

**In The Matter Of:**

*Cranston Planning Commission*

*Comstock Industrial*

*November 2, 2021*



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STATE OF RHODE ISLAND  
CITY OF CRANSTON  
CITY PLAN COMMISSION

PROCEEDING AT HEARING :  
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IN RE :  
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COMSTOCK INDUSTRIAL :

DATE: November 2, 2021  
TIME: 6:30 P.M.  
PLACE: Cranston City Hall  
Council Chambers  
Cranston, RI

BEFORE:

- MICHAEL SMITH, CHAIRMAN
- KEN MASON
- FREDERICK VINCENT
- KATHLEEN LANPHEAR
- ANN MARIE MACCARONE
- ROBERT COUPE

PRESENT:

- FOR THE APPLICANT . . . . ROBERT MURRAY, ESAQUIRE
- FOR THE PLANNING BOARD . STEPHEN MARSELLA, ESQUIRE

1           CHAIRMAN SMITH: Comstock Industrial.  
2 Okay. This is a public informational meeting.  
3 Master plan major land development for Comstock  
4 Industrial.

5           MR. MC LEAN: Good evening, Commission  
6 Members. I'll be brief in my overview of this  
7 proposed project. I'm aware that the applicant  
8 team is here and will provide further details. I'm  
9 also aware there's substantial public interest in  
10 this, and I will allow time for that. My overview  
11 tonight which is focused on the background  
12 information and context of this proposal.

13           With any major land development proposal  
14 there are four stages of development application.  
15 We're in Stage Number 2 right now. This did  
16 receive a pre-application review by this commission  
17 just a few months ago. At that point, the  
18 applicant gave a brief overview of their conceptual  
19 plan. There were some abutters present and  
20 dialogue and public comments were taken. Since  
21 that point, the plans have been further refined.  
22 They have submitted a full and complete master plan  
23 application to the city. We're here tonight to  
24 hear the presentation on that master plan  
25 application and to receive any public comments and

1 other feedback that there may be, and to begin the  
2 discussion at the master plan stage.

3 I would note there are two other stages of  
4 development that will follow the master plan  
5 proposed stage. That would be the preliminary plan  
6 proposal that would come only after a successful  
7 decision is reached on or -- an approval is reached  
8 on the master plan stage. The preliminary plan  
9 stage is where the bulk of the engineering details  
10 will be presented. Following that, there is also a  
11 final plan submission that is reviewed to account  
12 for any changes or revisions that might be made  
13 through the preliminary plan review. So we are at,  
14 Stage Number 2 out of 4 tonight.

15 The applicant, as part of this  
16 application, is seeking to construct two buildings,  
17 totaling approximately 270,000 square feet of uses  
18 that will be consistent with uses allowed in the M1  
19 zone, such as manufacturing, warehousing, and  
20 trucking activities, as well ancillary office uses.

21 Just some brief records that will be  
22 available for any interested parties throughout the  
23 course of this evening. You can ask to have any of  
24 these records referenced. This aerial view of the  
25 subject parcel, the boundaries you see around it is

1 the 400-foot radius. The subject parcel is  
2 demarcated in orange with the 400-foot radius  
3 around that. This says a partial of that is  
4 currently undeveloped, partially wooded, has a  
5 couple of wetland complexes, and has sufficient  
6 frontage on Comstock Parkway.

7 Here's the zoning map to show the current  
8 status of zoning. The parcel is currently zoned  
9 M1. That's an industrial zone. The uses that are  
10 being requested as part of this master plan  
11 application are by right uses. I should note that  
12 no zone change or variances are being associated  
13 with this master plan request at this time.

14 There's a future land use map that  
15 essentially establishes the foundation of the  
16 zoning map. In this case, the future land use map  
17 does designate the parcel as industrial.

18 An aerial view to give some perspective on  
19 the subject parcel and the surrounding conditions.  
20 Here's the proposed site plan. This is a  
21 conceptual site plan now at this point. Changes to  
22 the site plan could be made through the course of  
23 review and also between this stage of application  
24 and the next preliminary plan stage of application  
25 where there will be more details. This is, at this

1 point, conceptual layout out of the proposal.

2           There's a conceptual landscape plan that  
3 I'll just reference at this stage. A fully  
4 detailed landscape plan is not required as far as a  
5 master plan. However, the applicant has provided  
6 this to give a general sense. The applicant also  
7 provided this to provide a very specific  
8 understanding of existing conditions along the  
9 southern boundary of the subject parcel. You'll  
10 see that, where the arrows are, there's a number of  
11 trees. I think the applicant felt it was important  
12 to establish what were the existing conditions  
13 along this property line, just for means of  
14 discussion and understanding.

15           So I'll give the staff recommendation at  
16 this point. I know there won't be a vote taken on  
17 the recommendation until after we've heard from all  
18 the members; but I would note that at this stage of  
19 development, we do receive a traffic impact  
20 analysis from the applicant. The applicant has  
21 submitted that to us, and that is still under  
22 review. The city has procured, at the applicant's  
23 cost, a third-party peer review by a traffic  
24 engineer of the impact analysis the applicant has  
25 provided. Additionally, the city staff, our

1 traffic bureau and planning department, also  
2 conducted review of that. Those reviews are still  
3 in process. Because of that, staff is not in the  
4 position to offer a recommendation on this project  
5 at this time. However, this project does -- there  
6 is significant interest. There are other aspects  
7 of this project. This evening is really to begin a  
8 conversation to hear and to listen and to learn  
9 from any comments that are made and from the  
10 presentation by the applicant.

11 So with that being said, that concludes  
12 the staff overview and recommendation, and we can  
13 revisit this recommendation at the conclusion of  
14 this.

15 CHAIRMAN SMITH: Thank you, Mr. McLean.  
16 Does the applicant wish to make a presentation at  
17 this time?

18 MR. MURRAY: Thank you, again,  
19 Mr. Chairman. Again, for the record, Robert  
20 Murray. I'm the attorney of record for Comstock  
21 Industrial, LLC, the owner of the property on  
22 Comstock Parkway. My offices are at 21 Garden City  
23 Drive in Cranston.

24 We have several witnesses to offer this  
25 evening. I know you've had a long meeting already.

1 We'll try and be brief. But this is an important  
2 project to not only my client, but area residents.  
3 And I know you'll give it the same thoughtful  
4 consideration that you do on all your applications,  
5 and I ask for your indulgence to allow us to  
6 present as much information tonight to inform not  
7 only the commission, but the public as to what this  
8 project is and what it isn't because frankly in a  
9 lot of times in these things, people have  
10 misinformation, misconceptions, and we want to try  
11 and set the record straight so everybody can  
12 understand exactly what's being proposed here.

13 Let me just introduce a few people that  
14 are joining us this evening. First, to my right,  
15 in the front row is Mr. John Walsh. John is a  
16 Rhode Island native, and he is the principal of  
17 Comstock Industrial, LLC, and he's leading the  
18 development team for this project. On this side,  
19 sitting next to him is Len Bradley, a professional  
20 engineer, with DiPrete Engineering. DiPrete  
21 Engineering is the project engineer on this  
22 project. Len -- Len's associate to my left, Dana  
23 Nisbet, a professional engineer, is going to make  
24 the presentation of the plans that are before you  
25 and what we've -- what information we have

1 available tonight. Seated next to Dana is Edward  
2 Pimentel. Mr. Pimentel has testified before this  
3 board on numerous times as an expert in the area of  
4 land use and specifically his testimony tonight  
5 will be about consistency with the Comprehensive  
6 Plan and zoning. And to his left is John Carter.  
7 John is a registered landscape architect in the  
8 State of Rhode Island. His plan was on the screen  
9 a few minutes ago. John is working with John  
10 Walsh; and as we get to later stages of the  
11 development, landscape, I think, will come more  
12 into play; but John's been involved at the early  
13 stage here so we can talk a little bit about the  
14 existing screening and landscaping. And finally to  
15 John Carter's left is Paul Bannon. Paul is a well  
16 known individual to this commission and other  
17 Cranston agencies. He's a traffic engineer with  
18 Beta Engineering. He has provided a lengthy  
19 traffic analysis and study for the staff and your  
20 peer review traffic expert, Fuss & O'Neill, and  
21 Paul will offer testimony tonight on his  
22 observations, analysis, and study that he's  
23 conducted out on Comstock Parkway as it relates to  
24 this project.

25 Just as we're talking to the stenographer,

1 in many ways sometimes, Mr. Chairman, I just want  
2 to put on the record a few things. First, as part  
3 of our submission for the master plan, I believe we  
4 submitted a complete application and accompanying  
5 material. We have received a certificate of  
6 completeness from the planning department, which is  
7 dated the same. The application is dated and  
8 certified October 29. And as part of our  
9 submission, we've included the plans sent that  
10 DiPrete Engineering's prepared. There's a project  
11 narrative that you have from DiPrete Engineering.  
12 There is a letter from Mr. Walsh talking a little  
13 bit about his approach and interest and plans for  
14 this property. You have the Comprehensive Plan  
15 analysis from Mr. Pimentel. You have a traffic  
16 analysis from Mr. Bannon of the Beta Group. We  
17 have already had the wetlands on this site  
18 delineated, and we have a letter of confirmation  
19 from the Rhode Island Department of Environmental  
20 Management dated September 17th of this year.  
21 Lastly, we have -- the other item I want to point  
22 out is we submitted a zoning certificate from the  
23 zoning official, Stanley Pikul, dated September  
24 13th, and that was obtained for the purpose of  
25 identifying those uses within the M1 zone that are

1 allowed by right. There are, as you know under the  
2 zoning code, we have uses in our scheduled uses,  
3 some that are allowed in various zones, some that  
4 are allowed by special use permit from the zoning  
5 board, and those that are prohibited. Any of the  
6 discussions we're having tonight of possible uses  
7 for this property are all allowed in the M1 zone as  
8 a matter of right. No relief would be necessary  
9 from the zoning board. And we're not -- we are  
10 planning to develop this in accordance with the  
11 zoning as it has been long established by the city  
12 council in the schedule of uses of our zoning code.

13 I want to emphasize to everybody as  
14 Mr. McLean stated, we are at the master plan level.  
15 We probably have more information tonight for you  
16 than we might normally have. But I just want to  
17 note for the record that right out of your  
18 regulations, the purpose of the master plan stage  
19 of review is to provide the applicant with the  
20 opportunity to present an overall plan for a  
21 proposed project site outlining general, rather  
22 than detailed, development intentions. The master  
23 plan describes the basic parameters of a major  
24 development proposal rather than giving full  
25 engineering details. I only say that because some

1 of the discussion I've observed over the last  
2 several weeks, people -- comments would seem to  
3 indicate that, you know, we don't know enough at  
4 this stage, and there is a lot of misinformation.  
5 We are at the master plan stage, conceptual  
6 approval. From here, if we obtain master plan  
7 approval, just so everybody understands the  
8 process, we would then engage or continue to engage  
9 DiPrete Engineering, Mr. Walsh would, to do full  
10 detail engineering on this site. We have not done  
11 any drainage analysis. We haven't designed the  
12 drainage system, how water will be handled on this  
13 site. We know where the wetlands are, but DiPrete  
14 Engineering will go ahead and detail the  
15 engineering.

16           After that happens, it will be -- we'll  
17 make an application to the Rhode Island Department  
18 of Environmental Management for the purpose of  
19 obtaining a permit to build on this site. We are  
20 cognizant of the existing wetlands on both sides of  
21 the property, and we will design the buildings, and  
22 the infrastructure to meet all DEM regulations.  
23 Once that review is completed, we would anticipate  
24 a permit to be issued. That will then allow us to  
25 come back next year for two levels of approval.

1 First, we would go to the development plan review  
2 committee, which is the technical review process  
3 within the city. To the benefit of the public,  
4 that's made up of five departments, the planning  
5 director, public works, fire, building inspection,  
6 and traffic. And we will, at that point, present a  
7 much more detailed plan including everything from  
8 lighting to the engineering design that will be  
9 reviewed by the city, landscaping. And that will  
10 be the next level of approval we would need in  
11 order to come back here to the planning commission  
12 for a preliminary approval.

13 So there's quite a bit of work to be done,  
14 quite a bit of information to be sorted out, but we  
15 believe we have a good start this evening. The  
16 last step I would just note for the record is final  
17 plan approval and that is typically handled  
18 administratively by the staff, and we would do that  
19 at some point when we have all the permits and  
20 approvals necessary.

21 Dana Nisbet is going to come up and  
22 testify first. I just want to make a couple other  
23 general observations.

24 This property is on Comstock Parkway.  
25 It's a 17.3 acre site. It's zoned M1. It's Lot 46

1 on Assessor's Plat 36. Comstock Industrial, LLC, I  
2 believe, acquired this in May of this year from the  
3 former owner. Prior to this evening, we have tried  
4 to engage in a dialog with some of our neighbors,  
5 and I want to thank Mr. Duarte, president of  
6 Crossroads Condominium Association. He was  
7 gracious enough -- he came to my office with his  
8 executive board. Mr. Walsh and I met with him to  
9 share this. This is before the pre-application  
10 meeting. Did that on August 23d. We then asked  
11 for the opportunity to come out onto the  
12 condominium property to look at the buffer, the  
13 existing buffer, and understand the landscaping  
14 from their side of the property line. Obviously,  
15 we can look at it from our side. We have  
16 substantial substantial trees. And on September  
17 27th, Mr. Duarte again was nice enough to host us,  
18 Mr. Walsh, myself, and John Carter, and Mr.  
19 Carter's associate, so they can have a better  
20 understanding of the existing buffering there which  
21 we will testify shortly is substantial. And so I  
22 want to thank them for that opportunity.

23 You know, I've been doing this a long  
24 time. I understand that any time you have a use  
25 that is not directly compatible with the adjoining

1 property, it causes concern for people. But I want  
2 to underscore that this property has been and is  
3 zoned industrial. It was always intended to be  
4 industrial. It's part of the, what's commonly  
5 referred to as the Western Cranston industrial  
6 area, that has been developed over since the '80's.  
7 I think Mr. Vincent was planning director when we  
8 started. I worked in the mayor's office. I  
9 remember there's a gentleman out there Robert  
10 Patalano (phonetic), who did a lot of the  
11 development out there and laid the groundwork for  
12 Cranston to have at our northwest corner, an  
13 industrial area to attract jobs, attract employers,  
14 and to help expand the commercial tax base.

15 Over time, we have seen, particularly as  
16 we get close to Scituate Avenue, there have been  
17 other uses, and this is my term, not a planning  
18 term, have crept in. The fact of the matter is  
19 where Crossroad Condominiums are at the bottom of  
20 that screen, that property was rezoned in 2001.  
21 The portion right at the bottom was zoned M2, which  
22 is the heavier industrial area, and the front  
23 portion on Scituate Avenue, which is zoned A80, I  
24 was not involved, but Frank Paolino was the  
25 developer who did those condos. He came to the

1 city council, and they rezoned it B2. So the M2  
2 became B2 to allow multi family, all the while the  
3 property right to the north, I'm sorry, to the west  
4 remained industrial. So those condos were  
5 developed adjacent to a 17-acre industrial site.

6 I will say, based on everything I know in  
7 the city, and I'll defer to Mr. Pezzullo and his  
8 staff. This is probably the largest undeveloped  
9 parcel of industrial land in the city today. It --  
10 while some residents don't want to hear this, this  
11 presents a tremendous opportunity for the city in  
12 terms of economic development for commercial  
13 development to expand the commercial tax base.

14 There will be some comments that will come  
15 forward here that, you know, this is the time to  
16 lift the drawbridge, and we should not allow this.  
17 Well, the city council and the fathers of the city  
18 have determined that this area of Cranston, the  
19 western Cranston industrial area, is appropriate  
20 and, if anything, whether it's Harbor One Bank,  
21 Pumpkin Patch Early Learning Center, and the  
22 condos, those are the -- those are the outliers in  
23 many ways. It was the predominant use in this area  
24 as Mr. Pimentel will testify is the industrial  
25 zone.

1           You know, the last comment I want to make  
2 before Dana comes up is that, you know, over time,  
3 you have seen me come before you requesting support  
4 for properties to be either through variance, you  
5 know, industrial properties, that there was no  
6 industrial development for, and asking through the  
7 zoning board for a variance for a commercial use,  
8 you know, and I've seen this in the Pettaconsett  
9 industrial park, I've seen it out in Western  
10 Cranston, some of these smaller buildings that  
11 become vacant and, you know, there's a whole  
12 approach that Mr. Walsh is going to talk about, you  
13 know, we don't have the demand that we once had for  
14 these small industrial buildings.

15           This is an exciting proposal. It makes  
16 sense for the property, and Mr. Walsh will  
17 articulate why this is an opportunity that we  
18 should consider. With that, Mr. Chairman, I'd ask  
19 you to allow Dana Nisbet to come up. I have a few  
20 introductory questions, and then she's going to  
21 speak. And then we'll follow up with a few other  
22 questions with her. Dana.

23           Dana Nisbet is a professional engineer  
24 with DiPrete Engineering. She did testify at the  
25 pre-application meeting. So, Dana, I'm just going

1 to allow you to introduce yourself, some of your  
2 background, and your involvement in this project.

3 MS. NISBET: Good evening. My name is  
4 Dana Nisbet, professional engineer with DiPrete  
5 Engineering. I have a bachelor's degree and  
6 master's degree both in environmental engineering,  
7 and I've worked in the civil field for seven years  
8 now. Professional engineer for at least the last  
9 five years.

10 MR. MURRAY: Why don't you, at this point,  
11 give a general overview of the project and the  
12 plans that you've worked on, and then we'll follow  
13 up with some questions for you.

14 MS. NESBIT: I'll try to keep this brief.  
15 I know it's getting late. The site is located on  
16 the east side of Comstock Parkway. It crosses the  
17 intersection of Western Industrial Drive. The site  
18 is just over 17 acres, currently zoned M1 in the  
19 western Cranston industrial area. DiPrete  
20 Engineering completed on ground survey as well as a  
21 property boundary that you see on the survey site  
22 plan.

23 The site is currently undeveloped and  
24 mostly wooded. The topography slopes generally  
25 inward from both the front and the rear of the

1 property towards one of the two onsite isolated  
2 wetlands. These wetlands were located and flagged  
3 by DiPrete Engineering and verified under the  
4 recent wetland edge verification by DEM with all  
5 the appropriate buffers.

6 The site is not in a flood hazard area.  
7 There's no existing flood plain. There are no  
8 designated state or local conservation lands or  
9 national heritage areas located on the property.  
10 DiPrete also completed soil evaluations to identify  
11 the soil type and groundwater tables around the  
12 site to determine potential areas of drainage  
13 facilities. We have both water -- public water and  
14 public sewer available on Comstock Parkway. We  
15 have submitted the applicable availability letters  
16 from the municipalities confirming that as part of  
17 the master plan submission.

18 The development includes two large-scale  
19 industrial buildings. Building 1 to the rear of  
20 the site is just under 200,000 square feet.  
21 Building 2 at the front of the site is 70,000  
22 square feet with 6,000 square feet dedicated for  
23 office space. We've worked through several  
24 different iterations of the site plan with the  
25 developer, being conscious of the nearby

1 residences, and we felt that this site was the most  
2 sensitive to the neighbors, with the only car  
3 traffic on the south side of the larger building  
4 and the west side of the smaller building, which  
5 would be the front of the building, in keeping all  
6 of the loading and truck traffic to the rear of the  
7 building. We will be proposing one curb cut onto  
8 Comstock Parkway that will wind up on Western  
9 Industrial Drive. And some truck circulation is  
10 shown on the site plan that will demonstrate that  
11 either the large trucks, as well as emergency  
12 vehicles, will be able to move around the site  
13 easily. Beta Group has dimensions and submitted an  
14 updated traffic study. Paul Bannon will be here  
15 and will talk more on the traffic.

16 The conceptual landscape plan has also  
17 been submitted by John Carter & Company. John  
18 Carter is also here to assist and speak in more  
19 detail. Overall, the site plan as shown is not  
20 requesting any dimensional variances or zoning  
21 relief, as well as the required setbacks, building  
22 heights, and lot coverage requirement. As we've  
23 already discussed, the drainage design will be  
24 completed in the next stages of the project. We  
25 also need to submit fully and hear plans to receive

1 our RIPDES, as well as the wetlands permit before  
2 we come back for preliminary plan with the city.

3 And these plans will conform to all of the  
4 local and state design plans as well as the storm  
5 water management regulations. I think that  
6 completes my presentation.

7 MR. MURRAY: Thank you. Dana, let me just  
8 ask a quick couple of questions. First of all, I  
9 want to talk about the intensity regulations for  
10 the M1 industrial zone. Each zoning district has  
11 certain intensity regulations that you must follow  
12 with respect to the setbacks, lot coverage, et  
13 cetera. The plan that's before the board this  
14 evening, in your opinion, does that comply with the  
15 intensity regulations for the M1 zone?

16 MS. NESBIT: Definitely. Yes, it does.

17 MR. MURRAY: And I just want to talk about  
18 them. First of all, in an M1 zone, you're required  
19 to have a minimum of 30,000 square feet of land.  
20 Do we have that?

21 MS. NESBIT: Yes, we do.

22 MR. MURRAY: We have 17 acres. The --  
23 you're required in an M1 zone to have 150 feet of  
24 frontage along the street, and the street width of  
25 -- the frontage width. Do we have 150 feet along

1 Comstock Parkway?

2 MS. NESBIT: Yes, we do.

3 MR. MURRAY: Okay. The setback in an M1  
4 zone is 40 feet. And as depicted there, and I  
5 particularly mentioned Building 2, do we meet the  
6 40-foot setback along Comstock Parkway there?

7 MS. NESBIT: Yes. I believe we have in  
8 excess of the 40 feet front yard setback.

9 MR. MURRAY: The next setback intensity  
10 regulation is side yard, and in an M2 -- M1 zone,  
11 strike that, in an M1 zone, you have to have a  
12 minimum side yard of 20 feet; is that correct?

13 MS. NISBET: Yes.

14 MR. MURRAY: And I'm particularly drawing  
15 attention to the bottom of the screen, on the  
16 easterly side of the property, that side setback as  
17 shown there with the parking leading up to the  
18 purple building, is that in excess of 20 feet?

19 MS. NESBIT: Yes, it is.

20 MR. MURRAY: In fact, it's probably, at  
21 that point, at least sixty feet; is that fair?

22 MS. NESBIT: Yes.

23 MR. MURRAY: Because you have parking  
24 perpendicular to the building of 18 feet, you have  
25 24 feet of aisle width, and then another 18 feet of

1 parking, is that --

2 MS. NESBIT: Correct.

3 MR. MURRAY: So that's how the parking's  
4 60 feet, correct?

5 MS. NESBIT: Correct.

6 MR. MURRAY: The last two ones -- last two  
7 dimensions I want to talk about is the rear  
8 setback, which is required to be 30 feet. Does the  
9 plan that you prepared for the board and submitted  
10 this evening, does that have a rear setback of at  
11 least 30 feet?

12 MS. NESBIT: Yes, it does. And for -- the  
13 setback that is shown on this plan is the dark  
14 yellow line.

15 MR. MURRAY: Good to know. Okay. I see  
16 it. All right. The last issue, as proposed here  
17 based on the information you have from the  
18 developer, none of -- while we don't have elevation  
19 yet, none of the buildings proposed here are  
20 supposed to be taller than the allowed 35 feet, as  
21 far as you know; is that correct?

22 MS. NESBIT: That's correct.

23 MR. MURRAY: And the last topic I want to  
24 talk about is the lot coverage. In an M1 zone,  
25 you're allowed to have building lot coverage of

1 60 percent; is that correct?

2 MS. NESBIT: Yes.

3 MR. MURRAY: And with the 70 acres, and I  
4 don't want to ask you to do the math in your head,  
5 but the plan that's before us this evening, do we  
6 meet the -- do we comply with the requirement that  
7 we not exceed 60 percent of the site with building  
8 coverage?

9 MS. NESBIT: Yes. As shown, we have about  
10 a 36 percent building coverage.

11 MR. MURRAY: Okay. Just a few more  
12 questions if I could. And some point in the  
13 process, the planning commission is going to have  
14 to make findings of fact under state law, and those  
15 are typically made in conjunction with the various  
16 approvals, but the most important one is obviously  
17 the preliminary approval when you have full detail  
18 plan, but as we stand here tonight, in your  
19 opinion, is this development as proposed at the  
20 master plan level, in compliance with the Cranston  
21 zoning ordinance?

22 MS. NESBIT: Yes, it is.

23 MR. MURRAY: And based on your information  
24 that you have available, are you aware of any  
25 significant environmental impacts from this

1 proposed development?

2 MS. NESBIT: None that I'm aware of.

3 MR. MURRAY: I would ask -- will this  
4 development, will it result in the creation of any  
5 lots with any physical constraints to development  
6 it, that building on those lots according to the  
7 pertinent regulations and building standards, would  
8 be impracticable?

9 MS. NESBIT: No, it wouldn't.

10 MR. MURRAY: My last question is one of  
11 the findings of fact this commission must find is  
12 that all proposed land developments have adequate  
13 and permanent physical access to a public street.  
14 The plan that's been submitted this evening at the  
15 master plan level, does that meet that requirement?

16 MS. NESBIT: Yes, it does.

17 MR. MURRAY: Mr. Chairman, I have not  
18 other questions of Ms. Nesbit at this point. I  
19 don't know if you want to hold questions from the  
20 commission at this point, or we'll engage however  
21 you like.

22 CHAIRMAN SMITH: I think we will, as we  
23 customarily do, hold all the questions until the  
24 full presentation has been made.

25 MR. MURRAY: That's fine. Our next

1 witness will be John Carter -- I'm sorry, Mr. --  
2 I'm looking at him. I jumped right over him.  
3 Mr. Pimentel.

4 Let me just briefly introduce Mr.  
5 Pimentel. As I stated earlier, Edward Pimentel is  
6 a consultant that has worked with my office and was  
7 engaged by Mr. Walsh on this project. He has  
8 testified before this commission on numerous  
9 occasions in the area of Comp. Plan analysis,  
10 consistency with the zoning and Comp. Plan. He's  
11 been engaged for that purpose. He's prepared a  
12 report that we've considered with our application  
13 and is part of the exhibits in your file.

14 Mr. Pimentel, I'll allow you to proceed  
15 forward, and then we'll follow up.

16 MR. PIMENTEL: Sure. So I have been an  
17 urban planner for approximately 35 years now. I've  
18 worked in every single town in the State of Rhode  
19 Island, throughout southeastern Massachusetts. We  
20 have had a small resurgence in the State of  
21 Florida. But in the last 30 years, it's primarily  
22 concentrated State of Rhode Island and throughout  
23 southeastern Massachusetts.

24 Given that long history in the planning  
25 field, you would have thought that a large

1 component of that would have been seeing a  
2 resurgence in industrial development, seeing as we  
3 are an old state, and we have a lot of old  
4 industrial resources. The reality is I've  
5 experienced a little bit of it. I'm ecstatic to be  
6 a planner when we were able to consolidate perhaps  
7 one of the premier cabling operation -- cabling  
8 manufacturers in the country. We were able to  
9 consolidate them and retain them in one of the  
10 industrial parks in the Town of Cumberland. But  
11 that is a very small component of my development  
12 experience.

13 More so, I've actually been involved more  
14 in seeing the loss of industrial facilities. I've  
15 assisted in writing ordinances to see conversion of  
16 mill sites to mixed use facilities. I was the  
17 expert in the Scituate Hope Mill, et cetera, et  
18 cetera. The reality is a lot of these properties  
19 either, A, are no longer conducive to industrial  
20 development or, sadly enough, you have lost any  
21 property owners that have an expectation to realize  
22 viable usage of their property and there just  
23 wasn't any desire for industrial development. And  
24 it's been like that for about 25 to 30 years. All  
25 of a sudden, we've been a resurgence in the last

1 approximate three years. In the last three to five  
2 years, but more so in the last three years, we've  
3 exhausted every resource we have in the city of  
4 East Providence, where I'm currently employed  
5 municipally, in addition to my consulting services  
6 to the point where we have been scrounging to try  
7 to acquire or find new additional land resources,  
8 but the problem is -- and in segueing to this  
9 property, is that either land is just inappropriate  
10 now for today's technology or there's constraints  
11 to development. And quite often there's a lot of  
12 environmental constraints, and I segue to this  
13 property because as I was doing a thorough review  
14 and I read your Comprehensive Plan cover to cover,  
15 and I even went back and reviewed your 1990  
16 Comprehensive Plan, and I'll tell you why.

17 Whenever you're talking about development  
18 on this mass of a scale of a piece of property, you  
19 always want to make sure what was the intent, the  
20 long-standing intent, for development of property  
21 of this nature. Every five to ten years or so, a  
22 community will engage in thorough review of their  
23 Comprehensive Plan, and either they'll completely  
24 revitalize or amend their entire Comprehensive Plan  
25 or they were amend components to their

1 Comprehensive Plan. But in so doing, what they  
2 always do is compare the current zoning to what  
3 their expectations are in the future from the  
4 future land use classification development  
5 perspective and determine whether those  
6 expectations are still valid. And if they're not,  
7 they will determine there to be inconsistencies.

8           This property, for thirty plus years, has  
9 always been anticipated to be developed for  
10 industrial purposes, and has always been classified  
11 as such. It has always been zoned accordingly and  
12 consistent with that land use classification, never  
13 deemed to be inconsistent. In fact, I'm going to  
14 read some quotes from your Comprehensive Plan  
15 because we are preparing a record, and it was  
16 interesting that there was even a quote in your  
17 Comprehensive Plan, a quote in the reverse, because  
18 due to the expectations of the concerns is about  
19 the surrounding land uses, and those that are less  
20 intensive as compared to those that are more  
21 intrusive. But there is actually language in your  
22 comprehensive plan that talks about protecting and  
23 preserving you industrial resources from other  
24 incompatible land uses because there just isn't  
25 that much of this type of appropriate acreage left

1 in the city of Cranston.

2 For example, it states, "Strengthen the  
3 zoning regulations governing the M1, M2 districts  
4 to ensure that industrial areas are not fragmented  
5 by incompatible uses." So this is the opposite of  
6 what usually you're anticipating. Secondly, it  
7 talks about industrial development and  
8 consolidation and preservation of the western  
9 industrial park adjacent to Interstate 295. It  
10 talks about making sure that we preserve this land  
11 resources so that you can maintain a stable tax  
12 base. A problem statewide is that most -- a lot of  
13 the communities are now heavily relying on a  
14 residential tax base as they lose their industrial  
15 and to some degree their commercial base, but most  
16 so their industrial tax base. Your Comprehensive  
17 Plan continues to talk about ensuring that the  
18 western Cranston industrial park is used to its  
19 fullest extent, assure that sufficient land is  
20 properly zoned, and provided adequate  
21 infrastructure to meet your industrial development  
22 needs, and it talks about the western Cranston  
23 industrial park, specifically.

24 And the reason why I accept it, quote, and  
25 policy, and object, and goal, throughout your land,

1 it's brought you economic development is because  
2 the reality is is that these opportunities are few  
3 and far between and clearly your Comprehensive Plan  
4 acknowledge and understands that.

5           There are two main things we need to  
6 satisfy this commission. We're at the master plan  
7 stage, as are noted by your planning staff. Here  
8 we are trying to merely vest a concept and in so  
9 doing we need to evidence consistency with your  
10 Comprehensive Plan. This property has been long  
11 zoned, long classified for industrial purposes. It  
12 is our intent and we're stating on the record, to  
13 be consistent with your zoning regulations from  
14 both a use and dimensional perspective. As we move  
15 on to the preliminary stage where we start doing a  
16 hard engineering, it is our intent to comport with  
17 all of the design regulations.

18           From a preliminary initial perspective,  
19 some of the things we considered or thought about  
20 because we understand there are -- there is a  
21 residential component to the lower portion of this  
22 property, is that we're putting all of the heavier  
23 truck trips and our parking spaces and all the  
24 vehicular movement to the other side of the  
25 facility, using the facility as a buffer. We've

1 provided greater setbacks. We're thinking outside  
2 the box. Let's put the parking that would be  
3 employee based alongside the residential because  
4 that's more -- there's limited activity associated  
5 with employee parking. It's those types of things  
6 that we will flush out when we get to the  
7 preliminary plan design because you always want to  
8 be considerate of your surrounding neighbors. But  
9 the reality is this property has been long-standing  
10 industrial and this commission needs to support now  
11 that we have a viable usage of the property.

12 I would note that as evidence of my  
13 conclusions, the property to the lower left was at  
14 one time zoned industrial, has since been lost, but  
15 I also know that it's a planning technique to  
16 establish gradients of land use. So I've got to  
17 assume that when they rezoned that property for  
18 high density residential, instead of the lower  
19 density residential classification that's beneath  
20 it, is because there is a gradient in scale usage.  
21 Industrial to higher density residential to medium  
22 and so forth and so on. So that must have been one  
23 of the conclusions as to why that was deemed  
24 appropriate at the time.

25 One thing I can say for certain is that

1 when they rezoned it, it was with a clear  
2 understanding that the property adjacent to it was  
3 zoned industrial, was to be maintained industrial,  
4 and was to be utilized in an industrial manner.

5 So I state unequivocally on the record, we  
6 are consistent with the Comprehensive Plan, and I  
7 believe the commission can make that same finding.

8 MR. MURRAY: My last -- my only question,  
9 Mr. Pimentel, just to reinforce what you said, one  
10 of the other findings that the commission would  
11 have to make is, in fact, under the statute that  
12 this development is -- major land development is  
13 consistent with the comprehensive plan. And as you  
14 said, you reinforced that, in your opinion it would  
15 be correct.

16 MR. PIMENTEL: That is correct. So I  
17 excerpted numerous goals, policies, and objectives  
18 from your land use element, your economic  
19 development element, circulation element. I even  
20 went into your natural resources, open space  
21 elements to see if there was anything glaring there  
22 that would impact my conclusion. There were none.  
23 And then ultimately concluding and are we  
24 consistent with the current zoning and with the  
25 expectations from a development perspective. And

1 that's why I relied on the future land use map and  
2 that's why I traced the history of this going back  
3 30 plus years to show there's been a consistent  
4 pattern and expectation that this be used for --

5 MR. MURRAY: Thank you, Mr. Pimentel. I  
6 have no other questions at this point, Mr.  
7 Chairman.

8 CHAIRMAN SMITH: Thank you very much.

9 MR. PIMENTEL: Thank you.

10 MR. MURRAY: Mr. Chairman, can I ask, can  
11 we take a two-minute break. I wanted to ask  
12 Mr. Marsella a question. I notice that  
13 Commissioner Coupe has excused himself from the  
14 room. I don't know if that's for the evening or --  
15 it looked like it was for the evening.

16 CHAIRMAN SMITH: Yes. He had an important  
17 commitment to --

18 MR. MURRAY: No. I have no problem with  
19 that, but as you know, we only have six members  
20 here this evening. We're down to five, and I would  
21 like to confer with Mr. Marsella as to the  
22 implication of that, if I could. So could I ask  
23 when he return -- I'd like to pause for a moment to  
24 speak to him if I could.

25 CHAIRMAN SMITH: Certainly. Five-minute

1 recess.

2 MR. MURRAY: Thank you.

3 (SHORT RECESS)

4 CHAIRMAN SMITH: Meeting is now back to  
5 order. Mr. Murray.

6 MR. MURRAY: Yes. Mr. Chairman, I want to  
7 thank you for recess that you took for me, and I  
8 suspect some people enjoyed it for their own  
9 reasons. I just want to put on the record why I  
10 asked to consult with Mr. Marsella.

11 I noticed as Mr. Pimentel was wrapping up  
12 his testimony, one of our commissioners,  
13 Commissioner Coupe left. It was apparent that he  
14 was leaving for the evening, which is certainly his  
15 right, and I wanted to confirm that he would still  
16 be able to continue to participate in these  
17 proceedings if he wants to because it's obviously  
18 going to be continued to December. And in  
19 conferring with Mr. Marsella, your counsel, he  
20 confirmed that, and that for any (inaudible) they  
21 would be able to review the record and testimony  
22 and also participate in December if they choose to.

23 I just wanted to take a pause on that  
24 issue because, you know, as you know, we need that  
25 five -- a quorum is five people. We're now down to

1 five. If I seen Mr. Vincent get up and leave,  
2 we're really going to have to stop, but -- so -- I  
3 just want to put that on the record, and I thank  
4 you for your indulgence on that.

5 With your permission, before I ask John  
6 Carter to come up, one of the things I failed to do  
7 and I'll just do it very quickly. For the members  
8 of the public and the commission, the site plan  
9 that's before you, you know, it was described in  
10 general terms, but I didn't do a good job getting  
11 in the specific details. So I just want to mention  
12 that. On the lower part of the screen underneath  
13 the large purple building those are parking spaces  
14 intended to be for employee parking. We do have a  
15 route circulation that goes around the building.

16 The primary focus and activity on this  
17 site will be on the westerly side of the building.  
18 And as the site plan shows, we have a number of  
19 loading docks, parking bays for what is intended to  
20 be utilized by tractor trailer trucks or trucks  
21 coming to the building, either loading or  
22 unloading, so that -- so in designing the site  
23 plan, the point I want to emphasize is that the  
24 heaviest activity on this site will be on the side  
25 of the building farthest away from the residential

1 condominiums below. And the balance of the parking  
2 around the smaller Building 2, there is some  
3 trucking designations, but the parking spots  
4 closest to Comstock Parkway are intended to be  
5 utilized for employee or visitor parking. So I  
6 apologize for not pointing that out sooner; but if  
7 you're sitting in the audience and you're looking  
8 at that, you may have questions. There may be  
9 questions anyway, but I wanted to clarify that.

10 With that, Mr. Chairman, our next witness,  
11 who will be very brief, is John Carter. Mr. Carter  
12 has testified before this commission on numerous  
13 occasions as a landscape architect, and he's worked  
14 with my office, and he's gotten involved with  
15 Mr. Walsh on this site. And I just want to ask  
16 John to come up. Just briefly give your  
17 background, and then I'll ask you a couple of  
18 questions.

19 MR. CARTER: Thank you. My name is John  
20 Carter. I'm a registered landscape architect. My  
21 office is 960 Boston Neck Road in Narragansett, and  
22 I've testified numerous times before this board.

23 MR. MURRAY: Thank you. Mr. Cotter,  
24 you're familiar with the property owned by Comstock  
25 Industrial, LLC, on Comstock Parkway?

1 MR. CARTER: I am, yes.

2 MR. MURRAY: And you participated with  
3 myself and Mr. Walsh in your associate law of right  
4 in a site visit on, I believe, September 27th; is  
5 that correct?

6 MR. CARTER: I did, yes.

7 MR. MURRAY: And we were able to observe  
8 the extensive buffering that's behind those  
9 residential condos, and Mr. Duarte and his  
10 associates were nice enough to host us that  
11 morning, correct?

12 MR. CARTER: That's correct, yes.

13 MR. MURRAY: And you're familiar the  
14 Cranston -- Cranston ordinance, specifically as it  
15 relates to the Cranston development plan review  
16 ordinance, which is that technical review process  
17 we'll eventually go through, you're familiar with  
18 that ordinance?

19 MR. CARTER: I am familiar with it, yes,  
20 and we've actually addressed it on the left side of  
21 that plan, identified the appropriate sections that  
22 apply, and how we will comply with them.

23 MR. MURRAY: And we want to emphasize to  
24 everybody here that this is a very conceptual  
25 beginning stage landscape plan; is that fair?

1           MR. CARTER: That's correct. It is  
2 conceptual.

3           MR. MURRAY: And as this process moves  
4 forward and DiPrete Engineering continues to  
5 develop engineering details for the site and gets  
6 the necessary approvals from DEM, we will refine  
7 and enhance the landscaping that Mr. Walsh wants to  
8 try and establish on this property; is that fair?

9           MR. CARTER: Yes, that's correct. We  
10 typically go through that process; and when we get  
11 into the next preliminary stage, we do a detailed  
12 landscape plan with specifications.

13           MR. MURRAY: At this point, I'm going to  
14 ask you to just walk the commission and the public  
15 through the plan that's before them. I'd ask that  
16 you draw attention to the two photographs that are  
17 at the bottom. Those were taken on the 6th of  
18 September, correct?

19           MR. CARTER: That's correct, yes.

20           MR. MURRAY: I'll let you talk about the  
21 buffer, but just talk about the plan that's before  
22 us this evening.

23           MR. CARTER: I will. Thank you. I think  
24 that you heard from Dana, the engineer, a good  
25 description of the site and the existing

1 conditions, surrounding conditions. Obviously,  
2 when I'm involved in a project and I collaborate  
3 with the engineer, I collaborate with the  
4 developer, from the landscape side which is what  
5 we're there to address, there's different sort of  
6 levels that we address. The landscape plan is  
7 certainly an esthetic appeal to a project. It  
8 helps mitigate some environmental impacts.  
9 Specifically, things like it helps with runoff, it  
10 helps with storm water, it helps with shade; and  
11 always at the end, it's all about what's this going  
12 to look like. And typically the neighbors are the  
13 ones most concerned with what it's going to look  
14 like.

15           So what we did is when we assessed the  
16 site, and I did walk the site and the neighboring  
17 properties, as Bob pointed out, we were allowed to  
18 walk on the Crossroads Development property to the  
19 south. So the plan that's in front of you, with  
20 north up and south down, you can see that to the  
21 east and to the north there's all developed  
22 commercially, industrial. To the west is the  
23 highway or the road is Comstock, and to the south,  
24 there is the residential development of  
25 condominiums, and to the southeast, you can see a

1 couple of residential houses. And those properties  
2 we looked at specifically in terms of how their  
3 views would be impacted by this development. So  
4 what I was surprised and happy to see was along the  
5 southerly border of the project of this -- of our  
6 project or the northerly border of the condominiums  
7 is a substantial, well established evergreen hedge,  
8 and it consists of spruce, white pine, and they're  
9 20 to -- estimate 20 to close to 30 feet tall.

10           There's two photographs that we took up on  
11 the screen. The one in the lower right, I don't  
12 know if you can see me standing there, but -- so,  
13 at my height, you can make your own assessment.  
14 But more so -- thank you -- but more so than the  
15 height of those is the density. There are a couple  
16 of spots that are a little thin, one or two spots  
17 that are a little thin, and we talked -- I talked  
18 Mr. Walsh about, as this gets developed, as the  
19 plan gets developed, we would address that and  
20 propose some in-fill plantings. But for the most  
21 part, what you see in front of you is what's there.  
22 So this is substantial evergreen buffer between the  
23 condominium development and our site.

24           Now, on the plan for the sort of  
25 southwest, that lighter green, that's the wetland

1 and the wetland parameter around it, which is  
2 protected by state law against being altered. So  
3 it has to remain vegetated. And then to the  
4 southeast and, Doug, if you can move that thing  
5 over or zoom out or something. Thank you. To the  
6 southeast are two houses that are shown, actually  
7 there's three over there, there's substantial  
8 existing vegetation over there, which also acts as  
9 a buffer.

10 So, in conclusion, our focus is on trying  
11 to mitigate the views from those adjacent  
12 properties, understand that they would probably be  
13 more concerned about that than the other  
14 neighboring properties that were industrial, and we  
15 will further develop a landscape plan.

16 One last thing, I do want to say, Bob  
17 Murray asked about the zoning code and the  
18 landscape requirements. And we've addressed those  
19 on the left side of the plan. I won't walk through  
20 them. You don't need to hear them all. However, I  
21 think what is important is that under landscape  
22 standards, general standards, it says a minimum 15  
23 percent of a development's parcel shall be  
24 landscaped. This site as proposed will be 29  
25 percent landscape, which is almost double the

1 minimum requirement. Thank you.

2 MR. MURRAY: John, just a couple of points  
3 of emphasis. First, the substantial green wetland  
4 there in the middle of the screen, that is -- that  
5 will remain undisturbed under our development plan,  
6 correct?

7 MR. CARTER: That's correct. The wetland  
8 and the wetland buffer will remain undisturbed.

9 MR. MURRAY: And on your site visit, you  
10 observed the characteristics of that; and is it  
11 fair to say that supplies a good buffer for those  
12 condos which I believe are on Sweet Corn Drive?

13 MR. CARTER: Yes. It's substantial.  
14 There's water and deciduous trees and some  
15 understory growth.

16 MR. MURRAY: And then going to the right  
17 side of the screen, there are those two residential  
18 houses that Doug circled before. That landscaping  
19 around them kind of reminds me of looking at the  
20 X-ray of a dentist when I have a cavity or  
21 something. The roots are two -- the two roots  
22 there. Those -- that landscaping is not on our  
23 property; but is it fair to say in your opinion at  
24 least a good portion here it serves -- it will  
25 serve as a buffer to our development?

1 MR. CARTER: That's correct. If that was  
2 to remain, it would be a substantial buffer. And  
3 then above that to the north is a dark green strip  
4 and that indicates and the key on the lower left of  
5 the plan explains the colors, that indicates the  
6 required vegetative buffer which we will do  
7 regardless of that existing vegetation being there,  
8 or in addition to, I should say.

9 MR. MURRAY: And just to -- let's go  
10 around the globe. The remaining parameter of the  
11 development also has some proposed landscaping, and  
12 we will do what's in compliance with the city  
13 ordinances, correct?

14 MR. CARTER: That's correct, yes.

15 MR. MURRAY: And the last topic,  
16 obviously, is the one -- those condos on Sweet Pea  
17 Drive. Mr. Duarte's unit is near there, you know,  
18 one of those red arrows. Based on your discussion  
19 with Mr. Walsh, some of those may be on Mr. Walsh's  
20 property, but that is an excellent start of an  
21 extensive buffering from this project; is that  
22 fair?

23 MR. CARTER: That is fair. I'd agree with  
24 that, yes.

25 MR. MURRAY: Okay. I have no other

1 questions of Mr. Carter at this time, Mr. Chairman.  
2 As I'm running through things I forgot, I just want  
3 to mention, it's in our letter. There was one  
4 waiver that we're requesting at this time related  
5 to sidewalks on Comstock Parkway. I just want to  
6 note that for the record. I'm sure Doug will  
7 mention that at some point at a future meeting, but  
8 I just -- I failed to mention it up front. I just  
9 want to mention that there are no sidewalks on that  
10 side of Comstock Parkway, and we'd request that  
11 this property frontage be treated the same as the  
12 rest of Comstock Parkway.

13 With that, Mr. Chairman, that brings us to  
14 our last -- next to the last witness. Paul Bannon  
15 is our traffic expert. Anyone who's been on this  
16 commission for sometime knows of Mr. Bannon's work  
17 and testimony on other projects. He was engaged --  
18 his firm was engaged by Mr. Walsh to do a traffic  
19 analysis. We want to compliment Mr. Pezzullo and  
20 the planning department. At our earliest meetings,  
21 Jason suggested that Mr. Walsh consider doing a  
22 traffic study for the master plan stage. We, you  
23 know, perhaps on other projects we would do it at  
24 the next stage, but Jason felt strongly it would be  
25 helpful for the commission and we want to

1 acknowledge that we're glad we took him up on his  
2 suggestion, and he was strong in his opinion that  
3 that should happen. So we brought Mr. Bannon on  
4 board. I've worked with Mr. Bannon for -- I've  
5 been doing this 33 years. He's younger than I am,  
6 but we've been working on projects. He's worked  
7 with other attorneys and developers. His knowledge  
8 of this area is second to no one, and he'll talk  
9 about that in a moment.

10 Mr. Bannon, just for the record, in  
11 consultation with the developer, your firm and  
12 yourself prepared a traffic analysis report that  
13 we've submitted at this master plan stage, correct?

14 MR. BANNON: Yes. Mr. Walsh retained Beta  
15 Group to complete a traffic impact study for this  
16 project.

17 MR. MURRAY: And just for the record, we  
18 submitted one and then as a result of some  
19 conversations with the staff, you supplemented some  
20 additional information. So last week we submitted  
21 a revised or updated analysis on some issues they  
22 asked us to look at; is that correct?

23 MR. BANNON: That's correct.

24 MR. MURRAY: And both of those have been  
25 made available to the staff and commission. The --

1 as stated, at the planning director's request,  
2 Mr. Walsh paid for the city to engage Fuss &  
3 O'Neill for the purpose of peer review of  
4 Mr. Bannon's work, and we were willing to do that  
5 if allowed under your regulations. And as Doug  
6 said at the beginning of the meeting, we are --  
7 that analysis, in fairness to everybody, needs to  
8 be completed by Fuss & O'Neill, and Mr. Bannon will  
9 respond to any outstanding issues they raise, so  
10 that when we come back in December -- and well  
11 before that, this commission will have the benefit  
12 of our report, which he's going to highlight now,  
13 and the Fuss & O'Neill peer review, and then the  
14 staff recommendation relating to it. So that will  
15 be the game plan.

16 Paul, why don't you take this moment  
17 to give us some comments about your knowledge of  
18 the area. First of all, you are familiar with the  
19 site on Comstock Parkway, correct?

20 MR. BANNON: Yes.

21 MR. MURRAY: And you are familiar with the  
22 site plan that's been developed in consultation  
23 with John Walsh and DiPrete Engineering?

24 MR. BANNON: Yes, I am.

25 MR. MURRAY: And you're familiar with the

1 internal network of traffic on the site, as well as  
2 the layout and design of the parking and loading  
3 space; is that correct?

4 MR. BANNON: That's correct.

5 MR. MURRAY: And while -- as I stated, you  
6 know, your focus tonight and testimony will be  
7 principally with the analysis conducted for our  
8 impact on Comstock Parkway and the surrounding  
9 streets; is that correct?

10 MR. BANNON: That's correct.

11 MR. MURRAY: So with that, I'll ask you to  
12 give some of your background knowledge of the area  
13 and then talk about your plans.

14 MR. BANNON: I've been working in this  
15 area for the last twenty years conducting traffic  
16 impact studies, starting back in 2001 working on  
17 residential developments along Scituate Ave.,  
18 including Crossroads Condominium project, Newbury  
19 Village, Country View, projects along Comstock  
20 Parkway, including Pumpkin Patch Daycare from its  
21 initial approval in 2001 to its expansion in 2008.  
22 The Harbor One Bank, I did a traffic study for.  
23 Within the industrial park. I did the Kamco Supply  
24 and Penske Auto. Up on Plainfield Pike, I did the  
25 Subway and the Washington Trust. So over the last

1 twenty years, I've done over a half dozen studies  
2 of this project area, collecting traffic data and  
3 analyzing these roadways and developments.

4 As part of this project, we conducted a  
5 review of the project site plan by DiPrete  
6 Engineering to ensure adequate site circulation and  
7 access to the main roadway. We conducted numerous  
8 site visits during different days of the week,  
9 times of the day to observe traffic operations. We  
10 inventoried the project area for existing land use,  
11 roadway features including horizontal and vertical  
12 geometry, speeds, and sight distances at the  
13 proposed intersection. We completed a traffic  
14 counting program, including manual turn movement  
15 counts and it includes traffic periods at West  
16 Industrial Drive, Comstock, and also Plainfield.  
17 And we also did automatic traffic report counts for  
18 more the 24 -- 48 hours. We obtained accident data  
19 from the local police department to determine if  
20 there were any safety concerns in the project area,  
21 and then we developed a trip generation estimate  
22 for this proposed land use using the Institute of  
23 Transportation Engineers trip generation manual,  
24 which is an industry standard method, an acceptable  
25 method by the Department of Transportation and

1 local communities in estimating trips for a  
2 particular land use.

3 Just briefly, you know, we all know where  
4 Comstock Parkway is. It's the north/south  
5 connector road between Scituate and Plainfield.  
6 It's 30 feet wide curbed with sidewalks on westerly  
7 side of the road. We reviewed the sight distance  
8 at the proposed driveway. The horizontal and  
9 vertical geometry of the road provides substantial  
10 sight distances. It's relatively straight and  
11 level in that area.

12 The roadway, from a traffic standpoint,  
13 services approximately 15,000 vehicles per day.  
14 The peaks, 8 to 9 A.M., where roughly 1400 vehicles  
15 north and south along the roadway, and then during  
16 the P.M. peak, roughly the same 1400. And this  
17 volume of traffic has been consistent over the last  
18 decade relative to the 12 to 1400 vehicles per hour  
19 during the peak periods.

20 Plainfield Pike, that's a major road, a  
21 principal arterial, connecting to Interstate 295.  
22 It provides a vital link for this type of land use  
23 that is more, you know, regionally based to the  
24 interstate highway system. That road services  
25 approximately 20,000 vehicles per day. Roughly

1 1400 vehicles in the morning, and 1800 in the  
2 afternoon. After reviewing the existing  
3 conditions, we then estimate the amount of traffic  
4 to be generated by this particular land use. As  
5 indicated, it will be an industrial warehouse type  
6 use which is not a major generator. A lot of the  
7 building, itself, is a warehouse. It's where goods  
8 are kept before transport to either stores or other  
9 warehouse facilities.

10 So when we look at a traffic study, we  
11 look at the worst case condition, which would be  
12 the A.M. commuting peak and the P.M. commuting  
13 peak. Much of the rest of the day appears, you  
14 know, much lower traffic volume and no issues along  
15 roadways. During those peaks, this warehousing  
16 type plan use, using the IT trip generation  
17 information, would generate 46 total trips in the  
18 morning and 52 in the afternoon. That would be 35  
19 trips entering the site and 11 exiting during the  
20 morning, and just the reverse in the afternoon.

21 We looked at those intersections we  
22 counted for operations, the West Industrial Drive  
23 intersection, both existing conditions and proposed  
24 future conditions and to Plainfield Pike and  
25 Comstock. Looking at existing conditions, both

1 intersections operate acceptable level of Service B  
2 or better during those peak periods. And with the  
3 introduction of the fourth leg of this intersection  
4 under unsignalized conditions, those conditions  
5 would be maintained. So we feel that's adequate  
6 and safe access can be provided to this development  
7 project.

8 MR. MURRAY: Let me just ask a couple of  
9 things. In your analysis, you made certain  
10 recommendations for, not necessarily at our  
11 driveway, but talk a little bit about your analysis  
12 of Comstock Parkway and then Central Pike as some  
13 of the recommendations you made.

14 MR. BANNON: We made recommendations for  
15 enhanced safety including pavement markings. We  
16 would recommend a stop bar on West Industrial Drive  
17 and also a crosswalk across that intersection  
18 because it is expansive, and there is a sidewalk  
19 along that westerly side of the road. So we'd  
20 recommend, you know, those -- that minor  
21 improvement be done there to define -- better  
22 define the intersection and path of pedestrian  
23 access. Also upgrading the stop signs there, that  
24 would be a beneficial current standard.

25 MR. MURRAY: The last area I just want to

1 touch upon is, in your opinion, if master plan was  
2 granted and we went forward in designing generally  
3 what we see here this evening, and you -- in your  
4 opinion, could vehicles whether it's truck or  
5 otherwise, safely egress and ingress into this site  
6 from Comstock Parkway?

7 MR. BANNON: Yes. Comstock Parkway  
8 services the West Industrial Drive and Amflex Drive  
9 which service tractor trailer vehicles on an hourly  
10 basis to the industrial use and manufacturing  
11 businesses. And we feel that would continue with  
12 the introduction of this driveway that will be  
13 designed to accommodate that turning traffic.

14 MR. MURRAY: And you testified already  
15 that there is adequate sight distances along  
16 Comstock Parkway at our driveway coming out of  
17 that, correct?

18 MR. BANNON: That is correct.

19 MR. MURRAY: And then the importance of  
20 that is that vehicles exiting principally can look  
21 either left or right to make a determination when  
22 it's appropriate to enter into the roadway,  
23 correct?

24 MR. BANNON: Yes. And vehicles traveling  
25 along the road, they can see some -- a car pull out

1 and have adequate time to stop and avoid a  
2 collision.

3 MR. MURRAY: And based on the data you  
4 collected, it's your opinion that there are  
5 sufficient gaps within the course of the day on  
6 Comstock Parkway to allow that interchange of  
7 vehicles, correct?

8 MR. BANNON: That is correct.

9 MR. MURRAY: The last question I have is  
10 that, in your opinion, if this project were to go  
11 forward and you consulted with Mr. Walsh on the  
12 type of end uses that he's going to talk about in a  
13 few minutes, are you satisfied that we can  
14 establish those uses of this site safely for both  
15 vehicles coming and leaving our site as well as the  
16 surrounding areas?

17 MR. BANNON: Yes. The development, as  
18 proposed, as a manufacturing warehouse facility to  
19 provide for adequate and safe access.

20 MR. MURRAY: I have no other questions for  
21 Mr. Bannon. Mr. Chairman, I would, you know, I  
22 know -- I fully expect that at the end of the  
23 evening, you going to leave public hearing open. I  
24 don't want to speak for the commission, but since  
25 we don't have the Fuss & O'Neill here, I do want to

1 reserve the right to provide additional testimony  
2 perhaps from Mr. Bannon when we get that analysis  
3 to help the commission in its deliberations. I  
4 don't want this to be Mr. Bannon's last final word  
5 on this at this time.

6 Our last witness this evening, and I thank  
7 you for your time, is my client, John Walsh. I'm  
8 going to ask John to come up. John has been living  
9 and breathing this project since -- well, I've been  
10 involved with him since January. So -- and I think  
11 he's been looking at this for sometime. John Walsh  
12 is the principal of Comstock Industrial, LLC. He  
13 is the developer and lead developer on the site and  
14 has shared with the commission a letter that's been  
15 posted on your website, but he wants to talk a  
16 little bit about why this, you know, we've heard,  
17 Mr. Chairman, members of the commission, neighbors  
18 who are, you know, erstwhile in their thought that  
19 instead of one large building, there should be  
20 multiple small buildings and, you know, John has  
21 the perspective on that and what his intentions  
22 are, and that's one of the things he wants to talk  
23 about, but I'll let John introduce himself and go  
24 through his thought process.

25 MR. WALSH: Thanks, Bob. Hi, members of

1 the commission and planners. Good to see everyone  
2 again. So at this point you've heard -- you've  
3 heard from the experts, a lot of great degrees. I  
4 won't waste your time being an engineer or traffic  
5 expert, zoning expert, landscape architect,  
6 attorney, but I hope that group complements the  
7 process and provides some good information from  
8 that. I think we're trying to be diligent in  
9 recognition that this is a -- it's a large building  
10 for Cranston.

11 I did most of what I wanted to do tonight.  
12 I'll briefly reintroduce myself to the people here,  
13 and I'll spend a little time talking about what  
14 this project -- what it isn't and what it is and  
15 talk a little bit about my perspective on that  
16 site.

17 So some of you knew I grew up in Rhode  
18 Island in North Kingstown, spent my life here until  
19 high school when I went down to New Jersey to go to  
20 college for -- the college in Princeton, and  
21 started my real estate career in New York City in  
22 2001. Since that time, you know, at that time  
23 working for larger groups, asset managers,  
24 eventually developers, but have spent twenty years  
25 of my life now being a real estate developer and

1 asset manager. Moved out of New York City, got a  
2 master's in finance and then a master's in business  
3 administration from Boston College. Worked in  
4 Boston for a few years before moving back to Rhode  
5 Island which is where I started my company, West  
6 Passage. For the past ten years, we've been --  
7 we've owned a house down in North Kingston and have  
8 been in Rhode Island off and on living and also,  
9 you know, most of the time in the summer. So for  
10 everybody's benefit, I'm a Rhode Islander. I  
11 understand Rhode Island. But I've also had the  
12 benefit of being out in New York and Boston and  
13 this -- the thought behind this deal was every bit  
14 of it. In some ways it was bringing a little bit  
15 of a national or even -- even a regional  
16 perspective to Rhode Island.

17 So I want to talk about what this -- what  
18 this deal isn't because it's -- I think when you  
19 don't understand how -- you think of a warehouse,  
20 and especially in Rhode Island where traditionally  
21 warehouses are used for manufacturing, you don't  
22 understand what a nuance business it can be. This  
23 isn't a round-the-clock, multi-shift building. I  
24 think, you know, we can bring up at some point,  
25 Paul Bannon's traffic dispersion study, which would

1 really show the dispersion of traffic in an  
2 industrial building like this is -- it's great for  
3 this area. I mean, it's a slow, steady curve  
4 throughout the day. These companies have gotten --  
5 they've gotten smart about moving packages.  
6 They've gotten smart at staffing workers which  
7 really brings people in at different times. Flex  
8 shifts which are offered as a perk, not necessarily  
9 for traffic dispersion, but have an unbelievable,  
10 you know, kind of secondary benefit to, you know,  
11 traffic engineers, and they really do disburse  
12 traffic.

13           So this isn't -- this isn't a  
14 round-the-clock building. This will be -- it's  
15 not, you know, it's not a -- it's also not a  
16 first-cut sorting facility. So those -- a  
17 first-cut sorting facility would be something --  
18 quite honestly would be bigger. Most people in  
19 this room would have heard of the facility that's  
20 happening up in Johnston. That will be a big  
21 first-cut facility where product comes in on an  
22 18-wheeler, and it goes out for delivery on another  
23 18-wheeler to some distant land, and it's not  
24 necessarily the product that goes through that  
25 facility will be kind of regional. It won't

1 necessarily be going to Johnston or even Cranston.  
2 It will be serving a larger region. Where it's  
3 usually going is to what's called a neighborhood  
4 distribution facility.

5           So that's really -- this is really kind of  
6 set up as -- I'd almost call it kind of a gentle  
7 giant distribution facility. So when you set up  
8 your site plan, you really kind of send a beacon to  
9 the market as to what type of tenant you're looking  
10 for, especially, you know, if you don't have a  
11 tenant. If your -- if your intention is to get a  
12 certain amount of the way through the approvals  
13 process, at which point, tenants are to believe  
14 that you're a viable project, and you start those  
15 talks. And we're not there yet. So we're going --  
16 the idea -- what we're sending -- the idea that  
17 we're sending to the market with this site is that,  
18 yes, it's a big building. We're also providing a  
19 fair amount of truck bays, truck parking, truck  
20 turnarounds. There's a lot of layout area which is  
21 attractive to companies who move product in, you  
22 know, have standard warehouse facilities, not  
23 necessarily around the clock, but as they can  
24 schedule their workers, trucks have the luxury of  
25 sitting in a bay for a certain amount of the day.

1 They have the luxury of being parked in the back,  
2 and it allows for a logistical space where you're  
3 constantly worried about are things coming into the  
4 building, are things coming out of the building,  
5 how long can it sit here. It allows for a lot of  
6 optionality for potential users.

7 It doesn't generate the, you know, it's  
8 probably -- it wouldn't generate a fleet of  
9 vehicles. It's not really set up that way. Quite  
10 honestly, those facilities are set up for more  
11 e-commerce, you know, kind of vans out for delivery  
12 type stuff. Right now, this site really isn't set  
13 up for that, you know, that type of a user. I  
14 think it's really, you know, the larger of the two  
15 buildings is probably a -- a national company. I  
16 wouldn't expect to have corporate offices there. I  
17 expect that to be about five percent office.  
18 There'll be, you know, minimal office staff, really  
19 overseeing a pretty minimal employee staff. On  
20 average, if you have an industrial employee for  
21 about 200, about 2000 feet of real estate.

22 You know, the building upfront is a little  
23 bit -- is a little bit smaller. That could be  
24 attractive to a national tenant. It could also,  
25 you know, set up with some office up front in

1 recognition that that could be more of a -- that  
2 might be a more regional company's, you know,  
3 regional headquarters, and they might want some  
4 additional, you know, it might not be a 5 percent  
5 office building. It might be more like 10 percent.  
6 I think we presented it about 10 percent.

7           And so that's -- what this -- what the  
8 building really is is, as the world of real estate  
9 changes and as large retail facilities, malls, have  
10 struggled, power centers struggle, and as people  
11 want an increasingly experiential real estate --  
12 retail experience, these are really the pieces of  
13 infrastructure that enable that. As consumers like  
14 to walk in the Garden Cities of the world, where  
15 you might, you know, stores can -- this building  
16 allows stores to get a little bit smaller,  
17 shoppers, you know, don't necessarily -- you don't  
18 need to -- stores don't need to stock one of  
19 everything in every size and every color. They can  
20 just have one of every size and one of every color,  
21 and they can order one from the facility. Within a  
22 reasonable amount of time, they'll have it shipped  
23 to your house, you know, pretty quickly.

24           So I think by our current standards, and  
25 just, you know, again, I won't try to be an

1 employee or try to sell you the building, you know,  
2 building off of Mr. Bannon's analysis, you know, we  
3 probably are -- expected cases for the number of  
4 employees at a facility like this on the whole  
5 campus would probably be about 140. I know Paul  
6 stressed tested that with a lot higher number. It  
7 can actually, you know, it can handle traffic for a  
8 greater number but the, you know, 180 -- 140  
9 employees kind of with trips disbursed throughout  
10 the day really is a pretty good traffic impact for  
11 the area, for a site that will be set up, be  
12 institutional managed, and be a -- really an asset  
13 to Cranston's infrastructure package. It really  
14 does have a pretty minimal and disbursed traffic  
15 profile.

16 You know, I think we've -- we've covered,  
17 you know, by right, we hope it's in line with the  
18 Comprehensive Plan. We believe it is, in  
19 accordance with the city subdivision, land  
20 development regulations. I mean, I think the last  
21 thing I'd just leave the -- leave the committee  
22 with is after wrestling with this, I think I've  
23 probably met with Jason and Doug about a year ago  
24 the first time, you know, after wrestling with this  
25 for more than a year, this feels like a well

1 designed right use for this site. Yes, it's a big  
2 building. Yes, there are neighbors. But this  
3 really is a -- it would be a shame for this site to  
4 be broken up into a smaller -- for Cranston. I  
5 believe Cranston should want this site to remain as  
6 one large piece of infrastructure to the, you know,  
7 to the surrounding area. It really is an asset to  
8 the community. Thank you.

9 MR. MURRAY: John, just one comment that I  
10 ask you to talk about. You and I have adde that,  
11 you know, and we've heard from some neighbors how  
12 the other parts of western Cranston are smaller  
13 buildings, smaller lots, you know, can you just  
14 briefly share your thought on that why that is a  
15 bit anachronistic.

16 MR. WALSH: Yeah. I mean, I think the  
17 rest of the -- the rest of Cranston is still in a  
18 time when Rhode Island was taxing warehouse  
19 inventory. You know, that really sends a signal to  
20 the market. As a result, Southern Massachusetts,  
21 the 495 warehouse market, really came into being.  
22 Rhode Island was traditionally distributed to from  
23 Southern Massachusetts. That made sense. So, you  
24 know, western Cranston and a lot of western  
25 Cranston actually isn't as bad as a lot of Rhode

1 Island's industrial areas.

2 But, traditionally, in the -- throughout  
3 the country, if a traditional industrial complex  
4 has 70 percent warehouse product and 30 percent  
5 manufacturing product, that's kind of the national  
6 average. Rhode Island is probably at least the  
7 inverse, in part because the, you know, the skew  
8 towards manufacturing. In the manufacturing  
9 business, you really have -- you have  
10 owner/operators, you have kind of the, you know,  
11 some -- what's proving to be the false idea that if  
12 you own your own business, build your own asset,  
13 that someday you'll be able to sell your business  
14 and your asset at the same time.

15 Oftentimes, it doesn't work out that way.  
16 It's tough -- it's actually a tough sale to make  
17 because you're selling two things at once. It  
18 comes down to what, at least, you give yourself,  
19 and you're ultimately selling somebody probably the  
20 building that they wouldn't -- they wouldn't  
21 necessarily want for your building. You're  
22 probably doing that for twenty years. So it's a  
23 situation where once the toothpaste is out of the  
24 tube, it's tough to reassemble small lots.

25 In aggregate, it creates almost a

1 multitude of small, obsolete lots, which is a  
2 little bit prevalent around the area. So that kind  
3 of explains some of the smaller buildings.

4 MR. MURRAY: Two more questions. First,  
5 earlier this evening we were talking to one of the  
6 neighbors outside, and the gentleman asked whether  
7 or not we have some identified easements on the  
8 property. Just so the commission understands, have  
9 you investigated whether or not you could derive  
10 any other -- any form -- other form of access to or  
11 from our site other than the main drive of Comstock  
12 Parkway?

13 MR. WALSH: I pursued all of the abutters  
14 to the north with no success. I mean, at this  
15 point, I think it's -- a few of those lots are  
16 constrained by -- not all the lots are created  
17 equal. There's some wetlands that -- in some cases  
18 what looks like an obvious, you know, potential  
19 throughway is impaired by wetlands. And,  
20 otherwise, there really would be probably some  
21 safety issues. You'd almost have to knock down,  
22 you know, buy an entire building and knock it down,  
23 which is cost prohibitive. Some tenants just  
24 didn't have, you know, didn't have an interest.

25 MR. MURRAY: That's fine. The other thing

1 I want to talk about is you've engaged John Carter  
2 to look at, you know, the existing landscaping and  
3 future landscaping, and I just want to, you know,  
4 ask you to confirm for the commission that as you  
5 move forward, it's your desire and willingness to  
6 continue to work with surrounding property owners  
7 in terms of presenting a landscape plan for next  
8 level that we do our best to try and mitigate the  
9 activities on your site; is that fair?

10 MR. WALSH: That's correct, yes. I mean,  
11 I think from our perspective it's tough to provide  
12 the full level of detail until we actually draw up,  
13 you know, with DiPrete, draw up a full level of  
14 detail. It can be a little more specific once  
15 that's the case, but, I mean, we understand our  
16 neighbors to the south. We try to be reasonable,  
17 and we'll continue to try to be reasonable.

18 MR. MURRAY: And my last question is that,  
19 you know, we've presented two large buildings here,  
20 totaling 270,000 square feet. Based on your  
21 experience, your knowledge of the industry, do you  
22 believe that this is the appropriate use for this  
23 site, first? You believe that?

24 MR. WALSH: Yes, it is.

25 MR. MURRAY: And with the understanding

1 that the building sizes could be refined as we move  
2 forward in the development; is that fair?

3 MR. WALSH: Yeah. I mean, I think once  
4 you start moving buildings sizes, you start sending  
5 a different signal to the market as far as what  
6 type of tenant you're looking to attract. You  
7 know, a point that I make about this design is it's  
8 kind of set up for, as I said, the traditional  
9 warehouse gentle giant. The interior of this  
10 building would be forklifts and shelves. As  
11 buildings get smaller, people start thinking  
12 about -- you're sending a different signal to the  
13 market as far as the available -- the availability  
14 of the rest of the site for certain things.

15 MR. MURRAY: But based on your experience  
16 and discussions with national brokerage firms,  
17 you're confident that if we can get to the next  
18 level, you'll be able to attract creditworthy and  
19 good tenants for this site, based on the design  
20 that's been presented this evening?

21 MR. WALSH: Yes. I think we've presented  
22 a design that's in line with national standard  
23 ratios for parking and play out area. I think it's  
24 a very marketable site as presented.

25 MR. MURRAY: Thank you very much.

1 Mr. Chairman, thank you for your time this evening.  
2 We have no other witnesses. We'll obviously stay  
3 available to answer questions from the board.

4 CHAIRMAN SMITH: Thank you. Thank you  
5 very much. At this time, do any commission members  
6 have any questions that they would like to ask?

7 MR. MASON: Yes. I have just one question  
8 for Mr. Bannon, please. As it's shown on the plan  
9 that the exit/entrance to the property is at the  
10 West Industrial Drive intersection.

11 MR. BANNON: Correct.

12 MR. MASON: Western Industrial Drive is a  
13 40-foot paved curb to curb, with large radius  
14 corners. One of the concerns that I heard through  
15 my staff and also some other folks is the vehicles,  
16 tractor trailers exiting the proposed property,  
17 will there be a wide enough road width and also  
18 corners so if somebody's turning northbound onto  
19 Comstock Parkway, they don't have to -- the truck  
20 doesn't have to end up out into the southbound  
21 lane?

22 MR. WALSH: Yes. Once we get to the next  
23 engineering level of design, we'll make -- we're  
24 going to design it to make sure that the truck  
25 traffic and turning movements are similar to West

1 Industrial, and not crossover, and provide the  
2 proper radii.

3 MR. MASON: Thank you.

4 CHAIRMAN SMITH: Any other questions from  
5 any members? Yes, Commissioner Vincent.

6 MR. VINCENT: Thank you, Mr. Chairman.  
7 Perhaps this is for the developer. Is the southern  
8 boundary as what's explained where you dedicated  
9 parking only and it's a width of approximately  
10 60 feet, is that the -- is there any potential to  
11 move the building to incorporate a greater distance  
12 between the residential and the -- or is the  
13 building sited only to allow the radius for the  
14 trucks and loading docks; is that the minimum  
15 area --

16 MR. WALSH: You can't move the building.  
17 You would have to shrink the building. The  
18 constraint ends up being the northern wetland and  
19 the truck bay below that northern wetland. You  
20 actually, you can get a turning radius issue  
21 getting in and out of there if you just move the  
22 building. So we're at the limit of that, you know,  
23 that radius.

24 MR. VINCENT: So based on your testimony,  
25 so this was the -- there were not several different

1 configurations of buildings on site? This site, as  
2 you envision it, is for this large facility, which  
3 is a new -- for Cranston, a very new --

4 MR. WALSH: Correct. I mean, so I was --  
5 when I did my diligence and also bought the site  
6 from the previous owner, I inherited a fair number  
7 of their conceptualls. There was multifamily.

8 There were, you know, industrial subdivisions  
9 around, you know, around the cul de sac that would  
10 be kind of, you know, two acre lots, acre and a  
11 half lots, 10,000 square foot type stuff.

12 Almost -- at this point backward looking, I really  
13 think it would be, you know, if would be a shame if  
14 somebody did it. It's a -- this is an opportunity  
15 to have a -- to move out of the Rhode Island has to  
16 be manufacturing. Manufacturing comes with its ups  
17 and downs and traffic flow anyway. For a generally  
18 large building, the traffic flow profile of this  
19 is -- it is great, and it's really a -- it is a  
20 kind of infrastructure asset to the community. I  
21 mean it's -- this is the demand in market.

22 MR. VINCENT: One other question,  
23 Mr. Chairman, maybe to Mr. Bannon. In your report,  
24 Mr. Bannon, you made an estimate that 80 percent of  
25 the traffic exiting will go northbound, 295 --

1 MR. BANNON: Correct.

2 MR. VINCENT: -- another 20 percent  
3 southbound. Can you describe your assumptions, why  
4 an 80/20?

5 MR. BANNON: For interstate access, as I  
6 indicated, the distribution component of it would  
7 be regional. This is a spot adjacent to the -- an  
8 interstate highway. So much of that traffic would  
9 be destined to and from. Twenty percent we  
10 included for -- to the south for potential  
11 employees from the residential areas of the  
12 community.

13 MR. VINCENT: Essentially, the interstate?

14 MR. BANNON: Yes.

15 CHAIRMAN SMITH: Any other questions at  
16 this point from -- yes, Commissioner Lanphear.

17 MS. LANPHEAR: Through the Chair, for  
18 Mr. Pimentel, please. I believe, Mr. Pimentel, and  
19 please correct me if I'm wrong, you testified that  
20 when the property below, meaning the condominium  
21 property, was rezoned, it was with the  
22 understanding that this parcel, meaning the parcel  
23 that's before us this evening would remain  
24 industrial; is that accurate?

25 MR. PIMENTEL: When the property below was

1 rezoned to permit the high density residential to  
2 the B2, it clearly was done understanding that the  
3 property to -- the abutting property was zoned and  
4 classified industrial. But when you seek a zone  
5 change, you also have to denote what the  
6 surrounding zoning designations and the surrounding  
7 land use classifications are.

8 MS. LANPHEAR: And so your statement is  
9 that it was done with that -- with the  
10 understanding that the industrial parcel would  
11 remain industrial; is that correct?

12 MR. PIMENTEL: When you put forth a  
13 proposal for a zone change, you have to -- and  
14 you're arguing consistency because you need to get  
15 a recommendation from the commission before you  
16 move on to the council, you have to argue why the  
17 zone change itself will remain consistent with the  
18 surrounding land use classifications and zoning  
19 designations. So that argument would have had to  
20 have been put forth to both this commission and  
21 then eventually to the council. It could only be  
22 my assumption, I wasn't there, so I have to believe  
23 because I've argued these similar arguments and  
24 I've seen this as a planning technique when you  
25 establish gradients of land use classifications.

1 So you don't see somebody zoning property to a low  
2 density residential that abuts an industrial. But  
3 when you establish each gradient, that's part of  
4 the argument. Why would this be appropriate? It's  
5 industrial. We're going high density, and then it  
6 kind of buffers. As you go down each grade, it  
7 leads to lower density residential which is, as you  
8 further go further down, you get lower density and  
9 so forth. I've got to believe that was the  
10 assumption that was made to argue consistency  
11 because clearly when they sought the zone change,  
12 the property has long been zoned industrial, had  
13 long been classified, and that's been through  
14 iterations of the Comprehensive Plan.

15 MS. LANPHEAR: So the basis for that  
16 conclusion is your assumption based on your  
17 experience?

18 MR. PIMENTEL: Yup. Sure.

19 MS. LANPHEAR: Thank you.

20 MR. MURRAY: Yes, through the Chair, and I  
21 understand Commissioner Lanphear's question, I  
22 don't think Mr. Pimentel intended -- I don't want  
23 to create the impression there was linkage between  
24 these two properties that, you know, we'll rezone  
25 the condominium property as B2 with the

1 understanding that the 17 acres would be  
2 industrial. It was always industrial, and they  
3 were separate ownership. The DiFazio family owned  
4 where the condominiums were. Mr. Paolino bought  
5 it, rezoned it to the B2, but the DiFazio's did not  
6 own the industrial, the M1 land, the 17-acre site.  
7 I understand why you ask the question, but I want  
8 to clarify for the record that there was no express  
9 linkage.

10 MS. LANPHEAR: Thank you, Mr. Chairman.

11 CHAIRMAN SMITH: Any other questions from  
12 commissioners at this point? If not, I would  
13 invite members of the public to come forward. I  
14 understand there -- you do have a spokesperson, and  
15 so we have you first.

16 MS. GOINS: Good evening, Mr. Chairman,  
17 Members of the Commission. My name is Amy Goins.  
18 I'm an attorney at Ursillo, Teitz, and Ritch,  
19 representing the Crossroad Condominium association  
20 which, as you know, is directly to the south of the  
21 development site. Crossroad Condos is a 36-unit  
22 residential condominium that's not age restricted,  
23 but it is occupied predominantly by senior  
24 citizens. And I think it's fair to say it serves  
25 as a -- the residents consider this their

1 retirement community.

2 I will try to be brief because the  
3 occupants, the residents here, have been waiting  
4 patiently. I just would reference the  
5 correspondence dated October 28th that we submitted  
6 to the planning commission. And I really want to  
7 emphasize the major point of that correspondence  
8 was to argue that the only way that this proposed  
9 development can be approved or should be approved  
10 to make it consistent with the Comprehensive Plan  
11 is for the CPC to impose some restrictions on the  
12 development at this level of review and approval at  
13 the master plan stage. It's critical to impose  
14 conditions related to site layout, buffering, and  
15 hours of operation.

16 Mr. Walsh stated that this would not be a  
17 round-the-clock operation. Unless the CPC imposes  
18 restrictions, it absolutely would be a  
19 round-the-clock operation. And that would be one  
20 of the specific requests from Crossroads that hours  
21 of operation and particularly for trucks backing up  
22 on the site that should be restricted and  
23 prohibited between, at a minimum, the hours of  
24 11 P.M. and 7 A.M.

25 But to Mr. Vincent's question about can

1 the building be moved, it should be moved and it  
2 should be shrunk. It should be reduced in size  
3 because I think we can all look at that site and  
4 know that this it -- realize that this is an  
5 unfortunate example of poor planning. And I think  
6 the only way that the city council, in rezoning the  
7 Crossroads property to permit the development of  
8 that site for residential use, the only way they  
9 would have made that decision is in relying upon  
10 your role as the CPC to restrict and condition  
11 future industrial use on that site because I think  
12 we all know that an unrestricted industrial use  
13 does not belong immediately adjacent to a  
14 residential community.

15 So we do think there's some room for  
16 improvement on the site plan. Perhaps a sound wall  
17 to mitigate sound impact to the adjacent  
18 residences. Certainly an increased buffer,  
19 notwithstanding the existing evergreens. And as I  
20 said, hours of operation. We do want to point out  
21 the specific section of the zoning ordinance that  
22 speaks to industrial development. That section,  
23 17.020.090K, and that reads in pertinent part as  
24 follows: Property and buildings to be used for  
25 industrial purposes shall be designed and laid out

1 as to minimize disturbance to adjacent property by  
2 such features as buffer fences, planting, suitably  
3 located points of traffic ingress and egress, and  
4 areas for loading and parking. They shall comply  
5 in addition to the requirements applicable to the  
6 district in which they are located.

7 So we understand that an industrial use is  
8 permitted as a right on this site, and we  
9 understand the developer has the right to develop  
10 his property in a manner consistent with the  
11 existing zoning, but we do think that as a matter  
12 of proper planning, restrictions need to be imposed  
13 upon the development site.

14 We have with us tonight Peter Friedrichs,  
15 who is an expert in land use planning. I apologize  
16 for not having his resume available for the  
17 commission to consider, but that will be submitted  
18 to you through staff along with a report that you  
19 will receive well in advance of the next meeting.  
20 We understand the no decision will be made tonight.  
21 So we hope you'll consider Mr. Friedrichs' initial  
22 comments tonight. But more importantly the  
23 comments of the residents who I know that they've  
24 engaged for the past few months. So I'll leave my  
25 comments at that tonight. I'll ask Mr. Friedrichs

1 to come up and offer some brief comments. Thank  
2 you.

3 MR. FRIEDRICHS: Good evening, members of  
4 the commission. My name is Peter Friedrichs. I  
5 was the director of planning and economic  
6 development in Central Falls from 2015 to 2018, and  
7 the city planner in Newport from 2019 to 2021.

8 So I'm just beginning my review of this  
9 project, and there's just a few things I want to  
10 point out. The first is that I think it's  
11 important to remember that although some industrial  
12 uses might -- excuse me. Although some industrial  
13 uses are permitted at the site, that does not  
14 automatically mean that a development of this size  
15 and this design can be approved by the planning  
16 commission. The planning commission must apply the  
17 relevant standards to this proposal and the  
18 evidence that's presented through the course of its  
19 review.

20 I want to also touch on the traffic study.  
21 I think everyone in this room knows how congested  
22 Comstock Parkway can get. It's important to make  
23 sure that this project does not be the straw that  
24 breaks the camel's back. So I'm looking forward to  
25 reviewing the peer review of that traffic study as

1 well as the staff's comments on it. And, you know,  
2 I've often said about how this property abuts  
3 residential zones to the south, and I think --  
4 just want to know that planning is looking very  
5 closely at those intersections and making sure that  
6 the impacts are felt equally across both sides of  
7 that boundary. I think the condo association had a  
8 lot of foresight when it was developed to put these  
9 tree buffers in here, and I think that needs to be  
10 reciprocated on the other side of the property  
11 line. There was no way of knowing, you know, two  
12 decades ago when this development was built what  
13 would be put on the industrial zone to the north.  
14 Given the -- you know, I would argue intense  
15 vehicular traffic that will be located here. There  
16 needs to be some sort of buffering so that the  
17 residential properties are not unfairly impacted by  
18 the owner of this property's use.

19           And then I think, you know, there's a  
20 couple of things I've noticed on this site plan  
21 that's been up on the screen here. The development  
22 team has talked a lot about their interest in  
23 making alterations to enhance the relationship with  
24 the properties to the south, and I don't think that  
25 showing tractor trailers driving on the south side

1 of the building as appears to be shown in this  
2 diagram supports that. So I think that's another  
3 thing that the commission should be looking closely  
4 at as it reviews this project, trying to keep those  
5 tractor trailers on the north side of the building.

6 And based on the developer's testimony, it  
7 doesn't seem like that having tractor trailers in  
8 the central area, in front of the wetlands backing  
9 up is really feasible, and there might be  
10 opportunity for box trucks or maybe there's less  
11 pavement area, angle space, some design  
12 combinations that can be made to better accommodate  
13 the needy natural features of this location.

14 Beyond that, I concur with everything that  
15 Attorney Goins has said, and I'm happy to make  
16 myself available for any questions from the  
17 commission.

18 CHAIRMAN SMITH: Are there any questions  
19 from commission members at this point?

20 MR. FRIEDRICHS: Thank you.

21 MR. DUARTE: William Duarte, president of  
22 the condo association. As we've learned more and  
23 move over the last few months, it seems like this  
24 is a work in progress. Some ideas have progressed  
25 and changed, and concerned that there will be more

1 changes and a lot of things we object to are not  
2 relevant right now. We have to wait for the next  
3 phase. And by then, things could have changed  
4 again. So we were told originally there would be  
5 no tractor trailers on the south side, and now I'm  
6 confused. Will there be or won't there be?

7 MR. WALSH: Just showing the safety,  
8 that's a safety turn radius, to inform everybody,  
9 just showing the fire, you know, fire truck,  
10 whatever can go there. Those are car spaces.

11 MR. DUARTE: Are there docks on that side  
12 of the building?

13 MR. WALSH: No. Those are a hundred  
14 percent car spaces.

15 THE REPORTER: Wait a minute. I can't get  
16 this down. You're standing over there and the back  
17 and forth --

18 MR. MARCELLO: Hold on. Hold on. If you  
19 could ask all you questions first, and then the  
20 applicant could respond because --

21 MR. DUARTE: Okay. One of my questions  
22 about the traffic, the traffic study, is that the  
23 assumption there were 46 trips as an assumption.  
24 That doesn't seem like a viable business that can  
25 operate a building that size with 46 trips a day.

1 They going to make -- they're not going to make any  
2 money. You've got to have a dock serviced two or  
3 three times a day, and you've got 70 -- well, I  
4 don't know how many docks anymore. It used to be  
5 69. You've got to have them serviced three times a  
6 day. That's 200 trucks. That's not 46. That's  
7 200 trucks in once and out again, and that's a lot  
8 of use on the highway. We're concerned about the  
9 noise, the lighting, the emissions. There's a  
10 school nearby that's got to deal with children  
11 outside playing in their yard right next door. And  
12 that's (inaudible) for the city.

13 So our concerns are many, but most of them  
14 will be at the next phase. So I want to yield at  
15 this time and maybe Aldo would like to talk.

16 MR. TESTA: My name is Aldo N. Testa. I  
17 live at 12 Sweet Corn Drive in Cranston, Rhode  
18 Island. This is my third attempt at presentation  
19 in front of the planning commission.

20 First of all, as we look at this picture,  
21 we're looking at a flat picture. It's not a three  
22 dimensional picture. So rather than reading what  
23 I've submitted already in my report, I'd like to  
24 just review a few items that are in the report.

25 The second thing that I notice tonight as

1 you look at this picture, all we've heard about was  
2 peripheral parts of the development. There's been  
3 no written reports as to the impact of this in the  
4 community. We know there's landscape. We know  
5 there's all these things that are going on; but we  
6 don't get a picture. And it's like something I  
7 heard a few years ago, some haven't heard it.  
8 First approve it, and then we'll tell you what's in  
9 it. I don't know think that works. I'd like to  
10 review a few points in the presentation that is  
11 already in the record.

12 First point is a visual size and visual  
13 look. We all know the trailer trucks and the size  
14 of the building that's already in the plan. But  
15 let's review some of the aspects of it. If you  
16 look at this picture, it's just sandwiched in  
17 between surrounding what you would say normal size  
18 building. There's a condominium. There's a bank.  
19 There's a farm -- a nursery. There's an ice cream  
20 shop. At the other corner, there's a restaurant.  
21 And then there's other buildings around it. None  
22 of them compare to the massive size of what's being  
23 put in this area.

24 This area is not considered an industrial  
25 park. I envision industrial park as what's across

1 the street in western industrial Cranston. There  
2 is various size buildings in that. None of them  
3 even compare to what is here.

4 In the report that was submitted, you look  
5 at this as a three dimensional picture. When you  
6 look at this building, it's -- and as I say, you  
7 know, it's 800 feet long, 250 foot wide. And as I  
8 said in my report, if you're familiar with Fenway  
9 Park, Fenway Park wall is 231 feet. It tapers down  
10 from 37 to 34 feet. The size of this building is  
11 three and a half times the height -- I'm sorry, the  
12 length of Fenway Park's Green Monster.

13 Secondly, again, you're looking at a flat  
14 picture. Gillette Stadium has a football field. A  
15 football field is 57,000 -- occupies 57,000 square  
16 feet. The size of this building, you could put  
17 three and a half football fields in it. The sister  
18 building of 70,000 square feet would fit one  
19 football field plus 20 percent.

20 Second point would be safety and impact on  
21 Comstock Parkway. I noticed a gentleman said that  
22 we'll learn about trailer trucks exiting after.  
23 From information that I read, according to an exit  
24 of a trailer truck, it needs more than 15 feet curb  
25 to curb from the middle to the curb to exit. So I

1 would say that that report should be produced  
2 before this gets advanced any further.

3           One of the other areas at the point I  
4 would just want to get on is health issue. Trailer  
5 trucks will be going in and out. How long will  
6 they be running for? What's the Co2 emissions?  
7 This was all in the report that was put in there.  
8 I don't want to be redundant. It's late. I know  
9 everybody is itching to go home, but we just can't  
10 approve something without knowing what's going into  
11 it. I didn't plan on getting too far into this  
12 tonight, but one of the other issues that come up.  
13 We are here -- why are we here tonight? The only  
14 really report that we have was traffic study. We  
15 have received nothing else. To my knowledge -- to  
16 my knowledge, there is not a structure of this size  
17 and number of loading docks in the city of Cranston  
18 to compare it with and to measure the effects on  
19 the surrounding neighborhood, the surrounding area,  
20 to determine the positive and negative effects.  
21 There should be additional impact studies to  
22 determine noise levels, diesel exhaust emissions,  
23 damage to wetlands, water runoff, fire and safety,  
24 sanitation, surrounding property values, impact to  
25 businesses in the area, lighting, environmental,

1 and the area image of this building.

2           These and others not mentioned need impact  
3 studies. Impact study words and actions matter  
4 before action is taken. Let me cite an example.  
5 In the traffic study -- in this traffic study,  
6 beginning with the introduction, Comstock Parkway  
7 is defined as a roadway. One way to just overlook  
8 this actual meaning and deem it unimportant, the  
9 Cranston City Council didn't think so. Ordinance  
10 of the city council, amendment on the Chapter  
11 10-40-070 of the code of the City of Cranston  
12 entitled, "Solicitation on roads prohibited." They  
13 define -- they define what a roadway is. A roadway  
14 shall be the portion of a public street, road, or  
15 highway improved, desired, or ordinary use for  
16 vehicular traffic and extending from one curb or  
17 edge of pavement to the opposite curb of the edge  
18 of the pavement, including lanes commonly used for  
19 parking and including center medians and lanes --  
20 lane dividers. However, the road -- the term  
21 "roadway" shall not be included to include any  
22 street, road, or highway, one, having a paved  
23 surface with no greater than 30 feet. I won't read  
24 the whole thing. Item 2, which traffic flows is  
25 restricted in a single lane or traveling in

1 opposite direction; and, 3, upon legal speed limits  
2 that exceed 25 miles per hour.

3 CHAIRMAN SMITH: I don't want to cut you  
4 short. You mentioned some important points, but if  
5 you could kind of move it along.

6 MR. TESTA: I'm trying to do the best I  
7 can, sir. I'm not a public speaker.

8 CHAIRMAN SMITH: I understand. It's  
9 getting very late.

10 MR. TESTA: In this instance, the study --  
11 I'm not -- it's not too long. In this instance,  
12 the study does indicate Comstock Parkway is 30  
13 feet -- 30 feet wide with 15 foot lanes, and a 25  
14 mile per hour posted speed, but names it as a  
15 roadway. Words not -- mistakes happen. Studies  
16 are needed. Since there is no current history of  
17 the warehouse of this size -- of this size, the  
18 planning board should seek studies and information  
19 before making their determination. One example is  
20 the possible health hazards by diesel emissions.  
21 Along with that, there are recommendations on  
22 suggested safety nets. Land use handler, in  
23 quotes, It was recommended that homes, schools, and  
24 other sensitive land use should be located at least  
25 one thousand feet from any facility that would

1 either generate, one, one thousand diesel trucks  
2 per day, more than twenty trucks per day with  
3 diesel refrigeration units, or where diesel truck  
4 refrigeration units would operate more than 300  
5 hours per week. The California south coast air  
6 quality management district adopted a regulation  
7 requiring warehouses of 100,000 square feet or more  
8 must take measures to reduce the health impact of  
9 trucks, as well as other diesel, gasoline powered  
10 vehicles. The socioeconomic impact assessment  
11 quoted, in quotes, noted that emissions from a  
12 warehouse of 100,000 square feet or more can affect  
13 the health of those living .5 to 2 miles distant.

14 In conclusion, it's not only about the  
15 traffic study; but after all the mentioned studies  
16 have been concluded, is this the best land use for  
17 the neighborhood and surrounding business  
18 community? Thank you.

19 CHAIRMAN SMITH: Thank you. I want to --  
20 it was pointed out to me, and I do want to add at  
21 this point since we will be continuing this to our  
22 December 7th meeting, anybody who was some  
23 additional comments that they would like to submit  
24 to the staff, if you could have those in by  
25 December 3, that would allow the staff to be able

1 to analyze and include those concerns and comments  
2 and questions. So December 1st would be the  
3 deadline. The meeting is on the 7th. But, yes,  
4 get them in by the first. That would help the  
5 staff process to be able to incorporate those into  
6 the record. So -- okay.

7 MR. BARRY: Hi, Commissioners. My name is  
8 Jason Barry. I live at 1039 Scituate Avenue, the  
9 little property next to the condos, one of two  
10 neighbors as -- zoned as A80, which I heard a lot  
11 about tonight.

12 Wanted to express some general concerns  
13 considering it sounds like this is still in a very  
14 general stage. One is the traffic impact study  
15 obviously still need further review, which is  
16 getting its due diligence. I'm equally concerned  
17 about items like the turning radius on Comstock  
18 Parkway. I think everyone can relate to tractor  
19 trailers being unable to make the turns that they  
20 need to make. Outlined in the document that's  
21 here, from what I can see, it wouldn't appear that  
22 the turning radius for the road that's there would  
23 accommodate that as admitted by the group that's  
24 here. We'll see that later. I'd make the argument  
25 that the public can only operate on the information

1 that it's given, which is the documents that are  
2 here. So that's the opinions that you're hearing.  
3 The more information you can provide, the more  
4 adequately (inaudible), and the more we can  
5 potentially be for the plan.

6 The second is my daughter and I live in  
7 that house, and there's a preschool nearby. I have  
8 obvious concerns around the noise and air pollution  
9 as well as the light pollution produced by a  
10 facility this size. It's obviously an enormous  
11 building, and, you know, I would expect the CPC to  
12 provide due diligence necessary to make sure that  
13 abutting properties, as the council had noted, is  
14 accommodated accordingly. The size and the scale  
15 of this development is obviously what I would  
16 classify as egregious, though seemingly having a  
17 business purpose. You know, by right, it obviously  
18 falls to M1 use zone, and it seems like it's being  
19 used for warehouse purposes; but, again, we haven't  
20 been really heard from tenants that are going to be  
21 in here, how the land's going to be used. I'd love  
22 to get more information on that, but it sounds like  
23 we're in Stage 2 of 4. So I look forward to  
24 hearing more.

25 As the plan continues to evolve, I'd like

1 to better understand the landscaping plans as they  
2 pertain to buffer approaching my property in the  
3 southern part of this landscape. Specifically,  
4 while there is a forested area that's off the  
5 screen right now, but there is a forested area  
6 between my house and the -- yeah, this is a good  
7 look of me and my neighbor both have a pretty  
8 sizeable forested area between us and your  
9 building. It is largely deciduous trees and  
10 deciduous understory. What that means is that  
11 starting in about two weeks, I'll have a pretty  
12 clear view all the way back to the industrial  
13 complex that's actually behind your building. I  
14 look forward to working with John Carter and his  
15 group. I made myself available for you to come on  
16 my property to take a look; but in general, if  
17 nothing is done, I'll be staring at the back of  
18 your building from my backyard. And, again, while  
19 this process is ongoing, I'd be eager to engage  
20 directly with anyone on your team.

21 As a property owner, I grew up in Rhode  
22 Island, grew up in Cranston, city payer, taxpayer.  
23 I can obviously see the benefits of a place like  
24 this for Cranston, but I can also easily see the  
25 drawbacks of a building this size. It, you know,

1 it's the size of a convention center. Actually,  
2 it's the size of three convention centers, you  
3 know, in my backyard.

4 I obviously have concerns about that, but  
5 I look forward to hearing about how this plan  
6 committee and the applicant can work towards  
7 finding an amenable solution for all parties  
8 involved. I want you to be able to make use of  
9 your land; but, at the same time, I want to be able  
10 to use my land as well. Thank you so much. Thank  
11 you for your time.

12 MR. DUARTE: Bill Duarte. If it's  
13 possible, it would be to everyone's advantage if  
14 they could raise -- have a balloon put up so we  
15 could see the height of the building from where we  
16 are. I don't know how that could be done, but I  
17 imagine that it's possible. Then the landowners  
18 could all see what they're going to see, how much  
19 above the tree line it is, if possible.

20 CHAIRMAN SMITH: It's not unusual. Any  
21 other comments? And, again, we will be back on the  
22 7th. So I'm not hearing any additional comments at  
23 this time. So here's the recommendation.

24 MR. MC LEAN: Doug McLean, principal  
25 planner with the city again. Any interested

1 parties, I highly encourage to stay engaged. These  
2 comments are helpful to us in advance of the time  
3 in which we draft the staff memorandum. Again, on  
4 the straight line that the date that's most helpful  
5 to receive comments or any written materials would  
6 be by December 1st. That gives me a few days to  
7 process that in advance of me writing the staff  
8 recommendation on this project. That really,  
9 rather than receive all the comments written, I'd  
10 rather receive them in time for me to reflect on  
11 them. You're always welcome to provide oral  
12 comments at the meetings. We're confident that  
13 gives us time to digest it and to better understand  
14 the concerns on the table. So thank you for that  
15 consideration.

16 And just to briefly remind the  
17 recommendations of staff on the table for this  
18 evening is due to the fact that the traffic  
19 analysis is still under review by city staff and  
20 the city's third party peer review traffic  
21 engineers, the staff recommends the planning  
22 commission continue the Comstock development master  
23 plan public informational meeting to December 7th  
24 at 6:30.

25 CHAIRMAN SMITH: Okay. At this time, I

1 will entertain a motion to continue this to  
2 December 7th meeting.

3 MR. VINCENT: Mr. Chairman, I'll make that  
4 motion. After a second, I do have a question about  
5 peer review of landscape architecture.

6 MR. MURRAY: I'm sorry. I couldn't hear  
7 you --

8 MR. VINCENT: My question was a peer  
9 review that we would begin sooner than later with a  
10 landscape architect to assess the quality and the  
11 effectiveness of buffering landscaping.

12 MR. MURRAY: Through the Chair, I  
13 understand it's within the purview of the  
14 commission to request that. I'm not sure at this  
15 point we have anything for peer review. That would  
16 be my only concern is that, you know, we are --  
17 Mr. Carter has gone as far as he can tonight. We  
18 need to, you know, we need to know do we have a  
19 master plan. Can we then go design and do a design  
20 of the site and incorporate landscaping which, at  
21 that point, could be, you know, reviewed by a peer  
22 review. So that would just be my response,  
23 respectfully.

24 MR. VINCENT: I respect that, Mr. Murray,  
25 but I think there's a lot to be said for assessment

1 of existing conditions, especially in plans that we  
2 want to see preserved and all that can be done  
3 earlier, saving time for you as well as this  
4 commission. And as Doug said, the sooner we can  
5 get the information, the better we can make our  
6 informed decision.

7 MR. MC LEAN: Just the staff will briefly  
8 comment on that. It is staff's intent to ask for a  
9 peer review of the landscape plan, but we feel that  
10 would be most appropriate to handle on the  
11 preliminary plan stage where the landscape plan is  
12 a required element of the application materials,  
13 and the full details would be available to us. It  
14 is a fair and valid question. As to what's in  
15 front of us right now, we fully understand it. I  
16 think the most valuable piece of information in the  
17 current landscape concept plan was giving us very  
18 specific information on the conditions,  
19 specifically along that southern border. I think  
20 that was a benefit to understanding what's there,  
21 to having some existing conditions. I don't  
22 believe you would need a peer review to validate  
23 that what's shown on the plan is accurate and  
24 valid, but the concepts that are there really  
25 reflect out enough at this stage to anticipate that

1 a peer review would result in any high value  
2 information, but I certainly want and expect a peer  
3 review as the next stage of the application. That  
4 would be my perspective on that issue.

5 MR. MURRAY: Through the Chair, can I just  
6 elaborate on that. You know, I think I'd be  
7 willing to get up, talk to my client, but I think I  
8 feel comfortable, you know, I think we can  
9 coordinate a submission of a more enhanced or  
10 updated landscape plan that could be peer reviewed  
11 prior to us getting to a preliminary plan stage.  
12 So -- so that we're not -- you know, we don't get  
13 here, Mr. Carter shows us the plan, and then you  
14 say we need that at a peer review. With the  
15 commitment that we would try and coordinate with  
16 the staff a timely submission of a plan, we could  
17 then -- the staff would then have a peer review.  
18 You have the benefit of it. That would just be my  
19 offer.

20 MR. VINCENT: That sounds reasonable.

21 MR. PEZZULLO: Mr. Chairman, I just want  
22 to add something along those lines. Even before  
23 preliminary plan submission, it's best for -- we  
24 have to go through development plan review and  
25 that's where the plans are required, and that's

1 when we would do the -- vetting that plan. So we'd  
2 have a very fully flushed plan in peer review at  
3 DPR stage, going into preliminary plan, but not at  
4 this stage.

5 CHAIRMAN SMITH: Okay. We do have a  
6 motion on the floor from Commissioner Vincent to  
7 continue this matter to the meeting of December  
8 7th. Is there a second?

9 MR. MASON: Second.

10 CHAIRMAN SMITH: Seconded by Commissioner  
11 Mason.

12 (VOICE VOTE: PASSED)

13 CHAIRMAN SMITH: The matter will be  
14 continued.

15 (ADJOURNED AT 11:30 P.M.)

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C-E-R-T-I-F-I-C-A-T-E

I, RONALD M. RONZIO, Notary Public, do hereby certify that I reported in shorthand the foregoing proceedings, and that the foregoing transcript contains a true, accurate, and complete record of the proceedings at the above-entitled hearing.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 22d day of November, 2021.

*Ronald M. Ronzio*

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RONALD M. RONZIO, NOTARY PUBLIC/CERTIFIED COURT REPORTER

MY COMMISSION EXPIRES: July 24, 2025

IN RE: Cranston Planning/Comstock Industrial

DATE: November 2, 2021

**WORD INDEX**

## &lt; 1 &gt;

1 18:19  
 10 60:5, 6  
 10,000 69:11  
 100,000 87:7, 12  
 1039 88:8  
 10-40-070 85:11  
 11 50:19 74:24  
 11:30 96:15  
 12 49:18 81:17  
 13th 9:24  
 140 61:5, 8  
 1400 49:14, 16, 18  
 50:1  
 15 41:22 83:24  
 86:13  
 15,000 49:13  
 150 20:23, 25  
 17 17:18 20:22  
 73:1  
 17.020.090K 75:23  
 17.3 12:25  
 17-acre 15:5 73:6  
 17th 9:20  
 18 21:24, 25  
 180 61:8  
 1800 50:1  
 18-wheeler 57:22,  
 23  
 1990 27:15  
 1st 88:2 92:6

## &lt; 2 &gt;

2 1:7 2:15 3:14  
 18:21 21:5 36:2  
 85:24 87:13  
 89:23 97:13  
 20 21:12, 18 40:9  
 70:2 83:19  
 20,000 49:25  
 200 59:21 81:6, 7  
 200,000 18:20  
 2000 59:21  
 2001 14:20 47:16,  
 21 55:22  
 2008 47:21  
 2015 77:6  
 2018 77:6  
 2019 77:7  
 2021 1:7 77:7  
 97:6, 13  
 2025 97:13  
 21 6:22

22d 97:6  
 231 83:9  
 23d 13:10  
 24 21:25 48:18  
 97:13  
 25 26:24 86:2, 13  
 250 83:7  
 270,000 3:17  
 65:20  
 27th 13:17 37:4  
 28th 74:5  
 29 9:8 41:24  
 295 29:9 49:21  
 69:25

## &lt; 3 &gt;

3 86:1 87:25  
 30 22:8, 11 25:21  
 26:24 33:3 40:9  
 49:6 63:4 85:23  
 86:12, 13  
 30,000 20:19  
 300 87:4  
 33 45:5  
 34 83:10  
 35 22:20 25:17  
 50:18  
 36 13:1 23:10  
 36-unit 73:21  
 37 83:10

## &lt; 4 &gt;

4 3:14 89:23  
 40 21:4, 8  
 400-foot 4:1, 2  
 40-foot 21:6  
 67:13  
 46 12:25 50:17  
 80:23, 25 81:6  
 48 48:18  
 495 62:21

## &lt; 5 &gt;

5 60:4 87:13  
 52 50:18  
 57,000 83:15

## &lt; 6 &gt;

6,000 18:22  
 6:30 1:9 92:24  
 60 22:4 23:1, 7  
 68:10  
 69 81:5  
 6th 38:17

## &lt; 7 &gt;

7 74:24  
 70 23:3 63:4  
 81:3  
 70,000 18:21  
 83:18  
 7th 87:22 88:3  
 91:22 92:23 93:2  
 96:8

## &lt; 8 &gt;

8 49:14  
 80 69:24  
 80/20 70:4  
 800 83:7  
 80's 14:6

## &lt; 9 &gt;

9 49:14  
 960 36:21

## &lt; A &gt;

A.M 49:14 50:12  
 74:24  
 A80 14:23 88:10  
 able 19:12 26:6,  
 8 34:16, 21 37:7  
 63:13 66:18  
 87:25 88:5 91:8,  
 9  
 above-entitled  
 97:4  
 absolutely 74:18  
 abuts 72:2 78:2  
 abutters 2:19  
 64:13  
 abutting 71:3  
 89:13  
 accept 29:24  
 acceptable 48:24  
 51:1  
 access 24:13  
 48:7 51:6, 23  
 53:19 64:10 70:5  
 accident 48:18  
 accommodate  
 52:13 79:12  
 88:23  
 accommodated  
 89:14  
 accompanying 9:4  
 accordance 10:10  
 61:19  
 according 24:6  
 83:23  
 accordingly 28:11  
 89:14  
 account 3:11  
 accurate 70:24  
 94:23 97:4  
 acknowledge 30:4  
 45:1  
 acquire 27:7  
 acquired 13:2  
 acre 12:25 69:10  
 acreage 28:25  
 acres 17:18  
 20:22 23:3 73:1  
 action 85:4  
 actions 85:3  
 activities 3:20  
 65:9  
 activity 31:4  
 35:16, 24  
 acts 41:8  
 actual 85:8  
 actually 26:13  
 28:21 37:20 41:6  
 61:7 62:25 63:16  
 65:12 68:20  
 90:13 91:1  
 add 87:20 95:22  
 adde 62:10  
 addition 27:5  
 76:5  
 additional 27:7  
 43:8 45:20 54:1  
 60:4 84:21 87:23  
 91:22  
 Additionally 5:25  
 address 39:5, 6  
 40:19  
 addressed 37:20  
 41:18  
 adequate 24:12  
 29:20 48:6 51:5  
 52:15 53:1, 19  
 adequately 89:4  
 adjacent 15:5  
 29:9 32:2 41:11  
 70:7 75:13, 17  
 76:1  
 adjoining 13:25  
 ADJOURNED  
 96:15  
 administration  
 56:3  
 administratively  
 12:18  
 admitted 88:23  
 adopted 87:6

advance 76:19  
 92:2, 7  
 advanced 84:2  
 advantage 91:13  
 aerial 3:24 4:18  
 affect 87:12  
 afternoon 50:2,  
 18, 20  
 against 41:2  
 age 73:22  
 agencies 8:17  
 aggregate 63:25  
 ago 2:17 8:9  
 61:23 78:12 82:7  
 agree 43:23  
 ahead 11:14  
 air 87:5 89:8  
 aisle 21:25  
 Aldo 81:15, 16  
 allow 2:10 7:5  
 11:24 15:2, 16  
 16:19 17:1 25:14  
 53:6 68:13 87:25  
 allowed 3:18  
 10:1, 3, 4, 7 22:20,  
 25 39:17 46:5  
 allows 59:2, 5  
 60:16  
 alongside 31:3  
 alterations 78:23  
 altered 41:2  
 although 77:11, 12  
 always 14:3  
 27:19 28:2, 9, 10,  
 11 31:7 39:11  
 73:2 92:11  
 amenable 91:7  
 amend 27:24, 25  
 amendment 85:10  
 Amflex 52:8  
 amount 50:3  
 58:12, 19, 25  
 60:22  
 Amy 73:17  
 anachronistic  
 62:15  
 analysis 5:20, 24  
 8:19, 22 9:15, 16  
 11:11 25:9 44:19  
 45:12, 21 46:7  
 47:7 51:9, 11  
 54:2 61:2 92:19  
 analyze 88:1  
 analyzing 48:3  
 ancillary 3:20

<p><b>angle</b> 79:11  <b>ANN</b> 1:10  <b>answer</b> 67:3  <b>anticipate</b> 11:23  94:25  <b>anticipated</b> 28:9  <b>anticipating</b> 29:6  <b>anybody</b> 87:22  <b>anymore</b> 81:4  <b>anyway</b> 36:9  69:17  <b>apologize</b> 36:6  76:15  <b>apparent</b> 34:13  <b>appeal</b> 39:7  <b>appear</b> 88:21  <b>appears</b> 50:13  79:1  <b>applicable</b> 18:15  76:5  <b>APPLICANT</b>  1:21 2:7, 18 3:15  5:5, 6, 11, 20, 24  6:10, 16 10:19  80:20 91:6  <b>applicant's</b> 5:22  <b>application</b> 2:14,  23, 25 3:16 4:11,  23, 24 9:4, 7  11:17 25:12  94:12 95:3  <b>applications</b> 7:4  <b>apply</b> 37:22  77:16  <b>approach</b> 9:13  16:12  <b>approaching</b> 90:2  <b>appropriate</b>  15:19 18:5 28:25  31:24 37:21  52:22 65:22 72:4  94:10  <b>approval</b> 3:7  11:6, 7, 25 12:10,  12, 17 23:17  47:21 74:12  <b>approvals</b> 12:20  23:16 38:6 58:12  <b>approve</b> 82:8  84:10  <b>approved</b> 74:9  77:15  <b>approximate</b> 27:1  <b>approximately</b>  3:17 25:17 49:13,  25 68:9</p>	<p><b>architect</b> 8:7  36:13, 20 55:5  93:10  <b>architecture</b> 93:5  <b>area</b> 7:2 8:3  14:6, 13, 22 15:18,  19, 23 17:19 18:6  25:9 45:8 46:18  47:12, 15 48:2, 10,  20 49:11 51:25  57:3 58:20 61:11  62:7 64:2 66:23  68:15 79:8, 11  82:23, 24 84:19,  25 85:1 90:4, 5, 8  <b>areas</b> 18:9, 12  29:4 53:16 63:1  70:11 76:4 84:3  <b>argue</b> 71:16  72:10 74:8 78:14  <b>argued</b> 71:23  <b>arguing</b> 71:14  <b>argument</b> 71:19  72:4 88:24  <b>arguments</b> 71:23  <b>arrows</b> 5:10  43:18  <b>arterial</b> 49:21  <b>articulate</b> 16:17  <b>asked</b> 13:10  34:10 41:17  45:22 64:6  <b>asking</b> 16:6  <b>aspects</b> 6:6 82:15  <b>assess</b> 93:10  <b>assessed</b> 39:15  <b>assessment</b> 40:13  87:10 93:25  <b>Assessor's</b> 13:1  <b>asset</b> 55:23 56:1  61:12 62:7 63:12,  14 69:20  <b>assist</b> 19:18  <b>assisted</b> 26:15  <b>associate</b> 7:22  13:19 37:3  <b>associated</b> 4:12  31:4  <b>associates</b> 37:10  <b>Association</b> 13:6  73:19 78:7 79:22  <b>assume</b> 31:17  <b>assumption</b> 71:22  72:10, 16 80:23  <b>assumptions</b> 70:3</p>	<p><b>assure</b> 29:19  <b>attempt</b> 81:18  <b>attention</b> 21:15  38:16  <b>attorney</b> 6:20  55:6 73:18 79:15  <b>attorneys</b> 45:7  <b>attract</b> 14:13  66:6, 18  <b>attractive</b> 58:21  59:24  <b>audience</b> 36:7  <b>August</b> 13:10  <b>Auto</b> 47:24  <b>automatic</b> 48:17  <b>automatically</b>  77:14  <b>availability</b> 18:15  66:13  <b>available</b> 3:22  8:1 18:14 23:24  45:25 66:13 67:3  76:16 79:16  90:15 94:13  <b>Ave</b> 47:17  <b>Avenue</b> 14:16, 23  88:8  <b>average</b> 59:20  63:6  <b>avoid</b> 53:1  <b>aware</b> 2:7, 9  23:24 24:2  <b>away</b> 35:25</p> <p>&lt; B &gt;  <b>B2</b> 15:1, 2 71:2  72:25 73:5  <b>bachelor's</b> 17:5  <b>back</b> 11:25 12:11  20:2 27:15 33:2  34:4 46:10 47:16  56:4 59:1 77:24  80:16 90:12, 17  91:21  <b>background</b> 2:11  17:2 36:17 47:12  <b>backing</b> 74:21  79:8  <b>backward</b> 69:12  <b>backyard</b> 90:18  91:3  <b>bad</b> 62:25  <b>balance</b> 36:1  <b>balloon</b> 91:14  <b>Bank</b> 15:20  47:22 82:18</p>	<p><b>Bannon</b> 8:15  9:16 19:14 44:14  45:3, 4, 10, 14, 23  46:8, 20, 24 47:4,  10, 14 51:14 52:7,  18, 24 53:8, 17, 21  54:2 67:8, 11  69:23, 24 70:1, 5,  14  <b>Bannon's</b> 44:16  46:4 54:4 56:25  61:2  <b>bar</b> 51:16  <b>BARRY</b> 88:7, 8  <b>base</b> 14:14 15:13  29:12, 14, 15, 16  <b>based</b> 15:6 22:17  23:23 31:3 43:18  49:23 53:3 65:20  66:15, 19 68:24  72:16 79:6  <b>basic</b> 10:23  <b>basis</b> 52:10 72:15  <b>bay</b> 58:25 68:19  <b>bays</b> 35:19 58:19  <b>beacon</b> 58:8  <b>became</b> 15:2  <b>become</b> 16:11  <b>beginning</b> 37:25  46:6 77:8 85:6  <b>behind</b> 37:8  56:13 90:13  <b>believe</b> 9:3 12:15  13:2 21:7 32:7  37:4 42:12 58:13  61:18 62:5 65:22,  23 70:18 71:22  72:9 94:22  <b>belong</b> 75:13  <b>beneath</b> 31:19  <b>beneficial</b> 51:24  <b>benefit</b> 12:3  46:11 56:10, 12  57:10 94:20  95:18  <b>benefits</b> 90:23  <b>best</b> 65:8 86:6  87:16 95:23  <b>Beta</b> 8:18 9:16  19:13 45:14  <b>better</b> 13:19 51:2,  21 79:12 90:1  92:13 94:5  <b>Beyond</b> 79:14  <b>big</b> 57:20 58:18</p>	<p>62:1  <b>bigger</b> 57:18  <b>Bill</b> 91:12  <b>bit</b> 8:13 9:13  12:13, 14 26:5  51:11 54:16  55:15 56:13, 14  59:23 60:16  62:15 64:2  <b>BOARD</b> 1:22  8:3 10:5, 9 13:8  16:7 20:13 22:9  36:22 45:4 67:3  86:18  <b>Bob</b> 39:17 41:16  54:25  <b>border</b> 40:5, 6  94:19  <b>Boston</b> 36:21  56:3, 4, 12  <b>bottom</b> 14:19, 21  21:15 38:17  <b>bought</b> 69:5 73:4  <b>boundaries</b> 3:25  <b>boundary</b> 5:9  17:21 68:8 78:7  <b>box</b> 31:2 79:10  <b>Bradley</b> 7:19  <b>break</b> 33:11  <b>breaks</b> 77:24  <b>breathing</b> 54:9  <b>brief</b> 2:6, 18 3:21  7:1 17:14 36:11  74:2 77:1  <b>briefly</b> 25:4  36:16 49:3 55:12  62:14 92:16 94:7  <b>bring</b> 56:24  <b>bringing</b> 56:14  <b>brings</b> 44:13 57:7  <b>broken</b> 62:4  <b>brokerage</b> 66:16  <b>brought</b> 30:1  45:3  <b>buffer</b> 13:12, 13  30:25 38:21  40:22 41:9 42:8,  11, 25 43:2, 6  75:18 76:2 90:2  <b>buffering</b> 13:20  37:8 43:21 74:14  78:16 93:11  <b>buffers</b> 18:5 72:6  78:9  <b>build</b> 11:19 63:12</p>
---	--	--	--	--

<p><b>building</b> 12:5 18:19, 21 19:3, 4, 5, 7, 21 21:5, 18, 24 22:25 23:7, 10 24:6, 7 35:13, 15, 17, 21, 25 36:2 50:7 54:19 55:9 56:23 57:2, 14 58:18 59:4, 22 60:5, 8, 15 61:1, 2 62:2 63:20, 21 64:22 66:1, 10 68:11, 13, 16, 17, 22 69:18 75:1 79:1, 5 80:12, 25 82:14, 18 83:6, 10, 16, 18 85:1 89:11 90:9, 13, 18, 25 91:15</p> <p><b>buildings</b> 3:16 11:21 16:10, 14 18:19 22:19 54:20 59:15 62:13 64:3 65:19 66:4, 11 69:1 75:24 82:21 83:2</p> <p><b>built</b> 78:12</p> <p><b>bulk</b> 3:9</p> <p><b>bureau</b> 6:1</p> <p><b>business</b> 56:2, 22 63:9, 12, 13 80:24 87:17 89:17</p> <p><b>businesses</b> 52:11 84:25</p> <p><b>buy</b> 64:22</p> <p>&lt; C &gt;</p> <p><b>cabing</b> 26:7</p> <p><b>California</b> 87:5</p> <p><b>call</b> 58:6</p> <p><b>called</b> 58:3</p> <p><b>camel's</b> 77:24</p> <p><b>campus</b> 61:5</p> <p><b>car</b> 19:2 52:25 80:10, 14</p> <p><b>career</b> 55:21</p> <p><b>Carter</b> 8:6 13:18 19:17, 18 25:1 35:6 36:11, 19, 20 37:1, 6, 12, 19 38:1, 9, 19, 23 42:7, 13 43:1, 14, 23 44:1 65:1 90:14 93:17 95:13</p>	<p><b>Carter's</b> 8:15 13:19</p> <p><b>case</b> 4:16 50:11 65:15</p> <p><b>cases</b> 61:3 64:17</p> <p><b>causes</b> 14:1</p> <p><b>cavity</b> 42:20</p> <p><b>Center</b> 15:21 85:19 91:1</p> <p><b>centers</b> 60:10 91:2</p> <p><b>Central</b> 51:12 77:6 79:8</p> <p><b>certain</b> 20:11 31:25 51:9 58:12, 25 66:14 95:2</p> <p><b>Certainly</b> 33:25 34:14 39:7 75:18</p> <p><b>certificate</b> 9:5, 22</p> <p><b>C-E-R-T-I-F-I-C- A-T-E</b> 97:1</p> <p><b>certified</b> 9:8</p> <p><b>certify</b> 97:3</p> <p><b>cetera</b> 20:13 26:17, 18</p> <p><b>Chair</b> 70:17 72:20 93:12 95:5</p> <p><b>CHAIRMAN</b> 1:10 2:1 6:15, 19 9:1 16:18 24:17, 22 33:7, 8, 10, 16, 25 34:4, 6 36:10 44:1, 13 53:21 54:17 67:1, 4 68:4, 6 69:23 70:15 73:10, 11, 16 79:18 86:3, 8 87:19 91:20 92:25 93:3 95:21 96:5, 10, 13</p> <p><b>Chambers</b> 1:10</p> <p><b>change</b> 4:12 71:5, 13, 17 72:11</p> <p><b>changed</b> 79:25 80:3</p> <p><b>changes</b> 3:12 4:21 60:9 80:1</p> <p><b>Chapter</b> 85:10</p> <p><b>characteristics</b> 42:10</p> <p><b>children</b> 81:10</p> <p><b>choose</b> 34:22</p> <p><b>circled</b> 42:18</p> <p><b>circulation</b> 19:9 32:19 35:15 48:6</p>	<p><b>cite</b> 85:4</p> <p><b>Cities</b> 60:14</p> <p><b>citizens</b> 73:24</p> <p><b>CITY</b> 1:2, 3, 9 2:23 5:22, 25 6:22 10:11 12:3, 9 15:1, 7, 9, 11, 17 20:2 27:3 29:1 43:12 46:2 55:21 56:1 61:19 75:6 77:7 81:12 84:17 85:9, 10, 11 90:22 91:25 92:19</p> <p><b>city's</b> 92:20</p> <p><b>civil</b> 17:7</p> <p><b>clarify</b> 36:9 73:8</p> <p><b>classification</b> 28:4, 12 31:19</p> <p><b>classifications</b> 71:7, 18, 25</p> <p><b>classified</b> 28:10 30:11 71:4 72:13</p> <p><b>classify</b> 89:16</p> <p><b>clear</b> 32:1 90:12</p> <p><b>clearly</b> 30:3 71:2 72:11</p> <p><b>client</b> 7:2 54:7 95:7</p> <p><b>clock</b> 58:23</p> <p><b>close</b> 14:16 40:9</p> <p><b>closely</b> 78:5 79:3</p> <p><b>closest</b> 36:4</p> <p><b>Co2</b> 84:6</p> <p><b>coast</b> 87:5</p> <p><b>code</b> 10:2, 12 41:17 85:11</p> <p><b>cognizant</b> 11:20</p> <p><b>collaborate</b> 39:2, 3</p> <p><b>collected</b> 53:4</p> <p><b>collecting</b> 48:2</p> <p><b>college</b> 55:20 56:3</p> <p><b>collision</b> 53:2</p> <p><b>color</b> 60:19, 20</p> <p><b>colors</b> 43:5</p> <p><b>combinations</b> 79:12</p> <p><b>come</b> 3:6 8:11 11:25 12:11, 21 13:11 15:14 16:3, 19 20:2 35:6 36:16 46:10 54:8 73:13 77:1 84:12 90:15</p>	<p><b>comes</b> 16:2 57:21 63:18 69:16</p> <p><b>comfortable</b> 95:8</p> <p><b>coming</b> 35:21 52:16 53:15 59:3, 4</p> <p><b>comment</b> 16:1 62:9 94:8</p> <p><b>comments</b> 2:20, 25 6:9 11:2 15:14 46:17 76:22, 23, 25 77:1 78:1 87:23 88:1 91:21, 22 92:2, 5, 9, 12</p> <p><b>commercial</b> 14:14 15:12, 13 16:7 29:15</p> <p><b>commercially</b> 39:22</p> <p><b>COMMISSION</b> 1:3 2:5, 16 7:7 8:16 12:11 23:13 24:11, 20 25:8 30:6 31:10 32:7, 10 35:8 36:12 38:14 44:16, 25 45:25 46:11 53:24 54:3, 14, 17 55:1 64:8 65:4 67:5 71:15, 20 73:17 74:6 76:17 77:4, 16 79:3, 17, 19 81:19 92:22 93:14 94:4 97:13</p> <p><b>Commissioner</b> 33:13 34:13 68:5 70:16 72:21 96:6, 10</p> <p><b>commissioners</b> 34:12 73:12 88:7</p> <p><b>commitment</b> 33:17 95:15</p> <p><b>committee</b> 12:2 61:21 91:6</p> <p><b>commonly</b> 14:4 85:18</p> <p><b>communities</b> 29:13 49:1</p> <p><b>community</b> 27:22 62:8 69:20 70:12 74:1 75:14 82:4 87:18</p> <p><b>commuting</b> 50:12</p> <p><b>Comp</b> 25:9, 10</p>	<p><b>companies</b> 57:4 58:21</p> <p><b>Company</b> 19:17 56:5 59:15</p> <p><b>company's</b> 60:2</p> <p><b>compare</b> 28:2 82:22 83:3 84:18</p> <p><b>compared</b> 28:20</p> <p><b>compatible</b> 13:25</p> <p><b>complements</b> 55:6</p> <p><b>complete</b> 2:22 9:4 45:15 97:4</p> <p><b>completed</b> 11:23 17:20 18:10 19:24 46:8 48:13</p> <p><b>completely</b> 27:23</p> <p><b>completeness</b> 9:6</p> <p><b>completes</b> 20:6</p> <p><b>complex</b> 63:3 90:13</p> <p><b>complexes</b> 4:5</p> <p><b>compliance</b> 23:20 43:12</p> <p><b>compliment</b> 44:19</p> <p><b>comply</b> 20:14 23:6 37:22 76:4</p> <p><b>component</b> 26:1, 11 30:21 70:6</p> <p><b>components</b> 27:25</p> <p><b>comport</b> 30:16</p> <p><b>Comprehensive</b> 8:5 9:14 27:14, 16, 23, 24 28:1, 14, 17, 22 29:16 30:3, 10 32:6, 13 61:18 72:14 74:10</p> <p><b>COMSTOCK</b> 1:7 2:1, 3 4:6 6:20, 22 7:17 8:23 12:24 13:1 17:16 18:14 19:8 21:1, 6 36:4, 24, 25 39:23 44:5, 10, 12 46:19 47:8, 19 48:16 49:4 50:25 51:12 52:6, 7, 16 53:6 54:12 64:11 67:19 77:22 83:21 85:6 86:12 88:17 92:22</p> <p><b>concentrated</b> 25:22</p> <p><b>concept</b> 30:8 94:17</p> <p><b>concepts</b> 94:24</p>
---	--	---	---	---

<p><b>conceptual</b> 2:18 4:21 5:1, 2 11:5 19:16 37:24 38:2 <b>conceptuals</b> 69:7 <b>concern</b> 14:1 93:16 <b>concerned</b> 39:13 41:13 79:25 81:8 88:16 <b>concerns</b> 28:18 48:20 67:14 81:13 88:1, 12 89:8 91:4 92:14 <b>concluded</b> 87:16 <b>concludes</b> 6:11 <b>concluding</b> 32:23 <b>conclusion</b> 6:13 32:22 41:10 72:16 87:14 <b>conclusions</b> 31:13, 23 <b>concur</b> 79:14 <b>condition</b> 50:11 75:10 <b>conditions</b> 4:19 5:8, 12 39:1 50:3, 23, 24, 25 51:4 74:14 94:1, 18, 21 <b>condo</b> 78:7 79:22 <b>Condominium</b> 13:6, 12 40:23 47:18 70:20 72:25 73:19, 22 82:18 <b>Condominiums</b> 14:19 36:1 39:25 40:6 73:4 <b>condos</b> 14:25 15:4, 22 37:9 42:12 43:16 73:21 88:9 <b>conductive</b> 26:19 <b>conducted</b> 6:2 8:23 47:7 48:4, 7 <b>conducting</b> 47:15 <b>confer</b> 33:21 <b>conferring</b> 34:19 <b>confident</b> 66:17 92:12 <b>configurations</b> 69:1 <b>confirm</b> 34:15 65:4 <b>confirmation</b> 9:18 <b>confirmed</b> 34:20</p>	<p><b>confirming</b> 18:16 <b>conform</b> 20:3 <b>confused</b> 80:6 <b>congested</b> 77:21 <b>conjunction</b> 23:15 <b>connecting</b> 49:21 <b>connector</b> 49:5 <b>conscious</b> 18:25 <b>conservation</b> 18:8 <b>consider</b> 16:18 44:21 73:25 76:17, 21 <b>considerate</b> 31:8 <b>consideration</b> 7:4 92:15 <b>considered</b> 25:12 30:19 82:24 <b>considering</b> 88:13 <b>consistency</b> 8:5 25:10 30:9 71:14 72:10 <b>consistent</b> 3:18 28:12 30:13 32:6, 13, 24 33:3 49:17 71:17 74:10 76:10 <b>consists</b> 40:8 <b>consolidate</b> 26:6, 9 <b>consolidation</b> 29:8 <b>constantly</b> 59:3 <b>constrained</b> 64:16 <b>constraint</b> 68:18 <b>constraints</b> 24:5 27:10, 12 <b>construct</b> 3:16 <b>consult</b> 34:10 <b>consultant</b> 25:6 <b>consultation</b> 45:11 46:22 <b>consulted</b> 53:11 <b>consulting</b> 27:5 <b>consumers</b> 60:13 <b>contains</b> 97:4 <b>context</b> 2:12 <b>continue</b> 11:8 34:16 52:11 65:6, 17 92:22 93:1 96:7 <b>continued</b> 34:18 96:14 <b>continues</b> 29:17 38:4 89:25 <b>continuing</b> 87:21 <b>convention</b> 91:1, 2 <b>conversation</b> 6:8</p>	<p><b>conversations</b> 45:19 <b>conversion</b> 26:15 <b>coordinate</b> 95:9, 15 <b>Corn</b> 42:12 81:17 <b>corner</b> 14:12 82:20 <b>corners</b> 67:14, 18 <b>corporate</b> 59:16 <b>correct</b> 21:12 22:2, 4, 5, 21, 22 23:1 32:15, 16 37:5, 11, 12 38:1, 9, 18, 19 42:6, 7 43:1, 13, 14 45:13, 22, 23 46:19 47:3, 4, 9, 10 52:17, 18, 23 53:7, 8 65:10 67:11 69:4 70:1, 19 71:11 <b>correspondence</b> 74:5, 7 <b>cost</b> 5:23 64:23 <b>Cotter</b> 36:23 <b>Council</b> 1:10 10:12 15:1, 17 71:16, 21 75:6 85:9, 10 89:13 <b>counsel</b> 34:19 <b>counted</b> 50:22 <b>counting</b> 48:14 <b>country</b> 26:8 47:19 63:3 <b>counts</b> 48:15, 17 <b>COUPE</b> 1:10 33:13 34:13 <b>couple</b> 4:5 12:22 20:8 36:17 40:1, 15 42:2 51:8 78:20 <b>course</b> 3:23 4:22 53:5 77:18 <b>COURT</b> 97:12 <b>cover</b> 27:14 <b>coverage</b> 19:22 20:12 22:24, 25 23:8, 10 <b>covered</b> 61:16 <b>CPC</b> 74:11, 17 75:10 89:11 <b>CRANSTON</b> 1:2, 9, 10 6:23 8:17 14:5, 12 15:18, 19 16:10 17:19 23:20 29:1, 18, 22</p>	<p>37:14, 15 55:10 58:1 62:4, 5, 12, 17, 24, 25 69:3 81:17 83:1 84:17 85:9, 11 90:22, 24 97:13 <b>Cranston's</b> 61:13 <b>cream</b> 82:19 <b>create</b> 72:23 <b>created</b> 64:16 <b>creates</b> 63:25 <b>creation</b> 24:4 <b>creditworthy</b> 66:18 <b>creeped</b> 14:18 <b>critical</b> 74:13 <b>crosses</b> 17:16 <b>crossover</b> 68:1 <b>Crossroad</b> 14:19 73:19, 21 <b>Crossroads</b> 13:6 39:18 47:18 74:20 75:7 <b>crosswalk</b> 51:17 <b>cul</b> 69:9 <b>Cumberland</b> 26:10 <b>curb</b> 19:7 67:13 83:24, 25 85:16, 17 <b>curbed</b> 49:6 <b>current</b> 4:7 28:2 32:24 51:24 60:24 86:16 94:17 <b>currently</b> 4:4, 8 17:18, 23 27:4 <b>curve</b> 57:3 <b>customarily</b> 24:23 <b>cut</b> 19:7 86:3</p>	<p><b>day</b> 48:9 49:13, 25 50:13 53:5 57:4 58:25 61:10 80:25 81:3, 6 87:2 97:6 <b>Daycare</b> 47:20 <b>days</b> 48:8 92:6 <b>de</b> 69:9 <b>deadline</b> 88:3 <b>deal</b> 56:13, 18 81:10 <b>decade</b> 49:18 <b>decades</b> 78:12 <b>December</b> 34:18, 22 46:10 87:22, 25 88:2 92:6, 23 93:2 96:7 <b>deciduous</b> 42:14 90:9, 10 <b>decision</b> 3:7 75:9 76:20 94:6 <b>dedicated</b> 18:22 68:8 <b>deem</b> 85:8 <b>deemed</b> 28:13 31:23 <b>defer</b> 15:7 <b>define</b> 51:21, 22 85:13 <b>defined</b> 85:7 <b>Definitely</b> 20:16 <b>degree</b> 17:5, 6 29:15 <b>degrees</b> 55:3 <b>deliberations</b> 54:3 <b>delineated</b> 9:18 <b>delivery</b> 57:22 59:11 <b>DEM</b> 11:22 18:4 38:6 <b>demand</b> 16:13 69:21 <b>demarcated</b> 4:2 <b>demonstrate</b> 19:10 <b>denote</b> 71:5 <b>density</b> 31:18, 19, 21 40:15 71:1 72:2, 5, 7, 8 <b>dentist</b> 42:20 <b>department</b> 6:1 9:6, 19 11:17 44:20 48:19, 25 <b>departments</b> 12:4 <b>depicted</b> 21:4 <b>derive</b> 64:9</p>
--	---	--	---	--

<b>describe</b> 70:3	28:4 29:7, 21	<b>distances</b> 48:12	<b>Duarte</b> 13:5, 17	<b>enable</b> 60:13
<b>described</b> 35:9	30:1 32:12, 19, 25	49:10 52:15	37:9 79:21 80:11,	<b>encourage</b> 92:1
<b>describes</b> 10:23	37:15 39:18, 24	<b>distant</b> 57:23	21 91:12	<b>end</b> 39:11 53:12,
<b>description</b> 38:25	40:3, 23 42:5, 25	87:13	<b>Duarte's</b> 43:17	22 67:20
<b>design</b> 11:21	43:11 51:6 53:17	<b>distributed</b> 62:22	<b>due</b> 28:18 88:16	<b>ends</b> 68:18
12:8 19:23 20:4	61:20 66:2 73:21	<b>distribution</b> 58:4,	89:12 92:18	<b>engage</b> 11:8 13:4
30:17 31:7 47:2	74:9, 12 75:7, 22	7 70:6	<b>during</b> 48:8	24:20 27:22 46:2
66:7, 19, 22 67:23,	76:13 77:6, 14	<b>district</b> 20:10	49:15, 19 50:15,	90:19
24 77:15 79:11	78:12, 21 82:2	76:6 87:6	19 51:2	<b>engaged</b> 25:7, 11
93:19	89:15 92:22	<b>districts</b> 29:3	< E >	44:17, 18 65:1
<b>designate</b> 4:17	95:24	<b>disturbance</b> 76:1	<b>eager</b> 90:19	76:24 92:1
<b>designated</b> 18:8	<b>developments</b>	<b>dividers</b> 85:20	<b>earlier</b> 25:5 64:5	<b>engineer</b> 5:24
<b>designations</b> 36:3	24:12 47:17 48:3	<b>dock</b> 81:2	94:3	7:20, 21, 23 8:17
71:6, 19	<b>development's</b>	<b>docks</b> 35:19	<b>earliest</b> 44:20	16:23 17:4, 8
<b>designed</b> 11:11	41:23	68:14 80:11 81:4	<b>early</b> 8:12 15:21	38:24 39:3 55:4
52:13 62:1 75:25	<b>diagram</b> 79:2	84:17	<b>easements</b> 64:7	<b>engineering</b> 3:9
<b>designing</b> 35:22	<b>dialog</b> 13:4	<b>document</b> 88:20	<b>easily</b> 19:13	7:20, 21 8:18
52:2	<b>dialogue</b> 2:20	<b>documents</b> 89:1	90:24	9:11 10:25 11:9,
<b>desire</b> 26:23 65:5	<b>diesel</b> 84:22	<b>doing</b> 13:23	<b>east</b> 17:16 27:4	10, 14, 15 12:8
<b>desired</b> 85:15	86:20 87:1, 3, 9	27:13 28:1 30:9,	39:21	16:24 17:5, 6, 20
<b>destined</b> 70:9	<b>DiFazio</b> 73:3	15 44:21 45:5	<b>easterly</b> 21:16	18:3 30:16 38:4,
<b>detail</b> 11:10, 14	<b>DiFazio's</b> 73:5	63:22	<b>e-commerce</b> 59:11	5 46:23 48:6
19:19 23:17	<b>different</b> 18:24	<b>done</b> 11:10 12:13	<b>economic</b> 15:12	67:23
65:12, 14	39:5 48:8 57:7	48:1 51:21 71:2,	30:1 32:18 77:5	<b>Engineering's</b>
<b>detailed</b> 5:4	66:5, 12 68:25	9 90:17 91:16	<b>ecstatic</b> 26:5	9:10
10:22 12:7 38:11	<b>digest</b> 92:13	94:2	<b>edge</b> 18:4 85:17	<b>Engineers</b> 48:23
<b>details</b> 2:8 3:9	<b>diligence</b> 69:5	<b>door</b> 81:11	<b>Edward</b> 8:1 25:5	57:11 92:21
4:25 10:25 35:11	88:16 89:12	<b>double</b> 41:25	<b>effectiveness</b> 93:11	<b>enhance</b> 38:7
38:5 94:13	<b>diligent</b> 55:8	<b>Doug</b> 41:4 42:18	<b>effects</b> 84:18, 20	78:23
<b>determination</b>	<b>dimensional</b>	44:6 46:5 61:23	<b>egregious</b> 89:16	<b>enhanced</b> 51:15
52:21 86:19	19:20 30:14	91:24 94:4	<b>egress</b> 52:5 76:3	95:9
<b>determine</b> 18:12	81:22 83:5	<b>down</b> 33:20	<b>either</b> 16:4 19:11	<b>enjoyed</b> 34:8
28:5, 7 48:19	<b>dimensions</b> 19:13	34:25 39:20	26:19 27:9, 23	<b>enormous</b> 89:10
84:20, 22	22:7	55:19 56:7 63:18	35:21 50:8 52:21	<b>enough</b> 11:3
<b>determined</b> 15:18	<b>DiPrete</b> 7:20	64:21, 22 72:6, 8	87:1	13:7, 17 26:20
<b>develop</b> 10:10	9:10, 11 11:9, 13	80:16 83:9	<b>elaborate</b> 95:6	37:10 67:17
38:5 41:15 76:9	16:24 17:4, 19	<b>downs</b> 69:17	94:12	94:25
<b>developed</b> 14:6	18:3, 10 38:4	<b>dozen</b> 48:1	<b>element</b> 32:18, 19	<b>ensure</b> 29:4 48:6
15:5 28:9 39:21	46:23 48:5 65:13	<b>DPR</b> 96:3	94:12	<b>ensuring</b> 29:17
40:18, 19 46:22	<b>direction</b> 86:1	<b>draft</b> 92:3	<b>elements</b> 32:21	<b>enter</b> 52:22
48:21 78:8	<b>directly</b> 13:25	<b>drainage</b> 11:11,	<b>elevation</b> 22:18	<b>entering</b> 50:19
<b>developer</b> 14:25	73:20 90:20	12 18:12 19:23	<b>emergency</b> 19:11	<b>entertain</b> 93:1
18:25 22:18 39:4	<b>director</b> 12:5	<b>draw</b> 38:16	<b>emissions</b> 81:9	<b>entire</b> 27:24
45:11 54:13	14:7 77:5	65:12, 13	84:6, 22 86:20	64:22
55:25 68:7 76:9	<b>director's</b> 46:1	<b>drawbacks</b> 90:25	87:11	<b>entitled</b> 85:12
<b>developers</b> 45:7	<b>disburse</b> 57:11	<b>drawbridge</b> 15:16	<b>emphasis</b> 42:3	<b>Environmental</b>
55:24	<b>disbursed</b> 61:9, 14	<b>drawing</b> 21:14	<b>emphasize</b> 10:13	9:19 11:18 17:6
<b>developer's</b> 79:6	<b>discussed</b> 19:23	<b>Drive</b> 6:23 17:17	35:23 37:23 74:7	23:25 27:12 39:8
<b>development</b> 2:3,	<b>discussion</b> 3:2	19:9 42:12 43:17	<b>employed</b> 27:4	84:25
13, 14 3:4 5:19	5:14 11:1 43:18	48:16 50:22	<b>employee</b> 31:3, 5	<b>envision</b> 69:2
7:18 8:11 10:22,	<b>discussions</b> 10:6	51:16 52:8 64:11	35:14 36:5 59:19,	82:25
24 12:1 14:11	66:16	67:10, 12 81:17	20 61:1	<b>equal</b> 64:17
15:12, 13 16:6	<b>dispersion</b> 56:25	<b>driveway</b> 49:8	<b>employees</b> 61:4, 9	<b>equally</b> 78:6
18:18 23:19 24:1,	57:1, 9	51:11 52:12, 16	70:11	88:16
4, 5 26:2, 11, 20,	<b>distance</b> 49:7	<b>driving</b> 78:25	<b>employers</b> 14:13	<b>erstwhile</b> 54:18
23 27:11, 17, 20	68:11			<b>ESAQUIRE</b> 1:21

<p><b>especially</b> 56:20 58:10 94:1 <b>ESQUIRE</b> 1:22 <b>essentially</b> 4:15 70:13 <b>establish</b> 5:12 31:16 38:8 53:14 71:25 72:3 <b>established</b> 10:11 40:7 <b>establishes</b> 4:15 <b>estate</b> 55:21, 25 59:21 60:8, 11 <b>esthetic</b> 39:7 <b>estimate</b> 40:9 48:21 50:3 69:24 <b>estimating</b> 49:1 <b>et</b> 20:12 26:17 <b>evaluations</b> 18:10 <b>evening</b> 2:5 3:23 6:7, 25 7:14 12:15 13:3 17:3 20:14 22:10 23:5 24:14 33:14, 15, 20 34:14 38:22 52:3 53:23 54:6 64:5 66:20 67:1 70:23 73:16 77:3 92:18 <b>eventually</b> 37:17 55:24 71:21 <b>evergreen</b> 40:7, 22 <b>evergreens</b> 75:19 <b>everybody</b> 7:11 10:13 11:7 37:24 46:7 80:8 84:9 <b>everybody's</b> 56:10 <b>everyone's</b> 91:13 <b>evidence</b> 30:9 31:12 77:18 <b>evolve</b> 89:25 <b>exactly</b> 7:12 <b>example</b> 29:2 75:5 85:4 86:19 <b>exceed</b> 23:7 86:2 <b>excellent</b> 43:20 <b>excerpted</b> 32:17 <b>excess</b> 21:8, 18 <b>exciting</b> 16:15 <b>excuse</b> 77:12 <b>excused</b> 33:13 <b>executive</b> 13:8 <b>exhaust</b> 84:22 <b>exhausted</b> 27:3 <b>exhibits</b> 25:13</p>	<p><b>existing</b> 5:8, 12 8:14 11:20 13:13, 20 18:7 38:25 41:8 43:7 48:10 50:2, 23, 25 65:2 75:19 76:11 94:1, 21 <b>exit</b> 83:23, 25 <b>exit/entrance</b> 67:9 <b>exiting</b> 50:19 52:20 67:16 69:25 83:22 <b>expand</b> 14:14 15:13 <b>expansion</b> 47:21 <b>expansive</b> 51:18 <b>expect</b> 53:22 59:16, 17 89:11 95:2 <b>expectation</b> 26:21 33:4 <b>expectations</b> 28:3, 6, 18 32:25 <b>expected</b> 61:3 <b>experience</b> 26:12 60:12 65:21 66:15 72:17 <b>experienced</b> 26:5 <b>experiential</b> 60:11 <b>expert</b> 8:3, 20 26:17 44:15 55:5 76:15 <b>experts</b> 55:3 <b>EXPIRES</b> 97:13 <b>explained</b> 68:8 <b>explains</b> 43:5 64:3 <b>express</b> 73:8 88:12 <b>extending</b> 85:16 <b>extensive</b> 37:8 43:21 <b>extent</b> 29:19  &lt; F &gt; <b>facilities</b> 18:13 26:14, 16 50:9 58:22 59:10 60:9 <b>facility</b> 30:25 53:18 57:16, 17, 19, 21, 25 58:4, 7 60:21 61:4 69:2 86:25 89:10 <b>fact</b> 14:18 21:20 23:14 24:11</p>	<p>28:13 32:11 92:18 <b>failed</b> 35:6 44:8 <b>fair</b> 21:21 37:25 38:8 42:11, 23 43:22, 23 58:19 65:9 66:2 69:6 73:24 94:14 <b>fairness</b> 46:7 <b>Falls</b> 77:6 89:18 <b>false</b> 63:11 <b>familiar</b> 36:24 37:13, 17, 19 46:18, 21, 25 83:8 <b>family</b> 15:2 73:3 <b>far</b> 5:4 22:21 30:3 66:5, 13 84:11 93:17 <b>farm</b> 82:19 <b>farthest</b> 35:25 <b>fathers</b> 15:17 <b>feasible</b> 79:9 <b>features</b> 48:11 76:2 79:13 <b>feedback</b> 3:1 <b>feel</b> 51:5 52:11 94:9 95:8 <b>feels</b> 61:25 <b>feet</b> 3:17 18:20, 22 20:19, 23, 25 21:4, 8, 12, 18, 21, 24, 25 22:4, 8, 11, 20 40:9 49:6 59:21 65:20 68:10 83:7, 9, 10, 16, 18, 24 85:23 86:13, 25 87:7, 12 <b>felt</b> 5:11 19:1 44:24 78:6 <b>fences</b> 76:2 <b>Fenway</b> 83:8, 9, 12 <b>field</b> 17:7 25:25 83:14, 15, 19 <b>fields</b> 83:17 <b>file</b> 25:13 <b>final</b> 3:11 12:16 54:4 <b>finally</b> 8:14 <b>finance</b> 56:2 <b>find</b> 24:11 27:7 <b>finding</b> 32:7 91:7 <b>findings</b> 23:14 24:11 32:10 <b>fine</b> 24:25 64:25 <b>fire</b> 12:5 80:9</p>	<p>84:23 <b>firm</b> 44:18 45:11 <b>firms</b> 66:16 <b>First</b> 7:14 9:2 12:1, 22 20:8, 18 42:3 46:18 61:24 64:4 65:23 73:15 77:10 80:19 81:20 82:8, 12 88:4 <b>first-cut</b> 57:16, 17, 21 <b>fit</b> 83:18 <b>five</b> 12:4 17:9 27:1, 21 33:20 34:25 35:1 59:17 <b>Five-minute</b> 33:25 <b>flagged</b> 18:2 <b>flat</b> 81:21 83:13 <b>fleet</b> 59:8 <b>Flex</b> 57:7 <b>flood</b> 18:6, 7 <b>floor</b> 96:6 <b>Florida</b> 25:21 <b>flow</b> 69:17, 18 <b>flows</b> 85:24 <b>flush</b> 31:6 <b>flushed</b> 96:2 <b>focus</b> 35:16 41:10 47:6 <b>focused</b> 2:11 <b>folks</b> 67:15 <b>follow</b> 3:4 16:21 17:12 20:11 25:15 <b>Following</b> 3:10 <b>follows</b> 75:24 <b>foot</b> 69:11 83:7 86:13 <b>football</b> 83:14, 15, 17, 19 <b>foregoing</b> 97:3 <b>foresight</b> 78:8 <b>forested</b> 90:4, 5, 8 <b>forgot</b> 44:2 <b>forklifts</b> 66:10 <b>form</b> 64:10 <b>former</b> 13:3 <b>forth</b> 31:22 71:12, 20 72:9 80:17 <b>forward</b> 15:15 25:15 38:4 52:2 53:11 65:5 66:2 73:13 77:24</p>	<p>89:23 90:14 91:5 <b>foundation</b> 4:15 <b>four</b> 2:14 <b>fourth</b> 51:3 <b>fragmented</b> 29:4 <b>Frank</b> 14:24 <b>frankly</b> 7:8 <b>FREDERICK</b> 1:10 <b>Friedrichs</b> 76:14, 21, 25 77:3, 4 79:20 <b>front</b> 7:15 14:22 17:25 18:21 19:5 21:8 39:19 40:21 44:8 59:25 79:8 81:19 94:15 <b>frontage</b> 4:6 20:24, 25 44:11 <b>full</b> 2:22 10:24 11:9 23:17 24:24 65:12, 13 94:13 <b>fullest</b> 29:19 <b>fully</b> 5:3 19:25 53:22 94:15 96:2 <b>further</b> 2:8, 21 41:15 72:8 84:2 88:15 <b>Fuss</b> 8:20 46:2, 8, 13 53:25 <b>future</b> 4:14, 16 28:3, 4 33:1 44:7 50:24 65:3 75:11  &lt; G &gt; <b>game</b> 46:15 <b>gaps</b> 53:5 <b>Garden</b> 6:22 60:14 <b>gasoline</b> 87:9 <b>gave</b> 2:18 <b>general</b> 5:6 10:21 12:23 17:11 35:10 41:22 88:12, 14 90:16 <b>generally</b> 17:24 52:2 69:17 <b>generate</b> 50:17 59:7, 8 87:1 <b>generated</b> 50:4 <b>generation</b> 48:21, 23 50:16 <b>generator</b> 50:6 <b>gentle</b> 58:6 66:9</p>
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gentleman 14:9 64:6 83:21 geometry 48:12 49:9 getting 17:15 35:10 68:21 84:11 86:9 88:16 95:11 giant 58:7 66:9 Gillette 83:14 give 4:18 5:6, 15 7:3 17:11 36:16 46:17 47:12 63:18 Given 25:24 78:14 89:1 gives 92:6, 13 giving 10:24 94:17 glad 45:1 glaring 32:21 globe 43:10 go 11:14 12:1 37:17 38:10 43:9 53:10 54:23 55:19 69:25 72:6, 8 80:10 84:9 93:19 95:24 goal 29:25 goals 32:17 goes 35:15 57:22, 24 going 7:23 12:21 16:12, 20, 25 23:13 28:13 33:2 34:18 35:2 38:13 39:11, 13 42:16 46:12 53:12, 23 54:8 58:1, 3, 15 67:24 72:5 81:1 82:5 84:5, 10 89:20, 21 91:18 96:3 GOINS 73:16, 17 79:15 gone 93:17 Good 2:5 12:15 17:3 22:15 35:10 38:24 42:11, 24 55:1, 7 61:10 66:19 73:16 77:3 90:6 goods 50:7 gotten 36:14 57:4, 5, 6	governing 29:3 gracious 13:7 grade 72:6 gradient 31:20 72:3 gradients 31:16 71:25 granted 52:2 great 55:3 57:2 69:19 greater 31:1 61:8 68:11 85:23 green 40:25 42:3 43:3 83:12 grew 55:17 90:21, 22 ground 17:20 groundwater 18:11 groundwork 14:11 Group 9:16 19:13 45:15 55:6 88:23 90:15 groups 55:23 growth 42:15  < H > half 48:1 69:11 83:11, 17 Hall 1:9 hand 97:6 handle 61:7 94:10 handled 11:12 12:17 handler 86:22 happen 45:3 86:15 happening 57:20 happens 11:16 happy 40:4 79:15 Harbor 15:20 47:22 hard 30:16 hazard 18:6 hazards 86:20 head 23:4 headquarters 60:3 health 84:4 86:20 87:8, 13 hear 2:24 6:8 15:10 19:25 41:20 93:6 heard 5:17 38:24 54:16 55:2, 3 57:19 62:11	67:14 82:1, 7 88:10 89:20 HEARING 1:5 53:23 89:2, 24 91:5, 22 97:5 heavier 14:22 30:22 heaviest 35:24 heavily 29:13 hedge 40:7 height 40:13, 15 83:11 91:15 heights 19:22 he'll 45:8 help 14:14 54:3 88:4 helpful 44:25 92:2, 4 helps 39:8, 9, 10 hereunto 97:6 heritage 18:9 Hi 54:25 88:7 high 31:18 55:19 71:1 72:5 95:1 higher 31:21 61:6 highlight 46:12 highly 92:1 highway 39:23 49:24 70:8 81:8 85:15, 22 history 25:24 33:2 86:16 hold 24:19, 23 80:18 home 84:9 homes 86:23 honestly 57:18 59:10 Hope 26:17 55:6 61:17 76:21 horizontal 48:11 49:8 host 13:17 37:10 hour 49:18 86:2, 14 hourly 52:9 hours 48:18 74:15, 20, 23 75:20 87:5 house 56:7 60:23 89:7 90:6 houses 40:1 41:6 42:18 hundred 80:13	< I > ice 82:19 idea 58:16 63:11 ideas 79:24 identified 37:21 64:7 identify 18:10 identifying 9:25 image 85:1 imagine 91:17 immediately 75:13 impact 5:19, 24 32:22 45:15 47:8, 16 61:10 75:17 82:3 83:20 84:21, 24 85:2, 3 87:8, 10 88:14 impacted 40:3 78:17 impacts 23:25 39:8 78:6 impaired 64:19 implication 33:22 importance 52:19 important 5:11 7:1 23:16 33:16 41:21 77:11, 22 86:4 importantly 76:22 impose 74:11, 13 imposed 76:12 imposes 74:17 impracticable 24:8 impression 72:23 improved 85:15 improvement 51:21 75:16 inappropriate 27:9 inaudible 34:20 81:12 89:4 include 85:21 88:1 included 9:9 70:10 85:21 includes 18:18 48:15 including 12:7 47:18, 20 48:11, 14 51:15 85:18, 19 incompatible 28:24 29:5 inconsistencies	28:7 inconsistent 28:13 incorporate 68:11 88:5 93:20 increased 75:18 increasingly 60:11 indicate 11:3 86:12 indicated 50:5 70:6 indicates 43:4, 5 individual 8:16 indulgence 7:5 35:4 INDUSTRIAL 1:7 2:1, 4 4:9, 17 6:21 7:17 13:1 14:3, 4, 5, 13, 22 15:4, 5, 9, 19, 24 16:5, 6, 9, 14 17:17, 19 18:19 19:9 20:10 26:2, 4, 10, 14, 19, 23 28:10, 23 29:4, 7, 9, 14, 16, 18, 21, 23 30:11 31:10, 14, 21 32:3, 4 36:25 39:22 41:14 47:23 48:16 50:5, 22 51:16 52:8, 10 54:12 57:2 59:20 63:1, 3 67:10, 12 68:1 69:8 70:24 71:4, 10, 11 72:2, 5, 12 73:2, 6 75:11, 12, 22, 25 76:7 77:11, 12 78:13 82:24, 25 83:1 90:12 97:13 industry 48:24 65:21 in-fill 40:20 inform 7:6 80:8 information 2:12 7:6, 25 10:15 12:14 22:17 23:23 45:20 50:17 55:7 83:23 86:18 88:25 89:3, 22 94:5, 16, 18 95:2 informational 2:2 92:23 informed 94:6 infrastructure 11:22 29:21
---	--	---	--	---

60:13 61:13 62:6 69:20 <b>ingress</b> 52:5 76:3 <b>inherited</b> 69:6 <b>initial</b> 30:18 47:21 76:21 <b>inspection</b> 12:5 <b>instance</b> 86:10, 11 <b>instead</b> 31:18 54:19 <b>Institute</b> 48:22 <b>institutional</b> 61:12 <b>intended</b> 14:3 35:14, 19 36:4 72:22 <b>intense</b> 78:14 <b>intensity</b> 20:9, 11, 15 21:9 <b>intensive</b> 28:20 <b>intent</b> 27:19, 20 30:12, 16 94:8 <b>intention</b> 58:11 <b>intentions</b> 10:22 54:21 <b>interchange</b> 53:6 <b>interest</b> 2:9 6:6 9:13 64:24 78:22 <b>interested</b> 3:22 91:25 <b>interesting</b> 28:16 <b>interior</b> 66:9 <b>internal</b> 47:1 <b>intersection</b> 17:17 48:13 50:23 51:3, 17, 22 67:10 <b>intersections</b> 50:21 51:1 78:5 <b>Interstate</b> 29:9 49:21, 24 70:5, 8, 13 <b>introduce</b> 7:13 17:1 25:4 54:23 <b>introduction</b> 51:3 52:12 85:6 <b>introductory</b> 16:20 <b>intrusive</b> 28:21 <b>inventoried</b> 48:10 <b>inventory</b> 62:19 <b>inverse</b> 63:7 <b>investigated</b> 64:9 <b>invite</b> 73:13 <b>involved</b> 8:12 14:24 26:13 36:14 39:2 54:10	91:8 <b>involvement</b> 17:2 <b>inward</b> 17:25 <b>ISLAND</b> 1:1 7:16 8:8 9:19 11:17 25:19, 22 55:18 56:5, 8, 11, 16, 20 62:18, 22 63:6 69:15 81:18 90:22 <b>Islander</b> 56:10 <b>Island's</b> 63:1 <b>isolated</b> 18:1 <b>issue</b> 22:16 34:24 68:20 84:4 95:4 <b>issued</b> 11:24 <b>issues</b> 45:21 46:9 50:14 64:21 84:12 <b>itching</b> 84:9 <b>item</b> 9:21 85:24 <b>items</b> 81:24 88:17 <b>iterations</b> 18:24 72:14 <b>its</b> 29:18 47:20, 21 54:3 69:16 77:18 88:16  < J > <b>January</b> 54:10 <b>Jason</b> 44:21, 24 61:23 88:8 <b>Jersey</b> 55:19 <b>job</b> 35:10 <b>jobs</b> 14:13 <b>John</b> 7:15 8:6, 7, 9, 15 13:18 19:17 25:1 35:5 36:11, 16, 19 42:2 46:23 54:7, 8, 11, 20, 23 62:9 65:1 90:14 <b>John's</b> 8:12 <b>Johnston</b> 57:20 58:1 <b>joining</b> 7:14 <b>July</b> 97:13 <b>jumped</b> 25:2  < K > <b>Kamco</b> 47:23 <b>KATHLEEN</b> 1:10 <b>keep</b> 17:14 79:4 <b>keeping</b> 19:5 <b>KEN</b> 1:10 <b>kept</b> 50:8 <b>key</b> 43:4	<b>kind</b> 42:19 57:10, 25 58:5, 6, 8 59:11 61:9 63:5, 10 64:2 66:8 69:10, 20 72:6 86:5 <b>Kingston</b> 56:7 <b>Kingstown</b> 55:18 <b>knew</b> 55:17 <b>knock</b> 64:21, 22 <b>know</b> 5:16 6:25 7:3 10:1 11:3, 13 13:23 15:6, 15 16:1, 2, 5, 8, 11, 13 17:15 22:15, 21 24:19 31:15 33:14, 19 34:24 35:9 40:12 43:17 44:23 47:6 49:3, 23 50:14 51:20 53:21, 22 54:16, 18, 20 55:22 56:9, 24 57:10, 15 58:10, 22 59:7, 11, 13, 14, 18, 22, 25 60:2, 4, 15, 17, 23, 25 61:1, 2, 5, 7, 8, 16, 17, 24 62:6, 11, 13, 19, 24 63:7, 10 64:18, 22, 24 65:2, 3, 13, 19 66:7 68:22 69:8, 9, 10, 13 72:24 73:20 75:4, 12 76:23 78:1, 4, 11, 14, 19 80:9 81:4 82:4, 9, 13 83:7 84:8 89:11, 17 90:25 91:3, 16 93:16, 18, 21 95:6, 8, 12 <b>knowing</b> 78:11 84:10 <b>knowledge</b> 45:7 46:17 47:12 65:21 84:15, 16 <b>known</b> 8:16 <b>knows</b> 44:16 77:21  < L > <b>laid</b> 14:11 75:25 <b>land</b> 2:3, 13 4:14, 16 8:4 15:9 20:19 24:12 27:7, 9 28:4, 12, 19, 24 29:10, 19, 25	31:16 32:12, 18 33:1 48:10, 22 49:2, 22 50:4 57:23 61:19 71:7, 18, 25 73:6 76:15 86:22, 24 87:16 91:9, 10 <b>landowners</b> 91:17 <b>lands</b> 18:8 <b>land's</b> 89:21 <b>landscape</b> 5:2, 4 8:7, 11 19:16 36:13, 20 37:25 38:12 39:4, 6 41:15, 18, 21, 25 55:5 65:7 82:4 90:3 93:5, 10 94:9, 11, 17 95:10 <b>landscaped</b> 41:24 <b>landscaping</b> 8:14 12:9 13:13 38:7 42:18, 22 43:11 65:2, 3 90:1 93:11, 20 <b>lane</b> 67:21 85:20, 25 <b>lanes</b> 85:18, 19 86:13 <b>language</b> 28:21 <b>LANPHEAR</b> 1:10 70:16, 17 71:8 72:15, 19 73:10 <b>Lanphear's</b> 72:21 <b>large</b> 19:11 25:25 35:13 54:19 55:9 60:9 62:6 65:19 67:13 69:2, 18 <b>largely</b> 90:9 <b>larger</b> 19:3 55:23 58:2 59:14 <b>large-scale</b> 18:18 <b>largest</b> 15:8 <b>Lastly</b> 9:21 <b>late</b> 17:15 84:8 86:9 <b>law</b> 23:14 37:3 41:2 <b>layout</b> 5:1 47:2 58:20 74:14 <b>lead</b> 54:13 <b>leading</b> 7:17 21:17 <b>leads</b> 72:7	<b>LEAN</b> 2:5 91:24 94:7 <b>learn</b> 6:8 83:22 <b>learned</b> 79:22 <b>Learning</b> 15:21 <b>leave</b> 35:1 53:23 61:21 76:24 <b>leaving</b> 34:14 53:15 <b>left</b> 7:22 8:6, 15 28:25 31:13 34:13 37:20 41:19 43:4 52:21 <b>leg</b> 51:3 <b>legal</b> 86:1 <b>Len</b> 7:19, 22 <b>length</b> 83:12 <b>lengthy</b> 8:18 <b>Len's</b> 7:22 <b>letter</b> 9:12, 18 44:3 54:14 <b>letters</b> 18:15 <b>level</b> 10:14 12:10 23:20 24:15 49:11 51:1 65:8, 12, 13 66:18 67:23 74:12 <b>levels</b> 11:25 39:6 84:22 <b>life</b> 55:18, 25 <b>lift</b> 15:16 <b>light</b> 89:9 <b>lighter</b> 40:25 <b>lighting</b> 12:8 81:9 84:25 <b>limit</b> 68:22 <b>limited</b> 31:4 <b>limits</b> 86:1 <b>line</b> 5:13 13:14 22:14 61:17 66:22 78:11 91:19 92:4 <b>lines</b> 95:22 <b>link</b> 49:22 <b>linkage</b> 72:23 73:9 <b>listen</b> 6:8 <b>little</b> 8:13 9:12 26:5 40:16, 17 51:11 54:16 55:13, 15 56:14 59:22, 23 60:16 64:2 65:14 88:9 <b>live</b> 81:17 88:8 89:6
---	---	--	--	---

<p><b>living</b> 54:8 56:8 87:13</p> <p><b>LLC</b> 6:21 7:17 13:1 36:25 54:12</p> <p><b>loading</b> 19:6 35:19, 21 47:2 68:14 76:4 84:17</p> <p><b>local</b> 18:8 20:4 48:19 49:1</p> <p><b>located</b> 17:15 18:2, 9 76:3, 6 78:15 86:24</p> <p><b>location</b> 79:13</p> <p><b>logistical</b> 59:2</p> <p><b>long</b> 6:25 10:11 13:23 25:24 30:10, 11 59:5 72:12, 13 83:7 84:5 86:11</p> <p><b>longer</b> 26:19</p> <p><b>long-standing</b> 27:20 31:9</p> <p><b>look</b> 13:12, 15 39:12, 13 45:22 50:10, 11 52:20 65:2 75:3 81:20 82:1, 13, 16 83:4, 6 89:23 90:7, 14, 16 91:5</p> <p><b>looked</b> 33:15 40:2 50:21</p> <p><b>looking</b> 25:2 36:7 42:19 50:25 54:11 58:9 66:6 69:12 77:24 78:4 79:3 81:21 83:13</p> <p><b>looks</b> 64:18</p> <p><b>lose</b> 29:14</p> <p><b>loss</b> 26:14</p> <p><b>lost</b> 26:20 31:14</p> <p><b>lot</b> 7:9 11:4 12:25 14:10 19:22 20:12 22:24, 25 26:3, 18 27:11 29:12 50:6 55:3 58:20 59:5 61:6 62:24, 25 78:8, 22 80:1 81:7 88:10 93:25</p> <p><b>lots</b> 24:5, 6 62:13 63:24 64:1, 15, 16 69:10, 11</p> <p><b>love</b> 89:21</p> <p><b>low</b> 72:1</p> <p><b>lower</b> 30:21 31:13, 18 35:12</p>	<p>40:11 43:4 50:14 72:7, 8</p> <p><b>luxury</b> 58:24 59:1</p> <p>&lt; M &gt;</p> <p><b>M1</b> 3:18 4:9 9:25 10:7 12:25 17:18 20:10, 15, 18, 23 21:3, 10, 11 22:24 29:3 73:6 89:18</p> <p><b>M2</b> 14:21 15:1 21:10 29:3</p> <p><b>MACCARONE</b> 1:10</p> <p><b>main</b> 30:5 48:7 64:11</p> <p><b>maintain</b> 29:11</p> <p><b>maintained</b> 32:3 51:5</p> <p><b>major</b> 2:3, 13 10:23 32:12 49:20 50:6 74:7</p> <p><b>making</b> 29:10 78:5, 23 86:19</p> <p><b>malls</b> 60:9</p> <p><b>managed</b> 61:12</p> <p><b>Management</b> 9:20 11:18 20:5 87:6</p> <p><b>manager</b> 56:1</p> <p><b>managers</b> 55:23</p> <p><b>manner</b> 32:4 76:10</p> <p><b>manual</b> 48:14, 23</p> <p><b>manufacturers</b> 26:8</p> <p><b>manufacturing</b> 3:19 52:10 53:18 56:21 63:5, 8 69:16</p> <p><b>map</b> 4:7, 14, 16 33:1</p> <p><b>MARCELLO</b> 80:18</p> <p><b>MARIE</b> 1:10</p> <p><b>market</b> 58:9, 17 62:20, 21 66:5, 13 69:21</p> <p><b>marketable</b> 66:24</p> <p><b>markings</b> 51:15</p> <p><b>MARSELLA</b> 1:22 33:12, 21 34:10, 19</p>	<p><b>MASON</b> 1:10 67:7, 12 68:3 96:9, 11</p> <p><b>mass</b> 27:18</p> <p><b>Massachusetts</b> 25:19, 23 62:20, 23</p> <p><b>massive</b> 82:22</p> <p><b>Master</b> 2:3, 22, 24 3:2, 4, 8 4:10, 13 5:5 9:3 10:14, 18, 22 11:5, 6 18:17 23:20 24:15 30:6 44:22 45:13 52:1 74:13 92:22 93:19</p> <p><b>master's</b> 17:6 56:2</p> <p><b>material</b> 9:5</p> <p><b>materials</b> 92:5 94:12</p> <p><b>math</b> 23:4</p> <p><b>matter</b> 10:8 14:18 76:11 85:3 96:7, 13</p> <p><b>mayor's</b> 14:8</p> <p><b>MC</b> 2:5 91:24 94:7</p> <p><b>McLean</b> 6:15 10:14 91:24</p> <p><b>mean</b> 57:3 61:20 62:16 64:14 65:10, 15 66:3 69:4, 21 77:14</p> <p><b>meaning</b> 70:20, 22 85:8</p> <p><b>means</b> 5:13 90:10</p> <p><b>measure</b> 84:18</p> <p><b>measures</b> 87:8</p> <p><b>medians</b> 85:19</p> <p><b>medium</b> 31:21</p> <p><b>meet</b> 11:22 21:5 23:6 24:15 29:21</p> <p><b>meeting</b> 2:2 6:25 13:10 16:25 34:4 44:7 46:6 76:19 87:22 88:3 92:23 93:2 96:7</p> <p><b>meetings</b> 44:20 92:12</p> <p><b>Members</b> 2:6 5:18 33:19 35:7 54:17, 25 67:5 68:5 73:13, 17 77:3 79:19</p>	<p><b>memorandum</b> 92:3</p> <p><b>mention</b> 35:11 44:3, 7, 8, 9</p> <p><b>mentioned</b> 21:5 85:2 86:4 87:15</p> <p><b>merely</b> 30:8</p> <p><b>met</b> 13:8 61:23</p> <p><b>method</b> 48:24, 25</p> <p><b>MICHAEL</b> 1:10</p> <p><b>middle</b> 42:4 83:25</p> <p><b>mile</b> 86:14</p> <p><b>miles</b> 86:2 87:13</p> <p><b>mill</b> 26:16, 17</p> <p><b>minimal</b> 59:18, 19 61:14</p> <p><b>minimize</b> 76:1</p> <p><b>minimum</b> 20:19 21:12 41:22 42:1 68:14 74:23</p> <p><b>minor</b> 51:20</p> <p><b>minute</b> 80:15</p> <p><b>minutes</b> 8:9 53:13</p> <p><b>misconceptions</b> 7:10</p> <p><b>misinformation</b> 7:10 11:4</p> <p><b>mistakes</b> 86:15</p> <p><b>mitigate</b> 39:8 41:11 65:8 75:17</p> <p><b>mixed</b> 26:16</p> <p><b>moment</b> 33:23 45:9 46:16</p> <p><b>money</b> 81:2</p> <p><b>Monster</b> 83:12</p> <p><b>months</b> 2:17 76:24 79:23</p> <p><b>morning</b> 37:11 50:1, 18, 20</p> <p><b>most</b> 19:1 23:16 29:12, 15 39:13 40:20 55:11 56:9 57:18 81:13 92:4 94:10, 16</p> <p><b>mostly</b> 17:24</p> <p><b>motion</b> 93:1, 4 96:6</p> <p><b>move</b> 19:12 30:14 41:4 58:21 65:5 66:1 68:11, 16, 21 69:15 71:16 79:23 86:5</p> <p><b>Moved</b> 56:1 75:1</p>	<p><b>movement</b> 30:24 48:14</p> <p><b>movements</b> 67:25</p> <p><b>moves</b> 38:3</p> <p><b>moving</b> 56:4 57:5 66:4</p> <p><b>multi</b> 15:2</p> <p><b>multifamily</b> 69:7</p> <p><b>multiple</b> 54:20</p> <p><b>multi-shift</b> 56:23</p> <p><b>multitude</b> 64:1</p> <p><b>municipalities</b> 18:16</p> <p><b>municipally</b> 27:5</p> <p><b>MURRAY</b> 1:21 6:18, 20 17:10 20:7, 17, 22 21:3, 9, 14, 20, 23 22:3, 6, 15, 23 23:3, 11, 23 24:3, 10, 17, 25 32:8 33:5, 10, 18 34:2, 5, 6 36:23 37:2, 7, 13, 23 38:3, 13, 20 41:17 42:2, 9, 16 43:9, 15, 25 45:17, 24 46:21, 25 47:5, 11 51:8, 25 52:14, 19 53:3, 9, 20 62:9 64:4, 25 65:18, 25 66:15, 25 72:20 93:6, 12, 24 95:5</p> <p>&lt; N &gt;</p> <p><b>name</b> 17:3 36:19 73:17 77:4 81:16 88:7</p> <p><b>names</b> 86:14</p> <p><b>Narragansett</b> 36:21</p> <p><b>narrative</b> 9:11</p> <p><b>national</b> 18:9 56:15 59:15, 24 63:5 66:16, 22</p> <p><b>native</b> 7:16</p> <p><b>natural</b> 32:20 79:13</p> <p><b>nature</b> 27:21</p> <p><b>near</b> 43:17</p> <p><b>nearby</b> 18:25 81:10 89:7</p> <p><b>necessarily</b> 51:10 57:8, 24 58:1, 23 60:17 63:21</p> <p><b>necessary</b> 10:8</p>
---	--	---	---	---

12:20 38:6 89:12  
**Neck** 36:21  
**need** 12:10 19:25  
 30:5, 9 34:24  
 41:20 60:18  
 71:14 76:12 85:2  
 88:15, 20 93:18  
 94:22 95:14  
**needed** 86:16  
**needs** 29:22  
 31:10 46:7 78:9,  
 16 83:24  
**needy** 79:13  
**negative** 84:20  
**neighbor** 90:7  
**neighborhood**  
 58:3 84:19 87:17  
**neighboring**  
 39:16 41:14  
**neighbors** 13:4  
 19:2 31:8 39:12  
 54:17 62:2, 11  
 64:6 65:16 88:10  
**NESBIT** 17:14  
 20:16, 21 21:2, 7,  
 19, 22 22:2, 5, 12,  
 22 23:2, 9, 22  
 24:2, 9, 16, 18  
**nets** 86:22  
**network** 47:1  
**never** 28:12  
**new** 27:7 55:19,  
 21 56:1, 12 69:3  
**Newbury** 47:18  
**Newport** 77:7  
**nice** 13:17 37:10  
**Nisbet** 7:23  
 12:21 16:19, 23  
 17:3, 4 21:13  
**noise** 81:9 84:22  
 89:8  
**normal** 82:17  
**normally** 10:16  
**north** 15:3 39:20,  
 21 43:3 49:15  
 55:18 56:7 64:14  
 78:13 79:5  
**north/south** 49:4  
**northbound**  
 67:18 69:25  
**northerly** 40:6  
**northern** 68:18, 19  
**northwest** 14:12  
**Notary** 97:1, 12

**note** 3:3 4:11  
 5:18 10:17 12:16  
 31:12 44:6  
**noted** 30:7 87:11  
 89:13  
**notice** 33:12  
 81:25  
**noticed** 34:11  
 78:20 83:21  
**notwithstanding**  
 75:19  
**November** 1:7  
 97:6, 13  
**nuance** 56:22  
**Number** 2:15  
 3:14 5:10 35:18  
 61:3, 6, 8 69:6  
 84:17  
**numerous** 8:3  
 25:8 32:17 36:12,  
 22 48:7  
**nursery** 82:19

## &lt; O &gt;

**object** 29:25 80:1  
**objectives** 32:17  
**observations** 8:22  
 12:23  
**observe** 37:7 48:9  
**observed** 11:1  
 42:10  
**obsolete** 64:1  
**obtain** 11:6  
**obtained** 9:24  
 48:18  
**obtaining** 11:19  
**obvious** 64:18  
 89:8  
**Obviously** 13:14  
 23:16 34:17 39:1  
 43:16 67:2 88:15  
 89:10, 15, 17  
 90:23 91:4  
**occasions** 25:9  
 36:13  
**occupants** 74:3  
**occupied** 73:23  
**occupies** 83:15  
**October** 9:8 74:5  
**off** 56:8 61:2  
 90:4  
**offer** 6:4, 24 8:21  
 77:1 95:19  
**offered** 57:8  
**office** 3:20 13:7  
 14:8 18:23 25:6

36:14, 21 59:17,  
 18, 25 60:5  
**offices** 6:22 59:16  
**official** 9:23  
**Oftentimes** 63:15  
**Okay** 2:2 21:3  
 22:15 23:11  
 43:25 80:21 88:6  
 92:25 96:5  
**old** 26:3  
**Once** 11:23  
 16:13 63:17, 23  
 65:14 66:3 67:22  
 81:7  
**O'Neill** 8:20 46:3,  
 8, 13 53:25  
**ones** 22:6 39:13  
**ongoing** 90:19  
**onsite** 18:1  
**open** 32:20 53:23  
**operate** 51:1  
 80:25 87:4 88:25  
**operation** 26:7  
 74:15, 17, 19, 21  
 75:20  
**operations** 48:9  
 50:22  
**opinion** 20:14  
 23:19 32:14  
 42:23 45:2 52:1,  
 4 53:4, 10  
**opinions** 89:2  
**opportunities** 30:2  
**opportunity**  
 10:20 13:11, 22  
 15:11 16:17  
 69:14 79:10  
**opposite** 29:5  
 85:17 86:1  
**optionality** 59:6  
**oral** 92:11  
**orange** 4:2  
**order** 12:11 34:5  
 60:21  
**ordinance** 23:21  
 37:14, 16, 18  
 75:21 85:9  
**ordinances** 26:15  
 43:13  
**ordinary** 85:15  
**originally** 80:4  
**otherwise** 52:5  
 64:20  
**outliers** 15:22  
**Outlined** 88:20  
**outlining** 10:21

**outside** 31:1 64:6  
 81:11  
**outstanding** 46:9  
**overall** 10:20  
 19:19  
**overlook** 85:7  
**overseeing** 59:19  
**overview** 2:6, 10,  
 18 6:12 17:11  
**owned** 36:24  
 56:7 73:3  
**owner** 6:21 13:3  
 69:6 78:18 90:21  
**owner/operators**  
 63:10  
**owners** 26:21  
 65:6  
**ownership** 73:3  
  
 < P >  
**P.M** 1:9 49:16  
 50:12 74:24  
 96:15  
**package** 61:13  
**packages** 57:5  
**paid** 46:2  
**Paolino** 14:24  
 73:4  
**parameter** 41:1  
 43:10  
**parameters** 10:23  
**parcel** 3:25 4:1,  
 8, 17, 19 5:9 15:9  
 41:23 70:22  
 71:10  
**park** 16:9 29:9,  
 18, 23 47:23  
 82:25 83:9  
**parked** 59:1  
**parking** 21:17, 23  
 22:1 30:23 31:2,  
 5 35:13, 14, 19  
 36:1, 3, 5 47:2  
 58:19 66:23 68:9  
 76:4 85:19  
**parking's** 22:3  
**parks** 26:10  
**Park's** 83:12  
**Parkway** 4:6  
 6:22 8:23 12:24  
 17:16 18:14 19:8  
 21:1, 6 36:4, 25  
 44:5, 10, 12 46:19  
 47:8, 20 49:4  
 51:12 52:6, 7, 16  
 53:6 64:12 67:19

77:22 83:21 85:6  
 86:12 88:18  
**part** 3:15 4:10  
 9:2, 8 14:4 18:16  
 25:13 35:12  
 40:21 48:4 63:7  
 72:3 75:23 90:3  
**partial** 4:3  
**partially** 4:4  
**participate** 34:16,  
 22  
**participated** 37:2  
**particular** 49:2  
 50:4  
**particularly**  
 14:15 21:5, 14  
 74:21  
**parties** 3:22 91:7  
 92:1  
**parts** 62:12 82:2  
**party** 92:20  
**Passage** 56:6  
**PASSED** 96:12  
**Patalano** 14:10  
**Patch** 15:21  
 47:20  
**path** 51:22  
**patiently** 74:4  
**pattern** 33:4  
**Paul** 8:15, 21  
 19:14 44:14  
 46:16 56:25 61:5  
**pause** 33:23  
 34:23  
**paved** 67:13  
 85:22  
**pavement** 51:15  
 79:11 85:17, 18  
**payer** 90:22  
**Pea** 43:16  
**peak** 49:16, 19  
 50:12, 13 51:2  
**peaks** 49:14  
 50:15  
**pedestrian** 51:22  
**peer** 5:23 8:20  
 46:3, 13 77:25  
 92:20 93:5, 8, 15,  
 21 94:9, 22 95:1,  
 2, 10, 14, 17 96:2  
**Penske** 47:24  
**people** 7:9, 13  
 11:2 14:1 34:8,  
 25 55:12 57:7, 18  
 60:10 66:11

<p><b>percent</b> 23:1, 7, 10 41:23, 25 59:17 60:4, 5, 6 63:4 69:24 70:2, 9 80:14 83:19</p> <p><b>perhaps</b> 26:6 44:23 54:2 68:7 75:16</p> <p><b>periods</b> 48:15 49:19 51:2</p> <p><b>peripheral</b> 82:2</p> <p><b>perk</b> 57:8</p> <p><b>permanent</b> 24:13</p> <p><b>permission</b> 35:5</p> <p><b>permit</b> 10:4 11:19, 24 20:1 71:1 75:7</p> <p><b>permits</b> 12:19</p> <p><b>permitted</b> 76:8 77:13</p> <p><b>perpendicular</b> 21:24</p> <p><b>perspective</b> 4:18 28:5 30:14, 18 32:25 54:21 55:15 56:16 65:11 95:4</p> <p><b>pertain</b> 90:2</p> <p><b>pertinent</b> 24:7 75:23</p> <p><b>Peter</b> 76:14 77:4</p> <p><b>Pettaconsett</b> 16:8</p> <p><b>Pezzullo</b> 15:7 44:19 95:21</p> <p><b>phase</b> 80:3 81:14</p> <p><b>phonetic</b> 14:10</p> <p><b>photographs</b> 38:16 40:10</p> <p><b>physical</b> 24:5, 13</p> <p><b>picture</b> 81:20, 21, 22 82:1, 6, 16 83:5, 14</p> <p><b>piece</b> 27:18 62:6 94:16</p> <p><b>pieces</b> 60:12</p> <p><b>Pike</b> 47:24 49:20 50:24 51:12</p> <p><b>Pikul</b> 9:23</p> <p><b>Pimentel</b> 8:2 9:15 15:24 25:3, 5, 14, 16 32:9, 16 33:5, 9 34:11 70:18, 25 71:12 72:18, 22</p> <p><b>pine</b> 40:8</p>	<p><b>PLACE</b> 1:9 90:23</p> <p><b>plain</b> 18:7</p> <p><b>Plainfield</b> 47:24 48:16 49:5, 20 50:24</p> <p><b>PLAN</b> 1:3 2:3, 19, 22, 24 3:2, 4, 5, 8, 11, 13 4:10, 13, 20, 21, 22, 24 5:2, 4, 5 8:6, 8 9:3, 14 10:14, 18, 20, 23 11:5, 6 12:1, 7, 17 17:22 18:17, 24 19:10, 16, 19 20:2, 13 22:9, 13 23:5, 18, 20 24:14, 15 25:9, 10 27:14, 16, 23, 24 28:1, 14, 17, 22 29:17 30:3, 6, 10 31:7 32:6, 13 35:8, 18, 23 37:15, 21, 25 38:12, 15, 21 39:6, 19 40:19, 24 41:15, 19 42:5 43:5 44:22 45:13 46:15, 22 48:5 50:16 52:1 58:8 61:18 65:7 67:8 72:14 74:10, 13 75:16 78:20 82:14 84:11 89:5, 25 91:5 92:23 93:19 94:9, 11, 17, 23 95:10, 11, 13, 16, 23, 24 96:1, 2, 3</p> <p><b>planner</b> 25:17 26:6 77:7 91:25</p> <p><b>planners</b> 55:1</p> <p><b>PLANNING</b> 1:22 6:1 9:6 10:10 12:4, 11 14:7, 17 23:13 25:24 30:7 31:15 44:20 46:1 71:24 74:6 75:5 76:12, 15 77:5, 15, 16 78:4 81:19 86:18 92:21</p> <p><b>Planning/Comstock</b> 97:13</p> <p><b>plans</b> 2:21 7:24 9:9, 13 17:12 19:25 20:3, 4 47:13 90:1 94:1</p>	<p>95:25</p> <p><b>planting</b> 76:2</p> <p><b>plantings</b> 40:20</p> <p><b>Plat</b> 13:1</p> <p><b>play</b> 8:12 66:23</p> <p><b>playing</b> 81:11</p> <p><b>please</b> 67:8 70:18, 19</p> <p><b>plus</b> 28:8 33:3 83:19</p> <p><b>point</b> 2:17, 21 4:21 5:1, 16 9:21 12:6, 19 17:10 21:21 23:12 24:18, 20 27:6 33:6 35:23 38:13 44:7 55:2 56:24 58:13 64:15 66:7 69:12 70:16 73:12 74:7 75:20 77:10 79:19 82:12 83:20 84:3 87:21 93:15, 21</p> <p><b>pointed</b> 39:17 87:20</p> <p><b>pointing</b> 36:6</p> <p><b>points</b> 42:2 76:3 82:10 86:4</p> <p><b>police</b> 48:19</p> <p><b>policies</b> 32:17</p> <p><b>policy</b> 29:25</p> <p><b>pollution</b> 89:8, 9</p> <p><b>poor</b> 75:5</p> <p><b>portion</b> 14:21, 23 30:21 42:24 85:14</p> <p><b>position</b> 6:4</p> <p><b>positive</b> 84:20</p> <p><b>possible</b> 10:6 86:20 91:13, 17, 19</p> <p><b>posted</b> 54:15 86:14</p> <p><b>potential</b> 18:12 59:6 64:18 68:10 70:10</p> <p><b>potentially</b> 89:5</p> <p><b>power</b> 60:10</p> <p><b>powered</b> 87:9</p> <p><b>pre-application</b> 2:16 13:9 16:25</p> <p><b>predominant</b> 15:23</p> <p><b>predominantly</b> 73:23</p>	<p><b>preliminary</b> 3:5, 8, 13 4:24 12:12 20:2 23:17 30:15, 18 31:7 38:11 94:11 95:11, 23 96:3</p> <p><b>premier</b> 26:7</p> <p><b>prepared</b> 9:10 22:9 25:11 45:12</p> <p><b>preparing</b> 28:15</p> <p><b>preschool</b> 89:7</p> <p><b>PRESENT</b> 1:20 2:19 7:6 10:20 12:6</p> <p><b>presentation</b> 2:24 6:10, 16 7:24 20:6 24:24 81:18 82:10</p> <p><b>presented</b> 3:10 60:6 65:19 66:20, 21, 24 77:18</p> <p><b>presenting</b> 65:7</p> <p><b>presents</b> 15:11</p> <p><b>preservation</b> 29:8</p> <p><b>preserve</b> 29:10</p> <p><b>preserved</b> 94:2</p> <p><b>preserving</b> 28:23</p> <p><b>president</b> 13:5 79:21</p> <p><b>pretty</b> 59:19 60:23 61:10, 14 90:7, 11</p> <p><b>prevalent</b> 64:2</p> <p><b>previous</b> 69:6</p> <p><b>primarily</b> 25:21</p> <p><b>primary</b> 35:16</p> <p><b>Princeton</b> 55:20</p> <p><b>principal</b> 7:16 49:21 54:12 91:24</p> <p><b>principally</b> 47:7 52:20</p> <p><b>Prior</b> 13:3 95:11</p> <p><b>probably</b> 10:15 15:8 21:20 41:12 59:8, 15 61:3, 5, 23 63:6, 19, 22 64:20</p> <p><b>problem</b> 27:8 29:12 33:18</p> <p><b>proceed</b> 25:14</p> <p><b>PROCEEDING</b> 1:5</p> <p><b>proceedings</b> 34:17 97:3, 4</p>	<p><b>process</b> 6:3 11:8 12:2 23:13 37:16 38:3, 10 54:24 55:7 58:13 88:5 90:19 92:7</p> <p><b>procured</b> 5:22</p> <p><b>produced</b> 84:1 89:9</p> <p><b>product</b> 57:21, 24 58:21 63:4, 5</p> <p><b>professional</b> 7:19, 23 16:23 17:4, 8</p> <p><b>profile</b> 61:15 69:18</p> <p><b>program</b> 48:14</p> <p><b>progress</b> 79:24</p> <p><b>progressed</b> 79:24</p> <p><b>prohibited</b> 10:5 74:23 85:12</p> <p><b>prohibitive</b> 64:23</p> <p><b>project</b> 2:7 6:4, 5, 7 7:2, 8, 18, 21, 22 8:24 9:10 10:21 17:2, 11 19:24 25:7 39:2, 7 40:5, 6 43:21 45:16 47:18 48:2, 4, 5, 10, 20 51:7 53:10 54:9 55:14 58:14 77:9, 23 79:4 92:8</p> <p><b>projects</b> 44:17, 23 45:6 47:19</p> <p><b>proper</b> 68:2 76:12</p> <p><b>properly</b> 29:20</p> <p><b>properties</b> 16:4, 5 26:18 39:17 40:1 41:12, 14 72:24 78:17, 24 89:13</p> <p><b>property</b> 5:13 6:21 9:14 10:7 11:21 12:24 13:12, 14 14:1, 2, 20 15:3 16:16 17:21 18:1, 9 21:16 26:21, 22 27:9, 13, 18, 20 28:8 30:10, 22 31:9, 11, 13, 17 32:2 36:24 38:8 39:18 42:23 43:20 44:11 64:8 65:6 67:9, 16 70:20, 21, 25 71:3 72:1, 12, 25 75:7,</p>
---	--	---	--	--

24 76:1, 10 78:2,  
10 84:24 88:9  
90:2, 16, 21  
**property's** 78:18  
**proposal** 2:12, 13  
3:6 5:1 10:24  
16:15 71:13  
77:17  
**propose** 40:20  
**proposed** 2:7 3:5  
4:20 7:12 10:21  
22:16, 19 23:19  
24:1, 12 41:24  
43:11 48:13, 22  
49:8 50:23 53:18  
67:16 74:8  
**proposing** 19:7  
**protected** 41:2  
**protecting** 28:22  
**provide** 2:8 5:7  
10:19 53:19 54:1  
65:11 68:1 89:3,  
12 92:11  
**provided** 5:5, 7,  
25 8:18 29:20  
31:1 51:6  
**Providence** 27:4  
**provides** 49:9, 22  
55:7  
**providing** 58:18  
**proving** 63:11  
**public** 2:2, 9, 20,  
25 7:7 12:3, 5  
18:13, 14 24:13  
35:8 38:14 53:23  
73:13 85:14 86:7  
88:25 92:23 97:1  
**PUBLIC/CERTIFI  
ED** 97:12  
**pull** 52:25  
**Pumpkin** 15:21  
47:20  
**purple** 21:18  
35:13  
**purpose** 9:24  
10:18 11:18  
25:11 46:3 89:17  
**purposes** 28:10  
30:11 75:25  
89:19  
**pursued** 64:13  
**purview** 93:13  
**put** 9:2 31:2  
34:9 35:3 71:12,  
20 78:8, 13 82:23

83:16 84:7 91:14  
**putting** 30:22  
  
< Q >  
**quality** 87:6  
93:10  
**question** 24:10  
32:8 33:12 53:9  
65:18 67:7 69:22  
72:21 73:7 74:25  
93:4, 8 94:14  
**questions** 16:20,  
22 17:13 20:8  
23:12 24:18, 19,  
23 33:6 36:8, 9,  
18 44:1 53:20  
64:4 67:3, 6 68:4  
70:15 73:11  
79:16, 18 80:19,  
21 88:2  
**quick** 20:8  
**quickly** 35:7  
60:23  
**quite** 12:13, 14  
27:11 57:18 59:9  
**quorum** 34:25  
**quote** 28:16, 17  
29:24  
**quoted** 87:11  
**quotes** 28:14  
86:23 87:11  
  
< R >  
**radii** 68:2  
**radius** 4:1, 2  
67:13 68:13, 20,  
23 80:8 88:17, 22  
**raise** 46:9 91:14  
**ratios** 66:23  
**reached** 3:7  
**read** 27:14 28:14  
83:23 85:23  
**reading** 81:22  
**reads** 75:23  
**real** 55:21, 25  
59:21 60:8, 11  
**reality** 26:4, 18  
30:2 31:9  
**realize** 26:21  
75:4  
**really** 6:7 35:2  
57:1, 7, 11 58:5, 8  
59:9, 12, 14, 18  
60:8, 12 61:10, 12,  
13 62:3, 7, 19, 21  
63:9 64:20 69:12,

19 74:6 79:9  
84:14 89:20 92:8  
94:24  
**rear** 17:25 18:19  
19:6 22:7, 10  
**reason** 29:24  
**reasonable** 60:22  
65:16, 17 95:20  
**reasons** 34:9  
**reassemble** 63:24  
**receive** 2:16, 25  
5:19 19:25 76:19  
92:5, 9, 10  
**received** 9:5  
84:15  
**recent** 18:4  
**recess** 34:1, 3, 7  
**reciprocated**  
78:10  
**recognition** 55:9  
60:1  
**recommend** 51:16,  
20  
**recommendation**  
5:15, 17 6:4, 12,  
13 46:14 71:15  
91:23 92:8  
**recommendations**  
51:10, 13, 14  
86:21 92:17  
**recommended**  
86:23  
**recommends**  
92:21  
**record** 6:19, 20  
7:11 9:2 10:17  
12:16 28:15  
30:12 32:5 34:9,  
21 35:3 44:6  
45:10, 17 73:8  
82:11 88:6 97:4  
**records** 3:21, 24  
**red** 43:18  
**reduce** 87:8  
**reduced** 75:2  
**redundant** 84:8  
**reference** 5:3  
74:4  
**referenced** 3:24  
**referred** 14:5  
**refine** 38:6  
**refined** 2:21 66:1  
**reflect** 92:10  
94:25  
**refrigeration** 87:3,

4  
**regardless** 43:7  
**region** 58:2  
**regional** 56:15  
57:25 60:2, 3  
70:7  
**regionally** 49:23  
**registered** 8:7  
36:20  
**regulation** 21:10  
87:6  
**regulations** 10:18  
11:22 20:5, 9, 11,  
15 24:7 29:3  
30:13, 17 46:5  
61:20  
**reinforce** 32:9  
**reinforced** 32:14  
**reintroduce** 55:12  
**relate** 88:18  
**related** 44:4  
74:14  
**relates** 8:23  
37:15  
**relating** 46:14  
**relationship** 78:23  
**relative** 49:18  
**relatively** 49:10  
**relevant** 77:17  
80:2  
**relied** 33:1  
**relief** 10:8 19:21  
**relying** 29:13  
75:9  
**remain** 41:3 42:5,  
8 43:2 62:5  
70:23 71:11, 17  
**remained** 15:4  
**remaining** 43:10  
**remember** 14:9  
77:11  
**remind** 92:16  
**reminds** 42:19  
**report** 25:12  
45:12 46:12  
48:17 69:23  
76:18 81:23, 24  
83:4, 8 84:1, 7, 14  
**reported** 97:3  
**REPORTER**  
80:15 97:13  
**reports** 82:3  
**representing**  
73:19  
**request** 4:13

44:10 46:1 93:14  
**requested** 4:10  
**requesting** 16:3  
19:20 44:4  
**requests** 74:20  
**required** 5:4  
19:21 20:18, 23  
22:8 43:6 94:12  
95:25  
**requirement**  
19:22 23:6 24:15  
42:1  
**requirements**  
41:18 76:5  
**requiring** 87:7  
**reserve** 54:1  
**residences** 19:1  
75:18  
**residential** 29:14  
30:21 31:3, 18, 19,  
21 35:25 37:9  
39:24 40:1 42:17  
47:17 68:12  
70:11 71:1 72:2,  
7 73:22 75:8, 14  
78:3, 17  
**residents** 7:2  
15:10 73:25 74:3  
76:23  
**resource** 27:3  
**resources** 26:4  
27:7 28:23 29:11  
32:20  
**respect** 20:12  
93:24  
**respectfully** 93:23  
**respond** 46:9  
80:20  
**response** 93:22  
**rest** 44:12 50:13  
62:17 66:14  
**restaurant** 82:20  
**restrict** 75:10  
**restricted** 73:22  
74:22 85:25  
**restrictions** 74:11,  
18 76:12  
**result** 24:4 45:18  
62:20 95:1  
**resume** 76:16  
**resurgence** 25:20  
26:2, 25  
**retail** 60:9, 12  
**retain** 26:9  
**retained** 45:14

<b>retirement</b> 74:1	22 88:22	40:11 42:4, 17	<b>set</b> 7:11 58:6, 7	<b>similar</b> 67:25
<b>return</b> 33:23	<b>roads</b> 85:12	78:21 90:5	59:9, 10, 12, 25	71:23
<b>reverse</b> 28:17	<b>roadway</b> 48:7, 11	<b>screening</b> 8:14	61:11 66:8 97:6	<b>single</b> 25:18
50:20	49:12, 15 52:22	<b>scrounging</b> 27:6	<b>setback</b> 21:3, 6, 8,	85:25
<b>review</b> 2:16 3:13	85:7, 13, 21 86:15	<b>seal</b> 97:6	9, 16 22:8, 10, 13	<b>sister</b> 83:17
4:23 5:22, 23 6:2	<b>roadways</b> 48:3	<b>Seated</b> 8:1	<b>setbacks</b> 19:21	<b>sit</b> 59:5
8:20 10:19 11:23	50:15	<b>second</b> 45:8	20:12 31:1	<b>site</b> 4:20, 21, 22
12:1, 2 27:13, 22	<b>ROBERT</b> 1:10,	81:25 83:20 89:6	<b>seven</b> 17:7	9:17 10:21 11:10,
34:21 37:15, 16	21 6:19 14:9	93:4 96:8, 9	<b>several</b> 6:24 11:2	13, 19 12:25 15:5
46:3, 13 48:5	<b>role</b> 75:10	<b>secondary</b> 57:10	18:23 68:25	17:15, 17, 21, 23
74:12 77:8, 19, 25	<b>RONALD</b> 97:1, 12	<b>Seconded</b> 96:10	<b>sewer</b> 18:14	18:6, 12, 20, 21, 24
81:24 82:10, 15	<b>RONZIO</b> 97:1, 12	<b>Secondly</b> 29:6	<b>shade</b> 39:10	19:1, 10, 12, 19
88:15 92:19, 20	<b>room</b> 33:14	83:13	<b>shame</b> 62:3 69:13	23:7 35:8, 17, 18,
93:5, 9, 15, 22	57:19 75:15	<b>section</b> 75:21, 22	<b>share</b> 13:9 62:14	22, 24 36:15 37:4
94:9, 22 95:1, 3,	77:21	<b>sections</b> 37:21	<b>shared</b> 54:14	38:5, 25 39:16
14, 17, 24 96:2	<b>roots</b> 42:21	<b>see</b> 3:25 5:10	<b>shelves</b> 66:10	40:23 41:24 42:9
<b>reviewed</b> 3:11	<b>roughly</b> 49:14, 16,	17:21 22:15	<b>shifts</b> 57:8	46:19, 22 47:1
12:9 27:15 49:7	25	26:15 32:21	<b>shipped</b> 60:22	48:5, 6, 8 50:19
93:21 95:10	<b>round-the-clock</b>	39:20, 25 40:4, 12,	<b>shop</b> 82:20	52:5 53:14, 15
<b>reviewing</b> 50:2	56:23 57:14	21 52:3, 25 55:1	<b>shoppers</b> 60:17	54:13 55:16 58:8,
77:25	74:17, 19	72:1 88:21, 24	<b>SHORT</b> 34:3	17 59:12 61:11
<b>reviews</b> 6:2 79:4	<b>route</b> 35:15	90:23, 24 91:15,	86:4	62:1, 3, 5 64:11
<b>revised</b> 45:21	<b>row</b> 7:15	18 94:2	<b>shorthand</b> 97:3	65:9, 23 66:14, 19,
<b>revisions</b> 3:12	<b>running</b> 44:2	<b>seeing</b> 26:1, 2, 14	<b>shortly</b> 13:21	24 69:1, 5 73:6,
<b>revisit</b> 6:13	84:6	<b>seek</b> 71:4 86:18	<b>show</b> 4:7 33:3	21 74:14, 22 75:3,
<b>revitalize</b> 27:24	<b>runoff</b> 39:9 84:23	<b>seeking</b> 3:16	57:1	8, 11, 16 76:8, 13
<b>rezone</b> 72:24	< S >	<b>seemingly</b> 89:16	<b>showing</b> 78:25	77:13 78:20
<b>rezoned</b> 14:20	<b>sac</b> 69:9	<b>seen</b> 14:15 16:3,	80:7, 9	93:20
15:1 31:17 32:1	<b>sadly</b> 26:20	8, 9 35:1 71:24	<b>shown</b> 19:10, 19	<b>sited</b> 68:13
70:21 71:1 73:5	<b>safe</b> 51:6 53:19	<b>segue</b> 27:12	21:17 22:13 23:9	<b>sites</b> 26:16
<b>rezoning</b> 75:6	<b>safely</b> 52:5 53:14	<b>segueing</b> 27:8	41:6 67:8 79:1	<b>sitting</b> 7:19 36:7
<b>RHODE</b> 1:1	<b>safety</b> 48:20	<b>sell</b> 61:1 63:13	94:23	58:25
7:16 8:8 9:19	51:15 64:21 80:7,	<b>selling</b> 63:17, 19	<b>shows</b> 35:18	<b>situation</b> 63:23
11:17 25:18, 22	8 83:20 84:23	<b>send</b> 58:8	95:13	<b>six</b> 33:19
55:17 56:4, 8, 10,	86:22	<b>sending</b> 58:16, 17	<b>shrink</b> 68:17	<b>sixty</b> 21:21
11, 16, 20 62:18,	<b>sale</b> 63:16	66:4, 12	<b>shrunk</b> 75:2	<b>size</b> 60:19, 20
22, 25 63:6 69:15	<b>sandwiched</b> 82:16	<b>sends</b> 62:19	<b>side</b> 7:18 13:14,	75:2 77:14 80:25
81:17 90:21	<b>sanitation</b> 84:24	<b>senior</b> 73:23	15 17:16 19:3, 4	82:12, 13, 17, 22
<b>RI</b> 1:10	<b>satisfied</b> 53:13	<b>sense</b> 5:6 16:16	21:10, 12, 16	83:2, 10, 16 84:16
<b>right</b> 2:15 4:11	<b>satisfy</b> 30:6	62:23	30:24 35:17, 24	86:17 89:10, 14
7:14 10:1, 8, 17	<b>saving</b> 94:3	<b>sensitive</b> 19:2	37:20 39:4 41:19	90:25 91:1, 2
14:21 15:3 22:16	<b>says</b> 4:3 41:22	86:24	42:17 44:10 49:7	<b>sizeable</b> 90:8
25:2 34:15 37:3	<b>scale</b> 27:18 31:20	<b>sent</b> 9:9	51:19 78:10, 25	<b>sizes</b> 66:1, 4
40:11 42:16	89:14	<b>separate</b> 73:3	79:5 80:5, 11	<b>skew</b> 63:7
52:21 54:1 59:12	<b>schedule</b> 10:12	<b>September</b> 9:20,	<b>sides</b> 11:20 78:6	<b>slopes</b> 17:24
61:17 62:1 76:8,	58:24	23 13:16 37:4	<b>sidewalk</b> 51:18	<b>slow</b> 57:3
9 80:2 81:11	<b>scheduled</b> 10:2	38:18	<b>sidewalks</b> 44:5, 9	<b>small</b> 16:14
89:17 90:5 94:15	<b>school</b> 55:19	<b>serve</b> 42:25	49:6	25:20 26:11
<b>RIPDES</b> 20:1	81:10	<b>serves</b> 42:24	<b>sight</b> 48:12 49:7,	54:20 63:24 64:1
<b>Ritch</b> 73:18	<b>schools</b> 86:23	73:24	10 52:15	<b>smaller</b> 16:10
<b>river</b> 49:20	<b>Scituate</b> 14:16, 23	<b>Service</b> 51:1 52:9	<b>signal</b> 62:19 66:5,	19:4 36:2 59:23
<b>Road</b> 36:21	26:17 47:17 49:5	<b>serviced</b> 81:2, 5	12	60:16 62:4, 12, 13
39:23 49:5, 7, 9,	88:8	<b>services</b> 27:5	<b>significant</b> 6:6	64:3 66:11
24 51:19 52:25	<b>screen</b> 8:8 14:20	49:13, 24 52:8	23:25	<b>smart</b> 57:5, 6
67:17 85:14, 20,	21:15 35:12	<b>serving</b> 58:2	<b>signs</b> 51:23	<b>SMITH</b> 1:10 2:1
				6:15 24:22 33:8,

16, 25 34:4 67:4 68:4 70:15 73:11 79:18 86:3, 8 87:19 91:20 92:25 96:5, 10, 13 <b>socioeconomic</b> 87:10 <b>soil</b> 18:10, 11 <b>Solicitation</b> 85:12 <b>solution</b> 91:7 <b>somebody</b> 63:19 69:14 72:1 <b>somebody's</b> 67:18 <b>someday</b> 63:13 <b>sometime</b> 44:16 54:11 <b>sometimes</b> 9:1 <b>sooner</b> 36:6 93:9 94:4 <b>sorry</b> 15:3 25:1 83:11 93:6 <b>sort</b> 39:5 40:24 78:16 <b>sorted</b> 12:14 <b>sorting</b> 57:16, 17 <b>sought</b> 72:11 <b>sound</b> 75:16, 17 <b>sounds</b> 88:13 89:22 95:20 <b>south</b> 19:3 39:19, 20, 23 49:15 65:16 70:10 73:20 78:3, 24, 25 80:5 87:5 <b>southbound</b> 67:20 70:3 <b>southeast</b> 39:25 41:4, 6 <b>southeastern</b> 25:19, 23 <b>southerly</b> 40:5 <b>southern</b> 5:9 62:20, 23 68:7 90:3 94:19 <b>southwest</b> 40:25 <b>space</b> 18:23 32:20 47:3 59:2 79:11 <b>spaces</b> 30:23 35:13 80:10, 14 <b>speak</b> 16:21 19:18 33:24 53:24 <b>speaker</b> 86:7 <b>speaks</b> 75:22 <b>special</b> 10:4	<b>specific</b> 5:7 35:11 65:14 74:20 75:21 94:18 <b>specifically</b> 8:4 29:23 37:14 39:9 40:2 90:3 94:19 <b>specifications</b> 38:12 <b>speed</b> 86:1, 14 <b>speeds</b> 48:12 <b>spend</b> 55:13 <b>spent</b> 55:18, 24 <b>spokesperson</b> 73:14 <b>spot</b> 70:7 <b>spots</b> 36:3 40:16 <b>spruce</b> 40:8 <b>square</b> 3:17 18:20, 22 20:19 65:20 69:11 83:15, 18 87:7, 12 <b>stable</b> 29:11 <b>Stadium</b> 83:14 <b>staff</b> 5:15, 25 6:3, 12 8:19 12:18 15:8 30:7 45:19, 25 46:14 59:18, 19 67:15 76:18 87:24, 25 88:5 92:3, 7, 17, 19, 21 94:7 95:16, 17 <b>staffing</b> 57:6 <b>staff's</b> 78:1 94:8 <b>Stage</b> 2:15 3:2, 5, 8, 9, 14 4:23, 24 5:3, 18 8:13 10:18 11:4, 5 30:7, 15 37:25 38:11 44:22, 24 45:13 74:13 88:14 89:23 94:11, 25 95:3, 11 96:3, 4 <b>stages</b> 2:14 3:3 8:10 19:24 <b>stand</b> 23:18 <b>standard</b> 48:24 51:24 58:22 66:22 <b>standards</b> 24:7 41:22 60:24 77:17 <b>standing</b> 40:12 80:16	<b>standpoint</b> 49:12 <b>Stanley</b> 9:23 <b>staring</b> 90:17 <b>start</b> 12:15 30:15 43:20 58:14 66:4, 11 <b>started</b> 14:8 55:21 56:5 <b>starting</b> 47:16 90:11 <b>STATE</b> 1:1 8:8 18:8 20:4 23:14 25:18, 20, 22 26:3 32:5 41:2 <b>stated</b> 10:14 25:5 46:1 47:5 74:16 <b>statement</b> 71:8 <b>states</b> 29:2 <b>statewide</b> 29:12 <b>stating</b> 30:12 <b>status</b> 4:8 <b>statute</b> 32:11 <b>stay</b> 67:2 92:1 <b>steady</b> 57:3 <b>stenographer</b> 8:25 <b>step</b> 12:16 <b>STEPHEN</b> 1:22 <b>stock</b> 60:18 <b>stop</b> 35:2 51:16, 23 53:1 <b>stores</b> 50:8 60:15, 16, 18 <b>storm</b> 20:4 39:10 <b>straight</b> 7:11 49:10 92:4 <b>straw</b> 77:23 <b>street</b> 20:24 24:13 83:1 85:14, 22 <b>streets</b> 47:9 <b>Strengthen</b> 29:2 <b>stressed</b> 61:6 <b>strike</b> 21:11 <b>strip</b> 43:3 <b>strong</b> 45:2 <b>strongly</b> 44:24 <b>structure</b> 84:16 <b>struggle</b> 60:10 <b>struggled</b> 60:10 <b>studies</b> 47:16 48:1 84:21 85:3 86:15, 18 87:15 <b>study</b> 8:19, 22 19:14 44:22 45:15 47:22 50:10 56:25	77:20, 25 80:22 84:14 85:3, 5 86:10, 12 87:15 88:14 <b>stuff</b> 59:12 69:11 <b>subdivision</b> 61:19 <b>subdivisions</b> 69:8 <b>subject</b> 3:25 4:1, 19 5:9 <b>submission</b> 3:11 9:3, 9 18:17 95:9, 16, 23 <b>submit</b> 19:25 87:23 <b>submitted</b> 2:22 5:21 9:4, 22 18:15 19:13, 17 22:9 24:14 45:13, 18, 20 74:5 76:17 81:23 83:4 <b>substantial</b> 2:9 13:16, 21 40:7, 22 41:7 42:3, 13 43:2 49:9 <b>Subway</b> 47:25 <b>success</b> 64:14 <b>successful</b> 3:6 <b>sudden</b> 26:25 <b>sufficient</b> 4:5 29:19 53:5 <b>suggested</b> 44:21 86:22 <b>suggestion</b> 45:2 <b>suitably</b> 76:2 <b>summer</b> 56:9 <b>supplemented</b> 45:19 <b>supplies</b> 42:11 <b>Supply</b> 47:23 <b>support</b> 16:3 31:10 <b>supports</b> 79:2 <b>supposed</b> 22:20 <b>Sure</b> 25:16 27:19 29:10 44:6 67:24 72:18 77:23 78:5 89:12 93:14 <b>surface</b> 85:23 <b>surprised</b> 40:4 <b>surrounding</b> 4:19 28:19 31:8 39:1 47:8 53:16 62:7 65:6 71:6, 18 82:17 84:19, 24 87:17	<b>survey</b> 17:20, 21 <b>suspect</b> 34:8 <b>Sweet</b> 42:12 43:16 81:17 <b>system</b> 11:12 49:24  < T > <b>table</b> 92:14, 17 <b>tables</b> 18:11 <b>take</b> 33:11 34:23 46:16 87:8 90:16 <b>taken</b> 2:20 5:16 38:17 85:4 <b>talk</b> 8:13 16:12 19:15 20:9, 17 22:7, 24 29:17 38:20, 21 45:8 47:13 51:11 53:12 54:15, 22 55:15 56:17 62:10 65:1 81:15 95:7 <b>talked</b> 40:17 78:22 <b>talking</b> 8:25 9:12 27:17 55:13 64:5 <b>talks</b> 28:22 29:7, 10, 22 58:15 <b>tall</b> 40:9 <b>taller</b> 22:20 <b>tapers</b> 83:9 <b>tax</b> 14:14 15:13 29:11, 14, 16 <b>taxing</b> 62:18 <b>taxpayer</b> 90:22 <b>team</b> 2:8 7:18 78:22 90:20 <b>technical</b> 12:2 37:16 <b>technique</b> 31:15 71:24 <b>technology</b> 27:10 <b>Teitz</b> 73:18 <b>tell</b> 27:16 82:8 <b>ten</b> 27:21 56:6 <b>tenant</b> 58:9, 11 59:24 66:6 <b>tenants</b> 58:13 64:23 66:19 89:20 <b>term</b> 14:17, 18 85:20 <b>terms</b> 15:12 35:10 40:2 65:7
--	--	---	---	--

<b>TESTA</b> 81:16 86:6, 10	<b>third-party</b> 5:23	<b>totaling</b> 3:17 65:20	<b>truck</b> 19:6, 9 30:23 52:4 58:19 67:19, 24 68:19 80:9 83:24 87:3	<b>underneath</b> 35:12
<b>tested</b> 61:6	<b>thirty</b> 28:8	<b>touch</b> 52:1 77:20	<b>trucking</b> 3:20 36:3	<b>underscore</b> 14:2
<b>testified</b> 8:2 25:8 36:12, 22 52:14 70:19	<b>thorough</b> 27:13, 22	<b>tough</b> 63:16, 24 65:11	<b>trucks</b> 19:11 35:20 58:24 68:14 74:21 79:10 81:6, 7 82:13 83:22 84:5 87:1, 2, 9	<b>understand</b> 7:12 13:13, 24 30:20 41:12 56:11, 19, 22 65:15 72:21 73:7, 14 76:7, 9, 20 86:8 90:1 92:13 93:13 94:15
<b>testify</b> 12:22 13:21 15:24 16:24	<b>thought</b> 25:25 30:19 54:18, 24 56:13 62:14	<b>towards</b> 18:1 63:8 91:6	<b>Trust</b> 47:25	<b>understanding</b> 5:8, 14 13:20 32:2 65:25 70:22 71:2, 10 73:1 94:20
<b>testimony</b> 8:4, 21 34:12, 21 44:17 47:6 54:1 68:24 79:6	<b>thoughtful</b> 7:3	<b>town</b> 25:18 26:10	<b>try</b> 7:1, 10 17:14 27:6 38:8 60:25 61:1 65:8, 16, 17 74:2 95:15	<b>understands</b> 11:7 30:4 64:8
<b>Thank</b> 6:15, 18 13:5, 22 20:7 33:5, 8, 9 34:2, 7 35:3 36:19, 23 38:23 40:14 41:5 42:1 54:6 62:8 66:25 67:1, 4 68:3, 6 72:19 73:10 77:1 79:20 87:18, 19 91:10 92:14	<b>thousand</b> 86:25 87:1	<b>traced</b> 33:2	<b>trying</b> 30:8 41:10 55:8 79:4 86:6	<b>understory</b> 42:15 90:10
<b>Thank</b> 6:15, 18 13:5, 22 20:7 33:5, 8, 9 34:2, 7 35:3 36:19, 23 38:23 40:14 41:5 42:1 54:6 62:8 66:25 67:1, 4 68:3, 6 72:19 73:10 77:1 79:20 87:18, 19 91:10 92:14	<b>three</b> 27:1, 2 41:7 81:3, 5, 21 83:5, 11, 17 91:2	<b>tractor</b> 35:20 52:9 67:16 78:25 79:5, 7 80:5 88:18	<b>turn</b> 48:14 80:8	<b>undeveloped</b> 4:4 15:8 17:23
<b>Thanks</b> 54:25	<b>through</b> 3:13 4:22 16:4, 6 18:23 37:17 38:10, 15 41:19 44:2 54:24 57:24 58:12 67:14 70:17 72:13, 20 76:18 77:18 93:12 95:5, 24	<b>traditional</b> 63:3 66:8	<b>turnarounds</b> 58:20	<b>undisturbed</b> 42:5, 8
<b>thin</b> 40:16, 17	<b>throughout</b> 3:22 25:19, 22 29:25 57:4 61:9 63:2	<b>traditionally</b> 56:20 62:22 63:2	<b>turning</b> 52:13 67:18, 25 68:20 88:17, 22	<b>unequivocally</b> 32:5
<b>thing</b> 31:25 41:4, 16 61:21 64:25 79:3 81:25 85:24	<b>throughway</b> 64:19	<b>traffic</b> 5:19, 23 6:1 8:17, 19, 20 9:15 12:6 19:3, 6, 14, 15 44:15, 18, 22 45:12, 15 47:1, 15, 22 48:2, 9, 13, 15, 17 49:12, 17 50:3, 10, 14 52:13 55:4 56:25 57:1, 9, 11, 12 61:7, 10, 14 67:25 69:17, 18, 25 70:8 76:3 77:20, 25 78:15 80:22 84:14 85:5, 16, 24 87:15 88:14 92:18, 20	<b>turns</b> 88:19	<b>unfairly</b> 78:17
<b>things</b> 7:9 9:2 30:5, 19 31:5 35:6 39:9 44:2 51:9 54:22 59:3, 4 63:17 66:14 77:9 78:20 80:1, 3 82:5	<b>TIME</b> 1:9 2:10 4:13 6:5, 17 13:24 14:15 15:15 16:2 31:14, 24 44:1, 4 53:1 54:5, 7 55:4, 13, 22 56:9 60:22 61:24 62:18 63:14 67:1, 5 81:15 91:9, 11, 23 92:2, 10, 13, 25 94:3	<b>trailer</b> 35:20 52:9 82:13 83:22, 24 84:4	<b>twenty</b> 47:15 48:1 55:24 63:22 70:9 87:2	<b>unfortunate</b> 75:5
<b>think</b> 5:11 8:11 14:7 20:5 24:22 38:23 41:21 54:10 55:8 56:18, 19, 24 59:14 60:6, 24 61:16, 20, 22 62:16 64:15 65:11 66:3, 21, 23 69:13 72:22 73:24 75:3, 5, 11, 15 76:11 77:10, 21 78:3, 7, 9, 19, 24 79:2 82:9 85:9 88:18 93:25 94:16, 19 95:6, 7, 8	<b>today</b> 15:9	<b>trailers</b> 67:16 78:25 79:5, 7 80:5 88:19	<b>two</b> 3:3, 16 11:25 18:1, 18 22:6 30:5 38:16 40:10, 16 41:6 42:17, 21 59:14 63:17 64:4 65:19 69:10 72:24 78:11 81:2 88:9 90:11	<b>unimportant</b> 85:8
<b>thinking</b> 31:1 66:11	<b>today's</b> 27:10	<b>transcript</b> 97:4	<b>two-minute</b> 33:11	<b>unit</b> 43:17
<b>third</b> 81:18 92:20	<b>told</b> 80:4	<b>transport</b> 50:8 48:23, 25	<b>type</b> 18:11 28:25 49:22 50:5, 16 53:12 58:9 59:12, 13 66:6 69:11	<b>units</b> 87:3, 4
	<b>tonight</b> 2:11, 23 3:14 7:6 8:1, 4, 21 10:6, 15 23:18 47:6 55:11 76:14, 20, 22, 25 81:25 84:12, 13 88:11 93:17	<b>traveling</b> 52:24 85:25	<b>types</b> 31:5	<b>unloading</b> 35:22
	<b>toothpaste</b> 63:23	<b>treated</b> 44:11	<b>typically</b> 12:17 23:15 38:10 39:12	<b>unrestricted</b> 75:12
	<b>topic</b> 22:23 43:15	<b>tree</b> 78:9 91:19	<b>two</b> 3:3, 16 11:25 18:1, 18 22:6 30:5 38:16 40:10, 16 41:6 42:17, 21 59:14 63:17 64:4 65:19 69:10 72:24 78:11 81:2 88:9 90:11	<b>unsignalized</b> 51:4
	<b>topography</b> 17:24	<b>trees</b> 5:11 13:16 42:14 90:9	<b>turns</b> 88:19	<b>unusual</b> 91:20
	<b>total</b> 50:17	<b>tremendous</b> 15:11	<b>turnarounds</b> 58:20	<b>updated</b> 19:14 45:21 95:10
		<b>tried</b> 13:3	<b>turning</b> 52:13 67:18, 25 68:20 88:17, 22	<b>upfront</b> 59:22
		<b>trip</b> 48:21, 23 50:16	<b>turns</b> 88:19	<b>upgrading</b> 51:23
		<b>trips</b> 30:23 49:1 50:17, 19 61:9 80:23, 25	<b>turns</b> 88:19	<b>ups</b> 69:16
			<b>turnarounds</b> 58:20	<b>urban</b> 25:17
			<b>turning</b> 52:13 67:18, 25 68:20 88:17, 22	<b>Ursillo</b> 73:18
			<b>turns</b> 88:19	<b>usage</b> 26:22 31:11, 20
			<b>turnarounds</b> 58:20	<b>use</b> 4:14, 16 8:4 10:4 13:24 15:23 16:7 26:16 28:4, 12 30:14 31:16 32:18 33:1 48:10, 22 49:2, 22 50:4, 6, 16 52:10 62:1 65:22 71:7, 18, 25 75:8, 11, 12 76:7, 15 78:18 81:8 85:15 86:22, 24 87:16 89:18 91:8,

10  
**user** 59:13  
**users** 59:6  
**uses** 3:17, 18, 20  
 4:9, 11 9:25 10:2,  
 6, 12 14:17 28:19,  
 24 29:5 53:12, 14  
 77:12, 13  
**usually** 29:6 58:3  
**utilized** 32:4  
 35:20 36:5

< V >  
**vacant** 16:11  
**valid** 28:6 94:14,  
 24  
**validate** 94:22  
**valuable** 94:16  
**value** 95:1  
**values** 84:24  
**vans** 59:11  
**variance** 16:4, 7  
**variances** 4:12  
 19:20  
**various** 10:3  
 23:15 83:2  
**vegetated** 41:3  
**vegetation** 41:8  
 43:7  
**vegetative** 43:6  
**vehicles** 19:12  
 49:13, 14, 18, 25  
 50:1 52:4, 9, 20,  
 24 53:7, 15 59:9  
 67:15 87:10  
**vehicular** 30:24  
 78:15 85:16  
**verification** 18:4  
**verified** 18:3  
**vertical** 48:11  
 49:9  
**vest** 30:8  
**vetting** 96:1  
**viable** 26:22  
 31:11 58:14  
 80:24  
**view** 3:24 4:18  
 47:19 90:12  
**views** 40:3 41:11  
**Village** 47:19  
**VINCENT** 1:10  
 14:7 35:1 68:5, 6,  
 24 69:22 70:2, 13  
 93:3, 8, 24 95:20  
 96:6

**Vincent's** 74:25  
**visit** 37:4 42:9  
**visitor** 36:5  
**visits** 48:8  
**visual** 82:12  
**vital** 49:22  
**VOICE** 96:12  
**volume** 49:17  
 50:14  
**vote** 5:16 96:12

< W >  
**wait** 80:2, 15  
**waiting** 74:3  
**waiver** 44:4  
**walk** 38:14 39:16,  
 18 41:19 60:14  
**wall** 75:16 83:9  
**Walsh** 7:15 8:10  
 9:12 11:9 13:8,  
 18 16:12, 16 25:7  
 36:15 37:3 38:7  
 40:18 43:19  
 44:18, 21 45:14  
 46:2, 23 53:11  
 54:7, 11, 25 62:16  
 64:13 65:10, 24  
 66:3, 21 67:22  
 68:16 69:4 74:16  
 80:7, 13  
**Walsh's** 43:19  
**want** 7:10 9:1,  
 21 10:13, 16  
 12:22 13:5, 22  
 14:1 15:10 16:1  
 20:9, 17 22:7, 23  
 23:4 24:19 27:19  
 31:7 34:6, 9 35:3,  
 11, 23 36:15  
 37:23 41:16 44:2,  
 5, 9, 19, 25 51:25  
 53:24, 25 54:4  
 56:17 60:3, 11  
 62:5 63:21 65:1,  
 3 72:22 73:7  
 74:6 75:20 77:9,  
 20 78:4 81:14  
 84:4, 8 86:3  
 87:19, 20 91:8, 9  
 94:2 95:2, 21  
**wanted** 33:11  
 34:15, 23 36:9  
 55:11 88:12  
**wants** 34:17 38:7  
 54:15, 22

**warehouse** 50:5, 7,  
 9 53:18 56:19  
 58:22 62:18, 21  
 63:4 66:9 86:17  
 87:12 89:19  
**warehouses** 56:21  
 87:7  
**warehousing** 3:19  
 50:15  
**Washington** 47:25  
**waste** 55:4  
**water** 11:12  
 18:13 20:5 39:10  
 42:14 84:23  
**way** 58:12 59:9  
 63:15 74:8 75:6,  
 8 78:11 85:7  
 90:12  
**ways** 9:1 15:23  
 56:14  
**website** 54:15  
**week** 45:20 48:8  
 87:5  
**weeks** 11:2 90:11  
**welcome** 92:11  
**well** 3:20 8:15  
 15:17 17:20  
 19:11, 21 20:1, 4  
 40:7 46:10 47:1  
 53:15 54:9 61:25  
 76:19 78:1 81:3  
 87:9 89:9 91:10  
 94:3  
**went** 27:15 32:20  
 52:2 55:19  
**We're** 2:15, 23  
 8:25 10:6, 9 30:6,  
 12, 22 31:1 33:20  
 34:25 35:2 39:5  
 44:4 45:1 55:8  
 58:15, 16, 17, 18  
 67:23 68:22 72:5  
 81:8, 21 89:23  
 92:12 95:12  
**west** 15:3 19:4  
 39:22 48:15  
 50:22 51:16 52:8  
 56:5 67:10, 25  
**westerly** 35:17  
 49:6 51:19  
**Western** 14:5  
 15:19 16:9 17:17,  
 19 19:8 29:8, 18,  
 22 62:12, 24  
 67:12 83:1

**wetland** 4:5 18:4  
 40:25 41:1 42:3,  
 7, 8 68:18, 19  
**wetlands** 9:17  
 11:13, 20 18:2  
 20:1 64:17, 19  
 79:8 84:23  
**we've** 5:17 7:25  
 9:9 18:23 19:22  
 25:12 26:25 27:2  
 30:25 37:20  
 41:18 45:6, 13  
 54:16 56:6, 7  
 61:16 62:11  
 65:19 66:21  
 79:22 82:1  
**WHEREOF** 97:6  
**white** 40:8  
**wide** 49:6 67:17  
 83:7 86:13  
**width** 20:24, 25  
 21:25 67:17 68:9  
**William** 79:21  
**willing** 46:4 95:7  
**willingness** 65:5  
**wind** 19:8  
**wish** 6:16  
**witness** 25:1  
 36:10 44:14 54:6  
 97:6  
**witnesses** 6:24  
 67:2  
**wooded** 4:4 17:24  
**word** 54:4  
**words** 85:3 86:15  
**work** 12:13  
 44:16 46:4 63:15  
 65:6 79:24 91:6  
**worked** 14:8  
 17:7, 12 18:23  
 25:6, 18 36:13  
 45:4, 6 56:3  
**workers** 57:6  
 58:24  
**working** 8:9 45:6  
 47:14, 16 55:23  
 90:14  
**works** 12:5 82:9  
**world** 60:8, 14  
**worried** 59:3  
**worst** 50:11  
**wrapping** 34:11  
**wrestling** 61:22,  
 24  
**writing** 26:15  
 92:7

**written** 82:3  
 92:5, 9  
**wrong** 70:19

< X >  
**X-ray** 42:20

< Y >  
**yard** 21:8, 10, 12  
 81:11  
**Yeah** 62:16 66:3  
 90:6  
**year** 9:20 11:25  
 13:2 61:23, 25  
**years** 17:7, 9  
 25:17, 21 26:24  
 27:1, 2, 21 28:8  
 33:3 45:5 47:15  
 48:1 55:24 56:4,  
 6 63:22 82:7  
**yellow** 22:14  
**yield** 81:14  
**York** 55:21 56:1,  
 12  
**younger** 45:5  
**Yup** 72:18

< Z >  
**zone** 3:19 4:9, 12  
 9:25 10:7 15:25  
 20:10, 15, 18, 23  
 21:4, 10, 11 22:24  
 71:4, 13, 17 72:11  
 78:13 89:18  
**zoned** 4:8 12:25  
 14:3, 21, 23 17:18  
 28:11 29:20  
 30:11 31:14 32:3  
 71:3 72:12 88:10  
**zones** 10:3 78:3  
**zoning** 4:7, 8, 16  
 8:6 9:22, 23 10:2,  
 4, 9, 11, 12 16:7  
 19:20 20:10  
 23:21 25:10 28:2  
 29:3 30:13 32:24  
 41:17 55:5 71:6,  
 18 72:1 75:21  
 76:11  
**zoom** 41:5