for a se- --

16 MR. LAQUAGLIA: Repeat the question, Mr. Edwards.

17 MR. EDWARDS: I just wanted to confirm that the
18 numbers that we're comparing, or the -- the 120, uh,
19 from the ITE should be compared to the 120 per hour
20 and a half that Mr. Tim Enos had presented previously.

21 MR. LAQUAGLIA: One-twenty per three hours.

22 MR. EDWARDS: For three hours?

23 MR. LAQUAGLIA: That's what Mr. Enos testified
24 to.

25 [talking over each other]

1 MR. LAQUAGLIA: It's 60 per -- it's 60 per hour
2 and a half.

3 MR. SECKLER: That -- that's correct.

4 MR. EDWARDS: Sixty per hour and a half. But I
5 thought it was 60 per hour and a half per restaurant.

6 MR. LAQUAGLIA: No. The total site was what he
7 testified to.

8 MR. EDWARDS: Okay -- okay. Thank you for
9 clarifying.

10 MR. LAQUAGLIA: You done with your question? Uh,
11 does that answer you?

12 MR. EDWARDS: That answers, uh -- I -- like I
13 said, I -- I was just trying to confirm which numbers
14 --

15 MR. LAQUAGLIA: Uh, your hand's still up. That's
16 why I'm looking at.

17 MR. EDWARDS: Yes.

18 MR. LAQUAGLIA: All right. Ms. Steffen, again,
19 identify yourself and your address.

20 MS. STEFFEN: Yes. I'm Jane Steffen, 40 Ernst
21 Avenue. Um, I just want to reiterate my previous
22 question, as it was not answered in this portion by
23 the, um, presentation on the traffic study.

24 That it would be, uh, appreciated if we were
25 presented with the mode, um, that would show the

1 number of -- in the data, right, a mode, while the
2 average is the average, or -- a mode is, what is the
3 most common number that shows up in a data set.

4 So if we're looking at -- and -- and, of course,
5 how long is your data set? So if you're saying, this
6 is the average that a business does, what is your
7 mode? So over the course of a month, what number pops
8 up most often that kind of takes out those outliers of
9 days where you have pour business? Say, a Thanksgiving
10 where people are not running to, uh, take-out, one
11 hopes.

12 MR. LAQUAGLIA: Just [inaudible] --

13 MS. STEFFEN: So I -- if that could be --

14 MR. LAQUAGLIA: -- question.

15 MS. STEFFEN: -- provided to us, that -- I -- I
16 would appreciate if -- if that. And then my second
17 question is --

18 MR. LAQUAGLIA: Well, you know, Ms. Ste- -- Ms.
19 Steffen, let's do one at a time. Okay?

20 MS. STEFFEN: Sure.

21 MR. LAQUAGLIA: Mr. Seckler, can you answer that
22 question?

23 MR. SECKLER: Yeah. So the ITE data is a
24 collection of, uh, points that are collected at sites
25 all throughout the United States. Um, and for

1 instances, some of these data sets include 70, 80
2 studies, and basically, we take the average. So I
3 understand it's not the mode. But the idea is that
4 when you have a data set potentially that la- -- that
5 large, you're eliminating some of the noise by taking
6 the average.

7 MS. STEFFEN: Mm-hmm.

8 MR. SECKLER: Uh, I would also say that, um, as
9 traffic engineers, we would never -- not that I --
10 wouldn't even be able to get staff. But we would never
11 do a count like that on Thanksgiving. We don't -- we
12 do typical days.

13 So if there's a snowstorm and it's a bad day, or
14 if it's a -- you know, uh, a rain that causes peoples'
15 travel patterns to be different, we wouldn't collect
16 the data on those type of days. So again, I don't have
17 the specific mode. But again, with data sets that
18 large, I believe that some of that noise, um, would
19 eliminate itself.

20 MS. STEFFEN: Thank you. I think that because you
21 guys are using two, um, quite disparate data sets to
22 make similar yet different arguments about this, it
23 would be helpful to understand the mode of the data
24 that was presented in the previous. Um, and so I
25 understand it would not be available from you.

1 And that leads to my second question. Am I to --?
2 This is something new for me as a citizen in town, so
3 I apologize if this is not appropriate. But am I to
4 understand that these two presentations are on the
5 behalf of the same person, and should be presenting
6 data that is congruent because they're making a single
7 argument about the -- the appropriateness of the site?

8 Just because as a -- as a listener, it's very
9 hard to square that the math has all of this disparate
10 numbers. So I'm just making sure that you guys are
11 presenting for the same, uh, thing, working together.

12 MR. JOSEPH: I -- I just -- I want to repeat and,
13 uh -- and be clear again. Tim is an operations --

14 MR. LAQUAGLIA: Uh, Mr. -- Mr. Joseph is
15 answering, Ms. Steffen.

16 MR. JOSEPH: Yeah.

17 MR. LAQUAGLIA: For the record.

18 MR. JOSEPH: So -- so Tim is an operations vice
19 president. He was not tra- -- testifying as a traffic
20 engineer, he was not presenting a mathematical
21 formula. He was presenting based on his -- his
22 experience, and we talked a little bit about his
23 experience before he started presenting. His -- his
24 experience, um, as -- working for operations for --
25 for the franchise and the corporate end, and for

1 individual owners.

2 It -- it's not -- he didn't go out and collect
3 traffic data in the same way that traffic engineers
4 did. He's not a licensed professional, so he's not
5 required to present data in -- in a structured way.
6 That gave a lot of testimony on -- on the traffic
7 data. I also -- that -- the data is -- from that
8 source is also somewhat old. Correct? Hasn't been
9 updated in --

10 MR. SECKLER: Correct. I mean, the -- the data
11 sets, um, the last version was 20- -- uh, or probably
12 2020. Uh, and the data is just added onto one another.
13 So there could be data from 1989, 1993 basically just
14 added on to the -- create this larger data set.

15 MR. JOSEPH: So a- -- as a licensed traffic
16 engineer, you're required to do certain best
17 practices, and present things in a certain way, and
18 prepare your data in a certain way. And Ti- -- Tim is
19 not -- I do not want anybody to get the impression,
20 this is very important to me, that -- that Tim is an
21 expert in -- in traffic, or an expert in any field. We
22 did not qualify him as an expert. He spoke as a
23 representative of ownership and operations.

24 MS. STEFFEN: But the -- you both represent the -
25 - the ownership of -- and that's just -- that was my

1 question. And then my --

2 MR. JOSEPH: Correct.

3 MS. STEFFEN: That --

4 MR. SECKLER: And -- and I would say that, you
5 know, I have to put my name on a report, it needs to
6 be data that I find, as a traffic engineer --

7 MS. STEFFEN: Yeah.

8 MR. SECKLER: -- to be my level of quality.
9 Again, uh, you know, we may have the same client, but
10 I wouldn't testify to something that I -- in my -- you
11 know, that I didn't collect using the sources that my
12 industry, uh, requires.

13 MS. STEFFEN: Absolutely. And thank you for that.
14 And my last question to you is -- and perhaps this is
15 not developed because of the shift in the industry.
16 But what is the drive-through dwell time estimated to
17 be versus an Uber Eats dwell time? Because we know
18 that's separate and different from dwell times in the
19 lot, um, of, you know, folks going in to dine in a
20 restaurant.

21 MR. SECKLER: When you -- did you say dine-in or
22 drive-through?

23 MS. STEFFEN: So what would be -- if you're
24 looking at what is the dwell time of a drive-in.
25 Right? Because we're not proposing a drive-in, and

1 you're -- and we're not saying there's a drive-in,
2 because that's not, you know, allowed.

3 But functionally, what is the dwell time of a
4 drive-in, and what is the dwell time of an Uber Eats,
5 or, you know, some other similar, um, service that is
6 anticipated to be 60 percent of the business? And is
7 that, you know, incorporated into the data sets,
8 effectively, that you're using, given the shift in
9 this industry?

10 MR. SECKLER: So what I could say is that I
11 believe the operator testified that the delivery dwell
12 time is about two minutes. From doing other drive-
13 throughs, and again, just to reiterate, we don't have
14 a drive-through window, that's not how the operations
15 work here.

16 But from when you -- when, you know -- for
17 similar sites, from when you would place your order to
18 when you pick up your order, it could be anywhere from
19 three to six minutes. Now again, that's not taking
20 into account if you're the third person waiting to
21 make the order, the -- that additional dwell time.

22 But that is what it would typically be if you
23 place an order at a -- you know, let's say a, uh,
24 competitor, at a Burger King, a McDonald's, at the --
25 you know, the speaker, and how long it would take for

1 you to get to the point to -- to pick up. I don't know
2 if that answers the question you were looking for. But
3 that, just factually, is how those two set -- two
4 things operate.

5 MR. JOSEPH: And, Matt, that -- that includes
6 ordering and paying for your order, in addition to
7 picking up the food. Whereas the situation like what
8 we have is just picking up the food.

9 MR. SECKLER: Yeah. It's -- it's, you park the
10 car, you walk in, you say, you know, I got a order for
11 John, or I got order 32, hand you the bag, you walk
12 back to the car, you start the car, and you leave.

13 MS. STEFFEN: And -- and the follow-up was, have
14 your data sets that you use to develop and -- and
15 execute this traffic study, how much of that looks
16 into and has measured this new industry and this new
17 model that is being proposed for this site?

18 MR. SECKLER: Unfortunately, the data set hasn't
19 been fully updated, I would say, for this specific
20 model. Again, that's, uh, you know -- I -- you know,
21 there are traffic engineers, like myself, who are
22 solely collecting data. Uh, it has to go through a
23 review process by the national, um -- uh -- uh,
24 actually international boards, uh, before it gets
25 released as, you know, this being either a new type of

1 land use, or a new type of operation.

2 MS. STEFFEN: Okay. So again, you guys are
3 looking at this as a new type of land use and a new
4 type of operation, so it's not necessarily there.
5 Thank you so much. I appreciate that. And I'm sorry I
6 spo- --

7 MR. LAQUAGLIA: Ms. Steffen, thank you. Okay.
8 Where are we at here now? Uh, Mr. Aria -- Mr. Aria?

9 MR. ARIA: Thank you, Mr. Chairman. Uh, couple of
10 quick questions for Mr. Seckler. How many of your
11 analysis, how much of your analysis was done for,
12 like, the traffic study, what population is for
13 elementary schools? So within your traffic study, what
14 percentage of your traffic study represents fast food
15 locations adjacent to an elementary school?

16 MR. SECKLER: Um, think of which other ones may
17 have been adjacent to an elementary school. I am sure
18 we have worked on other fast food operations next to a
19 elementary school. Nothing comes to mind this second.
20 But, uh, as I sit here and testify, I'll try to think
21 of another one.

22 MR. LAQUAGLIA: Do you have another question
23 while Mr. Seckler is checking, Mr. Aria?

24 MR. ARIA: Yes. My second question would be that
25 since this is a right exit only, when traffic is

1 flowing down Broad Street, and there is no left turn
2 possible into the Taco Bell, proposed Taco Bell,
3 Wendy, was there any traffic study conducted from
4 Morley Lane and Macleod Lane for folks that would
5 actually make a left turn onto Morley, and then drive
6 around, get onto Macleod to make -- to be able to make
7 that right turn into the Wendy's, Taco Bell?

8 So what is the impact from the traffic study on
9 those two streets? And what is the analysis from them?
10 Do we have anything conducted to see the impact on
11 adjacent streets?

12 MR. SECKLER: Yes. We did do counts at Morley,
13 uh, as well as Macleod. Uh, those counts were done
14 most recently in November. Um, we did route, you know,
15 the -- you know, uh, a level of cars making that
16 maneuver, uh, that would not significant- -- what we
17 found is it would not significantly change the delays
18 that would be expected.

19 It would be a minimal amount if that does occur,
20 um, and there was sufficient capacity for those
21 movements. So we did counts most recently, uh, I
22 believe it was Wednesday, November 16th, um -- uh, in
23 order to account for, I think, that suggestion that
24 may have come up in an earlier hearing.

25 MR. ARIA: Okay. I'm -- I'm pretty sure it was

1 covered. So I won't -- my only next question would be,
2 was this study conducted during pick-up and drop-off
3 hours when parents are dropping off their kids, and
4 picking up their kids, where there's excess flow? Now,
5 thank you. Then I'll get onto the last question after
6 this.

7 MR. SECKLER: And I would just answer, the -- so
8 we did it from 7:00 to 9:00, and then 2:00 to 7:00. So
9 it included, you know, your -- your scho- -- school
10 drop-off, school pick-up, and then just your normal
11 evening rush hour.

12 MR. ARIA: And how many days were conducted?

13 MR. SECKLER: That was a single day. Typi- -- and
14 what we found is that the counts that we conducted on
15 that day were similar to the counts that we had
16 conducted previously, um, at the other intersections
17 that are nearby in terms of the -- the volume along
18 Broad, um, you know, was consistent, uh, with the
19 other days that we had done counts.

20 MR. ARIA: And statistically, one day is
21 significant population to make a de- -- to derive that
22 it is an adequate representation of the traffic flow?

23 MR. SECKLER: Yes. And because we were able to
24 look back at the Broad Street volume, and compare it
25 to the other days that we've done counts, and the days

1 that the DOT and the county has done counted -- counts
2 in the past, then basically using that as our -- our
3 checkpoint, we were able to tell that that was, um, a
4 -- a typical day.

5 MR. ARIA: Got it. Thank you. And just going back
6 to Mr. Enos's testimony, I understand that he is not
7 an expert and he wasn't sworn in. He said 60 clients
8 coming in over a 90 minute period, which puts me at 20
9 clients coming in, let's say, every 30 minutes, of
10 which 46 percent, of 48, let's assume 50, they're now
11 going to be pick-up -- pick-ups, which are going to be
12 Uber, as, uh, as we referred to earlier.

13 So that leaves about 10 clients only coming in
14 through every half hour. If you only have 10 cars that
15 are expected to park, and you have, I believe the
16 number was 14 cars from associates that are working at
17 the outlet, how many spaces do we have in that
18 restaurant?

19 And then what was the need for a traffic study if
20 you weren't really expecting any overflow from the
21 business? Because I believe it's 27 spaces, that
22 should be more than adequate to capture every single
23 car. So is my math correct that --?

24 MR. LAQUAGLIA: What is your question, sir?

25 MR. ARIA: My question is that the testimony that

1 was given earlier did not even warrant a traffic
2 study. So what's the basis of the traffic study? And
3 compared tot the numbers that have been provided,
4 about, I believe it's 190 or something every 30
5 minutes, it's significantly much more traffic than
6 that has been seen by this particular location.

7 MR. LAQUAGLIA: So what exact --?

8 MR. ARIA: So does that, in Mr. --?

9 MR. LAQUAGLIA: Wait, wait, wait. What is your
10 question?

11 MR. ARIA: In Mr. Seckler's expert opinion, does
12 it warrant a study, yes or no? Just to understand that
13 does he think this is viable traffic coming out of
14 there.

15 MR. JOSEPH: Yeah. I -- I don't think --

16 MR. ARIA: Because he's the expert. Right?

17 MR. JOSEPH: -- that's a traffic question. Um, it
18 -- it's -- yeah. It -- look, it's a major site plan. I
19 -- I believe the town's checklist requires a traffic
20 study, and the board had requested additional traffic
21 counts. Um --

22 MR. LAQUAGLIA: Yes. Mr. Joseph, there were --
23 the board requested a traffic study, and we hired our
24 own traffic engineer, which the applicant paid for.

25 MR. JOSEPH: Correct.

1 MR. ARIA: Right. So I guess my question, what
2 I'm trying to understand is, in Mr. Seckler's expert
3 opinion, is it feasible that the location on Broad
4 Street would only have 60 customers coming through in
5 a 90 minute period, since that's what has been
6 testified earlier?

7 I'm just asking for his opinion, whether he
8 believes that's okay or not. And if his expert opinion
9 is he cannot opine on it, that's fine. But I'd just
10 like to get his opinion for the record.

11 MR. SECKLER: Yeah. Again, I can't speak to the
12 feasibility of the site in terms of is it going to be
13 a successful business or not. That's outside of my --
14 my traffic line.

15 MR. ARIA: Oh, sorry. That's not my question.

16 MR. SECKLER: Okay -- okay.

17 MR. ARIA: My question is, is the amount of
18 traffic coming from that location in line with the
19 sample population that you have seen? Because what
20 we've heard is very disparate. And I believe
21 Councilwoman Mundell has already requested additional
22 information on it. But I'd just like to get your
23 opinion. Do you believe it's feasible?

24 MR. SECKLER: I am sure that there are sites that
25 operate at that level. Um, I am -- you know, I, as a

1 traffic engineer, am looking at, you know, a wide
2 range of sites that, you know, may be on busier roads,
3 may be on less busy roads, and I use that kind of
4 average number.

5 So while that last witness, I'm sure he may have
6 a da- -- data set of sites that he operates, or he's
7 pulling from that gets to his data, I know that our
8 data set is, you know, on a -- could be on a much
9 wider range of roads.

10 Could be on roads, you know, like, Route 3 and
11 things like that, that have, you know, uh,
12 significantly more traffic, which may be boosting my
13 numbers up. And his numbers may be a different type
14 of, uh, site. So again, that's, uh -- I -- I don't --
15 I believe that his numbers are correct based on the
16 data he has. And our industry uses a different set of
17 data.

18 MR. ARIA: Got it. Thank you.

19 MR. LAQUAGLIA: Thank you, Mr. Seckler. Mr.
20 Farnsworth, is your hand up?

21 MR. FARNSWORTH: It is. Thank you, Mr. Chairman.
22 Um, Mr. Seckler, part of your analysis in your
23 testimony tonight was regarding, um, turning movements
24 on neighboring local streets, uh, to avoid the
25 prohibition on left turns. Correct?

1 MR. SECKLER: That was requested by the board. I
2 don't personally believe that that level -- or that
3 every single car or cars will be turning down those
4 streets. Some may, obviously. Uh, but that was
5 requested of us.

6 MR. FARNSWORTH: I understand. And was it your
7 testimony that, based on your counts, that, um, the
8 impact of the -- of the Wendy's and Taco Bell, um,
9 that it would not have a material impact, um, on
10 turning movements on those local streets?

11 MR. SECKLER: Correct.

12 MR. FARNSWORTH: Can you explain to us how you --
13 ? Uh, well, let me rephrase that. Can you explain your
14 methodology in how you go from counting turning
15 movements on those local streets at present where
16 they're -- the Taco -- the Taco Bell and Wendy's are
17 not in place, and extrapolate that into data, um, for
18 when the Wendy's and Taco Bell will be in place?

19 MR. SECKLER: Certainly. So what we do is, as I
20 mentioned, we counted data, specifically those
21 intersections that, uh, you're referring to, uh, in
22 mid-November. Um, then we take the trip generation
23 that I know has been of, uh -- uh, a lot of back and
24 forth here. We use the -- the traffic industry's trip
25 generation, and basically apply that to the roadway

1 volumes that we had counted.

2 Now, not every person is going to want to make
3 that left turn to kind of U-turn themselves around.
4 Some people may be making a right turn because they're
5 heading north, or they're going to make a left on, uh
6 -- to continue on Broad, and -- and go past, you know,
7 the office buildings, you know, the ShopRite, and
8 things like that.

9 Those -- that level of traffic is not going
10 through your neighborhood. We took people, and made an
11 assumption of how many people would instead decide to
12 make that -- let's say, the -- the left turn, and kind
13 of use the local streets to create a de facto left.
14 Um, and then applied that volume, and rerun our
15 analysis.

16 So we've did -- what would the -- what would the
17 delay look like, um -- what would the delay look like
18 with no Taco Bell and Wendy's, and what would the
19 delay look like with the Taco Bell and Wendy's volume
20 added to the road?

21 MR. FARNSWORTH: Okay. Um, will you just give me
22 a second? I'm reviewing my notes here. Um, I have
23 nothing else at this point. Thank you.

24 MR. LAQUAGLIA: Thank you, Mr. Farnsworth. While
25 we're on the board, any other questions from board

1 members? Mr. Babula.

2 MR. BABULA: Right. So we received an e-mail, uh,
3 from Amanda, our board secretary earlier today, with
4 the analysis, I believe, that Mr. Seckler is referring
5 to regarding the impact on the local streets. Were we
6 going to get a, um -- a presentation on that from
7 either Mr. Seckler or Mr. Intindola? Or was that just
8 informational, and this is the time to ask questions
9 if we have them? I don't want to jump ahead if that's
10 going to be covered, you know, later on in this
11 meeting.

12 MR. LAQUAGLIA: I guess Mr. Seckler or Mr. Joseph
13 would have to answer.

14 MR. JOSEPH: My -- my understanding was Mr.
15 Intindola was going to -- to talk about that in -- in
16 his presentation. But it -- if that's not the case, we
17 -- we can address it now.

18 MR. LAQUAGLIA: Thank you for --

19 MR. BABULA: And I don't want to ju- -- again, I
20 don't want to jump ahead. I was just asking if that's
21 on -- you know, if that's a coming attraction, or if,
22 you know --

23 MR. JOSEPH: Yeah. Maybe that was a wrong
24 understanding. But that -- that was my, uh -- that was
25 my understanding.

1 MR. SECKLER: Not my stuff.

2 MR. LAQUAGLIA: Uh, Mr. Intindola, you'll cover
3 that when --?

4 MR. INTINDOLA: Uh, sure, Mr. Chairman. And so
5 off the bat, it's a summary of what the, uh,
6 councilwoman asked for, uh, for the, uh, backwash
7 traffic. No. I --

8 MR. LAQUAGLIA: Okay. Let -- let me just hold off
9 on that for a second. There's a couple more, I see
10 hands. Uh, wait. Ms. Steffen, are you asking a
11 question again?

12 MS. STEFFEN: Yes.

13 MR. LAQUAGLIA: Or is that still up from before?

14 MS. STEFFEN: Yes. I had a follow-up question.

15 MR. LAQUAGLIA: For Mr. Seckler?

16 MS. STEFFEN: Correct.

17 MR. LAQUAGLIA: All right. Let's keep everything
18 in order. Uh, just a question only, ma'am. That's all.
19 Okay?

20 MS. STEFFEN: Yes. Um, di- -- did the look at
21 side streets look at streets, uh, across the overpass,
22 um, such as Ernst Avenue, which would be a very
23 logical turnaround point?

24 MR. SECKLER: Um, so the intersections that we,
25 um, evaluated in terms of the, um -- the recirculation

1 of left turn traffic, um, included, uh, the
2 intersections of, and I'll pull it up here, Broad and
3 Morley, Broad and Parkview, and Broad and Mac- --
4 Macleod were the three intersections that we looked at
5 to accommodate the, I'm going to say, de facto left
6 turns.

7 MS. STEFFEN: So you did not take into account
8 people going right, going through the intersection,
9 taking the first left, and legally going down a block
10 and turning around, which is the -- what would likely
11 happen, potentially.

12 MR. SECKLER: Well, we include the people that
13 would make a left at the light before the overpass,
14 make a left on Overlook Terrace, work themselves to
15 Parkview, and come out in that direction.

16 MS. STEFFEN: Understood. That -- that left is
17 frequently backed up, so I think a different -- you
18 did not look further at -- at other ways that one
19 could do that going further afield. Thank you.

20 MR. SECKLER: And -- and again, I would just --
21 obviously, you know, uh, the -- the planner, uh,
22 would've testified, or may have testified that, again,
23 this being a permitted use, um, impacts on off-site,
24 uh, devel- -- uh, roadways is not, I would say,
25 typically considered as part of planning board

1 applications in which --

2 MS. STEFFEN: Okay.

3 MR. SECKLER: -- the use is permitted, and
4 there's not a density issue.

5 MS. STEFFEN: Thank you.

6 MR. LAQUAGLIA: Carl Mercado.

7 MR. MERCADO: Yes. Good evening. Um, is there --

8 MR. LAQUAGLIA: Identify yourself and your
9 address, sir.

10 MR. MERCADO: Carl Mercado, 58 Golf Road.

11 MR. LAQUAGLIA: Golf Road?

12 MR. MERCADO: Golf Road.

13 MR. LAQUAGLIA: Okay.

14 MR. MERCADO: Is there going to be, uh, measures,
15 like, um -- like, some kind of curb to -- to angle
16 people to go that way, and it's not just a straight
17 shot out, to force them do a -- a -- a right only exit
18 out?

19 Um, kind of like the, uh -- kind of like the exit
20 at, like, um -- if you guys know about the AMC Theater
21 going out onto Main Ave. It kind of curves out that
22 way so it deters people from making a left. They
23 either have to go kind of around, or they almost have
24 to pop the curb. Could there be some -- is there some
25 kind of, um, physical, uh, deterrent to making --?

1 MR. JOSEPH: Yeah. So to the -- the answer is, uh
2 -- so the answer to that question is -- is yes. Um,
3 there -- there were measures that were requested by
4 the board as, uh, conditions, the plans were updated
5 to that. That was testimony that was presented at a
6 prior hearing by our civil engineer, uh, re- --
7 regarding the angles of the, uh -- the entrance and
8 exit, um -- uh, curb depressions.

9 MR. MERCADO: Thank you.

10 MR. LAQUAGLIA: Amy Burgan, did you have another
11 question? Uh, or was it Shane Burgan? Is your hand up?

12 MS. BURGAN: Hi. Yes. Sorry. This is Amy Burgan
13 at 122 Raab. Um, and forgive me, I'm sure this has
14 already been covered. Um, so with the right in and the
15 right out, and looking at the picture, do customers
16 not have the ability to just loop around within the
17 lot itself?

18 Meaning, I saw the statement, if our lot is full,
19 we lose customers. But I'm also hearing in this
20 testimony there are mobile orders. So people are going
21 to be looking for alternatives if the lot is full to
22 continue to loop around. So do they have that ability
23 within the site to circle around?

24 MR. SECKLER: No. There's no -- oh, sorry. I'll
25 let you --

1 MR. JOSEPH: Sorry -- sorry. No, no. Matt, go
2 ahead. You're -- you're the expert.

3 MR. SECKLER: Yeah.

4 MR. JOSEPH: You should --

5 MR. SECKLER: Yeah. There -- there is no internal
6 circulation. Uh, you would be pushed out onto Broad
7 street, northbound.

8 MS. BURGAN: And if so, why not? I know adjacent
9 to that site is, um, the fire station. So my concern
10 looking at the picture, with the restaurant set back,
11 people are going to see, oh, the lot's full, I'm just
12 going to pull over. So why -- why do we not have the
13 ability to circle within the lot itself?

14 MR. SECKLER: Again, I think our testimony, uh,
15 is that there is sufficient parking on-site. We meet
16 the parking ordinance requirements, in fact, we are at
17 excess of that. So I don't believe that the condition
18 that you're concerned about is something that'll --
19 that'll occur.

20 And again, that is part of the reason why the
21 applicant is so, um, insistent on a design that is
22 efficient, because they want to make sure that there's
23 always parking spaces available on the site, and it's
24 been designed accordingly.

25 MS. BURGAN: Right. Uh, I would just say, as a

1 customer, I would want the ability to circle around
2 for a spot instead of having to go out into the roads,
3 which don't lend themselves to being easy to make a
4 quick turnaround with a right in, right out. So that
5 -- that was my question. So it's not a consideration
6 that that would be plausible at any point?

7 MR. SECKLER: Not at this time. No.

8 MR. LAQUAGLIA: Thank you, Ms. Burgan.

9 MS. BURGAN: Thanks.

10 MR. LAQUAGLIA: Uh, do I see any other questions
11 from the public? Ka- -- Ka- -- Kaydiane --

12 MS. WATERS: Yeah.

13 MR. LAQUAGLIA: -- Brown?

14 MS. WATERS: Yeah.

15 MS. BROWN: Hi. Yes. This is me. Kaydiane Brown.

16 Uh, my address is 14 Ernst Avenue.

17 MR. LAQUAGLIA: Yes.

18 MS. BROWN: So going back to the right in, right
19 out, back to, I believe it was --

20 MR. LAQUAGLIA: Could you speak up just a little
21 louder, ma'am?

22 MS. BROWN: Yeah. So back to Jane's point, why
23 wasn't the traffic study, um -- why doesn't it include
24 Ernst Avenue, which would basically be the next
25 opportunity to turn around once you're forced right

1 out onto Broad Street? Why wasn't, um, Lindbergh
2 Boulevard specifically considered? Since we're forcing
3 people to make that right turn, that's literally the
4 next avenue that they would have to turn around. So
5 why wasn't that street included?

6 MR. SECKLER: Again, we've routed them on this
7 side of the parkway, having them turn on Broad, turn
8 onto, um, Parkview in order to get back to the store
9 itself.

10 MS. BROWN: But is that -- pa- -- is that -- I
11 mean, is that more --? So what you're saying is that
12 it's more likely that someone would cross into another
13 traffic lane to make a left turn, and then turn
14 around, rather than to continue in the right lane that
15 they've been forced into, go across the overpass, and
16 then turn around.

17 MR. SECKLER: Again, I could --

18 MS. BROWN: You're asking them to actually go
19 into another lane of traffic to make a left turn, and
20 then sort of do the turnaround thing, versus just
21 staying in that right lane that they found themselves
22 in to make the very next left turn.

23 MR. SECKLER: Again, we found that to be a closer
24 turnaround, um, again, understanding that, again, uh,
25 I -- I understand one requires a left at a light that

1 has, again, I believe a left turn phase to it, um,
2 that we felt was the more likely route that someone
3 would take.

4 MS. BROWN: I understand that it may seem to be
5 the more likely route. But I think that there's an
6 equal opportunity for Lindbergh Boulevard to be
7 impacted with the same being forced out onto Broad
8 Street. So, uh --

9 MR. LAQUAGLIA: Okay.

10 MS. BROWN: -- my question is, uh -- my question
11 is, would we have an opportunity to make sure that
12 Lindbergh Boulevard is accounted for because it's in
13 that vicinity? And we can't make an assumption that
14 when someone has the opportunity to go straight or
15 make a left, they're always going to make that left.

16 MR. JOSEPH: Yeah. I don't -- I don't think the
17 applicant would be willing to extend the -- the
18 traffic study any -- anymore at this point. Uh, you
19 know, it's the -- we're not requesting a parking
20 variance, uh, it's a county road. Um, we've -- we've
21 done substantial amount of data collection in the
22 area.

23 And -- and, uh, all of this direct testimony
24 regarding traffic was presented at prior hearings. A
25 lot of these questions are about testimony already

1 presented.

2 MR. LAQUAGLIA: Okay. Moving on. Uh, where were -
3 -? Uh, Mr. Aria, you have another question?

4 MR. ARIA: I do, sir. Just one last question. If
5 this testimony and the traffic patterns that were
6 evaluated do not turn out to be as expected, what
7 happens then? Because we are making a decision based
8 as what is being presented today. If it is not in line
9 with what was presented, and it's not the amount of
10 traffic as was testified to today, what is the --

11 MR. JOSEPH: Yeah. Our --

12 MR. ARIA: -- mediation?

13 MR. JOSEPH: Our testimony is that -- that it's
14 sufficient, that we comply with the parking, that we
15 comply with the parking, that the -- that we feel that
16 the additional parking spaces we're providing is -- is
17 sufficient for the demand that's needed.

18 Our -- our two traffic engineers, uh, and -- and
19 our planner, and our engineer have testified to that.
20 Um, I -- I mean, you could say the same thing about
21 any -- any application.

22 MR. SECKLER: I would say don't forget that if --
23 safety aspects, the police involvement, or the
24 condition that the police would be able to review and
25 have presence on the site, I think, allows for some

1 level of assurancy, uh, that the site, uh, will
2 continue to operate safely.

3 MR. LAQUAGLIA: Okay. Uh --

4 MR. ARIA: Thank you both.

5 MR. LAQUAGLIA: Thank you, Mr. Edward- - uh, Mr.
6 Aria. Kevin Edwards.

7 MR. EDWARDS: Hello. So in --

8 MR. LAQUAGLIA: Your address, sir?

9 MR. EDWARDS: Yes. Uh, 55 Collins.

10 MR. LAQUAGLIA: Okay.

11 MR. EDWARDS: Um, just, uh, a follow-up. Um, I
12 understand not performing additional intersection
13 analysis. Uh, would it be appropriate to say that the
14 results at Overlook and Broad would be representative
15 of other intersections that could experience this
16 turnaround? Or do you find that there'd be something
17 different about those, that when -- we wouldn't be
18 able to look at the results that you do have in -- and
19 extrapolate?

20 MR. SECKLER: Again, uh, I would imagine that the
21 impacts, or lack thereof, that we saw at the
22 intersections we studied would be similar to that at
23 Ernst, uh -- or sorry, I guess it would be, um -- uh,
24 Lindbergh. Uh, and, uh, again, depending on which
25 street you end up working yourself around to, um, the

1 results, I imagine, would be similar. But again, we
2 didn't perform counts at those intersections.

3 MR. EDWARDS: Right. So -- yeah -- yeah. You
4 could -- you could just say that they're
5 representative or similar. Thank you.

6 MR. SECKLER: Thank you.

7 MR. LAQUAGLIA: Okay. Are there any other
8 questions from the public? Amanda, do you see any
9 hands?

10 MS. WATERS: No. Not at this time.

11 MR. LAQUAGLIA: That portion is closed. Thank
12 you, Mr. Seckler.

13 MR. JOSEPH: All right. Mr. Chairman, I would
14 like to, uh, recall Tim for one question, and then we
15 will completely rest, uh, our -- our testimony.

16 MR. LAQUAGLIA: Okay. Because I'm getting close
17 to taking a break here. But that's okay.

18 MR. JOSEPH: Un- -- understood. One question,
19 it'll be a quick question. I'm hoping it helps --

20 MR. LAQUAGLIA: Thank you.

21 MR. JOSEPH: -- with the discrepancy.

22 MR. LAQUAGLIA: Yes.

23 MR. JOSEPH: So -- so, Tim, you could share your
24 video. Um, and we would remind you, you stay under
25 oath. Tim? There we go.

1 MR. ENOS: Sorry. [inaudible].

2 MR. JOSEPH: Tim, you acknowledge, uh -- you
3 acknowledge you're still under oath?

4 MR. LAQUAGLIA: -- Mr. Enos.

5 MR. ENOS: I do.

6 MR. JOSEPH: Okay. So you te- -- you put on some
7 testimony about, uh, 46 percent, thereabouts, of the,
8 um, pickups on site being or the customers being Uber
9 drivers -- Uber drivers, just generally for all -- all
10 delivery pickups. Uh, do those Uber drivers pick up
11 orders for more than one customer at a time? Is -- is
12 it your experience that they're coming in just getting
13 one order for one customer? Or, uh, do they tend to
14 pick up multiple orders?

15 MR. ENOS: Yeah. It's -- it's mixed. I don't know
16 the percentage of mixed. But they do pick up multiple
17 orders. DoorDash does the same thing as well.

18 MR. JOSEPH: Okay. So it -- it -- the, uh -- I
19 think 30 was the -- the number that that we just
20 picked as a placeholder. Could be 30 Uber drivers
21 coming into the site, but they could be picking up 60
22 orders, um, you know, in total for all of them. It's
23 just 30 cars coming to the site to pick up.

24 MR. ENOS: Potentially. Yeah. It -- that all
25 works on however the delivery providers assign stuff

1 and make sense.

2 MR. JOSEPH: Okay. All right. That's all I had
3 for Tim. Um --

4 MR. LAQUAGLIA: Well, you brought him in. So are
5 there any questions for Mr. Enos? Board? No hands. Any
6 questions from the public for Mr. Enos? No hands.
7 Thank you, sir.

8 MR. MARUCCI: Mr. Chairman?

9 MR. LAQUAGLIA: Yeah. Who's speak- --? Oh, Mr.
10 Marucci, I'm sorry. I didn't see you.

11 MR. MARUCCI: If you don't mind, just one
12 question for -- for Mr. Enos.

13 MR. LAQUAGLIA: Yes?

14 MR. MARUCCI: Is it -- it -- am I correct that in
15 your testimony prior, you said that, based on the fact
16 that you have all of these, uh, delivery services now,
17 that you don't need as much seating as normally
18 required?

19 MR. ENOS: Yeah. I mean, we -- the bulk -- I
20 think nationally, concepts have reduced some of the
21 footprint. And we've looked at the fact that we have a
22 lot of seating that's not being utilized in the
23 restaurants because of that.

24 MR. MARUCCI: That brings me to -- to my second
25 question for Mr. Seckler then. Isn't it -- isn't it a

1 fact then that our -- our parking requirement's based
2 on seating, and we never anticipated the, uh -- the
3 delivery services, which is making a bigger impact on
4 this project?

5 In that sense, why not reduce the size of the
6 dining rooms, and still leave the parking area the way
7 it is? But reduce the size of the dining room so we
8 can get some relief that way?

9 MR. JOSEPH: Yeah. I -- I --

10 MR. MARUCCI: And this is -- oh.

11 MR. SECKLER: I don't know if you want me to
12 testify. I wasn't --

13 MR. JOSEPH: Yeah. I, uh -- yeah. I -- I don't --
14 I don't think, um, Matt necessarily needs to -- to
15 testify again. We -- we -- I think the engineering
16 design team, um, designed a very efficient building.
17 That's -- that's the application that's -- that's
18 before the board.

19 Um, I would agree that, you know, nationally,
20 whether it's a pizza place, or -- or Taco Bell, or a
21 friendly -- there's more pickups just through
22 DoorDash, and all of that. And -- and that's something
23 that local ordinances may have to address in the
24 future. But, um, you know, we -- we designed the
25 project based on the -- the current -- the current

1 ordinance.

2 MR. MARUCCI: It appears to me that you don't
3 need the large dining rooms today, based on the
4 delivery services. That's all, Mr. Chairman.

5 MR. LAQUAGLIA: Thank you, Mr. Marucci. Any other
6 questions? Mr. Joseph.

7 MR. JOSEPH: So that concludes our direct
8 testimony. Um, you know, you -- you've heard from an
9 engineer, a civil engineer, traff- -- two traffic
10 engineers, one of those tra- -- traffic engineers is
11 also a planner. You've heard from a licensed planner,
12 you've heard from an architect, you've heard from our
13 operations, um, agree to several conditions on the
14 record.

15 Um, it's a permitted use. We're requesting some,
16 uh -- a design waiver for the front yard parking,
17 we're requesting some signage variances. Um, we feel
18 it's -- it's relatively minor in the scope of things.

19 Um, you know, over the course of these four
20 hearings and -- and lot of data, many hours, we really
21 tried to give you the answers you were looking for.
22 And, uh, you know, we would -- we would submit that we
23 feel we've met -- we've met that burden. It's a
24 permitted use.

25 MR. LAQUAGLIA: Thank you, Mr. Joseph. Mr.

1 Marucci, would you like to make a comment at this
2 time, sir?

3 MR. MARUCCI: Could we have a break, Mr.
4 Chairman?

5 MR. LAQUAGLIA: Oh. I'm glad you asked for that
6 Mr. -- let's take five minutes. Okay?

7 MR. MARUCCI: Thank you.

8 MS. RUBRIGHT: Um, Mr. Chairman --

9 MR. LAQUAGLIA: Yeah. Who --

10 MS. RUBRIGHT: -- if I might.

11 MR. LAQUAGLIA: -- who's speaking?

12 MS. RUBRIGHT: Yeah. Uh, Susan Rubright. I'm an
13 attorney at Brach Eichler. We have an application on,
14 um, Ashland Associates. And given the lateness of the
15 hour, um, we are the first new application, is it
16 possible for you to adjourn us, or to carry us until
17 the next meeting, given the lateness of the hour?

18 MR. LAQUAGLIA: I ca- --

19 MS. RUBRIGHT: Um, we assume that the board is
20 going to be deliberating, and then making a decision,
21 uh, possibly on this application tonight. So we would
22 ask the board to consider, uh, letting a -- releasing
23 us this -- at this time, uh, for the next meeting.

24 MR. LAQUAGLIA: Okay. Before we take a break,
25 board, uh, that would be the Ashland, uh -- let me get

1 the exact thing.

2 MS. RUBRIGHT: Ashland Associates. Correct.

3 MR. LAQUAGLIA: Ashland. Yes. Ashland 180, one --
4 can I have a motion, board, to adjourn the 18- -- let
5 me get my glasses, 180-190 Ashland Avenue application?

6 MS. MUNDELL: Motion.

7 MR. LAQUAGLIA: Uh, what's the date of the, uh --
8 uh, January meeting, Amanda?

9 MALE 1: The 18th. Wednesday --

10 MS. WATERS: The 18th. It's on a Wednesday.

11 MR. LAQUAGLIA: Wednesday, January 18th, Ms.
12 Rubright.

13 MS. RUBRIGHT: Yes. And -- and we -- we would --
14 if you -- if the board would be so kind as to adjourn
15 it without need for further notice to January 18th at
16 7:00 -- 7:00 -- is it 7:00 o'clock, or 7:00 --

17 MR. LAQUAGLIA: 7:00 o'clock. It's a regular
18 meeting. Yes. But it is a Wednesday.

19 MS. RUBRIGHT: Okay.

20 MR. LAQUAGLIA: Uh, Ms. -- uh, Councilwoman
21 Mundell, you made the motion?

22 MS. MUNDELL: I did.

23 MR. LAQUAGLIA: Do I have a second?

24 MR. BABULA: Second.

25 MR. LAQUAGLIA: Uh, Mr. Babula. Poll everybody,

1 Amanda .
2 MS. WATERS: Councilman Rockwell?
3 MR. ROCKWELL: Yes.
4 MS. WATERS: Councilwoman Mundell?
5 MS. MUNDELL: Yes.
6 MS. WATERS: Mr. Babula?
7 MR. BABULA: Yes.
8 MS. WATERS: Mr. Zitka?
9 MR. LAQUAGLIA: Mr. Zitka?
10 MS. WATERS: You're muted.
11 MR. ZITKA: Yes.
12 MR. LAQUAGLIA: Oh, here he is. Okay.
13 MS. WATERS: Mr. Lasek?
14 MR. LAQUAGLIA: You know, Paul, you are the
15 township engineer.
16 MS. WATERS: You're muted.
17 MR. LAQUAGLIA: You're muted. If anyone should
18 always --
19 MS. WATERS: You're muted.
20 MR. LAQUAGLIA: -- mute it, it's you. You're
21 still --
22 MR. LASEK: It wouldn't unmute, my button
23 wouldn't work.
24 MR. LAQUAGLIA: Oh, okay.
25 MR. LASEK: Yes -- yes.

1 MS. WATERS: Mr. Farnsworth?

2 MR. FARNSWORTH: Yes.

3 MS. WATERS: Mr. Harvey?

4 MR. HARVEY: Yes.

5 MS. WATERS: Ms. Richardson?

6 MS. RICHARDSON: Yes.

7 MS. WATERS: Chairman LaQuaglia?

8 MR. LAQUAGLIA: Yes. So moved. We will see you
9 January 18th at 7:00 o'clock.

10 MS. RUBRIGHT: So much. We appreciate you guys so
11 much.

12 MR. LAQUAGLIA: Thank you.

13 [talking over each other]

14 MR. LAQUAGLIA: Is a representative for
15 Watsessing Avenue here?

16 MALE 2: We do the same with the other people.

17 MR. MARIANSKI: Yes, Mr. Chairman.

18 MR. LAQUAGLIA: Yeah. Oh, Mr. Marianski. Okay.
19 Good. Um, we're going to adjourn you also, sir.

20 MR. MARIANSKI: Uh, if you're not going to get to
21 us, I guess so.

22 MR. LAQUAGLIA: Uh, yeah. I don't want to see you
23 hanging around, because I don't know how much longer
24 this is going to be. And --

25 MR. MARIANSKI: All right.

1 MR. LAQUAGLIA: -- it's getting late. So can I
2 have a motion then to adjourn the 400-404 Wats- --
3 Watsessing Avenue project again to Wednesday, January
4 the 18th?

5 MS. MUNDELL: Motion.

6 MR. LAQUAGLIA: Councilwoman Mundell. Second?

7 MS. RICHARDSON: Second.

8 MR. LAQUAGLIA: Uh, Ms. Richardson. Poll
9 everyone, Amanda.

10 MR. RUBIN: Mr. Chairman, I just -- just for --
11 for the record, there'll be no further notice
12 requirement. Correct?

13 MR. LAQUAGLIA: Correct, Mr. Rubin. No further
14 notice required.

15 MS. WATERS: Correct.

16 MR. LAQUAGLIA: Yes, Mr. Marianski.

17 MR. RUBIN: Thank you.

18 MR. LAQUAGLIA: Poll everyone, Amanda.

19 MS. WATERS: Councilman Rockwell?

20 MR. ROCKWELL: Yes.

21 MS. WATERS: Councilwoman Mundell?

22 MS. MUNDELL: Yes.

23 MS. WATERS: Mr. Babula?

24 MR. BABULA: Yes.

25 MS. WATERS: Mr. Zitka?

1 MR. ZITKA: Yes.

2 MS. WATERS: Mr. Lasek?

3 MR. LASEK: Yes.

4 MS. WATERS: Mr. Farnsworth?

5 MR. FARNSWORTH: Yes.

6 MS. WATERS: Mr. Harvey?

7 MR. HARVEY: Yes.

8 MS. WATERS: Ms. Richardson?

9 MS. RICHARDSON: Yes.

10 MS. WATERS: Chairman LaQuaglia.

11 MR. LAQUAGLIA: Yes. So moved. We will see you in
12 January, Mr. Marianski.

13 MR. MARIANSKI: Thank you, Mr. Chairman. Happy
14 hol- --

15 MR. LAQUAGLIA: We'll take a fourth break, board.
16 Do I have the board back, Amanda?

17 MS. WATERS: We do. Yes. The board's back.

18 MR. LAQUAGLIA: Okay. Is Mr. Joseph --? Yeah. I
19 see Mr. Joseph. He's back on. All right. Who are we
20 waiting for then? Is --

21 MS. WATERS: We're waiting for, um -- well, there
22 we -- Brian.

23 MR. LAQUAGLIA: Mr. Marucci's here.

24 MS. WATERS: Mm-hmm.

25 MR. LAQUAGLIA: Brian Intindola --

1 MS. WATERS: Mm-hmm.

2 MR. LAQUAGLIA: -- want to hear from him.

3 MS. WATERS: And you're waiting for --

4 MR. LAQUAGLIA: Then -- then -- then we'll get
5 the --

6 MS. WATERS: Oh, Brian's back.

7 MR. LAQUAGLIA: He's back. Okay. So -- all right,
8 board. Let's continue then. Um, all right. We're back
9 in session. Mr. Joseph, you closed your -- your part
10 of the hearing?

11 MR. JOSEPH: That's correct.

12 MR. LAQUAGLIA: Okay. In that case, uh, Mr.
13 Marucci, can we hear your testimony on this and your
14 opinion, sir? Does he have to be sworn in, Mike?

15 MR. RUBIN: Were you sworn in previously,
16 Anthony? I don't remember.

17 MR. LAQUAGLIA: I don't remember either.

18 MR. MARUCCI: It -- it's my fourth meeting. I
19 believe I was. Yes.

20 MR. LAQUAGLIA: All right. Go for it.

21 MR. MARUCCI: Mr. Chairman, members of the board,
22 um, from a -- a, uh, zoning perspective, from an
23 engineering perspective, the answer is yes. That the
24 parking, uh, meets the requirements based on the
25 ordinance, based on the seating, uh, for the

1 restaurants.

2 Um, but you've heard testimony back and forth,
3 that was before all of these delivery services came
4 in. And in this case, as before, we have two
5 restaurants together, we have management now for two
6 restaurants. So the board has to balance that out.

7 That's why I asked the question. I -- I heard the
8 operations manager say that, uh, seating is becoming
9 obsolete. Well, if that's the case, then maybe the
10 answer is, to balance this out, is maybe to reduce the
11 seating.

12 You -- because -- because it -- the way it is
13 right now, the seating is what -- the number of
14 parking spaces is for the seating. It ha- -- it has
15 nothing to do -- it -- there's no additional parking
16 spaces for the delivery services, or for the double
17 restaurant. That's my opinion. Uh, but that's what the
18 board has to balance out.

19 MR. LAQUAGLIA: Thank you, Mr. Marucci. Board
20 members, are there any questions for Mr. Marucci? I
21 don't see anybody's hands. Okay. Are there any
22 questions from the public for Mr. Marucci? Again, I
23 don't see anybody's hands. Thank you, sir.

24 MR. MARUCCI: Welcome.

25 MR. LAQUAGLIA: Mr. Phillips, can we hear your

1 take on this, sir?

2 MR. PHILLIPS: Sure, Mr. Chairman. I -- I just
3 have several, uh, comments that I'd like to share
4 with the board. And I don't -- I first want to talk
5 about parking. And I don't want to beat it to death.
6 But, uh -- and I share some of the concerns that were
7 just raised by Mr. Marucci.

8 And I -- look, I recognize that the applicant
9 technically, uh, meets the, uh, parking requirement.
10 But that parking requirement is essentially meant for
11 a, uh, fast food restaurant without drive-through
12 service. That's what this use is. Um, and I will tell
13 you that here, you have multiple, uh -- uh, pick-up
14 windows, which to some extent substitute, in my
15 opinion, for the drive-through service.

16 And the customers must park on-site to utilize,
17 uh, the windows. And further, as you've heard, the
18 delivery apps will -- basically, those vehicles will
19 also be using the, uh, pick-up windows, and will have
20 to park on-site. And we now also have two businesses
21 rather than one.

22 And the only -- what troubles me, and I raised it
23 in my question earlier, is that, uh, you know, none of
24 the comps really reflect these conditions. Uh, and
25 again, I'm not quite sure what the board does with

1 this, because they technically comply.

2 But, uh, I -- I would have felt a heck of a lot
3 more comfortable with regard to the adequacy of the
4 parking if there were some direct empirical data, uh,
5 that reflected the actual use that's been contemplated
6 here. But as I said, I think we've probably beaten the
7 parking to death.

8 Probably the major planning issue that remains
9 has to do with the, uh, prohibition on the front yard
10 parking in this, uh, district, and whether the
11 applicant, uh, has met its burden in justifying the
12 grant of the design exception. Which as we've heard
13 here, and Mr. Rubin can comment, the -- the
14 requirements and the proofs are different than a --
15 than a variance per se.

16 And -- and I'm paraphrasing, but essentially,
17 the, uh -- the municipal land use statute, uh,
18 indicates that the standard for granting a design
19 exception or design waiver is that it be reasonable,
20 that it be within the spirit and intent of the
21 underlying regulations themselves.

22 And then there's been some discussion on this, is
23 that it would also be impracticable to otherwise, uh,
24 comply. Uh, and again, it's the applicant's burden to
25 convince you that they meet those, uh, proof

1 requirements, and that the front yard, uh, parking
2 setback be granted

3 I would just add, and you've heard the
4 testimony. I would just add that, um, based on my own,
5 uh, research, that, uh, it appears that most of the B-
6 2 district, and it's a neighborhood business district,
7 most of the properties, even in this immediate area,
8 but throughout -- and there are a lot of B-2 districts
9 in the -- in the geographic limits of the township.
10 But most of them pretty much lack front yard parking.

11 Uh, and the -- the built condition of the
12 neighborhood business district are basically, um,
13 either -- either street wall buildings has been
14 discussed, or buildings that are setback, but the
15 parking is setback beyond the building. It's not in
16 the, uh -- it's not in the -- in the front yard.

17 And I would also concur with, I think, uh, in --
18 in terms of how I would use the word impracticable
19 with what Mr. Rubin, to me it's -- it's -- it's --
20 essentially means unworkable or incapable of being put
21 into practice or -- or design. That -- that's what it
22 -- that's what it means to me. And you heard the
23 applicant's, uh, witnesses, uh, testify. And you can
24 desi- -- decide, uh, for yourselves whether they've
25 met that burden.

1 Uh, the -- the only other thing I'll say in that
2 regard is while the proposed applicant's design for
3 front yard parking may be preferable for this
4 applicant, and this business, and this use, again,
5 it's -- it's not in keeping.

6 And there are exceptions, uh, even in this
7 immediate area. But it's not in keeping with the --
8 the built character context of most properties in the
9 B-2, uh -- in the B-2 district. And, uh, I see that as
10 the major planning issue which the board will need to
11 deliberate and -- and -- and decide upon.

12 The -- the, uh -- the variances for the signage
13 and the fence height, to me the- -- they're -- they
14 would seem perfectly reasonable. I take no exception
15 to that. They're not threshold, uh, issues, in my
16 opinion. And I would defer to any issues on the -- on
17 the traffic to the board's traffic, uh, expert.

18 MR. LAQUAGLIA: Thank you, Mr. Phillips. Uh, Mr.
19 Phillips, I made a comment at the beginning of the
20 meeting that I thought a -- a -- a brick siding of
21 some sort that would -- for a place, if this is
22 approved, would keep us in line with all the other
23 buildings in the area. And it was basically, you know,
24 put off by -- by the applicant. Uh, how do you feel
25 about something like that, where this would fit in

1 better?

2 MR. PHILLIPS: Well, uh, I mean, loo- -- look. I
3 -- I think that the design of this facility
4 contextually is -- is not in keeping with, you know,
5 several of the buildings, the brick buildings that you
6 cited per se.

7 MR. LAQUAGLIA: Yeah.

8 MR. PHILLIPS: I'd feel more strongly, Mr.
9 Chairman, if there were some design standards or
10 guidelines that basically set that tone for the board,
11 and that the applicant would either have to comply, or
12 would have to request relief. But my reading of the
13 ordinance is that doesn't exist.

14 And as I said earlier, I think the board can
15 certainly, you know, request that the applicant gives
16 some consideration to, you know, providing a more
17 contextual building, in terms of material treatment.
18 But I don't see any requirement that they would have
19 to do that.

20 MR. LAQUAGLIA: Thank you, sir. Councilman
21 Rockwell, do you have a question for Mr. Phillips?

22 MR. ROCKWELL: Yes. I do. Uh, as far as front
23 yard parking and, um, this part- -- partly relates to,
24 um, just general planning. Um, there was discussion
25 about whether the building would be more suitably

1 located towards Broad Street or in the back. Is it
2 your opinion that --?

3 And at the same time, I -- I'm -- I'm guided by
4 our master plan, which defines this, uh -- which talks
5 about the neighborhood commercial district as being
6 intended to serve the needs of Bloomfield residents
7 living in adjacent residential neighborhoods, and try
8 -- aiming towards small, pedestrian friendly
9 businesses catering to local residents. So would you
10 consider a building closer to Broad Street with the
11 parking in the back more or less pedestrian friendly?

12 MR. PHILLIPS: All else being equal, I would
13 consider a building closer to the street more
14 pedestrian friendly.

15 MR. ROCKWELL: And would you -- ? Same, um --
16 same concept of where the building's located. Would
17 you consider a -- a building like a -- a restaurant
18 like this, we've got delivery trucks, trash pick-up,
19 oil pick-up, dozens of people coming and going, would
20 it be better to -- to place that near residences or
21 farther away from residences, so that the parking lot
22 would be the thing that's near the residential area,
23 where you have fewer people coming and going?

24 MR. PHILLIPS: So, uh, I think there -- and I
25 know Mr. McDonough touched on this, and said he

1 basically preferred the building being closer. I think
2 there -- to be candid, there are trade-offs. Uh, I
3 think any time you have a commercial use, and
4 particularly an intense use, next to residential,
5 there are going to be impacts.

6 And I think he's correct that the, you know,
7 parking lot in the activity in the parking lot does
8 have impacts if it's close to residents. But by the
9 same token, there's a trade-off in that if you place
10 the building closer to, uh, the residential, you know,
11 you have more ac- -- you have acti- -- you have
12 activity associated with the building, customers
13 coming in and out, employees coming in and out, taking
14 trash out to the, uh, trash receptacle areas and so
15 forth.

16 So, you know, I think while he's correct, I
17 wouldn't agree that there are no impacts associated
18 with pushing the building closer to the, um,
19 residences. And I think really, the -- the -- the way
20 to deal with that, all else being equal, is to make
21 sure there's other protections afforded in terms of
22 buffering, and screening, and -- and fencing.

23 But I will say that -- again, that the basic
24 context as I see it, and as I've basically researched,
25 of the neighborhood business district is that the

1 buildings essentially are closer to the street, and
2 the, you know, the -- they -- there is not front yard
3 parking.

4 MR. ROCKWELL: Yeah. And specifically this
5 neighborhood, um, wou- -- would you say there's a
6 pattern or a rhythm of setbacks on this --
7 specifically this blo- -- I mean, along Broad Street?
8 It seems to me, uh, in these aerial photographs that
9 we're looking at that most of the house- -- there are
10 residences, the firehouse, the office building, they
11 all have a sort of similar [inaudible].

12 MR. PHILLIPS: Yeah. I --

13 MR. ROCKWELL: Sort of a pattern to that.

14 MR. PHILLIPS: So I mean, and this goes to my
15 testimony about my, uh, research looking at the built
16 character of the immediate area of the B-2 here, as
17 well as generally throughout the township. And I
18 didn't do absolute measurements.

19 But it looks like along Broad Street, uh,
20 particularly in the, uh, co- -- commercial portion,
21 meaning the B-2 district, that the buildings are set
22 closer to the street. I don't think they're all street
23 wall buildings. In fact, I think the majority aren't
24 street wall buildings. They're not on the property
25 line, but they're set close to the property line. Uh,

1 and the parking is either in the side yard or the --
2 in some cases, the rear yard as opposed to the front
3 yard.

4 MR. ROCKWELL: Um, di- -- did you, um, evaluate
5 or -- how this comports with our master plan as far --
6 far as small, pedestrian friendly businesses catering
7 to local restaurants, and, um, wa- -- wanting to
8 improve pedestrian access, and pre- -- and -- and just
9 in general, preserving the character of the
10 neighborhood?

11 MR. PHILLIPS: Well, uh, I -- I think, you know,
12 those are sort of generic master planning goals. I
13 would kind of agree with you, uh, that the, um, you
14 know -- to promote a, uh, pedestrian friendly, or
15 inviting, um, area or streetscape, that's typically,
16 you know -- has buildings closer to the street. I
17 would agree with you in -- in that regard. Um, I can't
18 remember what the other portion that you mentioned
19 from the master plan.

20 MR. ROCKWELL: Um, yeah. Well, pedestrian, um,
21 but it's -- but it's geared towards local residents. I
22 mean, the -- the neighborhood business district is
23 geared towards local residents, as opposed to food
24 delivery service. You know, I don't -- I -- well, you
25 know, uh, we're talking about food delivery services

1 being new, but our master --

2 MR. PHILLIPS: Right.

3 MR. ROCKWELL: -- doesn't say anything about food
4 delivery services. But -- but --

5 MR. PHILLIPS: Right.

6 MR. ROCKWELL: -- to -- to, um, you know, serve
7 the local residents.

8 MR. PHILLIPS: Well, and I think that goes to the
9 overall character. It's an -- it's an -- it's called
10 the neighborhood business district. It's not a highway
11 commercial business district. And again, most of the,
12 uh -- of the properties that, uh, exist, uh, in the
13 district are essentially, uh, buildings that have a
14 characteristic where the parking is -- either there's
15 no parking, in some cases, or the parking is in the
16 side, or the rear, as opposed to the front yard.

17 And as I mentioned, there are some exceptions.
18 But predominantly, that's not -- you know, the -- it's
19 -- it's not the front yard parking.

20 MR. ROCKWELL: Okay. Thank you very much.

21 MR. PHILLIPS: You're welcome.

22 MR. LAQUAGLIA: And so mi- -- Mr. Farnsworth, you
23 had a question for Mr. Phillips?

24 MR. FARNSWORTH: Yeah. It's -- Mr. Chairman. Um,
25 Mr. Phillips, um, in listening to the applicant's, uh,

1 planning expert testify, did you hear, uh, any mention
2 of why, uh side --

3 [talking over each other]

4 MR. FARNSWORTH: -- would be impracticable for
5 this, uh, location?

6 MR. PHILLIPS: Uh, I -- you went in and out at
7 the very end. So I --

8 [talking over each other]

9 MR. FARNSWORTH: Sorry about that. Um, in
10 listening to the, uh -- the applicant's, uh, planning
11 expert, did you hear any testimony explaining why side
12 yard parking would be impracticable at this location?

13 MR. PHILLIPS: I didn't think there was any, uh,
14 testimony that directly responded to that issue or
15 that question. No.

16 MR. FARNSWORTH: And just for the board's
17 information, if the parking at that site remained in
18 the same configuration as it was with the Friendly's,
19 would that then eliminate the need for a design
20 exception?

21 MR. PHILLIPS: I'd have to go back and look at
22 the, uh, existing conditions plan. But my recollection
23 is that there is some amount of parking that would be
24 considered in the front yard.

25 Although it's probably not the majority of it, as

1 in the case with the pending application. But I
2 believe there is some -- some spaces are in the front
3 yard, uh, but I think the bulk are either to the side
4 -- or the side yard, if I'm not mistaken.

5 MR. FARNSWORTH: Okay. Um, from a planning
6 perspective would, um, pushing the building up towards
7 the commercial property on the, uh, north side of the
8 property be a better planning choice than pushing the
9 building back up against the residential areas to the
10 east?

11 MR. PHILLIPS: I think that, as I mentioned, it -
12 - by pushing the building up would be no more
13 contextual with the character and, uh, built condition
14 in the B-2 district in the immediate area, as well as
15 generally throughout the township.

16 MR. FARNSWORTH: Okay. Thank you.

17 MR. LAQUAGLIA: Any other questions, board? I
18 don't see any hands. Amanda, you see any hands? I
19 don't see anything popping up.

20 MS. WATERS: No. I don't.

21 MR. LAQUAGLIA: Are there any questions from the
22 public for Mr. Phillips? I don't see any hands. Do
23 you, Amanda?

24 MS. WATERS: No. I don't.

25 MR. LAQUAGLIA: That's closed. Thank you, Mr.

1 Phillips.

2 MR. PHILLIPS: You're welcome, Mr. Chairman.

3 MR. LAQUAGLIA: Uh, who do we have left? Uh, Mr.
4 Intindola, you've made your presentation. Correct,
5 sir?

6 MR. INTINDOLA: Uh, we -- uh, along the -- as
7 each traffic expert testified, we provided our input,
8 and then received additional information along the
9 way. So --

10 MR. LAQUAGLIA: Okay.

11 MR. INTINDOLA: But just for a summary. And, you
12 know --

13 MR. LAQUAGLIA: Yes.

14 MR. INTINDOLA: -- for the board. What we have is
15 a application that the traffic data, and -- may not
16 have caught up with the business model that you guys
17 are considering. Uh, and the applicant has provided,
18 um, three sets of data that converge on basically a
19 site that has enough parking to churn. And that was
20 supported by, uh, the detail operations, which I
21 wanted to hear.

22 And the -- how they approach their operations,
23 it's well thought out. It's a national chain that has
24 worked out the issues of how to get orders across the
25 transaction desk, so to speak. Uh, I -- I don't have

1 any issue with that.

2 Uh, from a physical point of view, it's a right
3 in, right out, which, from a traffic engineering
4 perspective, is the least intrusive traffic pattern
5 that you could have on Broad Street.

6 And although it is awkward, because they are
7 accepting the safety value of the right in right out,
8 but there may -- may be some backwash through the
9 neighborhood, but not to the extent that, uh, it's
10 causing a major queuing, or other impact to those
11 neighborhood streets that, uh, are both to the -- I'm
12 going to call it, towards the parkway, and then back
13 towards, um, the center of town.

14 And well, we do recognize that it's an awkward
15 sight because of that. But ultimately, I believe that
16 this board has made them work through the issues and
17 provide the information needed. Ultimately, it goes to
18 Essex County for review.

19 And finally, from a traffic engineering
20 perspective, when you do have an unknown use or a use
21 that is kind of in other places, but not in this exact
22 place and in this configuration, they've offered to,
23 um, have the appropriate, uh, traffic safety officer
24 posted, uh, while it goes through its growing pains.
25 And as a traffic engineer, um, I believe that is the

1 best way to work it out.

2 Uh, should it be so popular that it's
3 unmanageable, the police are already there in place.
4 It's not like you're calling them in later. And
5 they've agreed to that. Uh, Mr. Marucci makes a good
6 point. That if the pick-up is -- and preorders are
7 driving the use, and the casual dine-in is not driving
8 it anymore, then what would be the harm in reducing
9 the seats, say for each restaurant 20 percent? Which
10 although -- and keeping the parking the same?

11 Because the conundrum is is that your parking
12 supply is dictated by the number of seats. And so if
13 the board would consider an overage in parking, and
14 are reducing the number of seats say by 20 percent,
15 that might, uh -- uh, provide the answer that Mr.
16 Marucci was looking for.

17 Uh, and I agree with that. And I always, uh,
18 appreciate his practical-minded solutions to issues
19 that the board grapples with. So that -- that's --
20 that's my, uh, input at this point of the hearing.

21 MR. LAQUAGLIA: Thank you, sir. Councilman
22 Rockwell, do you have a question for Mr. Intindola?

23 MR. ROCKWELL: Uh, yes. I do. Mr. Intindola, did
24 you, uh, look for accident reports when you did your
25 traffic report in this location for the -- you know,

1 the vicinity?

2 MR. INTINDOLA: I did not specifically, uh, ask
3 for the, like, three year back cycle for traffic re- -
4 - accidents in this, uh, in this instance. I don't
5 know if the police, uh, generated a letter. But
6 usually they would make us aware if that would need to
7 be looked at further.

8 MR. ROCKWELL: But do you usually ask for that
9 for a traffic study like this?

10 MR. INTINDOLA: Not traditionally. Only if I'm
11 looking to, um, handle a situation where I'm doing
12 traffic warrants, or, uh, based on my experience, that
13 it's a high accident area. I don't believe so, just
14 based on my experience with the quarter. But if it's
15 something that needs to be looked at, we could.

16 But I -- what I do is that I reach out to the
17 traffic officer, that -- that's his day and day job
18 every day. And he can give me initial, um, take on if
19 that is a area of concern. But I don't think that's
20 come across in the record yet.

21 MR. ROCKWELL: Uh, di- -- did you speak to the
22 traffic, um --?

23 MR. INTINDOLA: No. I did not.

24 MR. ROCKWELL: Okay. Thank you.

25 MR. LAQUAGLIA: Thank you, Councilman. Board, any

1 other questions? Uh, Mr. Babula?

2 MR. BABULA: Thank you. Um, before I asked my
3 question, Mr. Intindola, um, I just want to weigh in
4 an opinion, um, of the suggestion of re- -- reducing
5 the number of seats in a restaurant to accommodate
6 more capacity for -- for the mobile parking. I think
7 it seemed to be inconsistent with the master plan
8 vision for the neighborhood business zone.

9 Um, that said, so Mr. Intindola, um, so you heard
10 me earlier, I -- I was trying to wrap my mind around
11 the peak flow into the parking lot. Considering the
12 testimony from Mr., uh, Enos, I believe it was, in
13 which he -- he said that, um, the expected -- if my
14 notes are correct here, the average parking lot linger
15 times were, like, three minutes for pick-ups, two
16 minutes for delivery drivers. And of course, that's
17 not even considering that people were dining on site.

18 Um, and then there was other testimony that --
19 I'm sorry. I -- I misspoke there. Um, and then, you
20 know, Mr. Rubin went and, you know, chimed in and --
21 and, you know, weighed in, and he said, you know,
22 well, don't forget, there's, you know, 29 or how- --
23 however many parking spaces.

24 So can you, I guess, explain to us or to me, I
25 guess, maybe I'm the only one who's struggling with

1 this, how to, uh, process all that, and to understand,
2 you know, how the parking lot is going to, um, have
3 sufficient capacity for these peak times based on what
4 seemed to be somewhat conflicting volumes, estimated
5 volumes of people coming in and out of that parking
6 lot during peak periods?

7 MR. INTINDOLA: So then, um, as Mr. Seckler
8 testified to, uh, if you churn those spaces, and
9 discount some of the spaces that may or may not be
10 there, during your peak hour, you have a 300 spot
11 churn, based on the number of parking spaces provided.

12 And based on the testimony by their operations
13 manager or vice president, as well as the testimony of
14 Mr. Seckler, as well as my familiarity with, uh, you
15 know, the -- you know, traffic engineering, I believe
16 that the spaces provided would have enough to churn in
17 a peak hour to provide the capacity that they need.
18 Because it basically is 300 spaces effectively over
19 that one hour period. And I agree with that.

20 So then the question is that, how do you protect
21 those spaces, uh, basically, and to speak in the
22 vernacular, for the churn? Right? Well, I'm suggesting
23 that you reduce the seating by 20 percent, do not
24 reduce the parking to follow. So there's -- in your
25 ordinance, then there would be an apparent overage,

1 but it would provide the buffer that I think the board
2 is looking for to, um, set aside or preserve spaces
3 for that churn. Is -- if that --

4 MR. BABULA: Um, right. No. Okay. So thre- -- so
5 when we say 300 spaces, so can you explain that
6 concept to me? I mean, I guess, you know, in nutshell,
7 ha- -- what that number represents?

8 MR. INTINDOLA: So you have 29 spaces, say if
9 it's five -- five minutes per, you do the math. Right?
10 So then it brings you to, uh, the 12 minute periods of
11 a 5 minute churn. Uh, so then that equates to, Matt
12 did the math at 350, I would discount that to 300. So
13 you have 300 effective spaces, because they turn over.

14 MR. BABULA: Okay. Um, I -- there -- there was a
15 member of the public who had asked a question, uh,
16 regarding the circulation within the parking lot,
17 which is kind of a U shape, I guess it is a U shape.

18 So if -- if someone pulls into the parking lot,
19 and they can't find a -- a spot for whatever reason,
20 they would have to exit the parking lot. And as we
21 know, they would have to make a right, they could not
22 recirculate in.

23 Do you anticipate, you know, an- -- any concerns
24 or issues with people stopping the parking lot because
25 they can't find a spot, but they don't want to exit,

1 and thereby, you know, backing traffic up into the
2 parking lot or -- or, you know, creating conflicts
3 with people trying to back up and -- you know, out of
4 a parking space and to exit?

5 Because it just seems this arrangement isn't too
6 forgiven -- forgiving in terms of, you know, people,
7 you know, arriving and not being able to fi- -- find a
8 spot immediately.

9 MR. INTINDOLA: So to answer your question, I
10 believe that the, uh, operations, uh, from the brand
11 operations has answered my question in terms of they
12 have figured out how to get orders in and out.

13 I was interested in then that the -- the four
14 minute lead time for the drivers for the third-party
15 services have a four minute head start. So when they
16 roll up, their order is almost done at the window, and
17 it's only to them. That was one of the questions I
18 had. Like, could I walk up as a purchaser, and knock
19 on the window, and said I would like something? That's
20 not the case. That's been clarified for me.

21 So then it seems like that the -- the -- the
22 issues that I have monitored on this application have
23 been addressed by way of tonight's operations
24 testimony. Then the second, um -- uh, part of the
25 answer is that because it's a right in, right out, if

1 you can't get a parking space, either you move on and
2 don't make the purchase, because it's not convenient
3 for you.

4 And while we're going through that initial, uh,
5 market adjustment for this site, there will be a
6 police presence there. So that -- so then you don't
7 have a queue past -- for me, past the, uh, fire -- the
8 fire station. Because there will be a police presence
9 there, as the, um, applicant has, you know, stipulated
10 to. So that -- that is my comfortability in this site.

11 MR. BABULA: Um, and getting back to the, uh, e-
12 mail that was shared with the board earlier today --

13 MR. INTINDOLA: Right.

14 MR. BABULA: -- regarding the, um -- the
15 spillover, I -- I guess would be the term, into the
16 local streets. Um, again, a question came up from a
17 member of the public as to why it was not considered
18 the possibility that customers, um, would go straight
19 on Broad Street across the parkway in order to
20 effectively make a U-turn to come back.

21 Um, is that something that should've been
22 considered? Because as we know, you know, the traffic
23 at that light that light backs up. Um, and if you're
24 pla- -- making a right out of that parking lot, it can
25 actually be difficult to get over to the left-hand

1 lane, and make a left to go north on Broad Street.

2 And folks could get stuck in the right lane, and
3 be forced to kind of go straight over the parkway. Um,
4 I mean, is that something, you know, that should have
5 been considered, just based on the configuration and
6 the patterns, uh, already existing at the
7 intersection?

8 MR. INTINDOLA: Well, we had discussed that at
9 the prior hearing, what the applicant's traffic
10 engineers should cover for that, such movements. And
11 then, uh, I believe it was my testimony, or I made
12 comment that they would go across the parkway.

13 And then, you know, I think we got feedback when
14 we heard that that it would be more practical to make
15 the left, go continue on Broad, and -- and go, uh, to,
16 uh, I think it's Overlook as the first left back.

17 So that was -- that was considered, but it didn't
18 have any legs so to speak. Because then you -- the --
19 the circulation around the St. Thomas neighborhood to
20 come back around was just so impractical as to not to
21 be feasible.

22 MR. BABULA: Right. No. I -- I hear what you're
23 saying. I mean, you know, we know that it's probably -
24 - it would be impractical. But I'm just putting myself
25 in a position of someone who may be unfamiliar with

1 the site. You know, they make a right out of that
2 parking lot, and they think, okay, where do I go now?

3 You know, are they going to go left, are they
4 going to go straight? You know, I think they're more
5 inclined to go straight, because they may think if I
6 make a left, it's going to take me further away from
7 where I want to be. All right. I -- I guess it's kind
8 of a hypothetical. It's difficult to really answer.
9 All right. Thank you, Mr. Intindola.

10 MR. INTINDOLA: All right. I appreciate the
11 questions.

12 MR. LAQUAGLIA: Okay, Mr. Babula. Any other
13 questions, board? Amanda, do you see anybody raising
14 their hand?

15 MS. WATERS: Not from the board.

16 MR. LAQUAGLIA: Not from the board. Okay. At this
17 time, I'll open it up. Questions from the public for
18 Mr. Intindola? But only questions, and only to his
19 testimony. Diana Kinsella?

20 MS. KINSELLA: Hi. Uh, my name's Diana Kinsella.
21 Um, and I'm a resident of 13 Morley Lane.

22 MR. LAQUAGLIA: 13 Morley --

23 MS. KINSELLA: Um --

24 MR. LAQUAGLIA: -- Morley Lane?

25 MS. KINSELLA: Yes.

1 MR. LAQUAGLIA: Okay, ma'am. Go ahead.

2 MS. KINSELLA: Um, so I know that we -- you know,
3 you -- you guys have looked at the traffic. Um, and
4 one of the things that's concerning for me, especially
5 living right, obviously, by this, um, particular
6 establishment is obviously there's constant traffic.
7 But I know, um, there's going to be some new stuff
8 com- -- uh, some new, uh, establishments coming up in
9 the -- the parkway rest area.

10 So -- and again, I know that's definitely
11 happening. So in terms of, like, what you guys have
12 looked at in terms of the impact, um, you know, has
13 that been considered at all in any way, um, the impact
14 that the -- those new restaurants will have,
15 obviously, um, within the traffic of Broad Street?
16 Because I know, obviously, in the past, lots of people
17 went to the McDonald's, um, and those restaurants as
18 well. Um, obviously, going on Broad and making that
19 left as well.

20 MR. LAQUAGLIA: Okay. So what's your question?

21 MS. KINSELLA: If the addit- -- if, like, the --
22 the impact of those new businesses that are going to
23 come up in the parkway are sort of being built into
24 the effects of having yet another, you know, kind of
25 fast food, um, establishment right within that same

1 area.

2 MR. INTINDOLA: I believe the applicant had said
3 that had been accounted for in their traffic counts,
4 but I would have to get confirmation for that. Uh,
5 when they did the counts before closure of the, um --
6 the park -- or, uh, the, uh -- uh, Brookdale is it?
7 Uh, rest stop.

8 MR. LAQUAGLIA: Yeah.

9 MS. KINSELLA: Yeah.

10 MR. INTINDOLA: Uh, I think they had testified
11 to. And, uh -- but in any event, as a draw to the
12 local traffic from the parkway, I don't know if that
13 interconnection is going to remain in the build out,
14 uh, as we have now, because it -- it -- it's a -- with
15 the new, um, rebuild. So I do not know.

16 But I think that the applicant had testified that
17 they captured when the, um, rest stop was still in
18 operation, not what it's going to be now. But when it
19 was an operation. It may have more traffic in the
20 future. But I -- I believe that that, with respect to
21 what's going on in front of this site, um, it -- it --
22 I don't think it's going to have that much of a
23 significant impact, uh, because most of that is geared
24 towards parkway traffic anyway.

25 MS. KINSELLA: Okay. Yeah. I know. Because I know

1 that there's going to be now -- you know, versus one
2 establishment, it's going to be three. Um, and I know
3 that people frequented that McDonald's a lot, which is
4 why I know the McDonald's is backed up now. Um, the
5 other one on Broad Street. And essentially that L
6 intersection, again, it's all just one big mess. Um,
7 but -- which is why I wanted to check it and see if
8 that was taking into account.

9 MR. LAQUAGLIA: Do you have any other questions,
10 ma'am?

11 MS. KINSELLA: Nope. That's it.

12 MR. LAQUAGLIA: Mr. Lasek, you had a question,
13 sir?

14 MR. LASEK: Yeah. I -- I just -- I just thought
15 of a question, again, related to the traffic and the
16 circulation in the -- in the access. Um, and I know,
17 we talked about a police presence there, which is
18 great. I mean, our police will certainly do a good
19 job, um, in handling that.

20 The only question I have is, is this being paid
21 by the applicant? Or is the township going to take on
22 the responsibility of controlling traffic for a
23 private development? I don't think that was ever
24 addressed, other than just kind of in a general way.

25 MR. LAQUAGLIA: If I could jump in before Mr.

1 Joseph answers that, uh, because I believe he would be
2 the one to answer that. I believe I want this -- when
3 I recommended that our police presence be there, the
4 cost would be on the applicant. Uh, is that
5 acceptable, Mr. Joseph?

6 MR. JOSEPH: That was my understanding as well.
7 Uh, un- -- unless you want to pay for that personally.

8 MR. LASEK: I don't.

9 MR. JOSEPH: No, yeah. The ap- -- of course, the
10 applicant would, uh --

11 MR. LAQUAGLIA: Yeah.

12 MR. JOSEPH: -- uh, pay for it.

13 MR. LASEK: All right. And that will be a
14 condition of the resolution of approval, I assume.

15 MR. JOSEPH: Should the application get approved.
16 Yeah.

17 MR. LASEK: If the -- yeah. If it -- all right.
18 Thank you.

19 MR. LAQUAGLIA: All right. Board members, any
20 other questions? Uh, you see anybody raising their
21 hand, Amanda? I don't see any.

22 MS. WATERS: No. No hands up.

23 MR. LAQUAGLIA: Uh, any other questions from the
24 public? I don't see anybody either. You see anybody,
25 Amanda?

1 MS. WATERS: No hands up.

2 MR. LAQUAGLIA: That portion's closed also. Uh, I
3 believe that's all our experts. At this time, I'll
4 allow the public to make a comment. But you only have
5 three minutes, and it has to be about this
6 application. Does anyone from the public want to make
7 a comment? Ms. Kinsella.

8 MS. KINSELLA: Yeah. Um, just as a resident of
9 Morley Lane, just going to be, again, really affected
10 by this --

11 MR. RUBIN: You have to be sworn in. Excuse me,
12 Ms. Kinsella.

13 MR. LAQUAGLIA: Oh, sorry.

14 MR. RUBIN: But you have to be sworn in. Each and
15 every person has to be sworn in.

16 MS. WATERS: Do you swear that the testimony you
17 are about to give is the truth, the whole truth, and
18 nothing but the truth?

19 MS. KINSELLA: Yes.

20 MS. WATERS: Okay. Please state your first and
21 last name for the record.

22 MS. KINSELLA: Diana Kinsella.

23 MS. WATERS: Thank you.

24 MR. LAQUAGLIA: And your address, ma'am?

25 MS. KINSELLA: 13 Morley lane.

1 MR. LAQUAGLIA: Thank you.

2 MS. KINSELLA: Yeah. Just sort of just a comment
3 as a resident that's going to be really affected by
4 this. You know, I think I do agree with, um, the
5 comment made from someone from the -- the town about
6 the neighborhood, um, you know, business district.

7 And essentially, you know, the businesses that
8 are all around here are walkable, um, and really kind
9 of geared for families, um, to come spend some time at
10 the business. Um, and this particular business is
11 really not for that.

12 The emphasis is for them to do, like, high, quick
13 turnover, and lots of volume. Which really, again,
14 isn't something that is going to really help or
15 improve the neighborhood, it's really just going to
16 bring in a lot more traffic, and people, just
17 transient folks coming in and out, um, of the
18 Brookdale neighborhood.

19 Um, we already get a lot of people parking in our
20 streets, like, in our personal, residential streets,
21 for schools and other events that come around. Um, and
22 I'm, you know, just concerned in general about having,
23 again, like, additional people just park on our
24 streets that we don't know.

25 Um, and just kind of really changing the

1 landscape of the street and the neighborhood, where we
2 kind of see it as a walkable place to go to local
3 businesses, and not, um, a place where we have a super
4 high traffic, um, essentially, like in and out, quick
5 serve restaurants. So that's it.

6 MR. LAQUAGLIA: Thank you, man. And Ms. Steffens
7 -- Steffen. Yes. Again, you have three minutes, ma'am.

8 MS. STEFFEN: Thank you. Do I need to be sworn
9 in?

10 MR. LAQUAGLIA: Yes. You do. Name, address, and
11 be sworn in.

12 MS. STEFFEN: Certainly. Jane Steffen, uh, Ernst
13 -- uh, 40 Ernst Avenue.

14 MS. WATERS: Do you swear that the testimony you
15 are about to give is the truth, the whole truth, and
16 nothing but the truth?

17 MS. STEFFEN: I do.

18 MS. WATERS: Thank you.

19 MS. STEFFEN: Um, thank you for your time, and
20 thank you for the many hearings on this. I -- I would
21 just like to really reiterate what, um, folks have
22 said, that this is out of the keeping of the character
23 of the neighborhood, um, that this, um, is outside of
24 what, um, is typical visually for the neighborhood. As
25 far as also the parking situation, different from the

1 neighborhood.

2 I'd also like to identify that there has been
3 some pedestrians struck recently by vehicles. I
4 believe that happened after the traffic study. And I
5 would urge the board to consider those, um, accidents
6 or accident. I -- I was, uh, there right after the one
7 gentleman was struck, um, at that exact location.

8 And then I would also, you know, suggest that
9 this is a different type of land use. That perhaps the
10 applicant is applying for what we have on our books,
11 but this appears to be a quite different type of land
12 use. It's two businesses, not one. It is a business
13 that is not having a drive-through window, but is also
14 not a sit down restaurant. It is some place between
15 the two of those, um, that I believe is more akin to a
16 drive-through.

17 Um, and that seems to want to do the volume that
18 one would see, um, in a drive-through business. And I
19 think that the -- you know, the board, it would be
20 helpful to the residents of the neighborhood for them
21 to consider that difference in the use of the land.
22 Thank you.

23 MR. LAQUAGLIA: Thank you, ma'am. Is there anyone
24 else from the public wanting to make a comment? You
25 see any hands, Amanda? I don't see anybody. Uh --

1 MS. WATERS: Uh, yes.

2 MR. LAQUAGLIA: Mr. --

3 MS. WATERS: Mr. Aria.

4 MR. LAQUAGLIA: -- Aria. Again, you have to be --
5 name, address, and be sworn in.

6 MR. ARIA: Hi. Anil Aria, resident of 39 Macleod
7 Lane.

8 MR. LAQUAGLIA: Swear him in, Amanda, please.

9 MS. WATERS: Sorry. Um -- uh, do you swear that
10 the testimony you are about to give us the truth, the
11 whole truth, and nothing but the truth?

12 MR. ARIA: I do.

13 MS. WATERS: Thank you.

14 MR. ARIA: Um, I have very few quick comments. I
15 mean, I agree to whatever was said earlier, by -- by
16 my fellow citizens, because it will absolutely change
17 the neighborhood. My old -- my concern also rests upon
18 kids going to Brookdale, and the traffic, since this
19 is high volume, high traffic driven business.

20 Um, it's already a high risk crossing getting to
21 -- across from Macleod to Brookdale Elementary. And I
22 feel that increasing traffic flow on Broad Street is
23 just an additional layer of risk where people already
24 are inattentive in spite of the traffic, the flashing
25 traffic light being there, we have crossing guards.

1 But, you know, uh, even they have a tough time
2 managing the traffic volume.

3 So this is just adding to that volume. My concern
4 is for the kids, and to make sure that what happened
5 with, you know, the gentleman that was crossing the
6 street, Lord forbid, it's not a child, it's just
7 something we need to be mindful of. So thank you for
8 the opportunity for sharing my thoughts. But we just
9 need to -- need to definitely be aware of what we are
10 getting into.

11 And similarly, what we heard from the experts
12 from this restaurant, the numbers did not add up. If I
13 asked the traffic experts, they did not consider
14 location of fast foods next to schools. So there are
15 just some gaps in the analysis that has been presented
16 outside of, you know, what we should just do for the
17 kids and the neighborhood. So that's it from my side.
18 Thank you.

19 MR. LAQUAGLIA: Thank you, sir. Peter Mock, name,
20 and address, and be sworn in.

21 MR. MOCK: Yes, sir. Peter Mock, 173 State Street
22 in Bloomfield. Uh --

23 MS. WATERS: Do you --

24 MR. LAQUAGLIA: You have to be sworn in first.

25 MS. WATERS: Do you swear that the testimony you

1 are about to give is the truth, the whole truth, and
2 nothing but the truth?

3 MR. MOCK: I do.

4 MS. WATERS: Thank you.

5 MR. MOCK: So yeah. I live on the other end of
6 town more towards the -- the central part of town. So
7 I don't really have any, uh -- uh, direct interest.
8 But this sure does seem to be, uh, putting a lot of
9 burden on the local residents, especially for
10 Overlook, Parkview, especially Macleod and Morley.

11 I mean, you're going to see a lot of folks taking
12 those loops. Um, this location is -- it really -- I
13 mean, it's -- it's just -- it's really geared for a
14 highway, uh, commercial district. There's not a lot of
15 good cross roadways to -- to allow people to come and
16 go easily.

17 So when you're approaching from, uh, Route 3,
18 you're going to have to make some sort of loop to come
19 back around. Uh, if you're exiting and you need to go,
20 uh, back, uh, south on Broad Street, you're going to
21 have to loop around. If there's no parking, uh, in the
22 lot, then you need to leave, you're going to have to
23 go around Overlook and Parkview, or some of the other
24 streets to loop around. Um, so it's going to really be
25 a burden on -- onto this local streets.

1 And if you realize that these -- a lot of these
2 drivers are incentivized, um, to do their driver --
3 uh, deliveries quickly, um, you know they're going to
4 be going, uh, at an increased speed. Um, so I think
5 it's a -- it's a recipe, and especially for this
6 particular area, for a lot of problems, um, especially
7 for local residents. Uh, it seems a little bit extreme
8 for this location. Thank you so much.

9 MR. LAQUAGLIA: Thank you, sir. Is there anyone
10 else? I don't see any hands. Do you, Amanda?

11 MS. WATERS: No. No other hands.

12 MR. LAQUAGLIA: No other hands. That portion is
13 closed. Mr. Marucci, did you have any final comments?

14 MR. MARUCCI: No comments, sir.

15 MR. LAQUAGLIA: Thank you. Mr. Phillips, any
16 final comments?

17 MR. PHILLIPS: No, Mr. Chairman.

18 MR. LAQUAGLIA: Thank you, sir. Board members,
19 any comments from the board members?

20 MR. RUBIN: Mr. Chairman, I have a couple of
21 comments.

22 MR. LAQUAGLIA: Yes. Michael Rubin.

23 MR. RUBIN: I think, uh, it's important,
24 considering that we have some new board members who
25 haven't dealt with an application like this before, as

1 well as the issues that have been raised by board
2 members and the public, for me to lay out the
3 parameters of -- of the discretion that the board may
4 have in this application.

5 We need to start with the fact that it's a
6 permitted use, and that affects several of the, uh,
7 issues that have been raised by the board, and by the
8 public. First of all, as a permitted use, the law says
9 that, uh, the council, in adopting an ordinance that
10 permits fast food restaurants in this location, has
11 considered the impact of that use on the adjacent
12 roadways.

13 Therefore, it is not within the board's purview
14 to deny a permitted use on the basis of its impact on
15 the adjacent roadways. And that includes whether or
16 not traffic will be di- -- diverted to Morley, or to
17 Macleod, or to Ernst, or to any other streets in the
18 neighborhood. As far as the board is concerned, the
19 council has taken that into consideration when it made
20 fast food restaurants a permitted use.

21 Secondly, because fast food restaurants are a
22 permitted use, it would be inappropriate for the board
23 to conclude that this is not a -- that it is not a
24 neighborhood business. Fast food restaurants are
25 permitted uses in the B-2 zone, the neighborhood

1 business zone. So the determination has been made that
2 fast food restaurants are appropriate for the
3 neighborhood business zone.

4 The board cannot conclude that this fast food
5 restaurant operation is not appropriate for a
6 neighborhood business zone. That determination has
7 been made by the council in adopting a zoning
8 ordinance that made it a permitted use.

9 Additionally, more than one principal use is
10 permitted on a law in the B-2 zone. There's nothing in
11 the ordinance that says that they can't be two of the
12 same uses. So the idea that this is two fast food
13 restaurants instead of one is not a pertinent
14 consideration, given the language of the -- of the
15 ordinance.

16 What is permitted is the idea as to whether or
17 not this site will operate safely, both in terms of
18 on-site circulation, parking, pedestrian access, and
19 ingress and egress onto Broad Street. Safety is always
20 a consideration for the board as to weigh the -- the
21 manner in which a site will operate.

22 You also have some relief that's necessary. One
23 of which was discussed at length by Mr. Phillips with
24 respect to the parking, front yard parking, and a
25 design waiver, or a design exception, uh, for that

1 deviation.

2 That's a requirement that's set forth in the
3 design standards, not the zoning ordinance. It is a
4 reduced burden of proof. But nonetheless, there has to
5 be some showing that the alternative, the permitted
6 alternative is either not possible, or would -- would
7 result in an undue hardship. Or as Mr. Phillips said,
8 is not a better planning alternative.

9 So if the board believes that front yard parking
10 is a better planning alternative, then it should grant
11 the design exception. If it believes that a better
12 planning alternative would not involve front yard
13 parking, then it has a basis to deny the application
14 due to the design waiver. There are also sign
15 variances, and fence varian- -- and a fence variance,
16 fence height variance, which Mr. Phillips, uh,
17 basically said he had no trouble with.

18 But, uh, I think it's really, really important
19 that the board, in their discussions, focus on the
20 parameters of their jurisdiction. And that does not
21 include whether or not Broad Street can handle the
22 traffic, whether or not the surrounding roadways might
23 be impacted by people who need to get into this site,
24 which will be right in, and right out only.

25 That's not appropriate for the board to consider

1 that. Nor is it appropriate for the board to say, this
2 is not a neighborhood business, because the zoning
3 ordinance says it is a neighborhood business. Thank
4 you, Mr. Chairman.

5 MR. LAQUAGLIA: Thank you, Mr. Rubin. Always
6 insightful. Any comments, board members? Uh,
7 Councilman Rockwell. You're muted, Councilman.

8 MR. ROCKWELL: Um, what about the fact that --? I
9 mean, I would -- I would argue that you're -- the
10 definition of a restaurant and fast food restaurant,
11 my -- my own idea of that is that it's a place where
12 somebody goes to sit down to eat, and some people take
13 out food from there.

14 So to have a business which is geared for more
15 than 50 percent of the business being food preparation
16 for delivery, to be picked up for delivery, that
17 doesn't seem like a fast food restaurant to me. And I
18 don't think that was something that anybody would have
19 thought of when -- when this ordinance was defined
20 that said, this is -- that -- that a fast food
21 restaurant is a permissible use in this neighborhood.

22 MR. RUBIN: Well, the definition of a fast food
23 restaurant in the ordinance is, an establishment whose
24 principal business is the sale of pre-prepared or
25 rapidly prepared food directly to the customer in a

1 ready to consume state for consumption, either within
2 a building or off the premises. That's the definition.

3

4 [446169 Dec VTS_01_8]

5

6 MR. ROCKWELL: Uh, so the -- but the fo- --
7 preparation of the food isn't the -- for the customer.
8 It's for -- it's for delivery.

9 MR. RUBIN: It's for the customer. The end user
10 is the customer. The delivery person is not eating the
11 food.

12 MR. ROCKWELL: Okay. So --

13 MR. RUBIN: It doesn't even -- so what -- I --
14 I'm not sure it matters whether the customer comes and
15 picks up the food, or a delivery service comes and
16 picks up the food. It's still one car, one person
17 coming to pick up the food.

18 MR. ROCKWELL: Okay. So I'm -- I mean, I'm
19 looking at our master plan. I know that, um, you're --
20 you're saying, uh, this is a permitted use. But, uh,
21 for this specific neighborhood, the master -- for this
22 specific business neighborhood, the master plan says
23 that they, um, want to foster compact, accessible,
24 pedestrian friendly shopping areas. I -- I don't see
25 this as pedestrian friendly. Um --

1 MR. RUBIN: Certain- -- Councilman, can I please
2 stop you there? Councilman, you cannot say that this
3 use is not consistent with the master plan when it's a
4 permitted use. Do you understand it's a permitted use?
5 If you could say that -- if it wasn't a permitted use,
6 you could say it would be inconsistent with the master
7 plan to permit this use. But you can't say that a
8 permitted use is not consistent with the master plan.

9 MR. ROCKWELL: Okay.

10 MR. RUBIN: The problem is, is the -- the issue
11 as to the consistency of the master plan, I think,
12 goes to Mr. Phillips's point, which is the front yard
13 parking issue. That --

14 MR. ROCKWELL: Okay.

15 MR. RUBIN: That -- that is -- that is an
16 appropriate issue for the board to discuss. But, uh,
17 look. I understand your concern, and I understand the
18 fact that this is unique. And I understand the fact
19 that we haven't really had enough testimony to tell us
20 how this, what should be a predominantly pick-up
21 service, is going to work.

22 MR. ROCKWELL: Okay. I --

23 MR. RUBIN: The fact of the matter -- but -- but
24 let me finish, please. I -- I -- I'm sympathetic to
25 all that. But I also -- I -- I'm also a lawyer who

1 represents this board and has to kind of put this in
2 the context of what the law permits you to do.

3 Now, it seems to me that, given the testimony
4 we've had, not only by, um, the -- the -- the
5 witnesses for the board, the professional -- but --
6 but Mr. Seckler -- Seckler himself, who said that this
7 is sort of a new use. That goes to whether or not you
8 are convinced that this site is going to operate
9 safely.

10 Have you -- have you received the data that you
11 need to satisfy you that, given the way this site is
12 going to operate, and the predominance of pick-up,
13 both the 46 percent from delivery, and the, I think,
14 28 percent, or whatever it is from mobile orders, are
15 you convinced that this site can operate safely? You
16 have a traffic expert that indicated that he was.

17 MR. ROCKWELL: Okay.

18 MR. RUBIN: The board needs to be satisfied to
19 that.

20 MR. ROCKWELL: Okay. I -- I'm not convinced that
21 it can operate safely. Part -- largely because all of
22 the numbers that have been mentioned were all
23 hypothetical. We don't really know what actual traffic
24 is going to be generated here. We don't know how many
25 people are going to make -- try to make right turns

1 when they can't make a right turn, how many people are
2 going to go down this street to make a U-turn, or go
3 down that street to make a U-turn.

4 MR. RUBIN: No. Stop, Mr. -- you're talking about
5 on -- you're talking about off-site traffic impacts.

6 MR. ROCKWELL: Uh --

7 MR. RUBIN: Those are not an appropriate
8 consideration for the board. If there are people that
9 are going to turn onto Ernst or any other street, that
10 is not the board's concern.

11 MR. ROCKWELL: That's a sa- --

12 MR. RUBIN: Board's concern, is this site going
13 to operate safely as a -- as a unique, independent
14 site on itself?

15 MR. ROCKWELL: Okay.

16 MR. RUBIN: Don't worry about its impact on Broad
17 Street.

18 MR. ROCKWELL: Okay. I'm not convinced that it
19 can operate safely, because all the figures that we've
20 been given were hypothetical. In addition to that, the
21 fact that a traffic safety officer is required to be
22 employed here, I think is an indication that it's not
23 safe. And -- and I don't think businesses should have
24 to be hiring traffic safety officers.

25 Um, I object to the fro- -- the front yard

1 parking, uh, waiver. Um, I do think that there --
2 there hasn't been evidence that this restaurant
3 couldn't be located in the front of the property, with
4 the parking in the rear, which would have, uh,
5 eliminated the need for front yard parking. And it
6 would also make it pedestrian friendly, which I know
7 it's -- is under consideration.

8 So I object to the sign ordinances too, because
9 the sign ordinances and the general look of this place
10 make it look like a -- with the parking in the front,
11 make it look like a strip mall. The kind -- it looks
12 like the kind of business that you would see on Route
13 17 and Route 22, which, um, is, uh, totally out of
14 character for this neighborhood.

15 I don't think we want Broad Street to look like
16 Route 17. But that's all -- that all ties into the
17 front yard parking. So I object to the front yard
18 parking variance, I object to the sign variances,
19 which are going to be large signs that are going to
20 look like, uh, strip mall signs on a -- on a highway.
21 So that's, uh -- those are my comments.

22 MR. LAQUAGLIA: Thank you, Councilman. Mr.
23 Babula, you have some comments?

24 MR. BABULA: Yes. Let me lower my hand. Well,
25 first, I just want to say that I appreciate all the

1 work of all the professionals that have went into
2 this. I think we're on, what, our fourth hearing, Mr.
3 Chairman?

4 MR. LAQUAGLIA: I believe so.

5 MR. BABULA: Um, and for the testimony, the many
6 hours of testimony. Um, I -- I do not believe that the
7 applicant has met the burden of proof for the design
8 waiver for the front yard parking. Um, I agree with
9 Mr. Rubin and Mr. Phillips's definition of
10 impracticable.

11 Um, I -- I think the plan as presented is -- is -
12 - is the preference of the applicant. But I don't
13 think there has been any proofs, um, expressed to the
14 board why a different iteration is impracticable on
15 this site, in conformance with the design guidelines
16 for the B-2 neighborhood business zone, um, with the
17 parking not located in the front yard.

18 Front yard parking to me, as Mr. Phillips has
19 pointed out in our various B-2 neighborhood business
20 zones across the township, um, is largely located side
21 yard or behind the buildings. We can see that in this
22 particular neighborhood zone, which goes at Broad
23 Street and jogs left down -- or, uh, jogs left onto
24 Broad Street North, um, I think the only site in that
25 neighborhood that has front yard parking, I think, is

1 -- is the auto parts store which ha- -- auto part
2 store, which I think has, like, six spots in front of
3 the building. It's very small.

4 Everything else is either a street wall right up
5 against the sidewalk, or slightly setback with a lawn,
6 like Brookdale school. And obviously, you have the
7 firehouse next door that has a ramp for obvious
8 reasons.

9 Um, there was testimony, uh, from the applicant's
10 planner that it would be preferable to have the
11 building in the back, and the parking lot in front,
12 because it wouldn't disturb the neighbors. I think Mr.
13 Phillips's testimony in terms of the trade-offs, and
14 why it's probably ultimately preferable to have the
15 building located away from the residences, um, I think
16 is a more convincing argument.

17 And we have an example of that just down the
18 road, uh, in the B-2 neighborhood businesses now
19 located at the intersection of Watchung Avenue and
20 Broad Street. We've got a strip of restaurants that
21 contain the IHOP, Brookdale Tavern, um, you know, a
22 few other businesses with a parking lot that is
23 essentially in the back of the building, and is
24 adjacent to the neighborhood, I think it's on Winding
25 Lane.

1 I've been here for 16 years just down the street,
2 I'm not aware of any issues with that. So, you know,
3 based on the testimony that's been provided from --
4 from everyone, I am not convinced that, um, it is
5 impracticable to adhere to the design guidelines for
6 this zone. And so I don't believe that proof -- level
7 proof has been met.

8 Uh, furthermore, I also don't believe there has
9 been adequate justification for the sign variances.
10 Um, what was requested was the size of the signs, um,
11 as well as the size of the pylon sign. Um, I have not
12 heard any testimony expressing why there is a, uh,
13 hardship requiring the -- uh, justifying the sign
14 variance.

15 Um, the planner, uh -- the applicant's planner
16 did, at some point, say, well, you know, there's -- it
17 would be safer to have these big signs. But I think
18 really, the signs are a product of the fact that the
19 proposed building is located at the back of the site.

20 If the building were in conformance with the
21 design guidelines, and there was no front yard
22 parking, it would be closer to the street, I think
23 that re- -- reduces the need for larger signs, and may
24 even reduce the need for the pylon signs, and there
25 would be no variances required.

1 Um, and finally, um, I am -- haven't -- not been
2 adequately convinced that there are -- that this, uh,
3 site can operate safely with regard to circulation,
4 uh, with regard to the ingress and the egress, and
5 with regard to the pedestrian traffic on the site.
6 That's my comment. Thank you.

7 MR. LAQUAGLIA: Thank you, Mr. Babula. Mr. Lasek?
8 You're on mute, Paul.

9 MR. LASEK: Some day, I'll get it. Uh --

10 MR. LAQUAGLIA: You are the engineer.

11 MR. LASEK: Yeah. I know. Not a computer engineer
12 though.

13 MR. LAQUAGLIA: Okay.

14 MR. LASEK: But what I-- what I was going to say
15 is, I'm not really convinced that, uh, this site is
16 going to operate safely, mainly on the varying amounts
17 of -- of numbers, or parking demand, um -- uh, figures
18 that were thrown out. They seem to vary at each
19 hearing in different ways.

20 Um, I know, finally, we landed to some type of
21 theoretical number. Uh, I don't -- and -- and I -- I -
22 - I understand that this is a unique development, or
23 it's being called a unique development. But there's
24 quite a number of fast food restaurants now that all
25 use apps, they all -- they all use mobile apps, they

1 all have picks -- pick-up and drop-offs.

2 I just don't understand why there weren't --
3 there wasn't a little bit more research done in how
4 those particular restaurants operate. Even if you
5 drill down, you know, the portion of it where you're
6 actually, um, just looking at the mobile app, um, I
7 don't feel that -- even though we could say we have a
8 300 car turnaround, um, that may be possible.

9 But the other issue is is that, how is that
10 really going to operate given what this site is
11 designed? Um, you -- you know, you'll have -- you'll
12 have, uh, various, uh, pick-up, delivery services,
13 customers coming in, um, walking up to the window.

14 And I know we're hearing two minutes, three
15 minutes. Uh, but not everybody walks at a pace of two
16 minutes or three minutes. Some may go faster, some may
17 get -- be slower, some may get in there and not, uh --
18 and -- and look for a better space. Uh, so there's a
19 lot of variables in here that aren't -- haven't really
20 been properly addressed.

21 And I know the understanding here is that, well,
22 the parking conforms to the -- to the -- to the zoning
23 ordinance. Yeah. Maybe it does. But the zoning
24 ordinance is based on seats. And when the discussion
25 comes on about, you know, basing it that it conforms

1 on the seats, uh, the biggest thing I hear here is
2 that that's probably not going to be the biggest part
3 of this business.

4 It's going to be the mobile -- the mobile apps,
5 and the pick-ups, and drop-offs, uh, and -- and that
6 type of ordering. That's not really addressed here,
7 um, other than in, you -- you know, essentially
8 theories. ITE apparently doesn't really have any kind
9 of standard for this.

10 So it's uncomfortable for me to, like, you know -
11 - again, with all the -- with all the different
12 numbers thrown around, to be convinced that this site
13 is going to operate safely, um, without a better idea
14 of -- of what a parking requirement for this type of
15 use would look like. Uh, that's about it. That's all I
16 have to say.

17 MR. LAQUAGLIA: Thank you, Mr. Lasek. Board
18 members, anyone else want to make a comment? Okay. I
19 don't see anybody.

20 MS. WATERS: Mr. Farnsworth.

21 MR. LAQUAGLIA: I'm sorry? Oh, Mr. Farnsworth.
22 I'm sorry, sir. Go ahead.

23 MR. FARNSWORTH: Thank you, Mr. Chairman. Um,
24 again, I do just want to thank the -- the applicants,
25 and their counsel, and their experts for all of their

1 time and efforts that they've put into this
2 application. Um, I do just want to echo a few of the
3 other concerns that the other board members have
4 raised.

5 Particularly, I agree that I do not feel that the
6 applicants have met the, uh -- their burden of proof
7 with respect to the desi- -- design exception. Um, to
8 be frank, I -- I felt that when pressed, uh, the
9 applicant's expert on that issue was a bit cagey. Uh,
10 and I found his testimony not to be particularly
11 credible, uh, with respect to the impracticability
12 aspect of the design exception that was sought.

13 Uh, and I felt that when it came down to it, and
14 when pressed on that testimony, uh, the applicant was
15 not able to come up with any, uh, practical planning
16 purpose or impracticability with respect to that
17 design exception.

18 Um, I -- I'm also not convinced that this site
19 can operate safely. Uh, I believe that there have been
20 too many inconsistencies in the data that has been
21 presented to us in the -- the parking and ingress and
22 egress design that have been provided to us. Um, so I
23 -- I do not feel that the, uh -- the safety aspect of
24 this application is satisfactory as well. Um, and, uh,
25 that's all I have at this time. Thank you, Mr.

1 Chairman.

2 MR. LAQUAGLIA: Thank you, Mr. Farnsworth. Anyone
3 else, board? Amanda, you got to help me here. Um,
4 Councilman Rockwell, did you want to say something
5 else, sir?

6 MR. ROCKWELL: Yes. I'd like to make one more
7 comment. Um --

8 MR. LAQUAGLIA: Of course.

9 MR. ROCKWELL: One other concern is, um, the --
10 the look and feel of -- of this proposed application.
11 Um, I know it's -- it's -- it's, um -- it's an allowed
12 use. But, um, don't we have some say over how it
13 looks? It's totally out -- out of character for the
14 neighborhood, it's out of character of Broad Street.
15 It's out of character based on our master plan,
16 wanting this to be a small-scale, neighborhood
17 business.

18 Um, the -- the fact that it's going to have large
19 signs, um, a large parking lot in the front. Uh, like
20 I said before, it looks more like a strip mall on
21 Route 17 instead of Broad Street, and I think it's out
22 of character. Um, even -- even if it is a permissible
23 use, it's, um -- uh, it's -- it's out of character the
24 way it looks. That's it.

25 MR. LAQUAGLIA: Thank you, sir. Any other board

1 members? Anyone else want to make a comment? Okay.
2 Before I ask for a vote, I'd just like to say, I do
3 agree with comments made here. My major concern is the
4 safety issue. I don't believe it was addressed
5 correctly.

6 And as was stated, we had some varying from --
7 numbers that varied from 30 an hour to about 120 an
8 hour at one point. But that said, can I have a motion
9 then to either approve or deny this application? Mr.
10 Babula.

11 MR. BABULA: Mr. Chairman, I move to deny this
12 application.

13 MR. LAQUAGLIA: Thanks, Mr. Babula. Wait. One
14 second. Deny, Mr. Babula. And do I have a second?

15 MR. ROCKWELL: Second.

16 MR. LAQUAGLIA: Councilman Rockwell. Okay. So a
17 yes vote means you're going to vote to deny the
18 application. As long as everyone understand. Yes means
19 you want to deny the application. Amanda, please take
20 a vote.

21 MS. WATERS: Councilman Rockwell?

22 MR. ROCKWELL: Yes.

23 MS. WATERS: Councilwoman Mundell?

24 MS. MUNDELL: Yes.

25 MS. WATERS: Mr. Babula?

1 MR. BABULA: Yes.

2 MS. WATERS: Mr. Zitka?

3 MR. ZITKA: Yes.

4 MS. WATERS: Mr. Lasek?

5 MR. LASEK: Yes.

6 MS. WATERS: Mr. Farnsworth?

7 MR. FARNSWORTH: Yes.

8 MS. WATERS: Mr. Harvey?

9 MR. HARVEY: Yes.

10 MS. WATERS: Ms. Richardson?

11 MS. RICHARDSON: Yes.

12 MS. WATERS: Chairman LaQuaglia?

13 MR. LAQUAGLIA: Yes. Application denied. Uh,
14 thank you for your time, Mr. Joseph, and your crew.

15 MR. JOSEPH: Thank you. Have a good night.

16 MR. LAQUAGLIA: Likewise. And, uh, board, very
17 quickly. I know it's very late. Just the RFPs are in.
18 I asked Councilman Rockwell and Mr. Zitka to join me
19 at studying it. At the January meeting, we'll make our
20 presentation as far as recommendations for our experts
21 at that time.

22 Nothing else said, our next meeting is January
23 the 18th, it's a Wednesday. But I'm sure Amanda will
24 send out reminders of that. At that point, everyone
25 have a happy holiday, happy New Year.

1 MS. WATERS: Well, uh -- uh -- um, Alan, excuse
2 me. I'm sorry, Chairman LaQuaglia.

3 MR. LAQUAGLIA: Yes. Go ahead, Amanda.

4 MS. WATERS: So at this meeting, we were supposed
5 to decide about 324 and 329 Broad.

6 MR. LAQUAGLIA: At what meeting?

7 MS. WATERS: At this meeting.

8 MR. LAQUAGLIA: I thought we adjourned that to a
9 fur- -- further --

10 MS. WATERS: We -- we were going to decide what
11 the further date was going to be.

12 MR. LAQUAGLIA: I -- Mr. Rubin, can we just carry
13 that as to a further date, since we haven't had any,
14 uh, answer from hiring counsel?

15 MR. RUBIN: Yeah. I -- I think we should decide
16 on that date on the, uh -- at the January meeting.

17 MS. WATERS: Okay.

18 MR. LAQUAGLIA: So they have to notice anyways.
19 Correct, Mr. Rubin?

20 MR. RUBIN: Yeah. They're going to have to re-
21 noticed once we give them a new date.

22 MS. WATERS: Okay.

23 MR. LAQUAGLIA: We good with that? So again,
24 January 18th, it's a Wednesday. Everyone have a great
25 holiday, a happy New Year. Uh, and I be- --

1 MR. LASEK: I'm going to go out for some tacos. I
2 got awful hungry during --

3 MR. LAQUAGLIA: Actually, we're going to go out
4 for drinks. Mike Rubin's taking everybody out for
5 drinks. So --

6 MALE 3: I'm assuming water.

7 MR. LAQUAGLIA: Goodnight, everybody.

8 MR. RUBIN: The only drinks I buy --

9 MS. WATERS: Goodnight.

10 MR. RUBIN: -- are sodas. I only drink soft
11 drinks, no alcoholic drinks.

12 MR. LAQUAGLIA: Wait. Who are you --

13 MR. LASEK: [inaudible] Michael.

14 MR. LAQUAGLIA: You -- you can tell that -- you
15 can tell that to the new members, but you [inaudible].

16 MALE 4: Goodnight, everyone.

17 MR. LAQUAGLIA: Goodnight, everybody.

18 SPEAKERS: Goodnight.

19 [talking over each other]

20 MS. WATERS: Happy holidays.

21 MR. LAQUAGLIA: Happy holidays.

22

23

24

25

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

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability the above 215 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.



March 31, 2023

Chris Naaden

(Bloomfield Planning Board Special Meeting, 12-6-22)

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: \$10..300

	118:5,10,	180 153:3	25:5 28:21
<hr/> \$	12,18,19	180-190	2020 123:12
	212:7	153:5	22 203:13
\$10 90:15	120-ish	18th 153:9,	24 116:22
\$1200 90:15	53:13	10,11,15	25 80:8
\$3 83:16	122 88:13	155:9	250 101:17
	140:13	156:4	27 30:15
<hr/> 1	124 116:16	213:23	64:15
	1243 4:16	214:24	130:21
1 153:9	6:25	190 131:4	27.6 65:24
10 77:1	12:00 32:4	1989 123:13	28 64:15
91:19	42:13	1991 21:12	74:14
103:15	54:24 59:8	1993 123:13	201:14
130:13,14	12:30 86:8	1:00 84:15,	29 80:6
100 15:13	13 182:21,	19	101:8,11,
48:18	22 187:25	1:30 32:4	13 176:22
118:5	14 60:20	42:13	178:8
1088 4:17	72:25 73:1	54:24 59:8	2:00 86:8
10:30 83:3,6	89:11	84:20	129:8
11 42:9	130:16		
74:18	142:16	<hr/> 2	<hr/> 3
11/22/22	15 42:8	2 155:16	3 133:10
4:1,3	49:23	162:6	193:17
12 101:10	101:9	20 42:8	30 63:17
178:10	150 95:14	51:22	64:16
120 53:14,	16 49:23	65:12	66:9,12,
19 54:23	206:1	83:9,11	17,23 86:3
55:9,12,	16th 128:22	99:4 130:8	99:5 130:9
13,14	17 203:13,	174:9,14	131:4
58:24 59:3	16 211:21	177:23	148:19,20,
68:2,7	173 192:21	20- 123:11	23 212:7
69:23	18- 153:4	200 92:18	300 92:20
90:14		201-702-2956	101:17
111:7			
112:4,21			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

Index: 32..92

177:10,18	130:10	70:15	129:8
178:5,12,	148:7	73:13	153:16,17
13 208:8	201:13	75:11	155:9
32 126:11	48 130:10	79:10,11,	7:30
324 214:5	_____	14 81:2,7	109:10,13,
329 214:5	5	86:12 87:3	14,16,19
35 87:2	5 178:11	113:3	110:9
350 101:10	50 48:18	114:15	_____
178:12	63:16,24	118:12	8
39 25:18,20	85:21	119:1,5	80 85:18
60:13	88:18	125:6	88:17
106:4	100:9	130:7	121:1
191:6	130:10	132:4	80th 81:5
3:00 107:22	198:15	148:21	8:00 82:25
109:12,14,	51 21:18	60/60 56:8,	83:5
16,19	55 80:23,24	11	_____
110:4,5,8,	117:18	6:00 107:22	9
9	146:9	109:13	_____
_____	58 139:10	6:30 83:3	90 40:11
4	59 4:17	_____	55:3,10
40 83:20,22	5:00	7	70:16
99:5	109:10,13	70 86:15	73:14
119:20	5:30 32:4	111:6	75:11
189:13	42:13	112:3	79:13,14,
400-404	54:24 59:8	121:1	24 81:3
156:2	_____	75 86:15	86:9 130:8
446169 199:4	6	87:2	132:5
45 89:1	60 56:12	7:00 32:4	90-minute
46 48:20	63:16	42:13	55:13,15
49:3	64:2,15	54:25 59:9	56:13
64:13,14	65:23	82:24,25	64:17
65:20,23	68:9,12,16	93:21,24	68:3,5,6,8
100:9	69:24	107:21	92 95:7
		109:24	112:10,24
		110:8	113:20

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: 92.5..additional

114:3,18, 22,24	167:18	37:19	16:25
115:9	absolutely 58:4 109:3	accomplished 77:21	activity 26:22,23
117:24	124:13	account	71:11
92.5 116:5	191:16	74:18	166:7,12
9:00 82:25	ac- 166:11	81:11	acts 28:4
93:21,24	accept 43:20	82:12	actual 49:24
94:1	45:13	101:22	54:8
107:21	51:20,25	125:20	107:13
109:24	95:23,24	128:23	113:9
110:8	acceptable	138:7	161:5
129:8	186:5	185:8	201:23
<hr/> A <hr/>	accepting	accounted	add 48:17
A's 101:24	173:7	33:1	109:10
a- 123:15	access 48:1	111:14	162:3,4
a.m. 93:25	116:22	144:12	192:12
107:21	168:8	184:3	added
109:24,25	185:16	accounts	123:12,14
a.m.-ish	196:18	42:9 71:23	135:20
93:22	accessible	74:11	adding 192:3
A10 10:16,	199:23	111:20	addit-
17,18	accident	accuracy	183:21
18:20	174:24	38:8	addition
A7 111:16	175:13	accurate	47:7 102:2
112:10,12	190:6	42:24	126:6
114:21	accidents	52:20 72:7	202:20
ability 35:4	175:4	93:1,4	additional
39:7 40:13	190:5	113:14	5:7,19
51:18 52:5	accommodate	acknowledge	61:23
140:16,22	100:19	148:2,3	125:21
141:13	102:1	acti- 166:11	131:20
142:1	138:5	active 16:24	132:21
absolute	176:5	20:6	145:16
	accomplish	activities	146:12
			159:15

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Additionally..allowed

172:8	adequacy	aerial 10:16	109:19
188:23	71:12	18:16	agreed 174:5
191:23	161:3	167:8	agreeing
Additionally	adequate	aerials 6:25	114:18
196:9	129:22	affected	ahead 20:17
address	130:22	187:9	34:19
20:19, 22	206:9	188:3	44:8, 9
22:12	adequately	affects	49:14
23:22	79:1 102:3	195:6	60:14 62:9
25:17	207:2	afforded	110:14
27:10, 20,	adhere 206:5	166:21	136:9, 20
25 57:18	adjacent	afield	141:2
60:8, 12	18:11, 12	138:19	183:1
72:23, 25	28:9 96:16	afternoon	209:22
80:22 95:7	127:15, 17	79:13	214:3
117:17	128:11	84:16	aid 29:22
119:19	141:8	agree 65:1	31:8
136:17	165:7	72:14	aiming 165:8
139:9	195:11, 15	105:25	air 17:2
142:16	205:24	107:11	aisle 102:4
146:8	adjourn	108:15	akin 26:25
150:23	152:16	150:19	190:15
187:24	153:4, 14	151:13	All 31:9
189:10	155:19	166:17	Alan 214:1
191:5	156:2	168:13, 17	alert 51:20
192:20	adjourned	174:17	algorithms
addressed	214:8	177:19	72:9
22:5 27:19	adjustment	188:4	aligned
61:22	180:5	191:15	26:7, 8
62:13 79:1	adopting	204:8	alleviate
84:25	195:9	210:5	107:2
179:23	196:7	212:3	allowed
185:24	advance	agreeable	13:14
208:20	29:19	106:11, 16	
209:6		108:9	
212:4			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: alternative..app

125:2	AMC	139:20	127:11	125:6
211:11			128:9	150:2
alternative	amenable	16:12	133:22	anticipates
11:2 61:2	106:20		135:15	57:15
197:5,6,8,	107:4		136:4	
10,12	American		146:13	anticipating
alternatives	21:12		192:15	66:12
140:21		Aneel	25:14,	108:13
Amanda	13:19	amount	18 59:25	110:22
24:18	54:2 73:22	39:14	60:1,3,4	114:14
28:14,20,	77:8 82:9		62:6	anybody's
25 29:5	88:23	angle	139:15	54:17
54:17	90:11,12	angles	140:7	59:19
59:19 78:7	128:19	Anil	191:6	anymore
81:21	132:17	answering		46:21
93:11,12,	144:21	45:21		74:22
13 110:13	145:9	122:15		144:18
117:8	170:23	answers		174:8
136:3	amounts	16:16		ap-
147:8	207:16	116:24		186:9
153:8	Amy	117:1		apartment
154:1	88:9	119:12		14:17
156:9,18	140:10,12	126:2		apologies
157:16	Amy's	151:21		31:14
171:18,23	88:11	186:1		33:21
182:13	an-	Anthony		55:17
186:21,25	178:23	158:16		apologize
190:25	analogy	anticipate		84:13 88:7
191:8	46:10	64:5		122:3
194:10	analysis	178:23		app
211:3	86:25	anticipated		37:7
212:19	97:15,19	71:11,17		39:10
213:23	98:3,7,13,	80:14		43:19
214:3	16,24	86:13		51:11
Amboy	99:14	108:19		74:1,17
111:20	110:24			208:6
113:11	111:8			
116:14	117:24			
	118:2,3			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: apparent..arguments

apparent	163:2	139:1	160:18
177:25	169:25	applied	207:25
apparently	170:10	135:14	209:4
209:8	181:9	apply 8:17	architect
appears	205:9	11:20 34:3	17:18,25
115:20	206:15	134:25	27:20
151:2	210:9	applying	151:12
162:5	applicants	190:10	area 13:25
190:11	209:24	appreciated	14:3,4,15
	210:6	119:24	18:10 26:7
applicant	application	approach	46:9
4:17 5:3	4:18 14:13	172:22	115:25
16:8,12	95:16,18	approaching	144:22
106:11,15,	96:13	193:17	150:6
20 107:3	99:23	appropriately	162:7
111:19	107:1	102:5	163:7,23
113:21	109:10	106:24	165:22
131:24	145:21	appropriatenes	167:16
141:21	150:17	s 122:7	168:15
144:17	152:13,15,	approval	171:14
160:8	21 153:5	4:19	175:13,19
161:11	171:1	186:14	183:9
163:4,24	172:15	approve 4:3	184:1
164:11,15	179:22	107:20	194:6
172:17	186:15	212:9	areas 26:15
180:9	187:6	approved	51:5 68:23
184:2,16	194:25	163:22	70:13
185:21	195:4	186:15	166:14
186:4,10	197:13	approximately	171:9
190:10	210:2,24	37:17	199:24
204:7,12	211:10	38:22	argue 198:9
210:14	212:9,12,	118:5	argument
applicant's	18,19	apps 71:18	122:7
8:16 9:3	213:13		205:16
11:18	applications		arguments
20:23	95:18		121:22
161:24	106:8		
162:23			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Aria..average

Aria 25:14, 15,18,21, 24 26:3 27:3,6,13, 15 28:12 59:25 60:1,3,5, 7,9,12,13, 15 61:18, 20 62:1,2, 5,8,10,17, 22 63:8, 10,12,23 64:9,16, 19,22 65:1,6,8, 11,18 66:3,21,22 67:1 94:3 127:8,9, 23,24 128:25 129:12,20 130:5,25 131:8,11, 16 132:1, 15,17 133:18 145:3,4,12 146:4,6 191:3,4,6, 12,14	arrival 39:9 arrives 37:21 arriving 37:10 38:25 179:7 arrow 8:7 18:21,22 arterial 116:8 Ashland 152:14,25 153:2,3,5 asks 39:9 aspect 100:25 210:12,23 aspects 96:15 145:23 assembled 37:11,13 38:8 assembly 77:3 assign 148:25 associate 96:10 97:4 116:5 associates 130:16	152:14 153:2 assume 13:3 84:4 85:20 91:22 130:10 152:19 186:14 assuming 91:3 assumption 135:11 144:13 assurancy 146:1 attempted 117:2 attorney 3:16,19 101:2 107:6 152:13 attraction 136:21 atypical 13:15 audience 43:8 81:20 audio 25:25 author 23:3 auto 205:1 automatically 49:25	Ave 139:21 avenue 72:25 73:1 75:17 80:23,24 83:21 88:13 95:7 117:19 119:21 137:22 142:16,24 143:4 153:5 155:15 156:3 189:13 205:19 avenues 37:2 77:9 average 31:22 32:2 33:11 38:21 40:23 42:14 49:23 50:12 55:6 70:4,15 73:12 74:25 75:1,12 76:9,11 79:21 81:5,8 84:1 85:20 86:13,19 87:3 89:9 90:1,10
--	---	--	---

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: averages..based

120:2,6	24 21:3	13,20 20:8	193:19,20
121:2,6	51:8,9	28:7,8	205:11,23
133:4	52:10,21	35:14,17	206:19
176:14	54:18,19	44:15 45:1	backed
averages	55:2,7,9,	48:13	138:17
73:5 74:6	16,18	50:24	185:4
86:23	56:7,12,15	56:21	background
avoid 133:24	69:16,17,	58:23	29:17 95:4
aware 45:10	19 70:15	63:14	backing
47:21	71:2	67:15 69:4	179:1
175:6	78:17,19,	73:5 80:18	backs 9:11
192:9	22,23	84:18 85:8	11:1,25
206:2	80:9,16,17	86:11	180:23
awkward	136:1,2,19	87:19 88:2	backwash
11:13	153:24,25	91:12,13	137:6
173:6,14	154:6,7	92:13	173:8
Aye 4:11	156:23,24	93:5,6	bad 121:13
	176:1,2	102:14	bag 54:10,
	178:4,14	103:8	12 103:7,
	180:11,14	104:14	22 126:11
B	181:22	126:12	balance
	182:12	129:24	159:6,10,
B- 162:5	203:23,24	130:5	18
B-2 162:8	204:5	134:23	balancing
163:9	207:7	141:10	8:18 11:21
167:16,21	212:10,11,	142:18,19,	ballpark
171:14	13,14,25	22 143:8	56:7
195:25	213:1	157:16,17,	barbeque
196:10	Babula's	19 158:6,	46:16
204:16,19	73:13	7,8 159:2	barrier 28:4
205:18	back 5:17	165:1,11	based 21:23
B2 4:17,22	7:24 8:17	170:21	50:9 57:14
Babula 3:1,2	9:10,23	171:9	64:21,25
12:13,15,	10:2,4	173:12	
17,20	11:5,11,20	175:3	
13:2,16	13:24 14:8	179:3	
20:12,13,	17:5 18:9,	180:11,20	
		181:16,20	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: basic..board

65:4 69:25	162:12	52:12	50:14 55:6
70:2,4	163:23	56:1,2	75:16
75:16	164:10	60:18	86:3,10
97:19	166:1,24	67:8,9,11	91:25
99:15,16,	172:18	70:8 71:21	95:3,4
25 109:10	177:18,21	74:17	105:10
113:8,9	197:17	81:25	122:22
118:10	basing 93:3	82:19 83:5	194:7
122:21	208:25	89:14,19	208:3
133:15		98:1	210:9
134:7	basis 131:2	111:20	biting 36:15
145:7	195:14	113:22	
149:15	197:13	116:13	blank 114:7
150:1,25	bat 137:5	128:2,7	blo- 167:7
151:3	bays 49:21	134:8,16,	block 4:17
158:24,25	be- 214:25	18 135:18,	41:23
162:4	bearing 7:19	19 150:20	138:9
175:12,14	beat 160:5	Bell's 98:11	Bloomfield
177:3,11,	beaten 161:6	benefits	4:18 25:19
12 181:5	begin 10:15	11:21	34:25
206:3	beginning	big 43:5	52:13
208:24	163:19	91:15	72:25
211:15	begins 47:14	115:15	165:6
basic 166:23	behalf 122:5	185:6	192:22
basically	believes	206:17	Bloomfield's
13:25	92:25	bigger 150:3	108:16
59:11	132:8	biggest	blow 18:24
96:14	197:9,11	209:1,2	board 3:19
101:9	Bell 7:25	bit 5:13,15	4:2 5:16,
102:14	30:24	6:16 9:20	21 6:20,25
103:2	31:23	18:25	7:14 8:4
121:2	32:8,11,13	30:13	10:19
123:13	37:7 46:21	32:13	11:25 12:8
130:2	47:8 50:4	37:13	13:17,19
134:25		38:23 46:2	18:6 21:5
142:24		49:13	24:18,20,
160:18			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: board's..Broad

21,22 26:2	14 157:15,	163:17	12 83:3
27:21	16 158:8,	170:16	breaking
29:19,24	21 159:6,	195:13	11:4 49:13
30:22 32:1	18,19	202:10,12	59:1
34:2 48:7,	160:4,25	boards 95:14	105:10
10 52:24	163:10	126:24	breaks 34:20
54:16	164:10,14	body 13:3	47:13
59:18,21,	171:17	body's 97:9	Brian 3:20
22 63:11	172:14	book 23:6	157:22,25
67:14,15	173:16	books 190:10	Brian's
69:15	174:13,19	boosting	158:6
71:5,10,	175:25	133:12	brick 14:14,
24,25	178:1	bottom 10:14	16 16:5
72:16	180:12	24:6 50:20	163:20
80:17	182:13,15,	Boulevard	164:5
83:19	16 186:19	143:2	bridge 5:23
87:1,14	190:5,19	144:6,12	bring 5:22
93:16	194:18,19,	Boy 113:10	45:22
95:4,14,22	24 195:1,	Brach 152:13	188:16
96:6 97:7,	3,7,18,22	brand 72:11	bringing
14 98:14	196:4,20	179:10	17:9
105:21	197:9,19,	brands 32:9,	brings
108:11	25 198:1,6	23 53:22,	149:24
111:11	200:16	23 57:14	178:10
113:4	201:1,5,18	Broad 4:16	Broad 4:16
114:1,11	202:8	break 34:12	6:25 18:9
117:6,7,	204:14	96:13	24:8,11
10,11	209:17	147:17	26:9 96:17
131:20,23	210:3	152:3,24	97:2
134:1	211:3,25	157:15	104:16
135:25	213:16	breakdown	106:25
136:3	board's 5:11	55:19	116:19
138:25	72:1 88:24	breakfast	128:1
140:4	90:18,23	82:1,6,9,	129:18,24
149:5	96:11		
150:18	99:12		
152:19,22,	101:1		
25 153:4,	157:17		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: broil..business

132:3	74:23	building's	15 89:2,4,
135:6	75:4,9	165:16	9,20,25
138:2,3	76:6,9,14,	buildings	90:3,12,
141:6	18 77:4,23	8:9 16:4	20,25
143:1,7	142:13,15,	135:7	91:10,11,
144:7	18,22	162:13,14	15 92:13
146:14	143:10,18	163:23	93:8,9
165:1,10	144:4,10	164:5	140:10,11,
167:7,19	buffer 27:1	167:1,21,	12 141:8,
173:5	178:1	23,24	25 142:8,9
180:19	buffering	168:16	Burger 41:10
181:1,15	166:22	169:13	46:10 98:5
183:15,18	build 184:13	204:21	125:24
185:5	building	buildup 47:4	busier 55:25
191:22	7:18,23	built 162:11	56:1
193:20	8:2 11:3,5	163:8	101:23
196:19	14:20	167:15	111:12
197:21	16:6,9,13	171:13	116:19
202:16	17:1,5	183:23	133:2
203:15	18:19,22	bulk 28:2	busiest
204:22,24	20:5 22:6	149:19	112:22
205:20	26:19,24	171:3	business
211:14,21	27:1 28:3	bullet 29:20	4:1,13,16,
214:5	41:14	burden 8:16,	22 34:7,22
broil 46:13	72:11	20 9:3	41:9,12
broke 50:8	150:16	11:18	43:9,12
Brookdale	162:15	151:23	44:18 45:4
184:6	164:17,25	161:11,24	56:1 70:5
188:18	165:10,13,	162:25	82:17
191:18,21	17 166:1,	193:9,25	88:22
205:6,21	10,12,18	197:4	90:19,21,
brought	167:10	204:7	23,24
149:4	171:6,9,12	210:6	91:5,9
Brown 72:19,	199:2	Burgan 88:9,	120:6,9
21,24	205:3,11,	10,12,13,	125:6
73:2,5,11	15,23		130:21
	206:19,20		132:13

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: businesses..catering

162:6,12		176:6	42:1 74:9,
163:4	C	177:3,17	13,14
166:25			
168:22	ca- 152:18	capture	cars 17:11
169:10,11	cagey 210:9	130:22	28:7 44:23
172:16	call 34:23,	captured	48:2 58:8
176:8	24,25	184:17	60:21
188:6,10	50:18	car 32:24	61:23
190:12,18	55:20	44:16	63:16
191:19	68:19	45:2,7,8,	64:5,16
195:24	70:11	11,16	65:12
196:1,3,6	79:20	70:10	70:25
198:2,3,	93:19	103:9	82:21 83:9
14,15,24	173:12	104:14	84:2
199:22		126:10,12	128:15
203:12	called 25:5,	130:23	130:14,16
204:16,19	12 50:18	134:3	134:3
209:3	169:9	199:16	148:23
211:17	207:23	208:8	case 20:23
businesses	calling	card 103:5,	34:25 40:4
29:15	174:4	20	46:11
71:15,21	cancel	care 35:19	61:15
160:20	51:24,25	103:13	136:16
165:9	52:1	cared 47:15	158:12
168:6	cancellations	career 30:16	159:4,9
183:22	52:3	Carl 139:6,	171:1
188:7	candid 166:2	10	179:20
189:3	cap 6:2	carried	cases 168:2
190:12	capability	21:16,25	169:15
202:23	40:7	22:8	cash 103:4,
205:18,22	capable	carry 42:4,6	20
busy 86:15	21:15,25	48:23	casual 174:7
133:3	22:8	152:16	catch 13:11
button	capacity	214:12	catering
154:22	47:8	carryout	165:9
	128:20		168:6

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: caught..clarification

caught	147:13	character	chimed
172:16	149:8	14:3,4	176:20
causing	151:4	163:8	Chipotle
173:10	152:4,8	167:16	41:10 98:5
center 85:20	155:7,17	168:9	choice 43:17
173:13	156:10	169:9	171:8
central	157:10,13	171:13	chopping
193:6	158:21	189:22	21:2
Certain-	160:2	203:14	churn 172:19
200:1	164:9	211:13,14,	177:8,11,
certainty	169:24	15,22,23	16,22
15:13	172:2	characteristic	178:3,11
certify	194:17,20	169:14	circle
36:14	198:4	chat 78:3,	140:23
chain 172:23	204:3	11	141:13
chair 50:8	209:23	check 70:4	142:1
Chairman	211:1	185:7	circulation
3:13 6:19	212:11	checking 7:5	141:6
11:7	213:12	127:23	178:16
12:11,13	214:2	checklist	181:19
14:6,25	chance 22:16	131:19	185:16
16:1 19:3	change 25:7,	checkpoint	196:18
21:7 25:3,	8 28:23	130:3	207:3
15 27:17	47:16	cheeseburger	cited 164:6
29:9 52:25	103:11	91:18	citizen
67:17	104:3	cheeseburgers	122:2
69:17 71:7	128:17	91:19	citizens
77:25	191:16	Chick 98:4	191:16
80:16	changed	101:24	civil 140:6
106:19	21:14 33:5	111:1	151:9
114:19	47:9	child 192:6	claim 46:4
115:11	49:16,17,	children	clarification
127:9	18	110:6	52:20,22
133:21	changing	child 192:6	58:24
137:4	33:10	children	
	188:25		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: clarified..compared

110:16	closed 24:23	126:22	191:14
clarified	29:7	collection	194:13,14,
179:20	147:11	120:24	16,19,21
clarify	158:9	144:21	198:6
26:18 28:1	171:25	Collins	203:21,23
52:10 58:2	187:2	80:23,24	212:3
73:21 80:4	194:13	117:18	commercial
85:9	closer 16:21	146:9	17:4 165:5
clarifying	26:15	com- 183:8	166:3
119:9	82:18	combined	167:20
clean 35:12	94:15	113:23	169:11
cleaned 47:1	143:23	comfort	171:7
clear 8:4,8	165:10,13	111:12	193:14
9:7 11:10	166:1,10,	comfortability	commercials
23:20 57:7	18 167:1,	180:10	82:4 83:15
65:14 70:9	22 168:16	comfortable	common 8:24
122:13	206:22	45:21	120:3
clearer 88:3	closest 40:3	161:3	community
client 92:6	closure	comment	86:5
107:10	184:5	26:18	compact
108:8	co- 167:20	152:1	199:23
109:21	cobranded	161:13	companies
124:9	7:24	163:19	67:11
client's	Coke 91:18	181:12	company
29:13	colleague	187:4,7	29:13
clients	111:16	188:2,5	57:12
130:7,9,13	collect	190:24	comparable
clock 77:22	121:15	207:6	71:19
close 18:17	123:2	209:18	compare
19:6	124:11	211:7	59:14
147:16	collected	212:1	129:24
166:8	104:21	comments	compared
167:25	120:24	31:25 78:6	12:2 14:8
	collecting	110:23	26:23
		160:3	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: comparing..consideration

118:19	concepts	concur	184:4
131:3	34:3 55:24	162:17	confirmed
comparing	56:5 83:7	concurrent	117:23
118:18	87:12	75:25	conflicting
comparison	89:12	condition	177:4
9:8	149:20	8:15 9:5	conflicts
compatible	concern 73:6	106:11	179:2
14:2	90:18	141:17	conformance
competitor	106:8	145:24	204:15
125:24	108:11	162:11	206:20
complete	141:9	171:13	conforms
14:15 37:8	175:19	186:14	208:22, 25
completely	191:17	conditions	confused
91:14	192:3	22:10	57:22 66:7
147:15	200:17	140:4	90:25
complex	202:10, 12	151:13	confusing
32:13	211:9	160:24	116:25
comply	212:3	170:22	congruent
145:14, 15	concerned	conducted	122:6
161:1, 24	91:2	128:3, 10	connect
164:11	141:18	129:2, 12,	87:15
comports	188:22	14, 16	connection
168:5	195:18	cones 35:13	118:14
comps 160:24	concerns	confer	connects
computer	20:7 99:4	109:20	102:17
37:9 74:15	160:6	configuration	conservative
207:11	178:23	170:18	42:9 101:6
concept 36:6	210:3	173:22	consideration
38:16	conclude	181:5	11:24
39:21	42:25	confirm	117:6
89:14, 15	195:23	68:4, 14	142:5
165:16	196:4	118:1, 17	164:16
178:6	concludes	119:13	195:19
	151:7	confirmation	
	conclusion	117:22	
	91:6		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: considered..corrected

196:14,20	11:24 14:8	20 202:18	45:5 48:5
202:8	16:4 87:14	206:4	49:9 51:15
203:7	163:8	207:2,15	52:19
considered	166:24	209:12	54:6,25
84:19	201:2	210:18	55:1,3
138:25	contextual	convincing	56:13,14
143:2	16:14	205:16	58:11 59:4
170:24	164:17	cook 46:12,	60:17
180:17,22	171:13	16 47:7	63:19
181:5,17	contextually	50:1	65:9,22
183:13	164:4	cooking	66:14
195:11	continue	17:8,20	67:20
consistency	29:7 135:6	46:6	68:10,25
200:11	140:22	copy	69:1
consistent	143:14	112:17,19	72:12,21
129:18	146:2	copyright	75:5,6,24
200:3,8	158:8	21:12	76:17,21
constant	181:15	Cor 66:16	81:1 91:14
183:6	controlling	Corack 97:4	96:2
consultants	185:22	113:24	114:16
3:18	conundrum	corner 18:4	119:3
consume	174:11	corporate	123:8,10
199:1	convenient	30:17	124:2
consumption	180:2	122:25	130:23
199:1	converge	corporation	131:25
contact	172:18	30:16	133:15,25
28:23	conversation	correct	134:11
contemplate	5:12	4:14,15	137:16
13:7	conveyer	6:9 12:25	149:14
contemplated	46:14	13:1,23	153:2
97:9 161:5	convince	16:22	156:12,13,
context 6:21	161:25	25:15,21	15 158:11
7:13 9:4,5	convinced	27:7	166:6,16
10:23	201:8,15,	28:10,11	172:4
			176:14
			214:19
			corrected
			36:2

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: correctly..customer

correctly	111:24	county	130:1	credible	
54:22 66:6	114:20		144:20	210:11	
70:21	116:23		173:18	credit	
212:5	132:21	couple	9:24	103:5,20	
	137:6		39:20 43:3	crew	30:19
correlate	153:20		46:24	213:14	
97:17	154:4		70:2,6	cross	23:2,
cost	156:6,21		127:9	7,15 102:9	
186:4	212:23		137:9	143:12	
council		counsel	194:20	193:15	
195:9,19		101:2	cover	27:15	
196:7		106:7	33:6,22	crossing	
councilman		209:25	80:11	191:20,25	
16:17		214:14	137:2	192:5	
19:20		count	121:11	curb	
24:3,17				139:15,24	
48:11		counted		140:8	
49:6,14		130:1	covered	99:7	
67:2 154:2		134:20	129:1	136:10	
156:19		135:1	140:14	curious	
164:20		counter		20:13	
174:21		100:24	covering	current	23:4
175:25		104:2	35:16 64:1	95:4	
198:7		counting	80:13	150:25	
200:1,2		134:14	Covid	43:12	
203:22		counts	23:6	curves	
211:4		74:13	cream	139:21	
212:16,21		97:5	76:24	customer	
213:18		104:21	create	35:22,25	
councilman's		113:10	27:2	36:24	
19:9		128:12,13,	75:5	38:12	
councilwoman		21 129:14,	123:14	39:15 41:1	
4:5 56:17		15,19,25	135:13	48:13,15	
57:20,23		130:1	creates	54:21	
106:18		131:21	46:14	68:18	
107:18		134:7	creating	70:18	
109:6,24		147:2	20:5 27:1	71:11	
110:10,14		184:3,5	179:2	73:23 74:9	
				79:16	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: customer's..decide

87:15	92:18	92:11	86:4,14
90:15	100:21,22	97:20 98:2	88:18,22,
101:3,6	101:11,14,	104:20	23 89:6,7,
142:1	19,25	113:8,23	9 90:15
148:11,13	111:6,7	115:6,23	92:19,20
198:25	112:3,4	116:4	98:17,18
199:7,9,	114:25	120:1,3,5,	111:6
10,14	118:6	23 121:1,	121:13
customer's	132:4	4,16,17,	129:13,15,
39:1	140:15,19	21,23	20 130:4
customers	148:8	122:6	175:17,18
34:9 35:19	160:16	123:3,5,7,	207:9
38:13	166:12	10,12,13,	days 86:6
39:7,23	180:18	14,18	87:2 104:1
40:12	208:13	124:6	120:9
41:3,15,24	customers'	125:7	121:12,16
42:3,7,10,	38:4	126:14,18,	129:12,19,
22 44:12,	cut 7:11	22 133:6,	25
18 48:1,24	24:1 25:24	7,8,16,17	daytime 56:2
53:4,13,	26:4 103:3	134:17,20	de 135:13
14,19	cutting	144:21	138:5
54:2,23	20:23	151:20	de- 129:21
55:9,13	cycle 76:23	161:4	dead 85:20
56:13 57:4	175:3	172:15,18	deal 166:20
58:25 59:3		201:10	dealing 8:14
68:3		210:20	dealt 194:25
69:22,23,	<hr/> D <hr/>	database	death 160:5
24 70:16	da- 133:6	97:22	161:7
72:10	dads 32:20	date 153:7	Dec 199:4
73:14	Dash 37:6	214:11,13,	decide 51:18
74:17	49:10	16,21	52:16
79:4,5,11,	data 70:4,	day 36:21	135:11
14,23	14 71:23	42:11	162:24
80:1,14	72:5,8	47:11	163:11
82:9	86:23,25	49:17,19,	
88:16,17,	87:4,18,20	24 58:19	
18 90:1,15		82:13	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: decision..design

214:5,10, 15	deliver 51:13 67:8	165:18 168:24,25 169:4 176:16 198:16 199:8,10, 15 201:13 208:12	146:24 depends 61:15 deployment 32:2 depressions 140:8 derive 129:21 describe 8:23 desi- 162:24 210:7 design 6:17 7:16,25 8:3,14 9:21 12:21,22 13:4,6 16:7 21:19 22:13 59:12 95:7 99:16 105:6 141:21 150:16 151:16 161:12,18, 19 162:21 163:2 164:3,9 170:19 196:25 197:3,11, 14 204:7,
decision 145:7 152:20	deliveries 65:20 67:7 194:3		
dedicated 38:15	delivery 37:4,5,14, 15,16,21, 25 38:5, 11,23 39:2,16, 17,23 40:12,24 41:15 43:11,12, 13,17,25 44:13,14, 23 48:21, 22,25 49:7,8 51:10 52:1,8 54:4 63:18 64:13,14, 18 71:18 77:11 79:6,22 100:10,20 102:19 103:6 125:11 148:10,25 149:16 150:3 151:4 159:3,16 160:18	demand 145:17 207:17 demographic 68:19 denied 213:13 density 139:4 deny 195:14 197:13 212:9,11, 14,17,19 department 62:12 107:24 108:16,25 109:4 depend 63:1 depending 37:14 42:15 50:13 68:18 79:22 86:4 93:22 111:5	
defer 61:21 99:11 106:7 163:16			
define 26:10			
defined 8:12 54:24 198:19			
defines 165:4			
definition 21:23 22:3,24 198:10,22 199:2 204:9			
definitions 21:13			
delay 10:10 31:14 135:17,19			
delays 128:17			
deliberate 163:11			
deliberating 152:20			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: designated..discrepancy

15 206:5,	devel-	differences	144:23
21 210:7,	138:24	73:25	151:7
12,17,22	develop 4:22	115:21	161:4
designated	126:14	differently	193:7
61:13	developed	37:13	direction
designed	124:15	difficult	138:15
24:7,10	development	180:25	directly
40:9 42:22	16:15	182:8	170:14
46:22	102:12	digital	198:25
47:24	185:23	41:19	director
102:3,5	207:22,23	dimensions	107:24
103:18	deviation	102:4	108:2
105:6	197:1	105:7	directors
141:24	device 41:19	dine 124:19	30:20
150:16,24	di- 137:20	dine-in	disagrees
208:11	168:4	124:21	5:21
desk 172:25	175:21	174:7	discarded
detail	195:16	dining 35:9	50:19
172:20	Diana	41:22	disclose
details	182:19,20	74:20,21	90:4
107:6	187:22	150:6,7	disclosed
deterioration	Diane 72:19,	151:3	89:25
50:10	24	176:17	discomfort
determination	dictate	dinner	72:2
196:1,6	89:17	55:19,20	discount
determine	dictated	56:1	177:9
107:15	174:12	dinnertime	178:12
108:3	dictionary	68:17	discrepancy
deterrent	21:10,12,	98:21	48:19
139:25	14 22:25	direct	79:18
deters	difference	22:19,20	110:16
139:22	91:20	50:18	113:4
detriments	190:21	51:14 71:3	115:14,15
11:22		105:18	147:21

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: discretion..dropped

discretion	district	dozens	79:22
195:3	14:21	165:19	194:2
discuss	161:10	draw 184:11	drivers
200:16	162:6,12	drill 23:3,	37:25
discussed	163:9	15 208:5	40:12,13,
84:13	165:5	drink 35:9	24 43:11,
162:14	166:25	drive 32:18	17 44:14,
181:8	167:21	59:12	23 49:7
196:23	168:22	68:23	51:11 52:9
discussing	169:10,11,	69:1,7,14	63:18
95:19	13 171:14	70:9,12	64:10,14
discussion	188:6	72:6	65:3 66:9,
78:25	193:14	102:22	11,13,19
88:16	districts	111:21	69:6 79:6
161:22	162:8	128:5	100:10,20
164:24	disturb	drive-	103:6
208:24	205:12	125:12	148:9,10,
discussions	diverted	drive-in	20 176:16
197:19	195:16	124:24,25	179:14
dismissal	dollar	125:1,4	194:2
98:25	90:11,12	drive-through	driveway
disparate	dollars	124:16,22	99:15
121:21	41:11	125:14	102:6,10
122:9	door 14:16	160:11,15	driveways
132:20	37:6 40:4	190:13,16,	104:16
disputing	49:10	18	driving 28:7
19:15	205:7	driven 63:25	174:7
distance	Doordash	191:19	drop 32:19
19:16 20:3	148:17	driver	drop-off
distinct	150:22	37:17,21	129:2,10
8:25	DOT 130:1	38:5,11,23	drop-offs
distinction	double	39:16,18	208:1
8:5,11 9:8	159:16	41:15	209:5
23:14	dozen 95:17	51:13	dropped
		52:4,11,12	50:20

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: dropping..employees

dropping	160:23	12,17	elementary
129:3	164:14	146:6,7,9,	127:13,15,
due 27:11	176:10	11 147:3	17,19
197:14	180:12	effect 8:9,	191:21
dumpster	191:15	12 10:25	eliminate
51:5	easier 19:1	51:12	36:7
dwell 81:10,	43:25	effective	121:19
11 100:5,	easiest	178:13	170:19
11 101:6	102:8	effectively	eliminated
124:16,17,	easily 77:10	125:8	203:5
18,24	193:16	177:18	eliminating
125:3,4,	east 171:10	180:20	35:18
11,21	eastern	effects	121:5
dwelled	30:21	183:24	email 114:5
100:4	easy 142:3	efficiency	emphasis
<hr/>	eat 198:12	103:18	188:12
E	eating	efficient	emphasize
<hr/>	199:10	44:21 45:3	105:2
e- 180:11	Eats 37:6	69:5	empirical
e-mail 136:2	49:7	103:14,23	71:23
E-N-O-S	124:17	141:22	161:4
30:10	125:4	150:16	employed
earlier	echo 210:2	efficiently	202:22
42:12 79:9	Edward-	48:3 58:17	employee
98:15	146:5	102:18	34:11,23
99:21	Edwards	104:10	35:12
100:4	80:19,20,	efforts	60:24
102:20	23,25	210:1	61:14
110:23	81:2,9,17,	egress	employees
111:5	18,19,22	196:19	32:7,8,10,
116:5	117:15,18,	207:4	11,18,25
128:24	21 118:9,	210:22	33:13
130:12	16,17,22	Eichler	34:18,21
131:1	119:4,8,	152:13	36:9,11
132:6			
136:3			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: enclosed..envisioned

47:25 51:4	124:6	46:2 48:5,	86:1,14,
58:24,25	131:24	16,20,23	18,20
60:16,18,	133:1	49:3,5,10,	89:1,3,7,
20,22	140:6	18 50:4,7,	11,24
61:4,7,9,	145:19	17 51:4,9,	90:2,5
10,16 89:5	151:9	16 52:19,	93:17
101:15	154:15	23 53:8,	114:14
166:13	173:25	10,16,22,	118:20,23
enclosed	207:10,11	24 54:3,7,	148:1,4,5,
26:20	engineering	15 55:1,4,	15,24
end 7:14	3:19 95:7,	8,12,17,23	149:5,6,
10:25	19 96:24	56:10,14,	12,19
33:10 84:7	102:7	16 58:15,	176:12
87:3	104:12	19 59:5,7,	Enos' 59:24
122:25	111:14	17 61:8,19	79:2
146:25	118:7	62:24	Enos's
170:7	150:15	63:1,3	118:11
193:5	158:23	64:23	130:6
199:9	173:3,19	65:13,22	ensure 32:15
enforceable	177:15	66:15	ensuring
105:25	engineers	67:10,13	106:22
106:2	87:20 88:2	68:5,10	entails
enforced	95:12	69:1,3,10,	30:14
106:22	121:9	13,23	enter 41:4,
enforcement	123:3	70:2,22	14
21:20	126:21	72:14,19	entire 14:21
106:6	145:18	74:4 75:3,	58:25 77:6
engineer	151:10	6,15,20,24	88:22 89:3
5:11 17:17	181:10	76:2,4,7,	entrance
61:25 72:5	enjoy 41:25	11,17,25	140:7
95:9,12	Enos 29:11	77:8	environment
99:9,12	30:7,10,15	79:10,19	98:2
110:13	31:4,12,19	81:8,15,24	envisioned
111:9	33:7,9,14,	82:2,6,11,	13:4
122:20	17 43:10	23 83:2,5,	
123:16	44:8,10	9,12,16	
	45:5,10,18	84:17	
		85:24	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: equal..exit

equal 144:6	198:23	evident	87:19
165:12		26:23	
166:20	establishments		excluded
	183:8	evolution	64:5 84:6
equates		49:20	
178:11	estimate		excuse 49:6
	69:25	exact 21:22	66:6
equipment		22:9 23:2	187:11
46:23,25	estimated	45:11	214:1
47:6	124:16	131:7	
	177:4	153:1	execute
Ernst 72:25		173:21	36:11,14
73:1 83:21	etcetera	190:7	126:15
119:20	27:18		
137:22	42:16 57:4	examination	execution
142:16,24		23:2,8,15	31:23
146:23	evaluate	95:13	exhausting
189:12,13	168:4		46:6
195:17	evaluated	exceed 99:24	
202:9	137:25	exception	exhibit 7:4
	145:6	7:16,25	10:22
essential	evening 5:2	8:3,14	56:20,23
85:17	27:12	9:21	111:16
	32:20 43:1	161:12,19	114:21
essentially	56:3 79:14	163:14	exhibits 8:4
53:14	94:24	170:20	
160:10	98:21	196:25	exist 70:1
161:16	110:9	197:11	85:12 87:8
162:20	129:11	210:7,12,	164:13
167:1	139:7	17	169:12
169:13			existing 9:5
185:5	event 41:20	exceptions	18:18,22
188:7	184:11	21:19	19:16,23
189:4		163:6	20:2 34:24
205:23	events	169:17	170:22
209:7	188:21		181:6
	Everyone's	excess 129:4	
Essex 173:18	105:9	141:17	exists
			102:10
establishment	evidence	exchange	
183:6,25	31:3 203:2	54:8	exit 41:13
185:2		exchanged	127:25

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: exiting..fair

139:17,19	148:12	115:13,16	extreme
140:8	175:12,14	134:12,13	102:19
178:20,25	experienced	176:24	194:7
179:4	96:18	178:5	
exiting	expert 20:10	explaining	F
193:19	26:12,17	170:11	facades
expect 54:22	27:7,11	exploded	14:20
64:10	29:12 41:2	43:13	face 10:1
79:10,23	46:3 57:1,	exposed	24:11
82:22 84:2	9,18 58:5	26:21	facilities
98:11	63:7 68:2	expressed	113:10
expectations	87:9 93:20	204:13	facility
87:24	97:18	expressing	61:3 71:19
expected	110:18	206:12	164:3
100:19	123:21,22	extend 47:11	fact 11:24
128:18	130:7	144:17	65:4 71:20
130:15	131:11,16	extending	141:16
145:6	132:2,8	108:22	149:15,21
176:13	141:2	extensive	150:1
expecting	163:17	97:3	167:23
64:16	170:1,11	extent 20:7	195:5
66:4,7,22	172:7	27:19	198:8
92:20	201:16	160:14	200:18,23
101:21	210:9	173:9	202:21
130:20	experts 5:17	exterior	206:18
expedites	45:22	54:4	211:18
45:2	85:6,8	extra 32:14	facto 135:13
experience	110:19	extrapolate	138:5
30:14	187:3	134:17	factored
38:4,5	192:11,13	146:19	84:21
45:24	209:25	extrapolating	factually
57:15	213:20	64:12,20,	19:23
87:11,24	explain	21	126:3
95:13	40:16	fair 13:2	
122:22,23,	45:15		
24 146:15	80:12		
	97:11		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: fairly..finished

22:16	58:10	210:5,23	filter 49:25
fairly 60:10	95:17	211:10	filtered
fall 20:8	97:23 98:3	feels 108:7	47:10
Falls 52:13	100:6	fellow	49:19,21
familiar	103:15	191:16	75:16
29:14	104:15	felt 99:13	filtration
31:14	110:25	144:2	50:2
41:20	127:14,18	161:2	final 4:19
87:11	160:11	210:8,13	194:13,16
familiarity	183:25	fence 163:13	finally
177:14	192:14	197:15,16	173:19
families	195:10,20,	fencing	207:1,20
188:9	21,24	166:22	financial
family	196:2,4,12	fewer 165:23	89:21 91:2
32:19,21	198:10,17,	fi- 179:7	financing
Farnsworth	20,22	field 8:1	89:23
3:7,8	207:24	123:21	find 7:9
133:20,21	faster 40:4	Fifteen	12:1 124:6
134:6,12	44:4	83:9,11	146:16
135:21,24	208:16	figure 65:11	178:19,25
155:1,2	fastest	figured	179:7
157:4,5	43:21	31:16	finding
169:22,24	favor 4:10	179:12	53:19
170:4,9,16	feasibility	figures	fine 6:3
171:5,16	132:12	89:21 90:8	19:8 22:4
209:20,21,	feasible	202:19	24:3 49:13
23 211:2	132:3,23	207:17	62:17
213:6,7	181:21	Fil 98:5	105:15
farther	feedback	101:24	132:9
165:21	181:13	111:2	finish
fashion	feel 145:15	file 112:19	200:24
86:23	151:17,23	filled 114:6	finished
fast 40:22	163:24		5:14
42:18 44:1	164:8		
	191:22		
	208:7		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: finishing..franchise

finishing 44:11	fo- 199:6	126:7,8	forgiven 179:6
Finomous 4:18	focus 197:19	127:14,18 160:11	forgiving 179:6
fire 141:9 180:7,8	focusing 65:5	168:23,25 169:3	forgot 67:4
firehouse 14:16 167:10 205:7	folks 35:2 124:19 128:4 181:2 188:17 189:21 193:11	183:25 195:10,20, 21,24 196:2,4,12 198:10,13, 15,17,20, 22,25 199:7,11, 15,16,17 207:24	form 10:20 formula 70:25 122:21
fish 36:15	follow 27:24 54:20 57:21 177:24	foods 192:14	formulated 73:12
fit 14:13 163:25	follow-up 126:13 137:14 146:11	footprint 149:21	fortified 17:1
fits 20:15	food 32:12 36:1,24 37:23	forbid 192:6	fortifies 20:5
fix 35:23	38:3,17,19 41:16,25 42:23 43:18 44:5,6,11, 15 46:12, 16 47:9 48:1 67:7 90:11 95:17 97:23 98:3 100:6 103:15 110:25	force 139:17 forced 51:25 142:25 143:15 144:7 181:3	fortifying 26:25
flag 7:20, 22		forcing 143:2	fortunately 35:4
flame 46:13		forget 145:22 176:22	forward 7:3
flashing 191:24		forgetting 80:6	foster 199:23
floating 36:6		forgive 140:13	found 128:17 129:14 143:21,23 210:10
floor 35:13			fourth 62:20 157:15 158:18 204:2
flow 36:23 41:1 48:13 100:20 129:4,22 176:11 191:22			franchise 30:17 92:7 122:25
flowing 102:9 106:23 128:1			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: frank..geographic

frank 210:8	21:24 22:6	function	generally
frankly 92:6	23:3 26:10	42:3 46:5	8:23 32:24
frequency	35:8 77:13	functionalitie	46:19
86:24	118:4	s 52:7	50:23
frequented	151:16	functionally	86:6,9
185:3	161:9	125:3	148:9
frequently	162:1,10,	fur- 214:9	167:17
43:23	16 163:3	future	171:15
47:17 87:1	164:22	150:24	generated
138:17	167:2	184:20	116:3
fresh 42:24	168:2		175:5
Friday 84:11	169:16,19		201:24
85:11	170:24	<hr/> G <hr/>	generation
friendly	171:2	gap 5:23	97:20 98:8
42:24	184:21	gaps 192:15	99:1,16
150:21	196:24	garbage	101:20
165:8,11,	197:9,12	62:25	110:24
14 168:6,	200:12	93:20	111:3,8,10
14 199:24,	202:25	gave 6:25	generations
25 203:6	203:3,5,	56:19 63:5	97:23
Friendly's	10,17	118:10	generic
7:22	204:8,17,	123:6	168:12
100:3,15	18,25	geared	generous
170:18	205:2,11	168:21,23	82:18
friends	206:21	184:23	gentleman
32:21	211:19	188:9	190:7
fries 91:19	fryer 46:9	193:13	192:5
fro- 202:25	49:24	198:14	gentlemen
front 6:17	50:1,20	general	114:13,17
7:17,18	full 21:1	34:13	115:19
8:1,10	34:18	164:24	geofencing
12:24	39:22 41:4	168:9	37:19
13:14	140:18,21	185:24	39:17
20:15	141:11	188:22	geographic
	fully 126:19	203:9	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

Index: give..guys

162:9	goals 168:12	granting	guaranteeing
give 5:24	Golf	161:18	60:22
6:15,20	139:10,11,	graph 111:18	guards
7:5 15:19	12	112:13	191:25
17:25	good 5:2,6	grapples	guess 15:6
22:14	21:5 52:6	174:19	26:9 66:22
28:24 30:5	82:17	grappling	81:6 82:25
31:4,19,24	83:18	71:10	89:22 95:2
33:10,19	86:14	great 6:5,8,	109:15
34:12	88:19	14 30:12,	116:16
53:10,12	94:24	25 185:18	132:1
65:13	113:13	214:24	136:12
87:13	139:7	greater 7:13	146:23
94:19	155:19	10:23	155:21
135:21	174:5	11:24 91:4	176:24,25
151:21	185:18	greenspace	178:6,17
175:18	193:15	26:9	180:15
187:17	213:15	Greg 12:16	182:7
189:15	214:23	Gregory 3:1	guests 32:16
191:10	Google 6:24	12:15	75:11,14
193:1	10:19	grill 46:9	guidance
214:21	governing	grilling	107:23
giving 26:4	13:3 97:9	46:15	guide 29:21
87:24 93:1	grab 38:2	grossly	guided 165:3
glad 152:5	41:16	63:19	guidelines
glasses	54:10	Group 4:11	13:7
153:5	grabbing	30:22	164:10
global	37:23	growing	204:15
110:24	103:7	173:24	206:5,21
goal 34:8	grade 88:7	Grub 37:6	guys 26:10
37:20	grant 21:19	51:13	121:21
39:25	161:12	guarantee	122:10
40:21 41:7	197:10	61:5	127:2
58:13,16	granted		139:20
96:8	162:2		155:10

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: ha...hearing

172:16	182:14	happened	10:4,7,8,
183:3,11	186:21	190:4	11 11:9
	203:24	192:4	17:22
<hr/> H <hr/>	hand's	happening	20:13 21:3
ha- 159:14	119:15	183:11	26:2,3
178:7	handle 34:22	happier	60:10
205:1	54:1 80:7,	44:12	87:17
half 53:16,	8 175:11	happy 43:1	105:14
18 64:2,15	197:21	48:8 52:9	158:2,13
70:19	handling	104:25	159:25
73:16	185:19	109:3	170:1,11
75:13	hands 12:9	157:13	172:21
76:3,20	21:6 29:5	213:25	181:22
79:16 80:1	35:14	214:25	209:1
101:24	81:21	hard 87:6,	heard 56:18
104:19	83:19	22,23	87:16
112:11,25	108:24	122:9	90:25
113:3	110:14	hardship	95:21
114:3,15,	117:7,8	21:22 22:9	96:2,11,25
22 115:1,	137:10	197:7	97:3,17,
2,12	147:9	206:13	18,25 98:9
117:24	149:5,6	harkening	99:2,21
118:13,20	159:21,23	102:14	100:25
119:2,4,5	171:18,22	harm 174:8	101:20
130:14	186:22	Harvey 3:9,	102:15
hand 13:20	187:1	10 155:3,4	132:20
20:12	190:25	157:6,7	151:8,11,
24:19	194:10,11,	213:8,9	12 159:2,7
54:12,18	12	head 65:21	160:17
59:19 67:3	hanging	85:4	161:12
79:19	155:23	179:15	162:3,22
81:23	happen 34:2	heading	176:9
93:13,15	35:21 36:5	135:5	181:14
126:11	41:6	hear 9:17	192:11
133:20	138:11		206:12
140:11			hearing
			29:24

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: hearings..hurts

57:13	58:9	hey	88:10,	hold	113:16	22	115:1,
62:20	73:9		13 117:6		137:8	2,12	116:6
79:19	90:7	high	58:13	holding			117:24
94:7	99:13		82:13 84:7		50:22,23		118:6,7,
114:11			86:12,13	Holdings			10,13,19
115:5			115:22		4:18		119:1,4,5
116:5			175:13				129:11
128:24			188:12	holiday			130:14
140:6,19			189:4		213:25		152:15,17
158:10			191:19,20		214:25		177:10,17,
174:20						19	212:7,8
181:9		higher	44:11	home	37:9		
204:2			68:24	homes	9:11	hours	58:7
207:19			69:22		16:21		64:11
208:14			85:22 98:9		19:17,24		96:10
			99:2,5,17		20:3		99:11
hearings			108:12,21				104:19,20
98:15			111:2,10	honestly			107:15
144:24			116:2,3		19:22		109:8,11
151:20				hood	46:7		111:6,7,9,
189:20		highway			47:1		10 118:21,
			116:1,7				22 129:3
heck	161:2		169:10	hope	60:10		151:20
height			193:14	hopes	120:11		204:6
163:13			203:20				
197:16				hoping		house	14:17
		Hills	111:20		147:19		50:24
helpful			113:11	hot	42:23	house-	167:9
86:25 88:8			116:14,15	hour	53:15,	housed	50:23
121:23		hired	131:23		16,18 64:2	houses	19:12
190:20					66:13		
		hiring			98:19,21	housing	
helps	34:17		106:21		101:4,9,		50:25
147:19			202:24		10,18	how-	176:22
Heritage			214:14		109:25	Hub	37:6
21:12		historical			111:6,7		51:13
hesitant			70:4		112:11,22,	hurts	34:7
62:15		hit	77:17		25 113:3		
92:10				hol-	157:14		
107:10					114:3,15,		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: husband..inaudible

husband	imagine	importantly	191:24
88:11	100:2	9:7	inaudible
hypothetical	146:20	impossible	4:20 5:4
182:8	147:1	9:1	6:22 7:9
201:23	immediately	impracticabili	9:12,16,
202:20	39:4 44:15	ty 210:11,	18,21,22
	179:8	16	11:3,14
I	impact 99:19	impracticable	12:17
	128:8,10	8:20	13:24
I-- 207:14	134:8,9	21:21,24	15:8,9,10,
idea 7:4	136:5	22:7,24	17 18:14
34:1 121:3	150:3	23:13	19:4,8,18
196:12,16	173:10	24:14	20:24
198:11	183:12,13,	161:23	21:9,15,22
209:13	22 184:23	162:18	23:25
idealistic	195:11,14	170:4,12	24:17 27:5
8:25	202:16	204:10,14	28:16
ideally	impacted	206:5	30:22,24
35:20	144:7	impractical	31:13,20
identified	197:23	8:22,25	32:9 33:15
7:16 39:20	impacts	21:16	34:20
identify	96:16	22:1,4	36:14,20,
25:16	97:1,12,22	23:12	21 41:15
72:22	99:6	24:14	45:18
80:21 84:2	138:23	181:20,24	48:23
117:16	146:21	impression	49:5,10
119:19	166:5,8,17	123:19	50:11
139:8	202:5	improve	53:15 55:8
190:2	important	168:8	56:3,9
idling	8:11 32:17	188:15	57:19,20,
81:11,12	38:4 43:9	in-house	23 60:2,6
IHOP 205:21	47:13	72:8	61:19 63:9
image 6:24	85:25	inappropriate	66:6
10:19	123:20	195:22	67:19,24
	194:23	inattentive	68:18,20,
	197:18		21 69:8,
			14,18 71:1
			74:22

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: incapable..intentional

76:25	15,18	individual	input 172:7
78:18	111:5,10	123:1	174:20
79:12,17	129:9	individually	inquiry 16:2
80:12 81:8	138:1	51:17	inside 17:1
82:5,7	143:5	industry	26:24
83:1,22	includes	35:7 36:20	37:24
85:24,25	97:22	100:8	38:15
88:1 89:3,	126:5	102:7	40:18
24 90:20	195:15	105:7	44:25 47:4
92:2 94:16	including	124:12,15	53:21 70:5
95:24	98:25	125:9	103:23,24
105:15	inclusive	126:16	insightful
107:17	36:17	133:16	198:6
110:1	inconsistencie	industry's	insistent
111:21	s 210:20	134:24	141:21
115:12,16,	inconsistent	inert 26:20	instance
17,19	176:7	information	17:6 111:4
120:12	200:6	5:8 31:22	112:2
148:1	incorporated	68:1 85:1	175:4
167:11	125:7	92:9 96:24	instances
incapable	incorrectly	115:5	121:1
162:20	35:22,23	118:12	Institute
incentivized	increased	132:22	95:12
194:2	194:4	170:17	integration
inclined	increasing	172:8	17:3
182:5	191:22	173:17	intended
include	indefinite	informational	165:6
109:9	107:11	136:8	intense
110:5	independent	ingress	166:4
121:1	202:13	196:19	intent 23:9
138:12	indication	207:4	161:20
142:23	50:9	210:21	intentional
197:21	202:22	initial	33:5
included		175:18	
97:16		180:4	
98:3,7,8,			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: interaction..John

interaction	134:21	16:21	118:4,9,19
87:15	137:24	173:4	120:23
interconnectio	138:2,4	inventory	209:8
n 184:13	146:15,22	14:20	items 77:6
interest	147:2	inviting	90:11
52:8 92:21	intimated	168:15	iteration
193:7	113:24	involve	204:14
interested	Intindola	197:12	-----
91:8 92:19	3:20	involvement	J
179:13	67:17,18,	145:23	Jane 83:19,
interesting	20,25	involves	20 119:20
55:23	68:6,11,14	71:15	189:12
internal	113:7,18,	issue 21:2	Jane's
141:5	19,20	109:21	142:22
international	114:9,16	139:4	January
126:24	136:7,15	161:8	153:8,11,
internet	137:2,4	163:10	15 155:9
10:13	157:25	170:14	156:3
interpreting	172:4,6,	173:1	157:12
70:20	11,14	200:10,13,	213:19,22
interrupt	174:22,23	16 208:9	214:16,24
19:20 25:3	175:2,10,	210:9	Jersey 95:8,
78:2	23 176:3,9	212:4	10,15
intersection	177:7	issues 25:25	job 175:17
138:8	178:8	163:15,16	185:19
146:12	179:9	172:24	jockey 86:10
181:7	180:13	173:16	jogs 204:23
185:6	181:8	174:18	John 4:8
205:19	182:9,10,	178:24	5:22 6:5,
intersections	18 184:2,	179:22	8,14 7:2,8
97:13	10	195:1,7	9:14,19,23
98:25	introduced	206:2	10:15
104:22	111:16	ITE 97:19	19:1,5
129:16	intrusion	111:23	28:1 94:7
	17:12	113:8	
	intrusive		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: join..kind

96:10	69:21 72:3	149:2	Kevin 80:19,
97:4,11	73:19,20	150:9,13	23 117:15,
126:11	75:8,18,	151:6,7,25	18 146:6
join 213:18	21,25	157:18,19	key 36:16
Jonathan	76:3,21	158:9,11	42:17
23:3	77:1 85:3	186:1,5,6,	97:16
Jondi 78:13	87:6 88:19	9,12,15	100:25
Joseph 4:24,	90:9	213:14,15	103:19
25 5:1,2,	91:14,24	journey	KFC 41:11
3,6,10	92:3,5,9,	36:23	kids 129:3,
6:3,5,8,14	23 93:19	ju- 136:19	4 191:18
7:2,7,10	94:1,4,5,	jump 20:17	192:4,17
9:13,19,23	13 95:2,	36:3,7	kind 5:23
10:8,10,17	22,25	136:9,20	25:24
11:4,8	96:1,4	185:25	36:23
12:6 17:25	105:8,11,	jurisdiction	44:10
18:3 19:1,	12,14,17	197:20	46:13 52:7
5 27:25	106:15	justification	55:14,24
29:8,11,25	107:3,17	206:9	56:3 68:15
30:2,12,25	108:4,10,	justifying	70:24
31:6,18	19 109:1,	161:11	84:5,9
33:4,8,12,	3,19,20	206:13	96:17,23
16 43:3	114:4	<hr/>	97:16
44:7,9,20	122:12,14,	K	102:14,16
45:6,17,19	16,18	<hr/>	105:22
47:22 48:6	123:15	Ka- 142:11	108:12
56:22	124:2	Kay 72:19,	120:8
57:2,6,8	126:5	24	133:3
58:12,16	131:15,17,	Kaydiane	135:3,12
62:13,18	22,25	142:11,15	139:15,19,
63:2,5,10	136:12,14,	keeping 70:9	21,23,25
64:7,12,	23 140:1	163:5,7	153:14
18,20,24	141:1,4	164:4	168:13
65:15,16,	144:16	174:10	173:21
17,19,23	145:11,13	189:22	178:17
66:1,16,18	147:13,18,		181:3
68:22	21,23		182:7
	148:2,6,18		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: King..Laquaglia

183:24		language	57:20,23
185:24	L	23:9,16	58:22
188:8,25		196:14	59:18,22
189:2	la- 121:4		60:2,4,6,
201:1	labeled	Laquaglia	8,12,14
203:11,12	112:12	3:13,14,	61:25
209:8	labor 34:14	16,21,25	62:3,7,9,
King 41:10	lack 146:21	4:5,8,10,	24 63:9,22
46:11 98:5	162:10	12,16 5:1,	65:6,10,
125:24	laid 32:8	4,9 6:3,9,	13,16,25
Kinsella		12,22	66:5,17,
182:19,20,	land 8:17	9:15,17	19,24
23,25	16:24 20:6	11:10,14	67:2,14,
183:2,21	22:10 23:4	12:8,12,	18,23
184:9,25	26:20	14,16,19	68:21
185:11	127:1,3	13:17,22	69:3,12,
187:7,8,	161:17	14:4,10,23	15,18
12,19,22,	190:9,11,	15:5,9,16	71:5,8
25 188:2	21	16:17	72:16,22
kiosk 40:18	landed	18:3,24	73:1,3,8,
41:18,19,	207:20	19:4,8,13,	19 77:24
22 42:5	landscape	18,20	78:1,7,9,
74:13	189:1	20:12	14,17,20,
77:14,15	lane 19:12	21:5,8	22 80:15,
100:23	25:18,20	23:22,25	17,21,24
104:6	60:13	24:3,17,22	81:1,18,
kiosks	61:2,6	25:2,6,11,	20,24
103:24	69:2 128:4	16,20,22	82:4,8,21,
kitchen 75:7	143:13,14,	26:1 27:5,	24 83:4,8,
	19,21	10,14	11,13,18,
kitchens	181:1,2	28:13,16,	22 85:7
76:5	182:21,24	19,22	86:11,16,
77:18,19	187:9,25	29:3,7,10	19,21
knew 83:14	191:7	33:13	88:1,9,12,
knock 35:4	205:25	48:10	14 91:12
179:18	lanes 102:9	49:6,11	92:2,4,8,
		51:8 52:24	12 93:6,
		53:1 54:16	10,16,24
		56:17	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: large..lay

94:2,4,10,	10 147:7,	24 188:1	57:21,25
17 95:24	11,16,20,	189:6,10	58:3,22,23
105:9,13,	22 148:4	190:23	59:6,10
15,20	149:4,9,13	191:2,4,8	77:25
106:18	151:5,25	192:19,24	78:1,2,20,
109:16,18,	152:5,9,	194:9,12,	21 105:21,
24 110:5,	11,18,24	15,18,22	22 106:10,
8,12,20	153:3,7,	198:5	17 154:13,
113:19	11,17,20,	203:22	22,25
114:13,17,	23,25	204:4	157:2,3
23 115:2,	154:9,12,	207:7,10,	185:12,14
8,12,15,18	14,17,20,	13 209:17,	186:8,13,
116:10,12,	24 155:7,	21 211:2,	17 207:7,
18,23	8,12,14,	8,25	9,11,14
117:5,10,	18,22	212:13,16	209:17
12,20	156:1,6,8,	213:12,13,	213:4,5
118:16,21,	13,16,18	16 214:2,	lastly 96:22
23 119:1,	157:10,11,	3,6,8,12,	102:13
6,10,15,18	15,18,23,	18,23	lasts 47:16
120:12,14,	25 158:2,	large 121:5,	late 156:1
18,21	4,7,12,17,	18 151:3	213:17
122:14,17	20 159:19,	203:19	lateness
127:7,22	25 163:18	211:18,19	152:14,17
130:24	164:7,20	largely	law 8:17
131:7,9,22	169:22	201:21	195:8
133:19	171:17,21,	204:20	196:10
135:24	25 172:3,	larger	201:2
136:12,18	10,13	50:22,23	lawn 205:5
137:2,8,	174:21	91:23	laws 34:14
13,15,17	175:25	123:14	lawyer
139:6,8,	182:12,16,	206:23	200:25
11,13	22,24	Lasek 3:5,6	lay 34:1
140:10	183:1,20	52:25	36:22
142:8,10,	184:8	53:1,2,9,	118:2
13,17,20	185:9,12,	14,18,23,	195:2
144:9	25 186:11,	25 54:6,	
145:2	19,23	14,20	
146:3,5,8,	187:2,13,		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: layer..located

layer 191:23	13,14,16	lever 50:21	listening
layout 14:6,	139:22	liability	72:1
7	143:13,19,	90:14	110:22
lead 179:14	22,25	license 95:3	169:25
leads 122:1	144:1,15	licensed	170:10
learn 43:21	172:3	95:8	literal
learned	181:1,15,	123:4,15	21:20
43:16	16 182:3,6	151:11	literally
leave 5:5	183:19	life 47:12	103:6
20:20	204:23	76:23	143:3
28:24	left-hand	light 28:5	live 42:2
41:5,9	180:25	138:13	83:20
44:15 45:2	legal 26:12	143:25	193:5
46:21 48:3	legally	180:23	lives 85:15
54:13	138:9	191:25	living 165:7
81:24	legs 181:18	lights 26:21	183:5
108:1,24	lend 142:3	27:16,18	LLC 4:18
114:12	length	Likewise	local 133:24
126:12	196:23	213:16	134:10,15
150:6	lesser 116:8	limited 5:19	135:13
193:22	letter 175:5	47:8	136:5
leaves 22:15	letting	limits 162:9	150:23
51:2	152:22	Lindbergh	165:9
130:13	level 112:7	143:1	168:7,21,
leaving	124:8	144:6,12	23 169:7
100:24	128:15	146:24	180:16
left 5:6	132:25	lines 36:8	184:12
7:4,19	134:2	76:4,5	189:2
38:20	135:9	77:18	193:9,25
97:10	146:1	linger 79:20	194:7
128:1,5	206:6	176:14	located 35:2
133:25	levels 71:11	listener	62:11
135:3,5,	72:2 111:2	122:8	165:1,16
12,13	116:3		203:3
138:1,5,9,			204:17,20

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: location..Mac-

205:15,19	longer 47:16	37:11	180:24
206:19	50:14 55:6	38:22	182:2
location	93:7 100:5	39:3,4,16	185:3
12:1 37:20	102:22	40:22,23	188:16,19
52:13	155:23	41:2,4,14	193:8,11,
61:15 63:8	loo- 164:2	43:5,15	14,22
87:7 131:6	looked	44:1,14	194:1,6
132:3,18	98:18,24	46:14 48:3	205:11,22
170:5,12	138:4	60:25	208:19
174:25	149:21	61:17	211:19
190:7	175:7,15	70:25 72:5	lot's 41:4
192:14	183:3,12	74:3,21	141:11
193:12		79:4,20,25	lots 61:11
194:8	loop	80:12	183:16
195:10	140:16,22	87:10,18,	188:13
locations	193:18,21,	22 88:15	louder 73:9
35:1 36:25	24	96:11	142:21
40:1 43:22	loops 193:12	100:19	low 42:4
50:19	loosened	101:19	74:20
68:22	108:7	102:1	86:12
70:5,7,8	Lord 192:6	108:12	89:13,15
72:5,9	lose 41:9,	123:6	lower
127:15	11 140:19	124:19	101:16,21
locked 35:11	losing 9:13,	134:23	108:19
36:5	15,19	140:17,18,	203:24
logged 25:4	lost 9:24	21 141:13	lunch 55:19,
logic 26:16	18:3 24:19	144:25	20,25 56:9
logical	68:15	149:22	112:4
137:23	118:14	151:20	lunchtime
long 62:7	lot 4:17	161:2	68:11,16
81:13	16:22,25	162:8	98:20,22
100:11	17:2,11	165:21	
106:10	20:7 24:12	166:7	<hr/> M <hr/>
120:5	26:20 28:5	176:11,14	
125:25	35:21	177:2,6	
212:18		178:16,18,	
		20,24	Mac- 138:3
		179:2	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: machine..Marucci

machine	173:10	175:6	mall
103:21	212:3	178:21	203:11,20
Macleod	majority	180:2,20	211:20
128:4,6,13	167:23	181:1,14	man 189:6
138:4	170:25	182:1,6	management
191:6,21	make 9:2	187:4,6	159:5
193:10	22:1 23:19	190:24	manager
195:17	34:10 35:3	192:4	32:24
made 8:4	38:1,8	193:18	35:10,16,
35:21	43:25	201:25	17 36:3
38:21	44:17	202:1,2,3	159:8
39:9,10	46:24	203:6,10,	177:13
77:2,16,19	47:3,25	11 209:18	managers
103:21	54:21	211:6	29:12 36:5
104:7,9	58:11	212:1	managing
135:10	59:13	213:19	192:2
153:21	70:20	makes 23:12	maneuver
163:19	75:18	45:2 76:14	128:16
172:4	76:15 87:5	174:5	manner 42:24
173:16	102:8	making 11:16	196:21
181:11	104:2,3	42:19,21	manual 97:20
188:5	106:1	44:23	map 18:14,
195:19	108:14	53:21	16
196:1,7,8	121:22	75:22	Marianski
212:3	125:21	76:18	155:17,18,
mail 180:12	128:5,6	103:11	20,25
main 36:19	129:21	122:6,10	156:16
139:21	135:2,5,12	128:15	157:12,13
maintained	138:13,14	135:4	mark 31:3
102:11	141:22	139:22,25	market 180:5
maintenance	142:3	145:7	marks 86:12
47:6	143:3,13,	150:3	Marucci 3:18
major 4:19	19,22	152:20	149:8,10,
131:18	144:11,13,	180:24	
161:8	15 149:1	183:18	
163:10	152:1	MALE 153:9	
	166:20	155:16	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Marucci's..meeting

11,14,24	math's 63:19	41:10	24:25
150:10	mathematical	51:21 69:8	25:14
151:2,5	122:20	98:5	meal 41:25
152:1,3,7	Matt 54:10,	102:22	meaning
158:13,18,	11 94:6,8,	106:25	37:15
21 159:19,	10 95:2	111:2	74:15
20,22,24	96:1 105:8	Mcdonough	140:18
160:7	114:5	5:22 6:5,	167:21
174:5,16	126:5	7,19,23	means 21:24
194:13,14	141:1	7:12 9:16,	28:6 41:2
Marucci's	150:14	18,21	49:7 73:15
157:23	178:11	10:1,9,12,	77:12
mass 17:5	Matt's	18 11:5,9,	79:15
20:5 26:19	105:18	11,15	162:20,22
master 165:4	matter	12:9,10,20	212:17,18
168:5,12,	52:11,14	13:1,9,22	meant 23:17
19 169:1	200:23	14:2,5,11,	29:20
176:7	matters	19 16:19,	87:23
199:19,21,	199:14	23 17:13,	160:10
22 200:3,	Matthew	16,22	measured
6,8,11	94:24	18:5,11,	118:8
211:15	max 79:25	15,20,25	126:16
material	maximum	19:3,15,	measurements
16:5,8	81:3,6	19,21,22	167:18
134:9	Mccloud	20:4 22:3,	measures
164:17	19:12	14,17,21	139:14
materials	25:18,20	23:1,14,21	140:3
16:7	60:13	24:15	mechanism
math 53:11	61:1,6	25:23,24	13:12
63:23	Mcdonald's	26:19	mediation
64:22	125:24	27:7,17	145:12
65:2,8	183:17	28:11	meet 141:15
79:15 88:7	185:3,4	29:4,9	161:25
122:9	Mcdonalds	97:11	meeting 5:24
130:23		165:25	
178:9,12		Mcdonough's	
		20:14	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: meetings..misspoke

6:13 7:15	42:12	Mike 15:7	178:10,11
15:4,6,11	134:20	54:10,11	179:14,15
105:6	168:18	67:20	minutes 4:1,
136:11	169:17	158:14	3 25:7
152:17,23	171:11	milkshakes	37:18
153:8,18	201:22	91:20	38:22,24
158:18	Mercado	mind 7:19	40:25
163:20	139:6,7,	63:14	42:5,6,8,
213:19,22	10,12,14	107:18	15 51:23
214:4,6,7,	140:9	127:19	55:3,10
16	mess 185:6	149:11	73:14,17,
meetings	met 151:23	176:10	22 75:2,
33:25	161:11	mindful	11,13,22
meets 158:24	162:25	192:7	76:16,19
160:9	204:7	mine 19:7	77:22
member 92:25	206:7	minimal	79:3,5,6,
178:15	210:6	46:19	8,11,13,
180:17	method 69:5	82:12	15,21
members	methodology	83:10	84:12
24:20	134:14	128:19	86:3,9
32:1,19	mi- 169:22	minor 151:18	101:8
98:14	Michael 3:19	minute 26:5	125:12,19
113:4	7:12	28:22,25	130:9
136:1	194:22	35:15	131:5
158:21	mid-november	70:16,19	152:6
159:20	134:22	73:16	176:15,16
186:19	midday 98:20	75:12	178:9
194:18,19,	middays	76:3,20	187:5
24 195:2	98:22	79:16,24	189:7
198:6	middle 21:9	80:1,8	208:14,15,
209:18	62:23	81:3 101:6	16
210:3	might've	107:19	missed 62:23
212:1	118:14	114:13,14	misses 22:15
mention		130:8	missing 16:9
170:1		132:5	102:16
mentioned			misspoke

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: mistaken..nationally

176:19	mode 88:6,8	109:25	Mundell 4:4,
mistaken	119:25	110:9	5 56:18,24
171:4	120:1,2,7	motion 4:2,4	57:3,7,19
mitigation	121:3,17,	153:4,6,21	58:1,4,13,
46:1	23	156:2,5	21 106:18,
mix 74:7	model 89:21	212:8	19 109:7,
mixed 111:1	92:19	move 7:3	14,17
148:15,16	103:23	36:4,8	110:3,7,
mixes 41:24	126:17,20	70:23	11,15
Mm-hmm 68:13	172:16	75:22 86:3	117:1
70:2 75:3	moment 33:19	180:1	132:21
86:18	moments	212:11	153:6,21,
121:7	36:16	moved 4:12	22 154:4,5
157:24	moms 32:20	155:8	156:5,6,
158:1	Monday 84:11	157:11	21,22
mobile 37:4,	85:11	movement	212:23,24
14 38:16	money 34:10	26:22	municipal
39:1,15,	38:2 44:17	102:8	161:17
19,21,22	monitored	movements	municipality
40:1,2,14,	179:22	106:2	106:9
15 42:7	month 120:7	128:21	mute 154:20
51:11	months 47:3	133:23	207:8
74:14	107:9	134:10,15	muted 93:13
100:20	108:15,17	181:10	154:10,16,
102:20	mop 35:13	moving 17:9	17,19
103:4	Morley	52:9 94:4	198:7
140:20	128:4,5,12	145:2	<hr/>
176:6	138:3	multiple	N
201:14	182:21,22,	37:2 47:11	<hr/>
207:25	24 187:9,	75:19	name's
208:6	25 193:10	76:2,4,7,	182:20
209:4	195:16	8,12	national
Mock	morning	77:11,18	30:20
192:19,21	98:19	148:14,16	126:23
193:3,5		160:13	172:23
			nationally

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: nature..number

149:20	23,24	36:12,13	noticed
150:19	190:1,20	84:14,24	214:21
nature 32:12	191:17	89:13	noticing
37:25 42:4	192:17	nonetheless	78:3
46:5 51:6	195:18,24,	197:4	notification
116:2	25 196:3,6	noon 54:24	43:19
navigate	198:2,3,21	normal	November
44:24	199:21,22	129:10	128:14,22
nearby	203:14	north 111:20	number 16:3
104:21	204:16,19,	113:11	25:5
129:17	22,25	116:14	28:18,19
necessarily	205:18,24	135:5	30:13
11:20	211:14,16	171:7	48:13
51:16 72:7	neighborhoods	181:1	53:12 57:4
127:4	165:7	204:24	58:17 64:1
150:14	neighboring	northbound	65:3 70:25
needed	28:9	141:7	74:19
145:17	133:24	northeast	75:13
173:17	neighbors	82:15	79:23
negative	17:7	note 32:17	82:19
99:18	205:12	noted 73:17	84:2,9
neighborhood	network	notes 38:21	88:5 90:10
4:22 14:13	96:17	42:17	99:24
135:10	99:19	111:19	100:1
162:6,12	Nick 3:18	113:9,12	101:16
165:5	night 213:15	135:22	112:9
166:25	noise 17:9,	176:14	120:1,3,7
167:5	11,20	notetaker	130:16
168:10,22	121:5,18	113:14	133:4
169:10	non- 34:12	notice	148:19
173:9,11	non-drive	153:15	159:13
176:8	98:2	156:11,14	174:12,14
181:19	non-peak	214:18	176:5
188:6,15,	34:15,18		177:11
18 189:1,			178:7
			207:21,24

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: numbers..operational

numbers 7:4	147:25	offered	48:10
56:19	148:3	173:22	59:23
57:11,13	object	office 135:7	60:24
58:23	202:25	167:10	72:17
59:14	203:8,17,	officer	117:12
63:13 66:8	18	107:20	182:17
68:24	obsolete	173:23	opening 60:9
73:12,21	159:9	175:17	operate
74:5 83:24	obvious	202:21	36:10
84:14	43:14	officers	55:25
87:22,23	205:7	202:24	58:19
88:5 92:25	occasional	offsite	102:18
93:2 99:18	100:21	97:12	126:4
100:9	occasionally	98:24	132:25
101:22	108:5	99:19	146:2
108:12,14	occupied	oil 47:7	196:17,21
110:17,24	40:3	49:15,16,	201:8,12,
111:22,23,	101:7,14	18,20	15,21
24 112:1,	occur 36:18	50:6,10,	202:13,19
3,7 117:22	38:8	15,19 51:1	207:3,16
118:5,9,18	128:19	165:19	208:4,10
119:13	141:19	on-site	209:13
122:10	occurs 39:17	141:15	210:19
131:3	odor 45:25	160:16,20	operates
133:13,15	46:18	196:18	133:6
192:12	odors 17:8,	One-twenty	operating
201:22	20 20:8	118:21	46:25 47:4
207:17	27:19,20,	online 105:9	operation
209:12	22 28:1	onsite 96:20	32:14
212:7	45:20 46:7	99:20	51:11 69:5
nutshell	47:19	105:6	103:14
178:6	off-site	open 17:2	127:1,4
<hr/>	138:23	25:12	184:18,19
o	202:5	46:13	196:5
<hr/>	oath 6:9,	operational	17:23
11,12			
15:3,5,10			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: operations..orders

27:16	103:16	37:1,2	ordering
47:20	opine 132:9	38:7,8,9,	74:1,13,15
95:20	opinion	11 39:1,6,	102:20
96:23	14:12	8,23 40:8,	126:6
operations	20:14	10,14,15,	209:6
5:16,18	131:11	17,20	orders
6:1,18	132:3,7,8,	41:17,21	37:11,12,
27:11,25	10,23	42:1,14,16	16 38:1,
29:12,14	158:14	44:12	14,24 39:8
30:23 41:3	159:17	47:11	42:19
45:23	160:15	51:15,19,	43:20
57:15	163:16	21,24	44:4,16
61:22 67:6	165:2	52:12,15	45:8,9
68:2	176:4	54:9 69:10	48:23
87:10,25	opportunity	70:17	51:17
95:11,17	20:18,25	73:24,25	52:1,5
96:18,21	22:14	75:5,7,10	63:17,18,
99:20	33:19	76:9,11,15	24 64:1,2,
100:5	142:25	77:6,7,17	3,17 70:4,
104:12	144:6,11,	90:21	24 73:15
110:17	14 192:8	92:21	74:10
114:10	opposed 4:12	100:21,23	75:12,15,
115:23	97:25	102:25	19 76:8,
122:13,18,	168:2,23	103:1,10	12,19
24 123:23	169:16	104:3,7	77:5,10,
125:14	opposite	105:24	11,13,14,
127:18	55:25	106:1	16,20
151:13	option 37:24	125:17,18,	79:6,7
159:8	38:13,15	21,23	91:16,17,
172:20,22	options 53:7	126:6,10,	19,23 92:4
177:12	order 4:1	11 128:23	103:25
179:10,11,	32:14	137:18	140:20
23	35:2,3,20,	143:8	148:11,14,
operator	21,24	148:13	17,22
102:15	36:3,24	179:16	172:24
125:11	operators	180:19	179:12
		ordered	201:14
		35:22	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: ordinance..parking

ordinance	Overlook	parameters	96:21
4:21 12:23	138:14	195:3	99:22,23,
13:7 21:21	146:14	197:20	24 100:11,
97:10	181:16	paraphrasing	12,18,19
99:25	193:10,23	161:16	101:3,7,8,
106:1,6,12	overpass	parcel 13:5	11,13,18,
141:16	137:21	parents	25 102:3
151:1	138:13	129:3	105:5
158:25	143:15	park 39:24	141:15,16,
164:13	overreaching	40:3 45:16	23 144:19
177:25	13:10	48:1 61:2,	145:14,15,
195:9	overseeing	9,10,16	16 150:1,6
196:8,11,	30:23	95:7 126:9	151:16
15 197:3	owner 4:17	130:15	158:24
198:3,19,	owners 123:1	160:16,20	159:14,15
23 208:23,	ownership	184:6	160:5,9,10
24	123:23,25	188:23	161:4,7,10
ordinances		parking 6:17	162:1,10,
16:10		7:17,18	15 163:3
150:23	<hr/> P <hr/>	8:1,10	164:23
203:8,9		12:24	165:11,21
outlet	p.m. 32:4,5	13:13	166:7
130:17	42:13,14	16:22,25	167:3
outliers	54:24,25	17:2,11	168:1
84:5,6,7	107:22	20:7,15	169:14,15,
120:8	pa- 143:10	22:6 24:9,	19 170:12,
outweigh	pace 208:15	12 26:20	17,23
11:22	paid 107:11	28:4,5	172:19
overage	131:24	39:4 41:2	174:10,11,
174:13	185:20	53:20	13 176:6,
177:25	pains 173:24	60:23,24	11,14,23
overflow	pan 50:20	61:1,6,11,	177:2,5,
130:20	pandemic	14,17	11,24
overlap 74:3	43:15	71:12	178:16,18,
109:12	74:19	79:4,20,25	20,24
		80:6,12	179:2,4
			180:1,24
			182:2

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Parkview..people

188:19	179:24	154:14	177:3,6,
189:25	193:6	207:8	10,17
193:21	201:21	pause 33:18	peculiar
196:18,24	205:1	pausing 52:5	22:10
197:9,13	209:2	paved 7:21	pedestrian
200:13	part- 164:23	pay 186:7,	165:8,11,
203:1,4,5,	partly	12	14 168:6,
10,17,18	164:23	paying 126:6	8,14,20
204:8,17,	parts 96:14	peak 32:3	196:18
18,25	205:1	34:13	199:24,25
205:11,22	party 37:16	42:12	203:6
206:22	39:2	53:3,8,12	207:5
207:17	63:18,25	54:23	pedestrians
208:22	pass-by	55:2,10,20	190:3
209:14	116:2	58:7,20	pending
210:21	past 59:15	64:11	171:1
211:19	104:5	66:13	people 17:10
Parkview	130:2	68:16,24	28:7 32:14
138:3,15	135:6	69:24	34:19
143:8	180:7	71:13	40:21
193:10,23	183:16	73:14	42:20,23
parkway	pasting 24:2	79:11,13,	44:5,25
143:7	pattern	14,24	58:17 76:7
173:12	71:20	80:14	80:8 81:13
180:19	167:6,13	84:20	86:3 89:14
181:3,12	173:4	85:10,11,	100:4
183:9,23	patterns	12,14	103:25
184:12,24	121:15	86:1,7,16	104:1,6,13
part 17:22	145:5	88:16,20	108:3
30:1,21	181:6	89:8,11	120:10
71:9 84:19	Paul 3:21,	90:16	135:4,10,
97:16	23 15:24	98:19,20,	11 138:8,
102:11	22:18,22	21 109:11	12 139:16,
133:22	58:2	112:11	22 140:20
138:25		114:22	141:11
141:20		176:11	143:3
158:9			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: people's..person's

155:16	130:10	80:8 81:13	198:21
165:19,23	148:7	84:20 89:8	211:22
176:17	174:9,14	91:7 99:1	permission
177:5	177:23	107:21	6:20
178:24	198:15	112:4,5	permit 200:7
179:3,6	201:13,14	114:3	permits
183:16	percentage	116:6	195:10
185:3	48:24 49:1	118:7,8	201:2
188:16,19,	65:19	130:8	permitted
23 191:23	82:13	132:5	97:8,12
193:15	127:14	177:19	105:4
197:23	148:16	periodic	138:23
198:12	percentages	107:13	139:3
201:25	48:14 74:8	periodically	151:15,24
202:1,8	percentile	49:16	195:6,8,
people's	81:5	periods 32:3	14,20,22,
16:21	Perfect	34:13,16	25 196:8,
85:15	31:18	36:12	10,16
peoples'	33:16	42:13	197:5
121:14	perfectly	54:23	199:20
percent	163:14	55:2,13,21	200:4,5,8
15:13	perform	58:20 68:5	person 14:22
40:11	147:2	69:24	25:4 30:19
42:3,9	performed	71:13	40:19 42:2
48:18,20	97:5 98:8,	84:10,24	74:11
49:3	13 118:2	85:11,12,	81:15
63:16,24	performing	14 86:1,7,	104:2,4
64:13,15	146:12	17 88:21	115:24
65:20,23	period 53:8,	89:11,13	122:5
74:11,14,	12 55:10	90:16	125:20
18 82:17,	64:17	96:19	135:2
19,20	68:3,6,8	98:23	187:15
85:18,21	69:24	104:22	199:10,16
88:17,18	73:14	177:6	person's
89:1 99:4,	79:13,14	178:10	103:8
5 100:9,10		permissible	
125:6		13:5	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: personal..piece

personal	72:15,16	22 44:3	picks
188:20	159:25	51:15,19	199:15,16
personally	160:2	52:11,12,	208:1
134:2	163:18,19	17 54:10	pickup
186:7	164:2,8,21	62:25	38:14,16
perspective	165:12,24	73:23	40:5,6,8,
34:8 41:1	167:12,14	103:22	17 41:16
50:11 59:2	168:11	125:18	43:4,6,24
104:12	169:2,5,8,	126:1	44:22
158:22,23	21,23,25	148:10,14,	53:25
171:6	170:6,13,	16,23	54:4,8
173:4,20	21 171:11,	199:17	63:16,17,
pertaining	22 172:1,2	pick-up	25 64:6,
22:10	194:15,17	129:2,10	10,17
pertinent	196:23	130:11	65:12
196:13	197:7,16	160:13,19	66:10,13,
Peter	204:18	165:18,19	20 69:5
192:19,21	Phillips's	174:6	70:8
ph 3:20	200:12	200:20	71:15,21
5:22	204:9	201:12	74:6 79:22
78:12,13	205:13	208:1,12	93:20,22
97:4	phone 25:4	pick-ups	100:20
phase 144:1	28:17	130:11	103:19
Phillips	40:18	176:15	111:21
3:21,23	74:16	209:5	pickups
7:15 12:9,	photographs	picked 62:11	53:21 64:3
11 14:11,	167:8	93:23	82:22
23,25	physical	148:20	103:5
15:2,11,	139:25	198:16	148:8,10
12,15,21,	173:2	picking	150:21
24 16:1	physically	39:22 40:9	picture
20:14,16	74:1	44:25	140:15
22:11	pick 32:20	79:5,7	141:10
23:22	36:24	126:7,8	piece
71:6,8,9	38:12,14,	129:4	102:13,16
	17 43:18,	148:21	103:3

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: pipe..portion

pipe 50:21	131:18	plumbing	120:24
pizza 150:20	165:4	50:18	police
pla- 180:24	168:5,19	point 9:2	106:6,9,21
place 16:25	170:22	18:2 19:9,	107:12,20,
21:25 22:9	176:7	21,25	23,24
26:23 39:8	199:19,22	24:23	108:2,7,
40:7,15,20	200:3,7,8,	25:11	16,25
41:8,17,21	11 204:11	29:20 43:5	109:4
45:8 98:16	211:15	60:16,20	145:23,24
125:17,23	planned	73:13	174:3
134:17,18	34:15	82:22	175:5
150:20	planner 7:15	96:12	180:6,8
163:21	95:9	105:23	185:17,18
165:20	138:21	106:14	186:3
166:9	145:19	108:21	Poll 153:25
173:22	151:11	111:14	156:8,18
174:3	205:10	115:8	pop 139:24
189:2,3	206:15	116:22	Popeye's
190:14	planning	126:1	98:4
198:11	5:13,20,25	135:23	popping 78:5
203:9	6:16 16:24	137:23	171:19
placeholder	23:9,12,18	142:6,22	pops 120:7
148:20	85:18	144:18	popular
placement	138:25	173:2	101:23
37:1	161:8	174:6,20	174:2
places	163:10	200:12	population
102:24	164:24	206:16	127:12
173:21	168:12	212:8	129:21
placing	170:1,10	213:24	132:19
100:23	171:5,8	pointed	pored 111:9
102:25	197:8,10,	204:19	portion
103:1,25	12 210:15	pointing 8:8	24:23 29:7
plan 4:19	plans 140:4	18:22	119:22
5:21 39:20	plausible	points 33:23	147:11
45:11 57:9	142:6	35:18	
plugs 51:1	plugs 51:1	36:8,18	
		43:4	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: portion's..pretty

167:20	29:18 31:7	204:12	presentation
168:18	73:22		29:18
194:12		preferred	31:3,7,9,
208:5	practical	166:1	11 119:23
portion's	21:15	Preliminary	136:6,16
187:2	23:8,11,	4:19	172:4
posed 23:15	17,18	premises	213:20
position	181:14	199:2	presentations
35:11,12,	210:15	preorders	122:4
14,17 36:6	practical-	174:6	presented
181:25	 minded	preparation	83:24
positioned	174:18	198:15	114:21
42:21	practice	199:7	116:13
positive	21:16	prepare 39:5	118:20
35:6	162:21	75:5,6,10,	119:25
possibility	practices	12 123:18	121:24
114:18	123:17	prepared	140:5
180:18	pre- 168:8	31:7,25	144:24
possibly	pre-prepared	43:1 54:11	145:1,8,9
152:21	198:24	99:14	192:15
post-covid	predict 72:9	112:2	204:11
71:18	predicted	198:25	210:21
posted	70:3	presence	presenting
173:24	predominance	106:21	122:5,11,
potential	201:12	108:16	20,21,23
33:23 34:4	predominantly	145:25	preserve
36:18	7:21 43:10	180:6,8	178:2
potentially	169:18	185:17	preserving
33:3 121:4	200:20	186:3	168:9
138:11	prefer 55:22	present 3:12	president
148:24	preferable	21:1 86:22	122:19
pour 120:9	163:3	107:12	177:13
Powerpoint	205:10,14	108:7	pressed
	preference	123:5,17	210:8,14
		134:15	pretty 74:20

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: prevent..provide

77:10	62:14 63:5	professional	proofs
113:13	64:25 94:7	66:11,19	161:14
128:25	103:13	69:6 95:8,	204:13
162:10	109:11	9,11 123:4	properly
prevent	140:6	201:5	47:4
81:12	144:24	professionals	208:20
preventative	149:15	204:1	properties
47:6	181:9	profitable	17:4
previous	prioritize	91:5	18:12,18
33:25 67:5	35:24	prohibition	26:8 28:3,
78:24	private	133:25	9 162:7
97:17	185:23	161:9	163:8
98:10	problem	project	169:12
115:5	200:10	89:23	property
119:21	problems	96:15 97:6	46:25
121:24	194:6	150:4,25	167:24,25
previously	proceed	156:3	171:7,8
87:16	40:18	projected	203:3
93:21	process 45:3	99:17	proposal
97:18	78:4 103:2	projections	7:23 71:14
100:3,15	104:15	70:14	proposed
102:3	126:23	promote	19:17,24
104:19	177:1	168:14	102:12
106:5	produce	promoting	126:17
118:20	32:12	82:1	128:2
129:16	produced	prompts 39:4	163:2
158:15	76:13	pronouncing	206:19
primarily	product	72:20	211:10
95:19	206:18	proof 161:25	proposing
principal	production	197:4	124:25
95:6 196:9	42:14	204:7	protect
198:24	74:25 75:1	206:6,7	177:20
prior 37:10	76:5	210:6	protections
38:7,24	77:17,18		166:21
43:13			provide
56:18,23			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: provided..question

10:19	prudent	72:5,8	162:20
83:25	21:17 22:2	87:20	163:24
84:1,22	public 13:18	pulling	201:1
85:16	24:24	133:7	210:1
173:17	28:14 29:4	pulls 178:18	puts 130:8
174:15	32:1,18	purchase	putting
177:17	59:23	180:2	13:24
178:1	60:23	purchaser	18:20
provided	61:5,6	179:18	181:24
73:6 99:8	62:4 63:11	purpose	193:8
104:20	67:16 69:4	10:22	pylon
106:5	72:18	23:9,12,18	206:11,24
115:5,6	78:10	43:7	<hr/>
116:5	80:18 90:7	210:16	Q <hr/>
120:15	92:25 96:6	purposes	qualifications
131:3	98:14	8:17	95:23
172:7,17	117:13	purview	qualified
177:11,16	142:11	195:13	94:8
206:3	147:8	push 39:8	qualify 95:5
210:22	149:6	58:6,13	123:22
provider	159:22	pushed 141:6	quality
37:5 44:13	171:22	pushing	44:5,11
52:1 63:4	178:15	103:16	47:12
provider's	180:17	166:18	50:11
93:23	182:17	171:6,8,12	124:8
providers	186:24	put 7:23	quarter 47:2
37:16	187:4,6	10:1 11:3	175:14
43:25	190:24	13:5 15:3,	question 5:6
48:25	195:2,8	5,10	12:18
148:25	pull 19:6	21:16,25	16:16,18
providing	39:3 45:7,	22:9 80:10	22:11 24:4
38:2 106:9	12,14	104:3,24	25:12,13,
145:16	92:13	124:5	22 26:4
164:16	113:17	148:6	27:4,5,6
provisions	138:2		
21:21	141:12		
	pulled 57:10		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: questioning..ramp

53:2 58:2	131:10,17	52:24	127:10
59:24	132:1,15,	54:16	142:4
60:10	17 137:11,	59:18,23	147:19
61:21	14,18	62:4 67:15	188:12
62:5,7,8,	140:2,11	69:16 71:5	189:4
18 63:12,	142:5	72:1,18	191:14
22,23	144:10	81:1 83:23	quicker 36:8
64:8,9	145:3,4	93:11,17	38:23
65:6,8	147:14,18,	96:6	69:7,13
66:1,20	19 149:12,	104:25	
67:5,21,	25 159:7	105:19,20	quickly
24,25	160:23	110:10,12,	32:15 34:5
71:2,6	164:21	23 117:7	36:2 42:22
73:4 74:23	169:23	127:10	57:21
78:24 79:9	170:15	135:25	70:23
81:2,9	174:22	136:8	194:3
84:9 85:10	176:3	142:10	213:17
86:12	177:20	144:25	
88:1,19	178:15	147:8	<hr/> R <hr/>
90:9 91:7,	179:9,11	149:5,6	
10 92:16	180:16	151:6	Raab 88:13
93:7	183:20	159:20,22	140:13
105:23	185:12,15,	171:17,21	rain 121:14
106:13	20	176:1	raised 22:12
109:5	questioning	179:17	160:7,22
115:4	113:5	182:11,13,	195:1,7
116:24		17,18	210:4
117:2,3,	questions	185:9	
13,16,21	4:2 12:6,	186:20,23	raising
118:16	8,10,11	queue 180:7	13:20
119:10,22	13:17 21:5	queuing	24:19
120:14,17,	24:18,24	118:3	54:17
22 122:1	28:13,15	173:10	93:12
124:1,14	29:4,17	quick 15:17	117:8
126:2	31:25	53:11 54:9	182:13
127:22,24	33:24 43:5	57:21	186:20
129:1,5	45:19,22	67:14 69:3	ramp 205:7
130:24,25	48:7,8		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: range..reducing

range 84:1,5 89:18 92:17,22 115:22 133:2,9	real 15:16 67:14 69:3 91:3 reality 73:7 realize 194:1	receive 77:4 received 75:7 136:2 172:8 201:10	reconcile 115:4 reconciling 114:2 record 10:18 15:23 17:14,15 20:9 27:19 30:1,9 94:9,23 104:24 122:17 132:10 151:14 156:11 175:20 187:21
ranged 98:4	rear 28:6 168:2 169:16 203:4	recently 30:19,21 128:14,21 190:3	receptacle 166:14
ranges 84:22 85:16 86:25	reason 52:4 90:13 91:1 141:20 178:19	recipe 194:5	recirculate 178:22
rapidly 198:25	reasonable 9:4 11:19 12:2 14:7 81:6 161:19 163:14	recirculation 137:25	recognize 160:8 173:14
rate 81:3	reasoning 24:13	recognized 95:11	rectifying 34:4
rates 74:24 98:8 99:1 101:20	reasons 13:13 43:14 47:5 205:8	recognizing 71:14	red 7:20 14:14,16 18:21
rational 23:7 26:14	rebuild 184:15	recollection 27:20 170:22	redirect 12:5 27:3
Rayona 78:12	recall 7:14 17:19 62:15 147:14	recommend 107:10 108:20	reduce 150:5,7 159:10 177:23,24 206:24
re- 140:6 175:3 176:4 206:23 214:20	recap 5:24 6:15	recommendations 213:20	reduced 149:20 197:4
reach 78:12 175:16		recommended 186:3	reduces 206:23
read 22:25 23:17			reducing
reading 164:12			
ready 7:11 31:10 38:11 199:1			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: reemphasizing..represents

174:8,14	40:19 42:2	150:8	28:24
176:4	74:10	164:12	reopen
reemphasizing	77:13	196:22	104:18
102:6	103:20	rely 17:13	repeat 28:19
refer 90:6	regs 16:15	32:19	73:24 96:7
reference	regular	remain 76:11	118:16
56:21	153:17	81:12	122:12
referencing	regularly	184:13	rephrase
54:5	47:10	remained	134:13
referred	regulations	170:17	replacement
69:21	161:21	remaining	34:24
70:13	reiterate	48:24	report 124:5
130:12	119:21	remains	174:25
referring	125:13	161:8	reported
111:25	189:21	remakes	111:13
112:6,7,8	related	35:20	reports
134:21	47:19	remember	112:21
136:4	185:15	15:8 65:20	174:24
refers	relates	83:14	reposition
12:23,24	95:16,20	84:17	34:21
21:17	97:1,13	158:16,17	represent
113:20	115:23	168:18	75:1 81:3,
reflect 73:7	164:23	remind 89:4	7 88:17
111:19	relation	97:7 98:14	123:24
113:12	88:21	147:24	representation
160:24	relay 63:11	reminder	129:22
reflected	released	87:8	representative
161:5	126:25	reminders	123:23
regard 14:22	releasing	213:24	146:14
161:3	152:22	reminding	147:5
163:2	relief 4:20	18:5	155:14
168:17	7:25 9:4	remove 50:6	represents
207:3,4,5	11:19,21	removed 25:9	81:8
register	12:1 13:12		127:14

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: request..restaurant

178:7	141:16	28:3,9	restaurant
201:1	158:24	165:7,22	4:22 7:22
request	161:14	166:4,10	16:20
52:11	162:1	171:9	17:11
164:12,15	requires	188:20	18:6,8,17,
requested	95:13	residents	18 19:16,
5:16	124:12	165:6,9	17,23,24
131:20,23	131:19	166:8	20:2 26:7
132:21	143:25	168:21,23	28:8
134:1,5	requiring	169:7	30:18,22
140:3	206:13	190:20	34:25
206:10	rerun 135:14	193:9	36:20
requesting		194:7	37:12,18,
5:7 109:8	research	resolution	21 39:13
144:19	57:13	186:14	44:1,22,24
151:15,17	162:5	resolutions	45:1 50:24
require	167:15	4:14	51:14
16:7,15	208:3	resolve 93:5	52:15
required	researched	respect	53:5,21
4:21 99:25	166:24	184:20	54:1 60:24
123:5,16	residences	196:24	69:11 70:1
149:18	19:11	210:7,11,	83:1
156:14	165:20,21	16	100:4,6
202:21	166:19	respond	110:25
206:25	167:10	20:17,20	119:5
requirement	205:15	responded	124:20
12:22	resident	170:14	130:18
156:12	182:21	responsibility	141:10
160:9,10	187:8	185:22	159:17
164:18	188:3	rest 8:6	160:11
197:2	191:6	12:4	165:17
209:14	residential	147:15	174:9
requirement's	11:2,25	183:9	176:5
150:1	17:4	184:7,17	190:14
requirements	18:10,12,		192:12
	18 26:7,15		196:5
			198:10,17,
			21,23

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: restaurants..route

203:2	return 51:10	road 37:23	165:15
restaurants	78:23	116:19	167:4,13
16:21	revenues	135:20	168:4,20
17:21	63:20	139:10,11,	169:3,6,20
24:8,11	review 33:19	12 144:20	174:22,23
26:15 34:3	107:6	205:18	175:8,21,
35:1,5	126:23	roads 116:21	24 198:7,8
37:17 41:7	145:24	133:2,3,9,	199:6,12,
43:21	173:18	10 142:2	18 200:9,
45:25 46:5	reviewed	roadway	14,22
59:1,11	99:9	96:16	201:17,20
68:4 69:22	reviewing	99:19	202:6,11,
70:12 74:5	99:8	116:8	15,18
87:13	103:10	134:25	211:4,6,9
97:24 98:4	135:22	roadways	212:15,16,
100:15	revisit	138:24	21,22
149:23	107:8	193:15	213:18
159:1,5,6	108:17	195:12,15	roles 30:18
168:7	revisited	197:22	roll 117:3
183:14,17	107:25	Rockwell	179:16
189:5	108:5	16:17,19	room 35:9
195:10,20,	revisiting	17:8,15,	41:22
21,24	107:13	19,24	150:7
196:2,13	RFPS 213:17	18:8,14,	rooms 74:20,
205:20	rhythm 167:6	16,23	21 150:6
207:24	Richardson	19:11,14	151:3
208:4	3:11,12	20:1,11	rough 53:12
rests 191:17	155:5,6	24:4,5,16	roughly 49:3
result 24:5	156:7,8	48:11,12,	53:22
34:22	157:8,9	17,22	54:23 55:4
197:7	213:10,11	49:1,4,15	56:11,12
results	risk	50:3,5,15	66:12
146:14,18	191:20,23	51:3,7	82:24
147:1		67:2,4,12	route
retestify		154:2,3	116:16,22
96:9 99:10		156:19,20	128:14
		164:21,22	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: routed..shtick

133:10	161:13	Rutherford	210:24
144:2,5	162:19	95:8	satisfied
193:17	176:20	_____	201:18
203:12,13,	187:11,14	s	_____
16 211:21	194:20,22,	S-E-C-K-L-E-R-	satisfy
routed 143:6	23 198:5,	94:25	201:11
row 52:3	22 199:9,	Saturday	
Rubin 3:14,	13 200:1,	sa- 202:11	98:22
19 6:10,11	10,15,23	safe 15:7	112:5,22
7:3,5,8,11	201:18	35:13	scape 13:25
10:15	202:4,7,	202:23	scenario
12:12	12,16	safely 48:3	46:11
15:2,8,10,	204:9	146:2	schedule
14 20:22,	214:12,15,	196:17	93:23
25 21:7,8,	19,20	201:9,15,	schedules
9 22:19,22	Rubright	21 202:13,	34:15
23:11,19,	152:8,10,	19 207:3,	scho- 129:9
23,24 24:1	12,19	16 209:13	school 14:17
29:23 30:1	153:2,12,	210:19	74:10
67:20,22,	13,19	safer 206:17	96:18,19
24 68:8,13	155:10	safety 47:5	98:25
80:5	rule 34:13	145:23	104:22
90:17,22	rules 29:3	173:7,23	110:1
91:6,13	run 13:18	196:19	127:15,17,
107:5,15,	32:3 35:3	202:21,24	19 129:9,
18 108:18,	107:24	210:23	10 205:6
24 109:2,	running	212:4	schoolchildren
5,8,12	35:10,18	sake 70:9	110:1
111:15,18	41:7	sale 198:24	schools
112:10,16,	120:10	sales 70:3	127:13
24 113:2,	runs 38:22	89:17 90:8	188:21
7,8,18	50:12	sample	192:14
114:19,24	82:20	132:19	shtick
115:3,8,	84:20	satisfactory	22:22
10,13,16	rush 109:25	80:3	
156:10,13,	129:11		
17 158:15			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

Index: scope..set

scope 151:18	110:21	150:11	serve 23:8,
screen 6:21	111:15,17,	177:7,14	11,16,17
10:2 18:21	25 112:15,	201:6	32:15 34:8
19:2 31:1,	18 113:1,	Seckler's	42:22 47:9
10,17	6,16	95:23	53:4,5
33:20 59:8	114:1,8	131:11	165:6
78:6	115:20	132:2	169:6
screening	116:11,12,	seconds 9:24	189:5
166:22	15,20	secretary	served
screens	117:14	136:3	101:11
77:17,19	118:1,14	section 8:13	service
screenshot	119:3	21:18	34:6,7
10:20	120:21,23	seeking 97:8	49:9 79:6
se- 118:15	121:8	99:23	102:20
seating	123:10	100:17	125:5
149:17,22	124:4,8,21	105:3,4	160:12,15
150:2	125:10	segment	168:24
158:25	126:9,18	10:24	199:15
159:8,11,	127:10,16,	select	200:21
13,14	23 128:12	51:14,17	services
177:23	129:7,13,	send 213:24	37:20
seats 100:1	23 132:11,	sense 8:24	71:18
174:9,12,	16,24	22:1 70:20	149:16
14 176:5	133:19,22	71:10	150:3
208:24	134:1,11,	76:14 87:5	151:4
209:1	19 136:4,	93:6 149:1	159:3,16
sec 33:10	7,12	150:5	168:25
53:10	137:1,15,	sensitive	169:4
82:23	24 138:12,	17:6	179:15
Seckler	20 139:3	session	208:12
94:14,21,	140:24	158:9	set 63:3
24,25 95:6	141:3,5,14	separation	120:3,5
96:3,8	142:7	20:6 27:2	121:4
105:21	143:6,17,	separate	123:14
106:4	23 145:22	71:15	
	146:20	124:18	
	147:6,12		
	149:25		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: setback..similar

126:3,18	shelf 38:16,	21:10	sign 103:12
133:6,8,16	18 41:17	34:23	197:14
141:10	shell 76:24	119:25	203:8,9,18
164:10		showed 10:21	206:9,11,
167:21,25	shield 11:6	97:15	13
178:2	shift 32:2	112:10	signage
197:2	33:21	114:21	27:15,18
setback	35:3,10,18	showing 6:24	81:12
162:2,14,	86:2 100:8	197:5	151:17
15 205:5	102:19	shown 111:18	163:12
setbacks	124:15	112:13	signature
167:6	125:8	shows 120:3	103:12
sets 121:1,	shifts 61:7	shrunk 74:21	significant
17,21	shopping	shutdowns	71:17
123:11	199:24	43:15	99:18
125:7	Shoprite	side 30:17	129:21
126:14	135:7	32:7,8,11	184:23
172:18	short 111:20	49:19 50:4	significant-
seventh 88:6	113:11	65:18	128:16
Shane 88:10,	116:14,15	82:16,19	significantly
12 93:14	shortening	99:13	99:2
140:11	47:12,13,	137:21	101:21
shape 178:17	14,15	143:7	128:17
share 31:1,	shorter 55:5	168:1	131:5
10,21 90:8	shortly	169:16	133:12
112:19	63:10	170:2,11	signifies
147:23	109:23	171:3,4,7	39:2
160:3,6	shot 139:17	192:17	signs
shared 31:20	should've	204:20	203:19,20
71:23	180:21	sidewalk	206:10,17,
180:12	show 7:13	205:5	18,23,24
sharing 6:21	9:3 10:22	siding 14:14	211:19
192:8	11:18	163:20	similar 16:8
she'll 25:8	18:16,17	sight 173:15	121:22
			125:5,17

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: similarly..slides

129:15	152:2	6 98:12	210:18
146:22	155:19	99:22	sites 9:9,10
147:1,5	158:14	100:3,16,	12:3 14:9
167:11	159:23	24 102:11,	61:12
similarly	160:1	17,25	103:16
192:11	164:20	103:17	116:1,7,9
simple 6:24	172:5	104:14,15	120:24
62:18	174:21	105:2	125:17
79:15	185:13	107:12	132:24
single 53:25	192:19,21	114:25	133:2,6
62:15	194:9,14,	115:21	sits 14:8
101:4	18 209:22	118:4,11	situation
122:6	211:5,25	119:6	13:4 35:5
129:13	sit 41:25	122:7	106:13
130:22	74:17	126:17	107:14
134:3	100:14,21	131:18	126:7
sir 16:18	127:20	132:12	175:11
19:10 24:4	190:14	133:14	189:25
25:17,22	198:12	140:23	Sixty 119:4
27:5 29:10	sit- 48:23	141:9,23	size 42:15
60:8,14	sit-down	145:25	90:1,10
62:3,7,8	42:7	146:1	150:5,7
63:22	site 4:19	148:8,21,	206:10,11
65:7,8,14	6:24 7:20,	23 170:17	sizes 53:6
66:25	24 8:6	172:19	sky 26:21
67:3,19	9:5,6,8,11	176:17	slide 31:7
78:22	11:1,25	180:5,10	33:11,17,
80:22 81:1	13:13 14:8	182:1	21 35:11
90:22	17:17 20:5	184:21	38:20
91:10	22:6 26:25	196:17,21	48:13
93:10,18	39:11,20	197:23	63:13,14,
117:17	45:11	201:8,11,	23 64:4
130:24	53:19	15 202:12,	73:17
139:9	57:16	14 204:15,	74:25
145:4	59:1,2,12	24 206:19	slides 31:2,
146:8	61:16 63:1	207:3,5,15	
149:7	80:6 97:3,	208:10	
		209:12	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: slight..speculative

5 33:4	snowstorm	source 10:13	142:20
42:25	121:13	123:8	172:25
slight 39:14	solely	sources	175:21
slightly	126:22	57:11	177:21
205:5	solutions	87:21	181:18
slip 103:12	34:4	113:23	speak- 149:9
slots 60:23	174:18	124:11	speaker
slow 33:3,	someone's	south 193:20	125:25
23 34:7	101:7	space 53:15,	speaking
35:18	sooner 39:9	20 101:7	33:18 41:3
36:8,18	sort 71:18	179:4	84:23 86:6
51:22	72:2 92:9	180:1	152:11
slow-down	109:9	208:18	special 82:1
34:5	143:20	spaces 48:2	specific
slow-downs	163:21	80:6 96:22	13:13 37:3
38:10	167:11,13	99:22,24	40:6 92:10
slower 36:11	168:12	100:11,12	98:1,12
208:17	183:23	101:3,8,	105:1
small 91:23	188:2	12,13,18	115:21
165:8	193:18	102:3	118:12
168:6	201:7	130:17,21	121:17
205:3	sorts 29:14	141:23	126:19
small-scale	45:24	145:16	199:21,22
211:16	sought	159:14,16	specifically
smartphone	210:12	171:2	95:15
37:8	sound 10:3	176:23	98:11
smell 46:15,	26:22 28:5	177:8,9,	100:7
17,21	sounded	11,16,18,	116:20
47:19	117:23	21 178:2,	134:20
smells 27:8	118:11	5,8,13	143:2
smoke 46:14,	sounds 40:9	speak 14:13	167:4,7
17 47:14,	117:25	46:2 47:18	175:2
17	sour 76:24	70:23	specificity
		71:25 73:8	27:22
		91:25	speculative
		132:11	

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: speed..stipulate

91:6	spreadsheet	122:23	steady 56:2
speed 65:4	56:25	starts 8:6	Steffen
194:4	113:21	state 15:22	83:20,23
spend 79:4	114:10	16:2 30:8	85:9,25
80:1 188:9	square 122:9	94:22	86:22 88:4
spent 30:15	st 181:19	95:9,15	119:18,20
spigot 50:25	stabilizes	99:15	120:13,15,
51:1	10:3	116:16	19,20
spill 35:12	stack 77:16	187:20	121:7,20
spilled 35:9	staff 121:10	192:21	122:15
spillover	staffing	199:1	123:24
60:21	35:5	stated 212:6	124:3,7,
180:15	stage 38:10	statement	13,23
spin 96:24	standard	140:18	126:13
spirit	8:20 22:12	states 22:25	127:2,7
161:20	161:18	30:21	137:10,12,
spite 191:24	209:9	120:25	14,16,20
split 56:4	standards	static	138:7,16
splits	16:6 21:19	105:16	139:2,5
113:25	105:7	station	189:7,8,
spo- 127:6	164:9	141:9	12,17,19
spoke 123:22	197:3	station	Steffens
spot 39:21,	standing	180:8	189:6
24 40:3	77:14	statistically	Stephen 5:3
142:2	104:1	129:20	6:7 10:6
177:10	standpoint	statute 8:21	12:4 65:1
178:19,25	16:24	11:20	83:19
179:8	45:23	21:18	84:22
spots 39:19	start 103:2	23:10,16	85:1,8
40:2 61:14	126:12	161:17	88:2 90:6
205:2	179:15	stay 147:24	Stephen's
spread 55:14	195:5	staying	86:11
	started	143:21	stepping
		ste- 120:18	107:19
		stipulate	stipulate
			92:24

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: stipulated..substantial

stipulated	street 4:17	206:1,22	studies 99:7
180:9	6:25 8:8,	211:14,21	112:1
stipulations	12 10:25	streets	118:2
109:9	12:23	128:9,11	121:2
Stonefield	14:17 18:9	133:24	study 111:4
94:6 95:6	24:8,11	134:4,10,	119:23
Stonefields	26:9,10	15 135:13	126:15
57:17	96:17 97:2	136:5	127:12,13,
stop 7:8	104:17	137:21	14 128:3,8
66:5 78:7,	106:25	173:11	129:2
8,13	116:19	180:16	130:19
184:7,17	128:1	188:20,24	131:2,12,
200:2	129:24	193:24,25	20,23
202:4	132:4	195:17	142:23
stopping	141:7	streetscape	144:18
178:24	143:1,5	20:16	175:9
store 103:23	144:8	168:15	190:4
143:8	146:25	strip 50:8,9	studying
205:1,2	162:13	203:11,20	213:19
stored 50:16	165:1,10,	205:20	stuff 24:2
stores 81:4	13 167:1,	211:20	47:21
101:23	7,19,22,24	strongly	137:1
115:24	168:16	164:8	148:25
116:1	173:5	struck	183:7
straight	180:19	190:3,7	subject 6:24
139:16	181:1	structured	7:20 9:11
144:14	183:15	123:5	subject's
180:18	185:5	struggling	18:12
181:3	189:1	79:17 80:2	submit
182:4,5	191:22	176:25	151:22
straightforward	192:6,21	stuck 83:13	submitted
60:11	193:20	181:2	29:19,23
strategy	196:19	studied	112:21
90:21	197:21	146:22	113:21
	202:2,3,9,	substantial	
	17 203:15		
	204:23,24		
	205:4,20		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: substitute..taking

88:23	96:14,20	30:4 94:18	50:4 52:11
144:21	summarizing	187:16	56:1,2
substitute	99:20	189:14	60:18
160:14	summary 68:1	191:8,9	67:8,9,10
successful	102:13	192:25	70:7 71:21
132:13	137:5	swing 86:8	74:16
sucked 50:21	172:11	switch 10:12	75:22
sucks 51:1	Sunday 86:4, 7,10	sworn 15:9	76:23
suffice	Sundays 86:2	29:16 30:3	81:25
109:25	super 189:3	67:19,22	82:19 83:5
sufficient	supplement	94:8 130:7	89:14,19
54:1 80:13	96:4	158:14,15	98:1,11
105:5	supplemental	187:11,14,	104:8
128:20	5:7,18	15 189:8,	111:20
141:15	supply	11 191:5	113:10,22
145:14,17	174:12	192:20,24	116:13
177:3	support 36:3	sympathetic	128:2,7
suggest	75:13	200:24	134:8,16,
70:17	supported	system 27:22	18 135:18,
190:8	30:20	37:13	19 150:20
suggesting	172:20	41:22 52:6	tagged 54:11
20:2	supposed	104:3	take-out
177:22	78:5 214:4	112:19	120:10
suggestion	surely 27:25	113:17	takes 26:23
128:23	surrounding	systems 46:4	32:14
176:4	16:3 35:1	47:1	73:23 75:4
suggests	197:22	<hr/>	76:15
79:24	Susan 152:12	T	102:22
suitable	sustain 91:5	<hr/>	120:8
14:15	swear 15:6,	table 112:2	taking 16:25
suitably	14,16,18	taco 7:25	35:19
164:25		30:24	38:18
summarize		31:23	96:23
		32:8,11,12	121:5
		37:7 41:10	125:19
		46:21 47:8	138:9
			147:17

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: talk..testimony

166:13	talks 21:18	98:13	testify 5:17
185:8	165:4	99:6,13	27:11
193:11	tank 50:22,	102:4	61:25 94:7
talk 18:2	23	104:21	112:20
40:19	target 43:8	105:7	124:10
57:10	taught 88:6	129:17	127:20
74:24	Tavern	132:12	150:12,15
108:22	205:21	137:25	162:23
136:15	te- 148:6	162:18	170:1
160:4	team 104:20	164:17	testifying
talked 40:24	150:16	166:21	11:12
101:2	Teams 31:15	179:6,11	17:20
106:25	technically	183:11,12	64:24
122:22	160:9	196:17	87:10 91:7
185:17	161:1	205:13	122:19
talking	tells 49:24	Terrace	testimony
5:13,15	temporary	138:14	5:14,20
12:14	107:7	test 50:7,9	6:2 15:18
19:11	tend 32:3	testified	17:16,23
33:20	86:3	68:2 79:3	18:1 20:14
49:16,23	148:13	93:21	21:1 22:5,
54:3 55:14	term 180:15	96:10	20 23:25
66:5 74:10	terminology	102:2	24:25
76:15	26:13	110:18,19	25:14
77:5,6	55:21	111:4	26:4,14
83:6 84:10	terms 16:4,6	114:14	28:2 30:4
90:14	39:19	117:14	47:23
94:15	70:22,24	118:23	51:10
101:17	71:20	119:7	56:19
113:2	73:21 74:7	125:11	59:15,25
117:23	84:19	132:6	60:15 61:4
118:25	92:10	138:22	62:14 63:6
155:13	97:13	145:10,19	64:25
168:25		172:7	66:24 67:6
170:3,8		177:8	72:19 78:4
202:4,5		184:10,16	79:2,10
			87:16,23

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

Index: text..Tim

93:1 94:19	192:25	59:12	172:23
95:20	200:19	91:18	185:14
96:2,5,11,	201:3	92:3,5	198:19
23 97:3,18	204:5,6	104:5	214:8
99:11,21	205:9,13	107:7	thoughts
102:15	206:3,12	115:3	192:8
104:19	210:10,14	122:11	thre- 178:4
105:18	text 9:20	143:20	thread 68:15
109:11	Thanksgiving	145:20	threshold
110:22	120:9	148:17	163:15
114:2	121:11	153:1	throughs
115:7	that'll	163:1	72:6
118:11	141:18,19	165:22	125:13
123:6	the- 163:13	209:1	thrown
130:6,25	Theater	things 33:2	207:18
133:23	139:20	34:2 38:5	209:12
134:7	theoretical	46:24 49:8	Ti- 123:18
140:5,20	207:21	70:3 108:6	ticket 90:1,
141:14	theories	111:2,12	10
144:23,25	209:8	123:17	tie 8:16
145:5,13	theory 77:9	126:4	11:20
147:15	there'd	133:11	ties 203:16
148:7	146:16	135:8	Tim 29:11,
149:15	there'll	151:18	16 30:2,
151:8	156:11	183:4	10,12,25
158:13	thereabouts	thinking	31:8,9
159:2	65:21	90:13	33:4 43:3
162:4	148:7	third-party	44:9 48:7,
167:15	thereof	48:25	8 57:12,13
170:11,14	146:21	179:14	63:5
176:12,18	thing 19:7	Thomas	64:13,21
177:12,13	37:1 46:6	181:19	65:19
179:24	55:23	thought 4:24	68:22
181:11		20:1 69:21	72:8,12
182:19		119:5	
187:16		163:20	
189:14			
191:10			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Tim's..trade-offs

73:20	88:3,23	98:17,18	119:6
75:8,18	91:8,22	101:2,9,	148:22
87:9 88:20	93:16	10,17	totally 65:1
91:24 93:2	98:22	124:18	203:13
118:10,20	101:6	176:15	211:13
122:13,18	104:6	177:3	touch 25:7
123:18,20	108:8	timespan	51:4 82:10
147:14,23,	116:13	83:12	touched
25 148:2	120:19	Title 106:4	165:25
149:3	124:16,17,	today 5:12	tough 192:1
Tim's 64:25	24 125:3,	31:21	town 122:2
87:23 96:2	4,12,21	102:11	173:13
time 5:17	136:8	115:7	188:5
7:1 8:4,19	142:7	136:3	193:6
12:7 28:2	147:10	145:8,10	town's
32:6 38:22	148:11	151:3	131:19
39:15	152:2,23	180:12	township
40:24	165:3	token 166:9	107:5
42:14	166:3	tomatoes	154:15
43:16	179:14	104:8	162:9
49:24	182:17	tone 164:10	167:17
50:5,10	187:3	tonight 3:18	171:15
52:18	188:9	114:2	185:21
53:3,8	189:19	133:23	204:20
59:23	192:1	152:21	tra- 122:19
60:21	210:1,25	tonight's	151:10
62:10,25	213:14,21	179:23	tracking
65:7 73:23	timeframe	top 65:21	91:1
74:25	56:4 108:1	85:4	trade-off
75:1,4,14,	timeframes	topic 78:24	166:9
19 76:13,	59:7	tot 131:3	trade-offs
15,22	times 47:1,	total 38:21	166:2
77:2,3,10,	11 49:17,	60:20	205:13
21 79:3,20	23 56:5	114:3,24	
81:10,11,	66:13,14		
13 84:10	77:4 84:3,		
85:21	15 86:16		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: traditional..truth

traditional	15, 21	189:4	travel
100:14	124:6	190:4	121:15
traditionally	126:15, 21	191:18, 19,	treatise
175:10	127:12, 13,	22, 24, 25	23:5
traff-	14, 25	192:2, 13	treatment
151:9	128:3, 8	195:16	16:5, 8, 13
traffic	129:22	197:22	164:17
5:8,	130:19	201:16, 23	trip
11, 15, 18	131:1, 2, 5,	202:5, 21,	97:19,
6:2 41:2	13, 17, 19,	24 207:5	22 98:8
57:1, 2, 6, 9	20, 23, 24	train	99:1, 16
59:15	132:14, 18	36:13	101:20
61:25 63:7	133:1, 12	trained	110:24
64:9 72:4	134:24	36:10	111:3, 8,
80:10	135:9	training	10, 18
84:8, 25	137:7	30:20	134:22, 24
85:5, 7, 23	138:1	36:12	trips
87:9, 16, 19	142:23	47:25	112:3,
88:2 94:5	143:13, 19	transaction	11, 12, 22,
95:11, 19	144:18, 24	103:4, 5, 21	24 113:3
96:5, 11,	145:5, 10,	172:25	114:22
15, 16, 17,	18 151:9,	transactions	116:3
24 97:5,	10 163:17	74:7, 12	117:24
12, 18, 22	172:7, 15	transient	118:10
99:6, 7, 8,	173:3, 4,	188:17	trouble
12 102:7, 9	19, 23, 25	transport	31:13
104:11	174:25	61:5	52:17 73:9
106:23	175:3, 9,	transportation	92:6
107:2, 14	12, 17, 22	32:19	197:17
108:3, 11	177:15	60:23	troubles
110:13, 18	179:1	95:12	160:22
111:4, 9, 13	180:22	trash	truck
112:1	181:9	17:9	50:25
116:2, 21	183:3, 6, 15	62:10, 11	67:7, 9, 10,
118:1, 6	184:3, 12,	63:3 93:23	11
119:23	19, 24	165:18	trucks
121:9	185:15, 22	166:14	165:18
122:19	188:16		truth
123:3, 6,			15:19,

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: turn..understate

20 30:5,6	turning	130:4	209:10
94:19,20	133:23	189:24	underlying
187:17,18	134:3,10,	typically	161:21
189:15,16	14 138:10	32:17,23	understand
191:10,11	turnover	35:10,15	26:13
193:1,2	63:15,20	36:5 37:3	49:12
turn 10:3	65:4 96:21	40:11	54:21
23:24	188:13	42:1,4,12	59:16
32:15 36:1	turns 133:25	46:8,20	61:23 64:7
37:25 38:5	138:6	61:13	66:6,10
39:3 44:4	201:25	84:20	68:1 87:1
45:3 50:21	twofold	118:6	88:24
52:2 54:12	83:23	125:22	121:3,23,
69:10	type 16:13	138:25	25 122:4
73:15	46:6 48:14	168:15	130:6
101:9	95:17	<hr/> U <hr/>	131:12
128:1,5,7	100:4,6	U-TURN 135:3	132:2
135:3,4,12	106:12	180:20	134:6
138:1	107:13	202:2,3	143:25
142:25	110:25	Uber 32:21	144:4
143:3,4,7,	121:16	37:6 49:7	146:12
13,16,19,	126:25	51:13	177:1
22 144:1	127:1,3,4	66:9,12	200:4,17,
145:6	133:13	124:17	18 207:22
178:13	190:9,11	125:4	208:2
202:1,9	207:20	130:12	212:18
turnaround	209:6,14	148:8,9,	understanding
35:15	types 73:25	10,20	12:21
70:23	97:23	ultimately	33:23
137:23	Typi- 129:13	173:15,17	58:11
142:4	typical	205:14	136:14,24,
143:20,24	31:22 35:6	un- 147:18	25 143:24
146:16	41:24 42:6	186:7	186:6
208:8	105:6	uncomfortable	208:21
turned 70:18	106:5		understate
101:3	121:12		63:20

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: understood..video

understood	140:4	197:15	18:1 20:10
45:17			27:8,22
47:22	uptick 39:14	variance	45:20 46:3
113:6	urban 68:23	8:15 99:23	47:19
138:16	69:22	100:18	
147:18	115:25	105:3,5	vernacular
	116:8	144:20	177:22
undue 21:22		161:15	version 23:4
22:9 197:7	urge 190:5	197:15,16	123:11
	usage 21:14	203:18	
unfamiliar	49:25	206:14	versus 26:8
181:25	50:13		30:17
unfeasible	60:24	variances	32:13
9:1		4:20	39:16
	user 110:25	151:17	73:25 87:2
unique	199:9	163:12	116:7
200:18		197:15	124:17
202:13	users 111:1	203:18	143:20
207:22,23	utilization	206:9,25	185:1
unit 68:17	40:6 43:24	varied 212:7	veteran
United 30:21	utilize	vary 207:18	36:11
120:25	160:16		
	utilized	varying	vetted
unknown	61:6 98:3	207:16	114:10
173:20	101:19	212:6	
	149:22	vat 49:24	viability
unmanageable			91:2
174:3	utilizing	vats 49:21	viable
unmute 69:20	60:22 61:3		90:19,21,
154:22	118:4	vehicle	24 91:9
		37:22	131:13
unstable		41:13	
11:16	<hr/> v <hr/>	45:14	vice 122:18
			177:13
unwise 8:24	vacant 7:22	vehicles	
		32:25	vicinity
unworkable	values 98:9	81:10	144:13
162:20		160:18	175:1
	variables	190:3	video 10:3
updated	208:19		11:12,15
123:9	varian-	ventilation	
126:19			

APPLICATION OF FINOMOUS BLOOMFIELD, LLC
Meeting on 12/06/2022

Index: view..Waters

147:24		45:15	warrants
view 13:15	<u>W</u>	walkable	175:12
14:6 27:1	wa- 168:7	188:8	wash 35:14
111:14	wait 44:5	189:2	Watchung
173:2	91:12	walked 23:7	205:19
vision 176:8	114:13	walking 28:8	Waters 3:1,
visit 42:10	131:9	53:20	3,5,7,9,
visual 29:22	137:10	103:6,7	11,13,15,
31:8	212:13	208:13	17,23 4:15
visually	waited 36:1	walks 208:15	13:21
189:24	waiting	wall 8:8,12	15:18,22,
volume 54:21	52:16 67:6	10:25	25 24:21
58:7,13	103:11	12:23	25:1,3,8,
69:22	104:2	162:13	10 28:15,
80:14	125:20	167:23,24	17,21,23
129:17,24	157:20,21	205:4	29:2,6
135:14,19	158:3	wanted 21:3	30:4,8,11
188:13	waiver 6:17	23:19	59:21
190:17	12:21 13:4	31:21	78:8,11,16
191:19	22:13	54:19	81:22
192:2,3	151:16	59:13	93:14
volumes 70:3	161:19	64:19	94:12,16,
91:3	196:25	68:14	18,22 95:1
116:21	197:14	69:20	117:9,11
135:1	203:1	78:23 80:4	142:12,14
177:4,5	204:8	90:7	147:10
vote 212:2,	walk 31:11	118:17	153:10
17,20	40:15	172:21	154:2,4,6,
VP 30:23	44:24 45:1	185:7	8,10,13,
57:16	126:10,11	wanting	16,19
VTS_01_8	179:18	168:7	155:1,3,5,
199:4	walk-ins	190:24	7 156:15,
	100:22	211:16	19,21,23,
	walk-up	warrant	25 157:2,
	37:22 38:2	131:1,12	4,6,8,10,
			17,21,24
			158:1,3,6

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: Wats--work

171:20,24	weekdays	111:20	179:16,19
182:15	86:2	113:11,22	190:13
186:22	weekends	116:14	208:13
187:1,16,	32:21	128:7	windows
20,23	84:12,15	134:8,16,	43:4,6,7,8
189:14,18	85:13,16	18 135:18,	55:15 69:6
191:1,3,9,	86:2 96:19	19	70:10,13
13 192:23,	104:23	Wet 35:13	71:16,21
25 193:4	weigh 176:3	whatsoever	74:6 79:24
194:11	196:20	46:18	103:19
209:20	weighed	whomever	160:14,17,
212:21,23,	176:21	88:5	19
25 213:2,	well-	wide 133:1	withdraw
4,6,8,10,	maintained	wider 133:9	92:14
12 214:1,	47:15	widths 102:5	witnesses
4,7,10,17,	well-trained	win 44:17,	17:17
22	42:20	18 47:17	62:16
Wats- 156:2	Wendy 128:3	Winding	102:21
Watsessing	Wendy's 7:24	205:24	162:23
155:15	30:16,24	window 37:22	201:5
156:3	31:23	38:2,14	wondering
ways 138:18	32:7,13	40:5,6,8,	89:10
207:19	37:7 46:8,	16,17,21	106:20
Wednesday	21 47:9	43:24	109:7
128:22	49:19	44:15,22	wood 35:5
153:9,10,	55:25	45:9,12,	woodland
11,18	60:19	14,15	9:10
156:3	67:8,10	53:20,25	word 8:19,
213:23	70:6,7	54:4,8	21,22
214:24	71:21	56:13	58:10
week 50:12	74:16	69:8,14	162:18
86:6	81:25	70:16	words 22:8
112:4,5	82:7,16	103:1,7	91:17
weekday	83:2,16	114:15	work 8:6
98:19,20,	89:15,18	125:14	19:3
21	98:1,11		

APPLICATION OF FINOMOUS BLOOMFIELD, LLC

Meeting on 12/06/2022

Index: worked..Zoom

87:13,15	worth 52:18	203:5,17	158:22
104:12	wou- 167:5	204:8,17,	196:7
109:4		18,21,25	197:3
111:19	would've	206:21	198:2
125:15	138:22	year 47:1	208:22,23
138:14	wrap 11:17	175:3	Zoom 31:15
154:23	176:10	213:25	
173:16	write 34:14	214:25	
174:1			
200:21	written	years 30:13,	
204:1	34:14	15 103:15	
		206:1	
worked 30:18	wrong 13:23	Young 30:22	
77:20	14:21		
95:16	31:16		
127:18	60:17		
172:24	72:12		
	136:23		
working		Zitka 3:3,4	
29:13		4:7,8,9,10	
46:20 61:3		154:8,9,11	
75:21 76:8		156:25	
108:6		157:1	
122:11,24		213:2,3,18	
130:16		zone 4:23	
146:25		7:14 8:2,	
		6,13 9:9	
works 50:1		10:23,24	
57:12		11:1 12:3	
70:24		13:6,10	
148:25		14:9 176:8	
		195:25	
workweek		196:1,3,6,	
32:22		10 204:16,	
		22 206:6	
worries 58:4		zoned 4:17	
60:5		zones 204:20	
105:17		zoning 4:21	
worry 202:16		97:10	
worst 46:11			