

BOROUGH OF PALISADES PARK
 BOARD OF ADJUSTMENT
 MONDAY, JANUARY 22, 2018
 COMMENCING AT 7:04 P.M.

IN THE MATTER OF: : TRANSCRIPT
 OF :
 OF :
 PROCEEDINGS :

APPLICATION NO. 13-16 :
 JULIAN HAN :
 435-451 Lincoln Street :
 BLOCK 224, LOTS 19&20 :

APPLICATION NO. 17-14 :
 STEVEN TESTINO :
 433-435 Highland Avenue :
 Block 211; Lots 19&20 :

APPLICATION NO. 17-13 :
 DRC DEVELOPMENT CORP :
 35 W. Columbia Avenue :
 BLOCK 617; LOT 21 :

APPLICATION NO. 17-15 :
 531 ROFF AVENUE LLC :
 531 Roff Avenue :
 BLOCK 314; LOT 12 :

B E F O R E :
 THE BOROUGH OF PALISADES PARK BOARD OF ADJUSTMENT
 THERE BEING PRESENT:

JOSEPH FERGUSON, CHAIRMAN
 PAUL ALBANESE, VICE CHAIRMAN
 ANDY NAM, MEMBER
 VINCENT CARNOVALE, MEMBER
 DAVID TERRANOVA, MEMBER
 SEUNG YOON, MEMBER
 PAUL KIM, MEMBER
 MIRJANA TARABOCHIA, ALTERNATE MEMBER
 LEFTERI LEFTERIOU, ALTERNATE MEMBER

Laura A. Carucci, C.C.R., R.P.R., L.L.C.
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I N D E X

W I T N E S S E S SWORN PAGE

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STEVEN TESTINO
433-435 Highland Avenue
Block 211; Lots 19&20 25

APPLICATION NO. 17-15
531 ROFF AVENUE LLC
531 Roff Avenue
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E X H I B I T S

No. Description Ident/Evid

APPLICATION NO. 17-15
531 ROFF AVENUE LLC
531 Roff Avenue
Block 314; Lot 12
 (No exhibits marked.)

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

DIANE TESTA, ESQ.
 Counsel for the Board

FLORIO, PERRUCCI, STEINHARDT & FADER, LLC
 BY: **REGINALD JENKINS, JR., ESQ.**
 218 Route 17 North, Suite 410
 Rochelle Park, New Jersey 07662
 Counsel for Steven Testino

MARC D. MACRI, P.C.
 BY: **MARC D. MACRI, ESQ.**
 2160 North Central Road
 Fort Lee, New Jersey 07024
 Counsel for 531 Roff Avenue LLC

A L S O P R E S E N T :

ELENI LAMBRINIDES, BOARD CLERK/SECRETARY
MICHAEL KAUKER, BOARD PLANNER
STEVE COLLAZUOL, BOARD ENGINEER

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07:04PM **CHAIRMAN FERGUSON:** Call the meeting to
 07:04PM **order.**

07:04PM (Whereupon, the Recitation of the
 07:04PM Pledge of Allegiance is held.)

07:05PM **CHAIRMAN FERGUSON:** First order of
 07:05PM **business is swearing in our two reappointments, which**
 07:05PM **is going to be Paul Albanese and Paul Kim.**

07:06PM **MR. KIM:** I was appointed.

07:06PM **CHAIRMAN FERGUSON:** You got to get
 07:06PM **sworn in.**

VICE CHAIRMAN ALBANESE: You got to get
sworn in.

(Whereupon, Board Members Paul Albanese
 and Paul Kim are sworn in for reappointment to
 the Borough of Palisades Park Zoning Board of
 Adjustment.)

07:07PM **MR. KIM:** That was a long one.
MS. TESTA: Congratulations.
 (Applause.)

CHAIRMAN FERGUSON: So first we'll do
 our reorganization.

MS. LAMBRINIDES: Should we take an
 attendance?

MS. TESTA: Yes.

CHAIRMAN FERGUSON: Oh, yeah,

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1 attendance.

2 Take it away.

3 MS. LAMBRINIDES: Mr. Ferguson?

4 CHAIRMAN FERGUSON: Here.

07:04PM 5 MS. LAMBRINIDES: Mr. Albanese?

07:04PM 6 VICE CHAIRMAN ALBANESE: Here.

07:04PM 7 MS. LAMBRINIDES: Mr. Terranova?

07:04PM 8 MR. TERRANOVA: Here.

07:04PM 9 MS. LAMBRINIDES: Mr. Kim?

07:04PM 10 MR. KIM: Here.

07:04PM 11 MS. LAMBRINIDES: Mr. Nam?

07:04PM 12 MR. NAM: Here.

07:04PM 13 MS. LAMBRINIDES: Ms. Yoon?

07:04PM 14 MS. YOON: Here.

07:04PM 15 MS. LAMBRINIDES: Mr. Carnovale?

07:04PM 16 MR. CARNOVALE: Here.

07:04PM 17 MS. LAMBRINIDES: Ms. Tarabocchia?

07:04PM 18 MS. TARABOCCHIA: Here.

07:04PM 19 MS. LAMBRINIDES: Mr. Lefteriou?

07:04PM 20 MR. LEFTERIOU: Here.

07:04PM 21 MS. LAMBRINIDES: I didn't see you

07:08PM 22 there.

07:08PM 23 CHAIRMAN FERGUSON: Okay. So first

07:08PM 24 order of business we have our yearly reorganization.

07:08PM 25 First one up would be appoint the

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07:08PM 1 chairman. Do I hear any nominations?

07:08PM 2 VICE CHAIRMAN ALBANESE: I nominate Joe

07:08PM 3 Ferguson.

07:08PM 4 MR. CARNOVALE: I second that.

07:08PM 5 CHAIRMAN FERGUSON: Roll call vote.

6 MS. LAMBRINIDES: Hold on a second,

7 because I can't write that fast.

8 VICE CHAIRMAN ALBANESE: You got to

9 close nominations.

10 CHAIRMAN FERGUSON: Oh, we have to

11 close the nominations?

12 VICE CHAIRMAN ALBANESE: Yes, you have

13 to.

14 CHAIRMAN FERGUSON: Oh, yes. Well, I

15 guess I should ask, anybody else wants to be

16 chairman?

17 (No response.)

18 VICE CHAIRMAN ALBANESE: I make a

07:08PM 19 motion to close the nominations.

20 CHAIRMAN FERGUSON: Okay.

21 MR. KIM: I'll second that.

22 CHAIRMAN FERGUSON: Roll call vote.

23 MS. LAMBRINIDES: Mr. Ferguson?

24 CHAIRMAN FERGUSON: Yes.

07:04PM 25 MS. LAMBRINIDES: Mr. Albanese?

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07:04PM 1 VICE CHAIRMAN ALBANESE: Yes.

07:04PM 2 MS. LAMBRINIDES: Mr. Terranova?

07:04PM 3 MR. TERRANOVA: Yes.

07:04PM 4 MS. LAMBRINIDES: Mr. Kim?

07:04PM 5 MR. KIM: Yes.

07:04PM 6 MS. LAMBRINIDES: Mr. Nam?

07:04PM 7 MR. NAM: Yes.

07:04PM 8 MS. LAMBRINIDES: Ms. Yoon?

07:04PM 9 MS. YOON: Yes.

07:04PM 10 MS. LAMBRINIDES: Mr. Carnovale?

07:04PM 11 MR. CARNOVALE: Yes.

07:04PM 12 MS. LAMBRINIDES: Ms. Tarabocchia?

07:04PM 13 MS. TARABOCCHIA: Yes.

07:04PM 14 MS. LAMBRINIDES: Mr. Lefteriou?

07:04PM 15 MR. LEFTERIOU: Yes.

07:04PM 16 (Applause.)

07:04PM 17 CHAIRMAN FERGUSON: Okay. Next --

07:04PM 18 don't give me a big head.

07:04PM 19 MR. KIM: You already got one.

07:08PM 20 CHAIRMAN FERGUSON: All right. The

21 next one will be appoint a vice chairman.

22 MR. CARNOVALE: I nominate Paul

23 Albanese.

24 CHAIRMAN FERGUSON: I'll second.

25 Anybody who would like to be vice

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1 chairman?

2 (No response.)

3 CHAIRMAN FERGUSON: Roll call vote.

4 MS. LAMBRINIDES: Mr. Ferguson?

5 CHAIRMAN FERGUSON: Yes.

07:04PM 6 MS. LAMBRINIDES: Mr. Albanese?

07:04PM 7 VICE CHAIRMAN ALBANESE: Yes.

07:04PM 8 MS. LAMBRINIDES: Mr. Terranova?

07:04PM 9 MR. TERRANOVA: Yes.

07:04PM 10 MS. LAMBRINIDES: Mr. Kim?

07:04PM 11 MR. KIM: Yes.

07:04PM 12 MS. LAMBRINIDES: Mr. Nam?

07:04PM 13 MR. NAM: Yes.

07:04PM 14 MS. LAMBRINIDES: Ms. Yoon?

07:04PM 15 MS. YOON: Yes.

07:04PM 16 MS. LAMBRINIDES: Mr. Carnovale?

07:04PM 17 MR. CARNOVALE: Yes.

07:04PM 18 MS. LAMBRINIDES: Ms. Tarabocchia?

07:04PM 19 MS. TARABOCCHIA: Yes.

07:04PM 20 MS. LAMBRINIDES: Mr. Lefteriou?

07:04PM 21 MR. LEFTERIOU: Yes.

07:08PM 22 CHAIRMAN FERGUSON: Okay. Next we

07:08PM 23 would like to --

07:08PM 24 (Applause.)

07:08PM 25 CHAIRMAN FERGUSON: Next we're going to

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07:08PM **1** appoint our board secretary.
 07:08PM **2** I'd like to nominate Eleni Lambrinides.
 07:09PM **3** MR. KIM: I'll second that.
 07:09PM **4** VICE CHAIRMAN ALBANESE: I'll second
 07:09PM **5** that.
 07:09PM **6** CHAIRMAN FERGUSON: Did I get it right?
 07:09PM **7** MS. LAMBRINIDES: You're funny, Joe.
 07:09PM **8** CHAIRMAN FERGUSON: Roll call vote.
 07:09PM **9** MS. LAMBRINIDES: You didn't ask if
 07:09PM **10** anybody wants my job.
 07:09PM **11** CHAIRMAN FERGUSON: No, I didn't.
 07:09PM **12** MS. LAMBRINIDES: Mr. Ferguson?
 07:09PM **13** CHAIRMAN FERGUSON: Yes.
 07:04PM **14** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **15** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **16** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **17** MR. TERRANOVA: Yes.
 07:04PM **18** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **19** MR. KIM: Yes.
 07:04PM **20** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **21** MR. NAM: Yes.
 07:04PM **22** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **23** MS. YOON: Yes.
 07:04PM **24** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **25** MR. CARNOVALE: Yes.

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07:04PM **1** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **2** MS. TARABOCCHIA: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **4** MR. LEFTERIOU: Yes.
 07:10PM **5** CHAIRMAN FERGUSON: Okay. Next I would
 07:10PM **6** like to appoint the board engineer.
 07:10PM **7** I would like to nominate Steven
 07:10PM **8** Collazuol.
 07:10PM **9** MR. CARNOVALE: Second.
 07:10PM **10** CHAIRMAN FERGUSON: Roll call vote?
 07:10PM **11** MS. LAMBRINIDES: I'm sorry, I have to
 07:10PM **12** keep up with you guys.
 07:10PM **13** CHAIRMAN FERGUSON: That's okay.
 07:10PM **14** MS. LAMBRINIDES: Mr. Ferguson?
 07:10PM **15** CHAIRMAN FERGUSON: Yes.
 07:04PM **16** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **17** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **18** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **19** MR. TERRANOVA: Yes.
 07:04PM **20** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **21** MR. KIM: Yes.
 07:04PM **22** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **23** MR. NAM: Yes.
 07:04PM **24** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **25** MS. YOON: Yes.

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07:04PM **1** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **2** MS. TARABOCCHIA: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **4** MR. LEFTERIOU: Yes.
 07:09PM **5** CHAIRMAN FERGUSON: Okay.
 07:09PM **6** MS. LAMBRINIDES: Thank you.
 07:10PM **7** CHAIRMAN FERGUSON: Next we would like
 07:10PM **8** to appoint our board attorney, counsel.
 07:10PM **9** I would like to nominate Diane Testa.
 07:10PM **10** MR. KIM: I'll second that.
 07:10PM **11** CHAIRMAN FERGUSON: Roll call vote?
 07:10PM **12** MS. LAMBRINIDES: Mr. Ferguson?
 07:10PM **13** CHAIRMAN FERGUSON: Yes.
 07:04PM **14** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **15** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **16** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **17** MR. TERRANOVA: Yes.
 07:04PM **18** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **19** MR. KIM: Yes.
 07:04PM **20** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **21** MR. NAM: Yes.
 07:04PM **22** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **23** MS. YOON: Yes.
 07:04PM **24** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **25** MR. CARNOVALE: Yes.

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07:04PM **1** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **2** MR. CARNOVALE: Yes.
 07:04PM **3** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **4** MS. TARABOCCHIA: Yes.
 07:04PM **5** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **6** MR. LEFTERIOU: Yes.
 07:10PM **7** CHAIRMAN FERGUSON: Next I would like
 07:10PM **8** to appoint the traffic engineer.
 07:11PM **9** And I would nominate Judd Rocciola.
 07:11PM **10** MR. CARNOVALE: Second.
 07:11PM **11** CHAIRMAN FERGUSON: Roll call vote?
 07:11PM **12** MS. LAMBRINIDES: Mr. Ferguson?
 07:11PM **13** CHAIRMAN FERGUSON: Yes.
 07:04PM **14** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **15** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **16** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **17** MR. TERRANOVA: Yes.
 07:04PM **18** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **19** MR. KIM: Yes.
 07:04PM **20** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **21** MR. NAM: Yes.
 07:04PM **22** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **23** MS. YOON: Yes.
 07:04PM **24** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **25** MR. CARNOVALE: Yes.

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07:04PM 1 MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM 2 MS. TARABOCCHIA: Yes.
 07:04PM 3 MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM 4 MR. LEFTERIOU: Yes.
 07:11PM 5 CHAIRMAN FERGUSON: And last, but
 07:11PM 6 certainly not least, I'd like to appoint the board
 07:11PM 7 planner.
 07:11PM 8 And I'd like to nominate Mike Kauker.
 07:11PM 9 MR. CARNOVALE: Second.
 07:11PM 10 CHAIRMAN FERGUSON: Roll call vote?
 07:11PM 11 MS. LAMBRINIDES: Mr. Ferguson?
 07:11PM 12 CHAIRMAN FERGUSON: Yes.
 07:04PM 13 MS. LAMBRINIDES: Mr. Albanese?
 07:04PM 14 VICE CHAIRMAN ALBANESE: Yes.
 07:04PM 15 MS. LAMBRINIDES: Mr. Terranova?
 07:04PM 16 MR. TERRANOVA: Yes.
 07:04PM 17 MS. LAMBRINIDES: Mr. Kim?
 07:04PM 18 MR. KIM: Yes.
 07:04PM 19 MS. LAMBRINIDES: Mr. Nam?
 07:04PM 20 MR. NAM: Yes.
 07:04PM 21 MS. LAMBRINIDES: Ms. Yoon?
 07:04PM 22 MS. YOON: Yes.
 07:04PM 23 MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM 24 MR. CARNOVALE: Yes.
 07:04PM 25 MS. LAMBRINIDES: Ms. Tarabocchia?

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1 report.
 07:12PM 2 VICE CHAIRMAN ALBANESE: I'll second
 07:12PM 3 it.
 07:12PM 4 CHAIRMAN FERGUSON: Roll call vote.
 07:12PM 5 MS. LAMBRINIDES: Mr. Ferguson?
 07:12PM 6 CHAIRMAN FERGUSON: Yes.
 07:04PM 7 MS. LAMBRINIDES: Mr. Albanese?
 07:04PM 8 VICE CHAIRMAN ALBANESE: Yes.
 07:04PM 9 MS. LAMBRINIDES: Mr. Terranova?
 07:04PM 10 MR. TERRANOVA: Yes.
 07:04PM 11 MS. LAMBRINIDES: Mr. Kim?
 07:04PM 12 MR. KIM: Yes.
 07:04PM 13 MS. LAMBRINIDES: Mr. Nam?
 07:04PM 14 MR. NAM: Yes.
 07:04PM 15 MS. LAMBRINIDES: Ms. Yoon?
 07:04PM 16 MS. YOON: Yes.
 07:04PM 17 MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM 18 MR. CARNOVALE: Yes.
 07:04PM 19 MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM 20 MS. TARABOCCHIA: Yes.
 07:04PM 21 MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM 22 MR. LEFTERIOU: Yes.
 07:12PM 23 CHAIRMAN FERGUSON: Okay.
 07:12PM 24 Next we have, set up the meeting dates
 07:12PM 25 for next year. We have a meeting on the third Monday

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07:04PM 1 MS. TARABOCCHIA: Yes.
 07:04PM 2 MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM 3 MR. LEFTERIOU: Yes.
 07:11PM 4 MR. KAUKER: Thank you.
 07:11PM 5 CHAIRMAN FERGUSON: Okay. Next I have
 07:11PM 6 -- we have to accept the report of the attorney.
 07:11PM 7 This is about the cases that we all
 07:11PM 8 heard this year.
 07:11PM 9 MS. LAMBRINIDES: The annual report?
 07:11PM 10 CHAIRMAN FERGUSON: So that's on file.
 07:12PM 11 That would be on file where.
 07:12PM 12 MS. TESTA: Bergen County Clerk --
 07:12PM 13 CHAIRMAN FERGUSON: Yes.
 07:12PM 14 MS. TESTA: The Municipal Clerk.
 07:12PM 15 CHAIRMAN FERGUSON: The Municipal --
 07:12PM 16 the Borough Clerk.
 07:12PM 17 MS. TESTA: The Borough Clerk, yes.
 07:12PM 18 CHAIRMAN FERGUSON: Okay. So we're
 07:12PM 19 going to need a motion?
 07:12PM 20 MS. TESTA: Yes.
 07:12PM 21 CHAIRMAN FERGUSON: I'll make a motion
 22 --
 23 VICE CHAIRMAN ALBANESE: I'll second
 24 it.
 25 CHAIRMAN FERGUSON: -- to accept the

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07:12PM 1 of the month at 7:00.
 07:12PM 2 Is that okay with everybody? We're
 07:12PM 3 going to do the same thing again next year?
 07:12PM 4 MR. KIM: Sure.
 07:12PM 5 CHAIRMAN FERGUSON: Except for
 07:12PM 6 Presidents Day.
 07:12PM 7 MS. BRAUER: Oh, yay.
 07:12PM 8 CHAIRMAN FERGUSON: Wait, what?
 07:12PM 9 MS. TESTA: They're cheering.
 07:12PM 10 CHAIRMAN FERGUSON: They're cheering?
 07:12PM 11 And that would be on February 26th.
 07:12PM 12 MS. TESTA: Right. That would be the
 07:13PM 13 following Monday.
 07:13PM 14 CHAIRMAN FERGUSON: That would be the
 15 following Monday.
 16 So I'll make that motion.
 17 Can I get a second?
 18 VICE CHAIRMAN ALBANESE: Second.
 19 MS. LAMBRINIDES: Paul, did you just
 20 second that?
 21 VICE CHAIRMAN ALBANESE: Yes.
 22 MS. LAMBRINIDES: Okay.
 23 Mr. Ferguson?
 24 CHAIRMAN FERGUSON: Yes.
 07:04PM 25 MS. LAMBRINIDES: Mr. Albanese?

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07:04PM **1** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **2** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **3** MR. TERRANOVA: Yes.
 07:04PM **4** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **5** MR. KIM: Yes.
 07:04PM **6** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **7** MR. NAM: Yes.
 07:04PM **8** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **9** MS. YOON: Yes.
 07:04PM **10** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **11** MR. CARNOVALE: Yes.
 07:04PM **12** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **13** MS. TARABOCCHIA: Yes.
 07:04PM **14** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **15** MR. LEFTERIOU: Yes.
 07:13PM **16** MS. LAMBRINIDES: Are you going to
 07:13PM **17** publish those?
 07:13PM **18** MS. TESTA: Yes, I'll publish them and
 07:13PM **19** I'll publish the appointments.
 07:13PM **20** CHAIRMAN FERGUSON: Okay. So we have
 07:13PM **21** to conclude the reorganization with a motion. So
 07:13PM **22** I'll make that motion to conclude the reorganization.
23 VICE CHAIRMAN ALBANESE: I'll second
24 it.
25 CHAIRMAN FERGUSON: Roll call vote?

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1 second?
 07:14PM **2** CHAIRMAN FERGUSON: Just following the
 07:14PM **3** page.
 07:14PM **4** That's all I'm doing. Yes. Ut-oh.
 07:14PM **5** MS. SCHOR: Christmas Eve --
 07:14PM **6** MS. BRAUER: Is a Monday.
 07:14PM **7** MS. SCHOR: -- is a Monday.
 07:14PM **8** MS. TESTA: We're the week before.
 07:14PM **9** MS. SCHOR: The week before?
 07:14PM **10** MS. TESTA: Yeah, the 17th.
11 MS. SCHOR: Oh, okay.
12 CHAIRMAN FERGUSON: Okay.
13 MS. LAMBRINIDES: I'm sorry, I lost
14 track of what we were doing. We're opening -- we're
15 making a motion to open --
16 MS. TESTA: No, just roll call vote.
17 CHAIRMAN FERGUSON: Roll call vote.
18 MS. LAMBRINIDES: For what?
 07:14PM **19** MS. TESTA: For the regular meeting.
 07:14PM **20** MS. LAMBRINIDES: Mr. Ferguson?
 07:14PM **21** CHAIRMAN FERGUSON: Yes.
 07:04PM **22** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **23** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **24** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **25** MR. TERRANOVA: Yes.

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1 MS. LAMBRINIDES: Mr. Ferguson?
2 CHAIRMAN FERGUSON: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **4** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **5** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **6** MR. TERRANOVA: Yes.
 07:04PM **7** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **8** MR. KIM: Yes.
 07:04PM **9** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **10** MR. NAM: Yes.
 07:04PM **11** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **12** MS. YOON: Yes.
 07:04PM **13** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **14** MR. CARNOVALE: Yes.
 07:04PM **15** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **16** MS. TARABOCCHIA: Yes.
 07:04PM **17** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **18** MR. LEFTERIOU: Yes.
 07:13PM **19** CHAIRMAN FERGUSON: Okay. Now we need
 07:13PM **20** a roll call to start the regular meeting.
21 VICE CHAIRMAN ALBANESE: I'll make a
22 motion to start the regular meeting.
23 CHAIRMAN FERGUSON: Roll call to start
24 the regular meeting.
25 MS. LAMBRINIDES: Are you going to

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07:04PM **1** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **2** MR. KIM: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **4** MR. NAM: Yes.
 07:04PM **5** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **6** MS. YOON: Yes.
 07:04PM **7** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **8** MR. CARNOVALE: Yes.
 07:04PM **9** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **10** MS. TARABOCCHIA: Yes.
 07:04PM **11** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **12** MR. LEFTERIOU: Yes.
 07:14PM **13** CHAIRMAN FERGUSON: Okay. First order
 07:14PM **14** of business we're going to pay some bills.
 07:14PM **15** We have bills from Kauker and Kauker
 07:14PM **16** for \$1,785.00; Judd Rocciola, \$1,605.00; Diane Testa,
 07:14PM **17** \$1,500.00; Steve Collazuol, \$1,050.00; The Record,
 07:15PM **18** \$19.80; and the court reporter is doing a fabulous
 07:15PM **19** job, \$2,425.00.
 07:15PM **20** Can I get a motion to pay the bills?
 07:15PM **21** VICE CHAIRMAN ALBANESE: I'll make it.
 07:15PM **22** CHAIRMAN FERGUSON: Second? Second?
 07:15PM **23** MR. KIM: I'll have a second.
 07:15PM **24** CHAIRMAN FERGUSON: Okay. Roll call
 07:15PM **25** vote?

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07:15PM **1** MS. LAMBRINIDES: Mr. Ferguson?
 07:15PM **2** CHAIRMAN FERGUSON: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **4** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **5** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **6** MR. TERRANOVA: Yes.
 07:04PM **7** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **8** MR. KIM: Yes.
 07:04PM **9** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **10** MR. NAM: Yes.
 07:04PM **11** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **12** MS. YOON: Yes.
 07:04PM **13** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **14** MR. CARNOVALE: Yes.
 07:04PM **15** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **16** MS. TARABOCCHIA: Yes.
 07:04PM **17** MS. LAMBRINIDES: Mr. Lefteriou?
 07:04PM **18** MR. LEFTERIOU: Yes.
 07:15PM **19** CHAIRMAN FERGUSON: Okay. First order
 07:15PM **20** of business --
 07:15PM **21** MS. LAMBRINIDES: Accept the minutes.
 07:15PM **22** CHAIRMAN FERGUSON: Oh, we're going to
 07:15PM **23** do memorializations.
 07:15PM **24** Case No. 13-16, Jason Han, 435-451
 07:16PM **25** Lincoln Street.

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07:16PM **1** MS. TESTA: Correct?
 07:16PM **2** CHAIRMAN FERGUSON: Next would be the
 07:16PM **3** DRC Development, 35 West Columbia Avenue, Case No.
 07:16PM **4** 17-13.
 07:16PM **5** I'll make a motion to memorialize that.
 07:16PM **6** VICE CHAIRMAN ALBANESE: Second.
 07:16PM **7** CHAIRMAN FERGUSON: Roll call vote?
 07:16PM **8** MS. LAMBRINIDES: Mr. Ferguson?
 07:16PM **9** CHAIRMAN FERGUSON: Yes.
 07:04PM **10** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **11** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **12** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **13** MR. TERRANOVA: Yes.
 07:04PM **14** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **15** MR. KIM: Yes.
 07:04PM **16** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **17** MR. NAM: Yes.
 07:04PM **18** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **19** MS. YOON: Yes.
 07:04PM **20** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **21** MR. CARNOVALE: Yes.
 07:16PM **22** CHAIRMAN FERGUSON: Okay. So now we're
 07:17PM **23** going to the first case of the day, which would be
 07:17PM **24** Case 17-14.
 07:17PM **25** MS. LAMBRINIDES: We didn't accept the

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07:16PM **1** I'll make a motion that we memorialize
 07:16PM **2** that.
 07:16PM **3** VICE CHAIRMAN ALBANESE: Second.
 07:16PM **4** CHAIRMAN FERGUSON: Roll call vote?
 07:16PM **5** MS. LAMBRINIDES: Mr. Ferguson.
 07:16PM **6** CHAIRMAN FERGUSON: Yes.
 07:04PM **7** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **8** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **9** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **10** MR. TERRANOVA: Yes.
 07:04PM **11** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **12** MR. KIM: Yes.
 07:04PM **13** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **14** MR. NAM: Yes.
 07:04PM **15** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **16** MS. YOON: Yes.
 07:04PM **17** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **18** MR. CARNOVALE: Yes.
 07:04PM **19** MS. LAMBRINIDES: Ms. Tarabocchia?
 07:04PM **20** MS. TARABOCCHIA: I abstain, I wasn't
 07:04PM **21** here.
 07:04PM **22** MS. LAMBRINIDES: Oh, okay.
 07:04PM **23** MS. TESTA: We have the seven members.
 07:04PM **24** MS. LAMBRINIDES: And not
 07:04PM **25** Mr. Lefteriou?

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07:17PM **1** minutes.
 07:17PM **2** MS. TESTA: Oh, yes, the minutes.
 07:17PM **3** CHAIRMAN FERGUSON: Oh, the minutes,
 07:17PM **4** okay, I'm sorry.
 07:17PM **5** The minutes of the previous meeting.
 07:17PM **6** You all had a chance to review them.
 07:17PM **7** Is there any changes? Any corrections
 07:17PM **8** in the minutes?
 07:17PM **9** (No response.)
 07:17PM **10** CHAIRMAN FERGUSON: Can I get a motion
 07:17PM **11** then?
 07:17PM **12** VICE CHAIRMAN ALBANESE: Motion to
 07:17PM **13** accept.
 07:17PM **14** MS. LAMBRINIDES: Mr. Albanese made a
 07:17PM **15** motion.
 07:17PM **16** We need a second.
 07:17PM **17** CHAIRMAN FERGUSON: Second?
 07:17PM **18** MR. CARNOVALE: Second.
 07:17PM **19** CHAIRMAN FERGUSON: Roll call vote?
 07:17PM **20** MS. LAMBRINIDES: Mr. Ferguson?
 07:17PM **21** CHAIRMAN FERGUSON: Yes.
 07:04PM **22** MS. LAMBRINIDES: Mr. Albanese?
 07:04PM **23** VICE CHAIRMAN ALBANESE: Yes.
 07:04PM **24** MS. LAMBRINIDES: Mr. Terranova?
 07:04PM **25** MR. TERRANOVA: Yes.

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07:04PM **1** MS. LAMBRINIDES: Mr. Kim?
 07:04PM **2** MR. KIM: Yes.
 07:04PM **3** MS. LAMBRINIDES: Mr. Nam?
 07:04PM **4** MR. NAM: Yes.
 07:04PM **5** MS. LAMBRINIDES: Ms. Yoon?
 07:04PM **6** MS. YOON: Yes.
 07:04PM **7** MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM **8** MR. CARNOVALE: Yes.
 07:17PM **9** MS. LAMBRINIDES: Leave off the others,
 07:17PM **10** Diane, for the minutes?
 07:17PM **11** MS. TESTA: What is it?
 07:17PM **12** MS. LAMBRINIDES: Leave off
 07:17PM **13** Ms. Tarabocchia and Mr. Lefteriou?
 07:17PM **14** MS. TESTA: Correct.
 07:17PM **15** CHAIRMAN FERGUSON: Okay. Now we're
 07:17PM **16** going to do 17-14, Steven Testino, 433-435 Highland
 07:17PM **17** Avenue.
 07:17PM **18** Counsel --
 07:17PM **19** MR. JENKINS: Good afternoon.
 07:17PM **20** CHAIRMAN FERGUSON: It's good to see
 07:18PM **21** you.
 07:18PM **22** MR. JENKINS: Likewise.
 07:18PM **23** Mr. Chairman, Members of the Board,
 07:18PM **24** again Reggie Jenkins, Florio, Perrucci, Steinhardt
 07:18PM **25** and Fader.

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07:18PM **1** right --
 07:18PM **2** MS. TESTA: Yes.
 07:18PM **3** CHAIRMAN FERGUSON: -- word,
 07:18PM **4** continuation?
 07:18PM **5** VICE CHAIRMAN ALBANESE: You don't have
 07:18PM **6** to notify anybody again, right?
 07:18PM **7** CHAIRMAN FERGUSON: You don't have to
 07:18PM **8** notify anybody.
 07:18PM **9** MR. JENKINS: Thank you.
 07:18PM **10** That's what I wanted to confirm.
 07:19PM **11** MS. TESTA: Right.
 07:19PM **12** VICE CHAIRMAN ALBANESE: I second it.
 07:19PM **13** CHAIRMAN FERGUSON: Okay.
 07:19PM **14** Roll call vote?
 07:19PM **15** MR. JENKINS: And --
 07:19PM **16** CHAIRMAN FERGUSON: Yes?
 07:19PM **17** MR. JENKINS: No, I was going to say in
 07:19PM **18** addition to that we will have our plans available,
 07:19PM **19** hopefully 10 days before the hearing, so that
 07:19PM **20** everybody, including the public will be able to
 07:19PM **21** review them.
 07:19PM **22** CHAIRMAN FERGUSON: Right.
 07:19PM **23** And you're going to bring the witnesses
 07:19PM **24** that testified last month because these are new
 07:19PM **25** plans, we might have some -- some questions.

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1 As I communicated with the board's
2 attorney, we would ask -- we're looking for a short
 07:18PM **3** adjournment of tonight's hearing. We are making some
 07:18PM **4** modifications to the plans in light of some of the
 07:18PM **5** conversations and concerns that were raised at the
 07:18PM **6** last hearing.
 07:18PM **7** We think you'll like them. We just
 07:18PM **8** need a bit more time because the engineer didn't get
 07:18PM **9** it in time.
 07:18PM **10** CHAIRMAN FERGUSON: Okay. But you're
 07:18PM **11** going to be ready to go next meeting?
 07:18PM **12** MR. JENKINS: We should be able to,
 07:18PM **13** yes.
 07:18PM **14** CHAIRMAN FERGUSON: Okay. Because that
 07:18PM **15** --
 07:18PM **16** MR. JENKINS: I'll put it this way,
 07:18PM **17** I'll put it this way: Yes, we will be ready for the
 07:18PM **18** next meeting.
 07:18PM **19** CHAIRMAN FERGUSON: And you're going to
 07:18PM **20** waive -- you're going to waive your --
 07:18PM **21** MR. JENKINS: Absolutely.
 07:18PM **22** CHAIRMAN FERGUSON: -- time limit?
 07:18PM **23** MR. JENKINS: Yes.
 07:18PM **24** CHAIRMAN FERGUSON: Okay. So I'll make
 07:18PM **25** a motion to grant the continuation -- is that the

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07:19PM **1** You get what I'm saying? I mean, I
 07:19PM **2** don't know what the plans going to look at, but all
 07:19PM **3** I'm saying --
 07:19PM **4** MR. JENKINS: Oh, absolutely.
 07:19PM **5** CHAIRMAN FERGUSON: -- they should be
 07:19PM **6** available to us in case we have any questions about
 07:19PM **7** the new plan.
 07:19PM **8** VICE CHAIRMAN ALBANESE: In case we
 07:19PM **9** have questions.
 07:19PM **10** MR. JENKINS: Oh, absolutely,
 07:19PM **11** absolutely.
 07:19PM **12** CHAIRMAN FERGUSON: Thank you.
 07:19PM **13** You're going to put a whole new thing
 07:19PM **14** on?
 07:19PM **15** MR. JENKINS: It won't be a whole new
 07:19PM **16** application. I think a lot of the foundational
 07:19PM **17** information will be the same.
 07:19PM **18** CHAIRMAN FERGUSON: Okay.
 07:19PM **19** MR. JENKINS: And what you're going to
 07:19PM **20** see is a slightly smaller development.
 07:19PM **21** CHAIRMAN FERGUSON: Okay.
 07:19PM **22** MR. JENKINS: So we're actually not
 07:19PM **23** exacerbating anything.
 07:19PM **24** CHAIRMAN FERGUSON: Okay.
 07:19PM **25** MR. JENKINS: We're shrinking it to,

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07:19PM 1 you know, address some of the concerns that the board
 07:19PM 2 had.
 07:19PM 3 CHAIRMAN FERGUSON: No problem.
 07:19PM 4 Okay. So I made that motion, Paul
 07:19PM 5 seconded it.
 6 MS. LAMBRINIDES: Yes.
 7 CHAIRMAN FERGUSON: We're going to do a
 8 roll call vote now for the continuation.
 9 MS. LAMBRINIDES: Mr. Ferguson?
 10 CHAIRMAN FERGUSON: Yes.
 07:04PM 11 MS. LAMBRINIDES: Mr. Albanese?
 07:04PM 12 VICE CHAIRMAN ALBANESE: Yes.
 07:04PM 13 MS. LAMBRINIDES: Mr. Terranova?
 07:04PM 14 MR. TERRANOVA: Yes.
 07:04PM 15 MS. LAMBRINIDES: Mr. Kim?
 07:04PM 16 MR. KIM: Yes.
 07:04PM 17 MS. LAMBRINIDES: Mr. Nam?
 07:04PM 18 MR. NAM: Yes.
 07:04PM 19 MS. LAMBRINIDES: Ms. Yoon?
 07:04PM 20 MS. YOON: Yes.
 07:04PM 21 MS. LAMBRINIDES: Mr. Carnovale?
 07:04PM 22 MR. CARNOVALE: Yes.
 07:20PM 23 MS. TESTA: So that is Case --
 07:20PM 24 VICE CHAIRMAN ALBANESE: Just make sure
 07:20PM 25 the engineer gets a set of the plans before.

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07:21PM 1 MS. BRAUER: Is it 531 or 527.
 07:21PM 2 MR. MACRI: 531.
 07:21PM 3 MS. BRAUER: Okay. Because you label
 07:21PM 4 it as 527.
 07:21PM 5 CHAIRMAN FERGUSON: What was that?
 07:21PM 6 MS. BRAUER: The legal ad said 527
 07:21PM 7 Roff, but this says 531.
 07:21PM 8 CHAIRMAN FERGUSON: That's a problem.
 07:21PM 9 MR. MACRI: What's this?
 07:21PM 10 MS. SCHOR: This is 527, your legal
 07:21PM 11 notice.
 07:21PM 12 MR. MACRI: 531.
 07:21PM 13 MS. SCHOR: No, here.
 07:21PM 14 MS. BRAUER: No, here known as 527 Roff
 07:21PM 15 Avenue.
 07:21PM 16 MS. SCHOR: What's the date? February
 07:22PM 17 --
 07:22PM 18 MR. MACRI: December 30th.
 07:22PM 19 MS. SCHOR: Oh, November 19th.
 07:22PM 20 MR. MACRI: This is December 30th.
 07:22PM 21 MS. TESTA: It's seven members.
 07:22PM 22 MS. LAMBRINIDES: I know, but in the
 23 back here you put affirmative and negative and
 24 abstaining, so it says how many members are present.
 25 MS. TESTA: They're not really

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07:20PM 1 MR. JENKINS: In addition to submitting
 07:20PM 2 them to the board, I intended to actually not only
 07:20PM 3 send them directly to the engineer and planner, your
 07:20PM 4 professionals --
 07:20PM 5 VICE CHAIRMAN ALBANESE: Okay.
 07:20PM 6 MR. JENKINS: -- so that everybody has
 07:20PM 7 ample time to review.
 07:20PM 8 CHAIRMAN FERGUSON: Yes.
 07:20PM 9 MS. TESTA: So Case No. 17-14, Steven
 07:20PM 10 Testino, 433-435 Highland Avenue, Block 211, Lots 19
 07:20PM 11 and 20 being continued till the February meeting,
 07:20PM 12 which would be February 26, 2018 at 7:00 p.m. There
 07:20PM 13 will be no further notice to the public or to the
 07:20PM 14 paper.
 07:20PM 15 MR. JENKINS: Thank you very much.
 07:20PM 16 Have a very good evening.
 07:20PM 17 CHAIRMAN FERGUSON: Okay.
 07:20PM 18 MS. TESTA: Yes, you too.
 07:20PM 19 MS. LAMBRINIDES: And watch out for
 07:20PM 20 those Leonia people.
 07:20PM 21 MR. JENKINS: Yeah, I'm going to take a
 07:20PM 22 wide -- a wide drive out.
 07:21PM 23 CHAIRMAN FERGUSON: Okay.
 07:21PM 24 Next is Case No. 17-15, 531 Roff
 07:21PM 25 Avenue.

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1 abstaining, because they're alternates.
 2 MS. LAMBRINIDES: I know, that's what
 07:22PM 3 I'm saying. I'm just going to sign it and you figure
 07:22PM 4 out the rest.
 07:22PM 5 MS. TESTA: Okay.
 07:22PM 6 (Whereupon, off-the-record-discussion
 07:22PM 7 is held.)
 07:22PM 8 MS. BRAUER: It had 527 and she called
 07:22PM 9 the building department to correct it and he
 07:22PM 10 corrected it.
 07:22PM 11 CHAIRMAN FERGUSON: So we're ready to
 07:22PM 12 go?
 07:22PM 13 MS. TESTA: Yes.
 07:23PM 14 MR. MACRI: Good way to start the --
 07:23PM 15 I'm covering this one. It happens, though.
 07:23PM 16 MS. TESTA: Yes, it's okay.
 07:23PM 17 CHAIRMAN FERGUSON: It's okay?
 07:23PM 18 MS. TESTA: Yes, December 30th, 2017 is
 07:23PM 19 the notice.
 07:23PM 20 CHAIRMAN FERGUSON: Do you want to put
 07:23PM 21 your appearance in?
 07:23PM 22 MR. MACRI: Thank you.
 07:23PM 23 Mr. Chairman, Members of the board, my
 07:23PM 24 name is Marc Macri. I represent 531 Roff Avenue,
 07:23PM 25 LLC, who are the owners and applicant in connection

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07:23PM 1 with the property located at 531 Roff Avenue here in
 07:23PM 2 the borough.
 07:23PM 3 We're here this evening seeking three
 07:23PM 4 variances. One is for building coverage, the
 07:23PM 5 building height and front yard.
 07:23PM 6 I have with me two experts, Mr.
 07:23PM 7 Vassilios Cocoros, our architect and our professional
 07:23PM 8 planner, Mr. David Spatz.
 07:23PM 9 If I can have Mr. Cocoros sworn in,
 07:23PM 10 he'll describe the building and explain to the board
 07:23PM 11 what we propose and why the building has to be
 07:23PM 12 constructed in the manner in which we seek.
 07:23PM 13 MS. TESTA: Do you swear that the
 07:23PM 14 testimony you will provide in this application be the
 07:23PM 15 truth, the whole truth and nothing but the truth?
 07:23PM 16 MR. COCOROS: I do.
 07:23PM 17 VASSILIOS COCOROS,
 07:23PM 18 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
 07:23PM 19 having been duly sworn, testifies as follows:
 07:23PM 20 MS. TESTA: Please state your name,
 07:23PM 21 spell it for the record.
 07:23PM 22 MR. COCOROS: Vassilios,
 07:23PM 23 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S.
 07:23PM 24 THE COURT REPORTER: Your address?
 07:23PM 25 MR. COCOROS: Oh, I'm sorry. 467
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07:24PM 1 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.
 07:24PM 2 THE COURT REPORTER: Thank you.
 07:24PM 3 CHAIRMAN FERGUSON: Take it away.
 07:24PM 4 MR. MACRI: Thank you.
 07:24PM 5 CHAIRMAN FERGUSON: We'll accept him as
 07:24PM 6 an expert.
 07:24PM 7 MR. MACRI: Thank you, Mr. Chairman.
 07:24PM 8 MR. COCOROS: Thank you.
 07:24PM 9 DIRECT EXAMINATION
 07:24PM 10 BY MR. MACRI:
 07:24PM 11 Q. Mr. Cocoros, can you please explain to
 07:24PM 12 the board what we're proposing to construct upon the
 07:24PM 13 property at 531 Roff Avenue?
 07:24PM 14 A. We're proposing to construct a
 07:24PM 15 side-by-side two-family dwelling, which is an allowed
 07:24PM 16 use in the zone.
 07:24PM 17 However, the property, which is
 07:24PM 18 compliant, the size of the property is 50-foot wide
 07:24PM 19 by 100-foot deep with an area of 5,000 square feet is
 07:24PM 20 on the west side of Roff Avenue -- I'm sorry -- is on
 07:24PM 21 the east side of Roff Avenue where the property drops
 07:24PM 22 off.
 07:24PM 23 So we have a situation where the front
 07:24PM 24 of the property and the back of the property, there's
 07:24PM 25 an approximate 14-foot difference from front to back.
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07:24PM 1 So as long as the dwelling we're
 07:25PM 2 constructing is in line with other dwellings that
 07:25PM 3 have been approved on similar lots in town, since we
 07:25PM 4 do have a lot of issues on the hillside portion of
 07:25PM 5 the site, especially the downhill side of the street.
 07:25PM 6 So the lot -- the building, itself,
 07:25PM 7 will be 38-foot wide, which complies
 07:25PM 8 54-foot-10-inches-deep which is in line with other
 07:25PM 9 properties that have been approved previously.
 07:25PM 10 It's on three levels in the front and
 07:25PM 11 four levels in the back.
 07:25PM 12 (Cellphone ringing.)
 07:25PM 13 THE WITNESS: Sorry.
 07:25PM 14 The configuration is three bedrooms on
 07:25PM 15 each side. Four levels in the back and three levels
 07:25PM 16 in the front.
 07:25PM 17 From the front, the house looks like a
 07:25PM 18 typical duplex that you see all over town.
 07:25PM 19 However, in the back we have a
 07:25PM 20 four-story layout, which is similar to other ones
 07:25PM 21 that we built on the hill.
 07:25PM 22 What we've done is we tried to keep the
 07:25PM 23 house in the ground as much as we could without
 07:25PM 24 creating a driveway that goes down.
 07:25PM 25 Our sidewalk level at the high side is
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07:26PM 1 approximately 144, and then goes down to 142.
 07:26PM 2 So we set our driveway at 144.33, so we
 07:26PM 3 have a positive pitch away from the garage to the
 07:26PM 4 sidewalk of approximately 4 inches on the right-hand
 07:26PM 5 unit and on the left-hand unit it's approximately 2
 07:26PM 6 feet higher.
 07:26PM 7 The -- we've also constructed a small
 07:26PM 8 retaining wall at the rear. We have a 3-foot-high
 07:26PM 9 maximum retaining wall. We stepped the walkways on
 07:26PM 10 the side to meet the existing grade as best as we
 07:26PM 11 can.
 07:26PM 12 Go to the elevation sheet, you can see
 07:26PM 13 -- I'm sorry the floor plan sheet, you can see the
 07:26PM 14 configuration.
 07:26PM 15 Since we do have a big drop off, the
 07:26PM 16 only difference which reflects on this one is the
 07:26PM 17 subbasement (indicating), which is basically from the
 07:26PM 18 garage back on the lower level below the ground
 07:26PM 19 floor.
 07:26PM 20 And the -- we have a plan on the board
 07:26PM 21 with the height is a function of the drop off of the
 07:26PM 22 property. That's the hardship.
 07:27PM 23 MR. MACRI: Thank you.
 07:27PM 24 CHAIRMAN FERGUSON: That concluded your
 07:27PM 25 testimony?
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07:27PM 1 THE WITNESS: Yes.

07:27PM 2 Also, we've tried to minimize the

07:27PM 3 height.

07:27PM 4 We've done an 8-foot-6 ceiling on the

07:27PM 5 first floor, instead of the typical 9-foot ceiling.

07:27PM 6 And, additionally, we went with the

07:27PM 7 3-on-12 roof pitch as opposed to a 4-on-12 roof

07:27PM 8 pitch.

07:27PM 9 CHAIRMAN FERGUSON: Okay. So you're

07:27PM 10 saying the first floor is what?

07:27PM 11 THE WITNESS: Is 8 foot 6.

07:27PM 12 CHAIRMAN FERGUSON: Your plan says that

07:27PM 13 or the plan says 9 feet?

07:27PM 14 THE WITNESS: No, it says 8 -- it's

07:27PM 15 actually 8 foot 6 in the front here (indicating).

07:27PM 16 MR. MACRI: Top left.

07:27PM 17 THE WITNESS: Oh, I'm sorry.

07:27PM 18 CHAIRMAN FERGUSON: 8.6.

07:27PM 19 THE WITNESS: Yes.

07:27PM 20 CHAIRMAN FERGUSON: Now, how many

07:27PM 21 bathrooms are in the building?

07:27PM 22 THE WITNESS: We have -- we have three

07:28PM 23 full and one half bath per side.

07:28PM 24 CHAIRMAN FERGUSON: Okay. Here's the

07:28PM 25 problem I have with this, I guess there's no easy way

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07:29PM 1 to go. Both sides the bathroom's got to go.

07:29PM 2 THE WITNESS: In the sub-cellar?

07:29PM 3 CHAIRMAN FERGUSON: In the sub-cellar,

07:30PM 4 right. Only in the sub-cellar.

07:30PM 5 THE WITNESS: So we could have -- I

07:30PM 6 guess the regular basement could be --

07:30PM 7 MR. MACRI: As is.

07:30PM 8 CHAIRMAN FERGUSON: The rest of the

07:30PM 9 bathrooms as is, but the bathroom, tub and everything

07:30PM 10 in there, it's all got to go.

07:30PM 11 MS. LAMBRINIDES: You're shocking

07:30PM 12 everybody.

07:30PM 13 CHAIRMAN FERGUSON: Yeah, why not. The

07:30PM 14 tub is what did it for me.

07:30PM 15 (Whereupon, off-the-record-discussion

07:30PM 16 is held.)

07:30PM 17 MR. MACRI: Mr. Chairman, the basement

07:30PM 18 -- excuse me. The bathroom in the subbasement will

07:30PM 19 be removed.

07:30PM 20 CHAIRMAN FERGUSON: Is gone? Okay.

07:30PM 21 Now, there's only -- I only have one

07:31PM 22 other issue, and that is the pitch from the driveway

07:31PM 23 to the curb. I would like to see that pitch at no

07:31PM 24 more than 6 inches.

07:31PM 25 THE WITNESS: We have -- the problem is

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07:28PM 1 to say this, but I'm going to say it anyway. I got

07:28PM 2 -- in the past, not this case, but in past cases

07:28PM 3 members of the public have come to the board and

07:28PM 4 complained about bathrooms in the basement.

07:28PM 5 Now, when I say basement, I'm talking

07:28PM 6 about behind the driveway -- the garage. And I

07:28PM 7 always ruled against them. I always said, okay,

07:28PM 8 we're going to allow them to put the bathroom in, but

07:28PM 9 I think I'm going to change my opinion now, because I

07:28PM 10 see that you're having bathtubs in the --

07:28PM 11 THE WITNESS: Subbasement.

07:29PM 12 CHAIRMAN FERGUSON: -- in the

07:29PM 13 subbasement.

07:29PM 14 So as far as I'm concerned, I think you

07:29PM 15 got to lose the bathroom altogether. You got to get

07:29PM 16 rid of the bathroom in the subbasement.

07:29PM 17 (Whereupon, off-the-record-discussion

07:29PM 18 is held.)

07:29PM 19 THE WITNESS: Could we do a powder room

07:29PM 20 in the subbasement?

07:29PM 21 CHAIRMAN FERGUSON: No.

07:29PM 22 The answer is no. The bathroom has got

07:29PM 23 to go.

07:29PM 24 MR. MACRI: The entire bathroom?

07:29PM 25 CHAIRMAN FERGUSON: The bathroom's got

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07:31PM 1 the street goes across.

07:31PM 2 At the one side we have approximately 4

07:31PM 3 inches -- on the right side we have 4 inches, which

07:31PM 4 is less than 6 inches, you know, which is fine.

07:31PM 5 CHAIRMAN FERGUSON: Well, if it's fine.

07:31PM 6 THE WITNESS: Yes.

07:31PM 7 CHAIRMAN FERGUSON: If it's less than 6

07:31PM 8 inches, it's fine.

07:31PM 9 THE WITNESS: Yeah, but the only thing

07:31PM 10 is on the left-hand side the street goes down about 2

07:31PM 11 feet.

07:31PM 12 CHAIRMAN FERGUSON: Well, that's the

07:31PM 13 issue. Can't we make it like 4 and --

07:31PM 14 THE WITNESS: At that sidewalk there we

07:31PM 15 have approximately --

07:31PM 16 CHAIRMAN FERGUSON: It just doesn't

07:31PM 17 seem like one side is too -- you know, so high and

07:31PM 18 the other one is so low. Could we just make it

07:31PM 19 like...

07:32PM 20 MR. CARNOVALE: Mr. Chairman?

07:32PM 21 CHAIRMAN FERGUSON: Well, he's -- then

07:32PM 22 I'll kick it right to you, Vin.

07:32PM 23 MR. CARNOVALE: Yeah, I -- I think here

07:32PM 24 it looks like it says a 9-foot ceiling on the first

07:32PM 25 floor.

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07:32PM 1 CHAIRMAN FERGUSON: Yeah, well, let's
 07:32PM 2 get, you know -- it looks like that to me, but on the
 07:32PM 3 other -- the other -- the side it says 8.6. That's
 07:32PM 4 what I don't --
 07:32PM 5 THE WITNESS: If we do, like, let's say
 07:32PM 6 144, which is 4 inches lower, it would be, let's say
 07:32PM 7 slightly lower at 2 inches then maybe on the other
 07:32PM 8 side it would be like -- it's 14 inches, so if you
 07:32PM 9 average them out it would be more than 6, but it will
 07:32PM 10 be enough to have the water boomerang out if it goes
 07:32PM 11 down, because the one -- on the right-hand side is
 07:32PM 12 going to go down a little bit towards the garage
 07:33PM 13 door, then it will kind of curve itself out towards
 07:33PM 14 the left side, if we go down 4 more inches, which
 07:33PM 15 would be -- which would be 144 at the garage door.
 07:33PM 16 CHAIRMAN FERGUSON: Okay. Steve, do
 07:33PM 17 you want to get involved in this?
 07:33PM 18 MR. COLLAZUOL: Certainly. Hi, Bill.
 07:33PM 19 Water is not going to just run in a
 07:33PM 20 straight line here from the right -- the right
 07:33PM 21 walkway to the garage. You're going to have this
 07:33PM 22 flow going diagonal from the front right corner of
 07:33PM 23 the building to the left corner of the driveway
 07:33PM 24 meeting the curb.
 07:33PM 25 So why don't you take the minimum

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07:33PM 1 elevation for the garage on the right-hand side and
 07:33PM 2 positive pitch to the lower drop curb on the lower
 07:33PM 3 left-hand side.
 07:33PM 4 THE WITNESS: Well, the -- let's say at
 07:33PM 5 the sidewalk. The sidewalk we're looking at about --
 07:33PM 6 on the left-hand side about 142. -- right now --
 07:33PM 7 right now there's -- there's no real curb there, so
 07:33PM 8 basically the 8 foot is at the street level, at the
 07:33PM 9 gutter level.
 07:33PM 10 MR. COLLAZUOL: Right.
 07:33PM 11 THE WITNESS: So if we put a curb in
 07:33PM 12 there, we're going to be about 140 -- 142.5 at that
 07:34PM 13 sidewalk at the front left of the driveway.
 07:34PM 14 MR. COLLAZUOL: Right.
 07:34PM 15 THE WITNESS: And we're going to be
 07:34PM 16 about -- 1 -- yeah, 140 at the -- at the right side
 07:34PM 17 -- at the right side driveway at the sidewalk.
 07:34PM 18 MR. COLLAZUOL: What I'm saying is if
 07:34PM 19 you made the garage half a foot higher than that
 07:34PM 20 elevation you just mentioned, the 142.7 or 142.5, add
 07:34PM 21 0.5 to that to the garage, you'd have about .5-foot
 07:34PM 22 pitch in a diagonal fashion.
 07:34PM 23 THE WITNESS: Right.
 07:34PM 24 I'd be more comfortable if we're kind
 07:34PM 25 of in between those two.

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07:34PM 1 MR. COLLAZUOL: Right.
 07:34PM 2 THE WITNESS: If I can bring it down,
 07:34PM 3 let's say, to 143.67.
 07:34PM 4 MR. COLLAZUOL: That's fine.
 07:34PM 5 THE WITNESS: Just give a little bit of
 07:34PM 6 a safety factor.
 07:34PM 7 MR. COLLAZUOL: So you'd be bringing it
 07:34PM 8 -- that right-hand garage down about 8/ or 9/10th?
 07:34PM 9 THE WITNESS: Eight inches.
 07:34PM 10 MR. COLLAZUOL: Right.
 07:34PM 11 THE WITNESS: Yeah, so it would be
 07:34PM 12 0.67.
 07:34PM 13 MR. COLLAZUOL: That seems reasonable.
 07:34PM 14 CHAIRMAN FERGUSON: That's reasonable?
 15 That's doable?
 16 MR. COLLAZUOL: What's the magic number
 17 you mentioned there?
 18 THE WITNESS: It's going to go down to
 19 the 8 inches, so 0.67 feet down. And then we'll have
 20 130 -- 143.67 at the garage door.
 07:35PM 21 MR. COLLAZUOL: It seems acceptable and
 07:35PM 22 reasonable.
 07:35PM 23 CHAIRMAN FERGUSON: Yeah. Well, as
 07:35PM 24 long as you're on board with it.
 07:35PM 25 We're good?

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07:35PM 1 MR. COLLAZUOL: Yes.
 07:35PM 2 MR. CARNOVALE: Mr. Chairman?
 07:35PM 3 CHAIRMAN FERGUSON: Vinny, go ahead.
 07:35PM 4 You want to --
 07:35PM 5 MR. CARNOVALE: Yeah. I guess what
 07:35PM 6 we're trying to do is cut the height a little bit.
 07:35PM 7 How about if we took the 6 inches off
 07:35PM 8 that 8 foot 6 inches.
 07:35PM 9 THE WITNESS: I mean, it's going down
 07:36PM 10 -- we're going to bring the 8 inches off the
 07:36PM 11 building, like I said.
 07:36PM 12 MR. CARNOVALE: Well, I'm talking about
 07:36PM 13 the first floor ceiling elevation.
 07:36PM 14 THE WITNESS: I'm looking at it right
 07:36PM 15 now. We have -- we have the first floor is at 153.67
 07:36PM 16 and -- actually, I'm sorry, it's a 9-foot ceiling.
 07:36PM 17 So we have -- the second floor I have it set at
 07:36PM 18 163.83. And we're going to move down 8 inches.
 07:36PM 19 So as of right now we have a 14-inch
 07:36PM 20 structure and 9 feet of ceiling height. So we're
 07:36PM 21 also lowering -- we're bringing it down by -- by 8
 07:36PM 22 inches.
 07:36PM 23 Our height right now is going to be
 07:36PM 24 down to 30 -- 36.67. We do have a retaining wall in
 07:36PM 25 the back that's 3 feet, and we would bring up that

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07:36PM 1 retaining wall to bring up the height of it also,
 07:36PM 2 which would bring it down another 6 inches.
 07:36PM 3 MR. CARNOVALE: I guess if Mr.
 07:36PM 4 Collazuol has no problems.
 07:36PM 5 Where is your seepage pits on this? I
 07:36PM 6 don't see them.
 07:36PM 7 THE WITNESS: We had -- we had a site
 07:36PM 8 plan done by the engineer Collazuol --
 07:36PM 9 MR. COLLAZUOL: That's correct.
 07:36PM 10 THE WITNESS: I mean, Koestner firm,
 07:36PM 11 I'm sorry.
 07:36PM 12 MR. CARNOVALE: And that's acceptable,
 07:37PM 13 Mr. Collazuol?
 07:37PM 14 MR. COLLAZUOL: Well, I had some
 07:37PM 15 comments on that.
 07:37PM 16 MR. CARNOVALE: Okay. One more thing,
 07:37PM 17 why do you guys want a 20.17 setback when the average
 07:37PM 18 is 22?
 07:37PM 19 THE WITNESS: That's -- that's a
 07:37PM 20 typical house that has been developed. That's a nice
 07:37PM 21 layout that we do.
 07:37PM 22 MR. CARNOVALE: Well, I -- the average
 07:37PM 23 is 22. I would think it would be better if you lined
 07:37PM 24 it up. That's the average, right? You can cut the
 07:37PM 25 back off. You have 54.10 inches, I think.

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07:38PM 1 And maybe that will help you on your lot coverage.
 07:38PM 2 THE WITNESS: Well, the 50 -- we'll
 07:38PM 3 bring this a lot closer, if we had to do the 53 feet
 07:38PM 4 deep instead of 55, so that would be --
 07:38PM 5 MR. CARNOVALE: That will cut you off
 07:38PM 6 your lot -- your percentage of coverage, I believe.
 07:38PM 7 No?
 07:38PM 8 How much are you taking off the back?
 07:38PM 9 I didn't do it myself.
 07:38PM 10 THE WITNESS: Well, to make it 22, it
 07:38PM 11 would be -- it would be 53 feet. So I'll say 53.
 07:39PM 12 It's 40.28 percent.
 07:39PM 13 MS. LAMBRINIDES: Is this an oversized
 07:39PM 14 lot?
 07:39PM 15 MR. CARNOVALE: No, it's a standard
 07:39PM 16 lot.
 07:39PM 17 I'd be fine with that. I'm only one
 07:39PM 18 member here.
 07:39PM 19 Now can you address the seepage pits
 07:39PM 20 with Mr. Collazuol?
 07:39PM 21 CHAIRMAN FERGUSON: Okay. You're
 07:39PM 22 finished with that.
 07:39PM 23 Any other board members have any
 07:39PM 24 comments?
 07:39PM 25 (No response.)

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07:37PM 1 THE WITNESS: Yeah. So it would be 22
 07:37PM 2 inches that we have to take off.
 07:37PM 3 MR. CARNOVALE: You can cut that off
 07:37PM 4 the back.
 07:37PM 5 And did you show the engineer the
 07:37PM 6 average setback?
 07:37PM 7 THE WITNESS: No, but I can provide
 07:37PM 8 that as part of the --
 07:37PM 9 MR. CARNOVALE: You did that yourself?
 07:37PM 10 I'm not sure.
 07:37PM 11 THE WITNESS: Yeah, we do, like, a
 07:37PM 12 GoogleEarth and we take the adjacent setbacks from
 07:37PM 13 the engineer. And we just do an average --
 07:37PM 14 MR. CARNOVALE: I thought -- I thought
 07:38PM 15 somebody physically measures it, but I guess, you
 07:38PM 16 know, I'm old.
 07:38PM 17 So do you think you can stick with an
 07:38PM 18 -- if you show the setback to the town engineer, you
 07:38PM 19 could stick to the average?
 07:38PM 20 THE WITNESS: Yeah, to the 22?
 07:38PM 21 MR. CARNOVALE: Front setback, take it
 07:38PM 22 off the back of the house.
 07:38PM 23 THE WITNESS: Yeah.
 07:38PM 24 MR. CARNOVALE: I'd like to see 25 in
 07:38PM 25 the front and 25 in the back. Front yard 25 feet.

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07:39PM 1 CHAIRMAN FERGUSON: Okay.
 07:39PM 2 Mr. Collazuol, do you what to take it?
 07:39PM 3 MR. COLLAZUOL: Yes. Thank you.
 07:39PM 4 We wrote a completeness report, dated
 07:39PM 5 December 7th that says that the application was
 07:39PM 6 complete.
 07:39PM 7 In that report we did note that a soil
 07:39PM 8 erosion plan would be required for this application.
 07:39PM 9 So --
 07:39PM 10 THE WITNESS: Yeah, I guess -- I guess
 07:39PM 11 we can do that.
 07:39PM 12 MR. COLLAZUOL: Right.
 07:39PM 13 So I'm assuming that would be done as a
 07:39PM 14 condition should the board vote favorably on this.
 07:39PM 15 CHAIRMAN FERGUSON: Right.
 07:40PM 16 MR. COLLAZUOL: The engineer plan was
 07:40PM 17 prepared by Steven Koestner.
 07:40PM 18 Bill, he shows a trench drain in front
 07:40PM 19 of the garage. I assume that's an oversight. You do
 07:40PM 20 not show it as it's a positive pitch out to the
 07:40PM 21 street.
 07:40PM 22 So I would assume that would be removed
 07:40PM 23 from his plan. Would you direct him to do so?
 07:40PM 24 THE WITNESS: Yes.
 07:40PM 25 MR. COLLAZUOL: It would be prudent for

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07:40PM 1 him to show the invert elevations for the sewer,
 07:40PM 2 which he hasn't on the plan. And his drainage report
 07:40PM 3 reflects the net difference, the difference from
 07:40PM 4 existing to proposed.
 07:40PM 5 On a previous application I indicated
 07:40PM 6 to him that he has to provide the drainage
 07:40PM 7 calculation for the entire site. He shows two
 07:40PM 8 500-gallon seepage pits in the rear yard connected.
 07:40PM 9 Usually for these duplexes they're separated. But I
 07:40PM 10 think that he's going to need two 1,000 gallons,
 07:41PM 11 which is typical and typically done for these
 07:41PM 12 projects.
 07:41PM 13 And he may have -- based on the soil
 07:41PM 14 perimeters and the notes need to split the system so
 07:41PM 15 that he can get one of the systems in the front
 07:41PM 16 beneath the driveway.
 07:41PM 17 I think we discussed the slope of the
 07:41PM 18 driveway. So the -- the rear wall appears that it's
 07:41PM 19 less than 3 feet, so that would not need any further
 07:41PM 20 engineering.
 07:41PM 21 CHAIRMAN FERGUSON: It's 4 feet, right?
 07:41PM 22 THE WITNESS: No, it's 3 feet.
 07:41PM 23 MR. COLLAZUOL: It's shown as 3 feet.
 07:41PM 24 I think that's the intent of the plan which will try
 07:41PM 25 to preserve the natural grade --

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07:41PM 1 feet.
 07:41PM 2 MS. SCHOR: And what's -- is there a
 07:41PM 3 legal ruling on how high a ceiling must be?
 07:42PM 4 THE WITNESS: No, it can't be less than
 07:42PM 5 7 feet.
 07:42PM 6 MS. SCHOR: Yeah, but you could bring
 07:42PM 7 it down then on both floors.
 07:42PM 8 And don't tell me it's the staircase,
 07:42PM 9 Paul, because they haven't built anything yet.
 07:42PM 10 But you can bring it down on both --
 11 that's what you said last time.
 12 VICE CHAIRMAN ALBANESE: I didn't say a
 13 word.
 14 MS. SCHOR: I'm sorry. That's what you
 15 said last time.
 16 MR. CARNOVALE: The staircase was a
 17 different layout.
 18 VICE CHAIRMAN ALBANESE: That was a
 19 different layout.
 20 MS. SCHOR: No.
 21 MR. CARNOVALE: You have no idea what
 22 you're talking about. I'm sorry.
 07:42PM 23 MS. SCHOR: The point is the ceilings
 07:42PM 24 can be brought down and you can bring down the height
 07:42PM 25 of the building. Why can't it be?

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07:41PM 1 CHAIRMAN FERGUSON: All right.
 07:41PM 2 MR. COLLAZUOL: -- because it is very
 07:41PM 3 steep, about a 14-and-a-half foot drop from front to
 07:41PM 4 back.
 07:41PM 5 CHAIRMAN FERGUSON: Okay.
 07:41PM 6 Anybody in the audience have any
 07:41PM 7 questions? Take it away.
 07:41PM 8 MS. SCHOR: First of all, thank you for
 07:41PM 9 doing away with that subbasement bathroom.
 07:41PM 10 CHAIRMAN FERGUSON: Right.
 11 THE COURT REPORTER: I'm sorry, can you
 12 state your name, please.
 13 MS. SCHOR: Oh, Marsha Schor,
 14 S-C-H-O-R.
 15 THE COURT REPORTER: Thank you.
 07:41PM 16 MS. SCHOR: You said the first floor
 07:41PM 17 was going to be 8.6 --
 07:41PM 18 THE WITNESS: No, it's actually 9 feet.
 07:41PM 19 MS. SCHOR: Nine feet?
 07:41PM 20 THE WITNESS: Yes.
 07:41PM 21 MS. SCHOR: The ceiling?
 07:41PM 22 THE WITNESS: Yes.
 07:41PM 23 MS. SCHOR: And what about on the
 07:41PM 24 second floor?
 07:41PM 25 THE WITNESS: The second floor is 8

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07:42PM 1 MR. CARNOVALE: A typical ceiling is 8
 07:42PM 2 feet.
 07:42PM 3 CHAIRMAN FERGUSON: I think usually
 07:42PM 4 they leave -- it's up to you guys, but I think
 07:42PM 5 usually the first floor we leave at 9 and then --
 07:42PM 6 MR. KIM: Nine.
 07:42PM 7 CHAIRMAN FERGUSON: -- the rest of it
 07:42PM 8 --
 07:42PM 9 THE WITNESS: We're also -- we're
 07:42PM 10 minimizing the impact by bringing -- making the
 07:42PM 11 building smaller. It's going to be farther away from
 07:42PM 12 the street now. It's going to be almost 2 feet
 07:42PM 13 further back.
 07:42PM 14 MS. SCHOR: I also have a problem -- I
 07:42PM 15 don't know if this makes a difference, but I'm
 07:42PM 16 assuming that this application was filed under the
 07:42PM 17 Roff Avenue LLC.
 07:43PM 18 The legal notice says Hillside. The
 19 attorney said, well, it's the same builder. I don't
 20 care if it's the same builder. When they put in an
 21 application to the building department, it's under
 22 the name that they're submitting it as.
 23 MR. MACRI: Mr. Chairman --
 07:43PM 24 MS. SCHOR: And in this case it's
 07:43PM 25 Hillside.

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07:43PM 1 MR. MACRI: -- if you read the public
 07:43PM 2 notice, it says 531 Roff on the very bottom, on the
 07:43PM 3 signature part, Mr. Sokolich put down Hillside.
 4 MS. SCHOR: But --
 5 MR. MACRI: It's not -- it's not
 6 detrimental to the public notice whatsoever.
 7 MS. SCHOR: But it's not legal for the
 8 public either, because you think it's two separate
 9 companies building it instead of the same builder who
 07:43PM 10 has to go to --
 07:43PM 11 MR. MACRI: It says who the applicant
 07:43PM 12 is.
 07:43PM 13 CHAIRMAN FERGUSON: Why don't we let
 07:43PM 14 our attorney take a look at it because that's who
 15 we're going to...
 16 MS. TESTA: Okay. So the owner's name
 17 is -- the owner is Hillside, LLC.
 18 MR. MACRI: No, 531 Roff, if you keep
 19 going, if you look at the notice on the top line,
 07:44PM 20 that's who the applicant is. The signature line is
 07:44PM 21 just Mr. Sokolich's name.
 07:44PM 22 MS. TESTA: Okay.
 07:44PM 23 So what the applicant -- yes, the
 07:44PM 24 public notice does say, please take notice that 531
 07:44PM 25 Roff Avenue, LLC, New Jersey Limited Liability
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07:45PM 1 And, again, the public notice just
 07:45PM 2 references 531 Roff Avenue. It doesn't say anything
 07:45PM 3 about Hillside. So it's just down by the attorney's
 07:45PM 4 name.
 07:45PM 5 MS. SCHOR: Because the one on Hillside
 07:45PM 6 has the same exact on it.
 07:45PM 7 MS. TESTA: So I'd say it's fine.
 07:45PM 8 CHAIRMAN FERGUSON: You say it's fine?
 07:45PM 9 MS. TESTA: Yes. It's not material.
 07:45PM 10 CHAIRMAN FERGUSON: Name and address,
 07:45PM 11 please.
 07:45PM 12 MS. BRAUER: Susan Brauer.
 07:45PM 13 Just to clarify on the seepage pits, so
 07:45PM 14 now we're going with two 1,000-gallon seepage pits?
 07:45PM 15 THE WITNESS: That would be -- that
 07:45PM 16 would be prepared by the engineer based on the
 07:45PM 17 comments that we have and we would follow the board
 07:45PM 18 engineer's comments, that would be Koestner.
 07:45PM 19 MS. BRAUER: Okay. So I believe that's
 07:45PM 20 what Mr. Collazuol just said it's two 1,000.
 07:45PM 21 And what are the locations? I think
 07:46PM 22 they're going in front --
 07:46PM 23 THE WITNESS: Right, that's going to be
 07:46PM 24 determined by Mr. Koestner.
 07:46PM 25 MS. BRAUER: All right. One thing I'd
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07:44PM 1 Company will be making an application before the
 07:44PM 2 board. And then it goes on to state what they're
 07:44PM 3 requesting and what the property address is, which is
 07:44PM 4 531 Roff Avenue, the block and lot.
 07:44PM 5 At the end where we have the attorney's
 07:44PM 6 signature, it's Mark Sokolich, attorney for the
 07:44PM 7 applicant. And then has Hillside, LLC.
 07:44PM 8 I don't think it really goes to
 07:44PM 9 material defect. The public notice, itself, is
 07:44PM 10 what's contained in the wording of the public notice.
 07:44PM 11 That's just at the signature where he made, you know,
 12 an error --
 13 MS. SCHOR: Well, what happens when
 14 they submit it to the building --
 15 MS. TESTA: -- putting Hillside LLC --
 16 THE COURT REPORTER: One moment, one at
 17 a time.
 18 MS. SCHOR: I'm sorry.
 19 When it goes to the building
 07:44PM 20 department, doesn't it go under two separate things?
 07:44PM 21 MS. TESTA: No, because this is just
 07:45PM 22 the public notice. What they file with the
 07:45PM 23 application has it down as --
 07:45PM 24 MS. LAMBRINIDES: 531 Roff.
 07:45PM 25 MS. TESTA: -- 531 Roff Avenue, LLC.
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07:46PM 1 like to say is, houses next to us, the seepage pits
 07:46PM 2 were put in the back. One seepage pit broke during
 07:46PM 3 construction.
 07:46PM 4 CHAIRMAN FERGUSON: Okay.
 07:46PM 5 MS. BRAUER: The only way that they
 07:46PM 6 could replace it was to come on our property. And I
 07:46PM 7 said no.
 07:46PM 8 So there is now a broken seepage pit
 07:46PM 9 and we get a damp basement.
 07:46PM 10 MS. SCHOR: And runoff.
 07:46PM 11 MS. BRAUER: And runoff, especially on
 07:46PM 12 something that is on that sort of a --
 07:46PM 13 CHAIRMAN FERGUSON: Plane.
 07:46PM 14 MS. BRAUER: -- a setting -- plane,
 07:46PM 15 thank you.
 07:46PM 16 Couldn't they put the seepage pits in
 07:46PM 17 front, if it's possible, so in case anything happens
 07:46PM 18 it's much easier for the builder, for whoever buys
 07:46PM 19 the house and for the neighbors, if anything has to
 07:46PM 20 be fixed.
 07:46PM 21 CHAIRMAN FERGUSON: Steve?
 07:47PM 22 MR. COLLAZUOL: Well, I would say that
 23 we previously discussed splitting the system and
 24 putting, perhaps, one of the systems in the front and
 25 that could be -- that helps to spread the load of the
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1 runoff into the ground more equally.
 2 So that's a possibility. The engineer
 3 has to review and revisit the plans and all -- as
 4 well based on test holes that are taken at the time.
 5 He may not be able to get any in the back and he may
 07:47PM 6 be forced to put both in the front.
 07:47PM 7 CHAIRMAN FERGUSON: Okay.
 07:47PM 8 MS. BRAUER: My other question is, the
 07:47PM 9 way -- I -- I don't understand when you do the
 07:47PM 10 calculations for your garage and where that comes,
 07:47PM 11 can you kind of explain in layman's terms how the
 07:47PM 12 garage -- are you on a slant? Are you on a --
 13 THE WITNESS: There's about a 2-foot
 14 pitch like this (indicating) so the way we try to do
 15 it is we try to have -- at the highest point of the
 16 sidewalk we try to set the garage a little bit higher
 17 than that.
 18 MS. BRAUER: You mean the right and
 19 left sides?
 20 THE WITNESS: Yes.
 21 MS. BRAUER: Okay.
 07:48PM 22 THE WITNESS: The right is the highest.
 07:48PM 23 The left is the lowest, about 2 feet right now.
 07:48PM 24 So what -- we tired to do, previously
 07:48PM 25 we tried to go maybe a few inches higher than the
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07:48PM 1 garage, yeah, the garage always has like a 4-inch
 07:48PM 2 step, whatever it is, to go up in the garage
 07:48PM 3 customarily, on this -- on this proposed -- from the
 07:49PM 4 outside we have the door that's located at grade
 07:49PM 5 level. So we're not building up the grade
 07:49PM 6 artificially on the sides. We're basically following
 07:49PM 7 the natural grade so there's not retaining walls on
 07:49PM 8 the side. The only place we have some small steps or
 07:49PM 9 walls are where the stairs are that meet the existing
 07:49PM 10 grade to get to the backyard.
 07:49PM 11 MS. BRAUER: Yes, but you can also get
 07:49PM 12 into the back room, I mean directly through the
 07:49PM 13 garage?
 07:49PM 14 THE WITNESS: Yes.
 07:49PM 15 MS. BRAUER: Okay. But to get into
 07:49PM 16 that back room you have to go up a few steps?
 07:49PM 17 THE WITNESS: Yeah. Well, like a --
 07:49PM 18 it's a small step like 4 inch or whatever it is.
 07:49PM 19 MS. BRAUER: Okay. And if you were
 20 going to look at that back room --
 21 THE WITNESS: I'm sorry, hold on, hold
 22 on.
 23 On this one here we have the -- the
 24 garage, to minimize the height we have basically a
 25 3-inch pitch in the garage. And where the garage
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07:48PM 1 high point of both garages. So what we've done is
 07:48PM 2 with the guidance of Steve, we've actually lowered
 07:48PM 3 the building 8 inches so on the right-hand side the
 07:48PM 4 garage goes down a little bit. Steve mentioned since
 07:48PM 5 the property is on an angle, the sidewalk drops off
 07:48PM 6 on the left-hand side, the water that goes down will
 07:48PM 7 actually -- as it goes towards the door will kind of
 07:48PM 8 hit, was it Steve, the diagonal of the pitch of the
 9 driveway and --
 10 MR. COLLAZUOL: Correct.
 11 THE WITNESS: -- not go towards the
 12 garage door.
 13 Before we had it basically where it was
 14 a little bit higher than the sidewalk. Now it's
 15 going to be a little bit lower, but the way, I guess,
 07:48PM 16 the physics of it work, that water will not hit the
 07:48PM 17 -- hit the door, it will basically -- somewhere in
 07:48PM 18 the middle of the driveway will start going back
 07:48PM 19 towards the street.
 07:48PM 20 MS. BRAUER: Okay. So then -- all
 07:48PM 21 right.
 07:48PM 22 With that established and they go into
 07:48PM 23 the driveway, to get into the rooms behind the
 07:48PM 24 garage, I assume you go up a step.
 07:48PM 25 THE WITNESS: The rooms behind the
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07:50PM 1 door is, we'll call it the middle basement at the
 07:50PM 2 bottom of the staircase, that picture of the first
 07:50PM 3 floor, that's level. And that -- we save 4 inches of
 07:50PM 4 height that way.
 07:50PM 5 So you come to the garage, it's not a
 07:50PM 6 code issue anymore, so you have basically a 3-inch
 07:50PM 7 pitch so if anything spills in the garage, it goes
 07:50PM 8 away -- away from the door --
 07:50PM 9 MS. BRAUER: Uh-huh.
 07:50PM 10 THE WITNESS: -- you know, away towards
 07:50PM 11 the door.
 07:50PM 12 MS. BRAUER: Right.
 07:50PM 13 THE WITNESS: And then at the garage
 07:50PM 14 door we have a fire-rated door. That's a steel
 07:50PM 15 frame. That goes into the basement level.
 07:50PM 16 So to minimize the height we actually
 07:50PM 17 got rid of that step at the -- at the garage door.
 07:50PM 18 MS. BRAUER: No, I'm sorry, maybe I'm
 07:50PM 19 not explaining it right.
 07:50PM 20 All right. I understand you get into
 07:50PM 21 your garage and you've got space behind the garage
 07:50PM 22 for --
 07:50PM 23 THE WITNESS: Yes.
 07:50PM 24 MS. BRAUER: Okay. When you walk from
 07:50PM 25 your garage, you could go into your back room,
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07:50PM 1 correct?

07:50PM 2 THE WITNESS: Yes.

07:50PM 3 MS. BRAUER: From the garage?

07:50PM 4 THE WITNESS: Uh-huh.

07:50PM 5 MS. BRAUER: When you go into that back

07:50PM 6 room, are you going up a step?

07:50PM 7 THE WITNESS: No.

07:50PM 8 MS. BRAUER: So everything is one

07:50PM 9 level?

07:50PM 10 THE WITNESS: Correct.

07:50PM 11 MS. BRAUER: Okay.

07:50PM 12 THE WITNESS: But at the -- there's a

07:50PM 13 pitch inside the garage, so the -- the back wall of

07:50PM 14 the garage, let's say, is level with that basement

07:50PM 15 portion. And then where the door is and the wall is,

07:50PM 16 it goes down 3 inches and then there's a 1-inch lip

07:50PM 17 at the garage door on the outside.

07:50PM 18 MS. BRAUER: Okay. It's not the garage

07:50PM 19 door, I was concerned about the back room.

07:51PM 20 Okay. So that's all on -- so the

07:51PM 21 garage and the back room are one level, it won't be

07:51PM 22 going up 4 or 5 inches into the back room?

07:51PM 23 THE WITNESS: Correct, it's one level.

07:51PM 24 MS. BRAUER: All right. So -- and

07:51PM 25 where you have that side door that you were just

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07:52PM 1 THE WITNESS: Sub.

07:52PM 2 MS. BRAUER: Or that's your sub?

07:52PM 3 That's your subbasement?

07:52PM 4 THE WITNESS: Subbasement, basement

07:52PM 5 (indicating).

07:52PM 6 MS. BRAUER: Okay.

07:52PM 7 THE WITNESS: They're connected by the

07:52PM 8 staircase as you enter the main basement, but it goes

07:52PM 9 up a few steps --

07:52PM 10 MS. BRAUER: Okay.

07:52PM 11 THE WITNESS: -- and then the stairs go

07:52PM 12 down into the subbasement. It's a split level.

07:52PM 13 MS. BRAUER: Okay.

07:52PM 14 THE WITNESS: And then the stairs go

07:52PM 15 down to the subbasement.

07:52PM 16 MS. BRAUER: All right. Well, then the

07:52PM 17 subbasement you can't have any sleeping quarters?

07:52PM 18 THE WITNESS: Well, it's set up as a

07:52PM 19 recreation room. There's no -- there's no separate

07:52PM 20 room in the subbasement --

07:52PM 21 MS. BRAUER: Okay. I'm just -- I just

07:52PM 22 wanted that on the record. So since you're

07:52PM 23 eliminating a bathroom, et cetera, et cetera, that

07:52PM 24 can only be for recreation, then everybody's going to

07:52PM 25 go upstairs? Okay. Thank you.

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07:51PM 1 pointing to, you said that's below grade so that --

07:51PM 2 THE WITNESS: Well, it's like a split

07:51PM 3 level between the two floors.

07:51PM 4 So you basically enter the existing

07:51PM 5 grade on the side of the house and go up a few steps

07:51PM 6 to that main floor.

07:51PM 7 MS. BRAUER: Okay. So that's not any

07:51PM 8 place you can have sleeping quarters, because you're

07:51PM 9 partially below level, which would qualify it by

07:51PM 10 Webster as part of a basement. If that's a basement

07:51PM 11 and that's slightly below level, you can't have

07:51PM 12 sleeping quarters there, correct?

07:51PM 13 THE WITNESS: I mean, in the -- I mean

07:51PM 14 it's set up where you have a typical recreational

07:51PM 15 basement and a subbasement.

07:51PM 16 MS. BRAUER: Okay. I'll say it again,

07:52PM 17 where you have that garage -- that door on the side

07:52PM 18 -- do you want me to --

07:52PM 19 THE WITNESS: No.

07:52PM 20 MR. MACRI: Mr. Cocoros, do you propose

07:52PM 21 a bedroom or a recreation in that area?

07:52PM 22 THE WITNESS: In the recreation room?

07:52PM 23 We have a recreation room.

07:52PM 24 MS. BRAUER: No, this, right here.

07:52PM 25 Okay. That's your door into your first basement?

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07:52PM 1 Will that be in the memorialization?

07:52PM 2 CHAIRMAN FERGUSON: Say that again?

07:52PM 3 MS. BRAUER: Will that be in the

07:52PM 4 memorialization that that room, you can't have

07:52PM 5 sleeping quarters there because it is partially below

07:52PM 6 grade, the subbasement?

07:52PM 7 It has a window, but you can't -- as

07:52PM 8 far as getting there for fire and everything else,

07:53PM 9 you --

07:53PM 10 MR. MACRI: Ms. Testa, it's proposed as

07:53PM 11 a recreation room. We're not proposing it as a

07:53PM 12 bedroom.

07:53PM 13 CHAIRMAN FERGUSON: Right.

07:53PM 14 MS. BRAUER: Well, we know in town, and

07:53PM 15 I'm not saying certainly that this is going to

07:53PM 16 happen, it's well known in town where there's space,

07:53PM 17 people sleep.

07:53PM 18 CHAIRMAN FERGUSON: Okay.

07:53PM 19 MR. MACRI: I understand your comment,

07:53PM 20 but that's not part of our application. Our

07:53PM 21 application is a recreation room.

07:53PM 22 CHAIRMAN FERGUSON: Right.

07:53PM 23 MR. MACRI: That's what we're here for,

07:53PM 24 all we're seeking approval for.

07:53PM 25 MS. BRAUER: I understand, but that's

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07:53PM 1 why you are here.
 07:53PM 2 CHAIRMAN FERGUSON: Okay. Counsel, do
 3 you want to -- anybody else?
 4 (No response.)
 5 CHAIRMAN FERGUSON: No? Okay. Do you
 6 got somebody else?
 7 MR. MACRI: I do, I have David Spatz,
 07:53PM 8 our professional planner.
 07:53PM 9 CHAIRMAN FERGUSON: Send him up.
 10 MS. TESTA: Please raise your right
 11 hand.
 12 Do you swear that the testimony you
 13 will give in this application will be the truth, the
 14 whole truth and nothing but the truth?
 15 MR. SPATZ: Yes, I do.
 16 D A V I D S P A T Z,
 17 6 Friend Terrace, Harrington Park, New Jersey,
 18 having been duly sworn, testifies as follows:
 19 MS. TESTA: Please state your name,
 20 spell it for the record.
 21 MR. SPATZ: David Spatz, S-P-A-T-Z. My
 22 business address is 60 Friend Terrace in Harrington
 23 Park.
 24 CHAIRMAN FERGUSON: All right?
 25 MS. TESTA: Yes.

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07:54PM 1 construction.
 07:54PM 2 And then the bottom right-hand
 07:54PM 3 photograph is of the two-family home directly across
 07:54PM 4 the street (indicating).
 07:55PM 5 Just to give an indication of what --
 07:55PM 6 how the development on Roff Avenue is taking place.
 07:55PM 7 Where in the AA zone, which permits
 07:55PM 8 two-family dwellings and our lot conforms to the lot
 07:55PM 9 area and lot width requirements of the zone.
 07:55PM 10 We have one (d) variance, which is the
 07:55PM 11 building height and that has been reduced as per the
 07:55PM 12 discussion this evening. Two-and-a-half stories and
 07:55PM 13 28 feet is allowed, and we are at three stories and
 07:55PM 14 36.67 feet at this point.
 07:55PM 15 There were two (c) variances when we
 07:55PM 16 started this evening. The front yard setback
 07:55PM 17 variance has been eliminated. We've agreed to reduce
 07:55PM 18 -- push the house back and reduce the depth of it.
 07:55PM 19 And then we still need a variance for building
 07:55PM 20 coverage, but at this point 40 percent is allowed and
 07:55PM 21 we're at 40.28 percent. So we're about 15 or
 07:55PM 22 16 square feet over what is permitted within the
 07:55PM 23 zone.
 07:55PM 24 So looking at the height variance, what
 07:55PM 25 looks -- needs to be looked at is whether the height,

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07:54PM 1 CHAIRMAN FERGUSON: We've had him
 07:54PM 2 before. We're going to accept him as an expert.
 3 MR. SPATZ: Thank you.
 4 MR. MACRI: Thank you, Mr. Chairman.
 5 CHAIRMAN FERGUSON: Okay.
 6 DIRECT EXAMINATION
 7 BY MR. MACRI:
 8 Q. Mr. Spatz, you're familiar with 531
 07:54PM 9 Roff Avenue and the surrounding homes; is that
 07:54PM 10 correct?
 07:54PM 11 A. I am, yes.
 07:54PM 12 Q. And you prepared the color board?
 07:54PM 13 A. Yeah, I have a photo exhibit, which was
 07:54PM 14 just handed out, with four photographs that describes
 07:54PM 15 the area.
 07:54PM 16 The top left-hand photograph is of the
 07:54PM 17 subject property (indicating).
 07:54PM 18 The top right-hand photograph is to the
 07:54PM 19 right of our house (indicating). There's a
 07:54PM 20 three-story two-family house. That home is recessed
 07:54PM 21 into the ground with a steeply-pitched driveway as
 07:54PM 22 you can see from the photograph.
 07:54PM 23 The bottom left-hand photograph is
 07:54PM 24 looking towards the left of our home (indicating),
 07:54PM 25 including the new two-family home that's under

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07:56PM 1 which exceeds the ordinance, is nevertheless
 07:56PM 2 consistent with the neighborhood. And I believe that
 07:56PM 3 it is, again, by looking at the photographs, the
 07:56PM 4 newer two-family home two doors down from us, similar
 07:56PM 5 house, three stories and -- and exceeds the foot
 07:56PM 6 limitation.
 07:56PM 7 The photo that shows the house directly
 07:56PM 8 across street, similar three-story height.
 07:56PM 9 And then the house adjacent us is also
 07:56PM 10 three stories, but it doesn't give that appearance,
 07:56PM 11 because it's significantly recessed with a sloping
 07:56PM 12 driveway, which creates drainage issues. So I think
 07:56PM 13 as we are proposing it should be much improved for
 07:56PM 14 the neighborhood.
 07:56PM 15 3rd Street, which is located directly
 07:56PM 16 behind us, is at a significantly lower elevation. So
 07:56PM 17 even though our building is taller, those homes are
 07:56PM 18 much lower down and they're not affected by the
 07:57PM 19 increased height at this point.
 07:57PM 20 The height, itself, as can be seen from
 07:57PM 21 the drawing is affected by the slope of the property.
 07:57PM 22 It's -- the topography causes that. We reduced it,
 07:57PM 23 both the size of the floors, as well as reducing --
 07:57PM 24 and lowering the building into the ground a bit to
 07:57PM 25 reduce the height as much as possible.

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07:57PM **1** Looking at the bulk variances, again,
 07:57PM **2** we only have one bulk variance now is the lot
 07:57PM **3** coverage. We're only about 15 or 16 square feet
 07:57PM **4** above what is permitted within the zone. And I don't
 07:57PM **5** believe that will have a significant impact on any of
 07:57PM **6** the surrounding properties. There's a conforming
 07:57PM **7** amount of parking on-site. All drainage is being
 07:57PM **8** handled on the property.
 07:57PM **9** So I don't think that there is any
 07:57PM **10** significant impact off-site by a slightly taller
 07:57PM **11** building. So I think that the positive criteria
 07:57PM **12** exists for both the (d) and the (c) variances.
 07:57PM **13** Looking at the negative criteria, I
 07:57PM **14** don't think there's anything that is substantially
 07:57PM **15** negative, both affecting the Master Plan and Zoning
 07:58PM **16** Ordinance, as well as the neighborhood.
 07:58PM **17** The height of the building is
 07:58PM **18** consistent with the newer homes in the area. It's
 07:58PM **19** caused by the topography of the property.
 07:58PM **20** The building coverage, likewise, is
 07:58PM **21** minimal above what is permitted with a conforming
 07:58PM **22** amount of parking and all drainage on the site.
 07:58PM **23** The positive impacts from what we're
 07:58PM **24** proposing, I think far outweighs anything that might
 07:58PM **25** be substantially negative.

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07:59PM **1** story-and-a-half.
 07:59PM **2** CHAIRMAN FERGUSON: There is no way to
 07:59PM **3** build it without building another -- yeah.
 07:59PM **4** THE WITNESS: Right. Without a
 07:59PM **5** significant amount of fill.
 07:59PM **6** CHAIRMAN FERGUSON: Okay. Any board
 07:59PM **7** members have any questions?
 07:59PM **8** (No response.)
 07:59PM **9** CHAIRMAN FERGUSON: Any experts? Yes?
 07:59PM **10** MR. KAUKER: Just one question, Mr.
 07:59PM **11** Spatz.
 07:59PM **12** THE WITNESS: Yes.
 07:59PM **13** MR. KAUKER: Did you have an
 07:59PM **14** opportunity to evaluate the impact of the four
 07:59PM **15** stories on the rear of the property and any potential
 07:59PM **16** impacts?
 07:59PM **17** THE WITNESS: I did look at it. That
 07:59PM **18** is similar to the development, certainly the newer
 07:59PM **19** homes there because of the topography, and as I've
 07:59PM **20** indicated 3rd is significantly lower than our
 07:59PM **21** property. And that additional story really isn't
 07:59PM **22** going to have any affect on them. They're still well
 07:59PM **23** below our building.
 07:59PM **24** It's not going to change any of the
 07:59PM **25** light, air or open space for them.

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07:58PM **1** MR. MACRI: Thank you, Mr. Spatz.
 07:58PM **2** CHAIRMAN FERGUSON: I just got one
 07:58PM **3** quick up one.
 07:58PM **4** THE WITNESS: Certainly.
 07:58PM **5** CHAIRMAN FERGUSON: What's the
 07:58PM **6** difference in the slope from the front to the back
 07:58PM **7** overall? How many feet? I know it's substantial,
 07:58PM **8** but --
 07:58PM **9** MR. COCOROS: It's 14 -- I'm sorry.
 07:58PM **10** It's 14 on the right-hand -- on the right-hand side
 07:58PM **11** and I think it's --
 07:58PM **12** MR. MACRI: Is it 14?
 07:58PM **13** THE WITNESS: It's a little -- actually
 07:58PM **14** a little bit -- it's maybe like 13 or 12-and-a-half
 07:58PM **15** on the other side. So on the -- on the street here
 07:58PM **16** at the -- where the utility pole is, we got about
 07:59PM **17** 144. In the back we have 129.6. So say 130, 129.67.
 07:59PM **18** So it's approximately 14 -- 14 foot 4 inches on the
 07:59PM **19** right-hand side.
 07:59PM **20** CHAIRMAN FERGUSON: Right.
 07:59PM **21** MR. COCOROS: And on the left it's,
 07:59PM **22** like, 12 foot 8 or so.
 07:59PM **23** CHAIRMAN FERGUSON: So it is
 07:59PM **24** significant?
 07:59PM **25** MR. COCOROS: Yeah, it's a

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08:00PM **1** MR. KAUKER: Okay. And I think you
 08:00PM **2** answered my follow-up question, you had indicated,
 08:00PM **3** and correct me if I'm wrong, but there are other
 08:00PM **4** existing structures that are similar?
 08:00PM **5** THE WITNESS: That's correct. The
 08:00PM **6** newer one, two doors down from us is built -- is of
 08:00PM **7** similar construction. It's the same topography and
 08:00PM **8** is built the same way.
 08:00PM **9** MR. KAUKER: Thank you. I have no
 08:00PM **10** other questions.
 08:00PM **11** CHAIRMAN FERGUSON: Any -- any
 08:00PM **12** residents -- take it away.
 08:00PM **13** MS. BRAUER: Susan Brauer. Just a --
 08:00PM **14** just a comment.
 08:00PM **15** There's a fair amount of older stock
 08:00PM **16** houses in town. And when you go up and down the
 08:00PM **17** streets in town --
 08:00PM **18** CHAIRMAN FERGUSON: Right.
 08:00PM **19** MS. BRAUER: -- looking at these, the
 08:00PM **20** street looks like a freaking penal colony. There is
 08:00PM **21** no character. There is no warmth. We've eliminated
 08:00PM **22** trees. I don't know if there are trees that will be
 08:00PM **23** eliminated here, front or rear, but I would just
 08:00PM **24** implore the board to please consider the fact that
 08:01PM **25** there's no warmth, there's nothing that says, gee, we

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08:01PM 1 have a neighbor that you want to talk to. It's
 08:01PM 2 awful. It's just slabs and slabs and slabs. There's
 08:01PM 3 nothing else. And maybe some of you don't care, but
 08:01PM 4 some of us do.
 08:01PM 5 And I would just leave it at that.
 08:01PM 6 CHAIRMAN FERGUSON: Okay. Are you
 08:01PM 7 taking any -- yes, go ahead.
 08:01PM 8 MS. SCHOR: I know this is not --
 08:01PM 9 Marsha Schor.
 08:01PM 10 I know this not going to make a
 08:01PM 11 difference for this meeting, but in the future could
 08:01PM 12 you please consider keeping it down to 28 feet,
 08:01PM 13 because if you give these builders a finger, they
 08:01PM 14 take the entire body with it.
 08:01PM 15 I mean, there's no end to the heights
 08:01PM 16 where they will go. And subbasements now? When did
 08:01PM 17 we ever have that before.
 08:01PM 18 CHAIRMAN FERGUSON: Well, I'll take it
 08:01PM 19 under advisement, but in some cases like this one --
 08:01PM 20 MS. SCHOR: Some cases, yeah, but...
 08:01PM 21 CHAIRMAN FERGUSON: -- it's difficult.
 08:01PM 22 Okay. So I just want to -- do we need
 08:01PM 23 any -- do we get any trees down by the way?
 08:01PM 24 MR. MACRI: There's one tree in the
 08:02PM 25 front that's going to be eliminated.

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08:02PM 1 MS. LAMBRINIDES: Mr. Kim?
 08:02PM 2 MR. KIM: Yes.
 08:02PM 3 MS. LAMBRINIDES: Mr. Nam?
 08:02PM 4 MR. NAM: Yes.
 08:02PM 5 MS. LAMBRINIDES: Ms. Yoon?
 08:02PM 6 MS. YOON: Yes.
 08:02PM 7 MS. LAMBRINIDES: Mr. Carnovale?
 08:02PM 8 MR. CARNOVALE: Yes.
 08:02PM 9 CHAIRMAN FERGUSON: Thank you.
 08:02PM 10 MR. MACRI: Thank you.
 08:02PM 11 CHAIRMAN FERGUSON: Okay. I'll make a
 08:02PM 12 motion to adjourn.
 08:02PM 13 Second?
 08:03PM 14 VICE CHAIRMAN ALBANESE: Second.
 08:03PM 15 MR. CARNOVALE: Second.
 08:03PM 16 CHAIRMAN FERGUSON: All in favor?
 08:03PM 17 (Whereupon, all Board Members respond
 08:03PM 18 in the affirmative.)
 08:03PM 19 CHAIRMAN FERGUSON: We're adjourned.
 20 (Whereupon, this meeting is concluded.
 21 Time noted 8:03 p.m.)
 22
 23
 24
 25

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08:02PM 1 CHAIRMAN FERGUSON: One tree in the
 08:02PM 2 front?
 08:02PM 3 MR. MACRI: One, two -- I believe
 08:02PM 4 there's four trees being eliminated.
 5 MS. SCHOR: Four trees.
 6 CHAIRMAN FERGUSON: So it's one -- how
 7 many trees?
 8 MR. COLLAZUOL: It looks like four
 9 trees.
 10 MR. MACRI: Four trees.
 08:02PM 11 CHAIRMAN FERGUSON: That's a lot of
 08:02PM 12 trees. So we're going to add -- we're going to add
 08:02PM 13 \$2,000.00 to the Tree Preservation Fund.
 08:02PM 14 And with all the suggestions that me
 08:02PM 15 and our engineer and board made, I'll make a motion
 08:02PM 16 to accept the application.
 08:02PM 17 MR. CARNOVALE: I second.
 08:02PM 18 CHAIRMAN FERGUSON: Roll call vote.
 08:02PM 19 MS. LAMBRINIDES: Mr. Ferguson?
 08:02PM 20 CHAIRMAN FERGUSON: Yes.
 08:02PM 21 MS. LAMBRINIDES: Mr. Albanese? Mr.
 08:02PM 22 Albanese?
 08:02PM 23 VICE CHAIRMAN ALBANESE: Yes.
 08:02PM 24 MS. LAMBRINIDES: Mr. Terranova?
 08:02PM 25 MR. TERRANOVA: Yes.

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1 C E R T I F I C A T E
 2
 3
 4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary
 5 Public of the State of New Jersey, Notary ID. #15855,
 6 Certified Court Reporter of the State of New Jersey,
 7 and a Registered Professional Reporter, hereby
 8 certify that the foregoing is a verbatim record of
 9 the testimony provided under oath before any court,
 10 referee, board, commission or other body created by
 11 statute of the State of New Jersey.
 12 I am not related to the parties
 13 involved in this action; I have no financial
 14 interest, nor am I related to an agent of or employed
 15 by anyone with a financial interest in the outcome of
 16 this action.
 17 This transcript complies with
 18 regulation 13:43-5.9 of the New Jersey Administrative
 19 Code.
 20
 21
 22
 23
 24
 25
 LAURA A. CARUCCI, C.C.R., R.P.R.
 License #X102050, and Notary Public
 of New Jersey #15855, Notary
 Expiration Date March 1, 2019
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