

BOROUGH OF PALISADES PARK  
 BOARD OF ADJUSTMENT  
 MONDAY, NOVEMBER 18, 2019  
 COMMENCING AT 7:05 P.M.

.....  
 IN THE MATTER OF: :  
 APPLICATION NO. 19-13 : TRANSCRIPT  
 6 BLVD, LLC : OF  
 132 Princeton Place : PROCEEDINGS  
 Block 716; Lot 1 :  
 :  
 APPLICATION NO. 19-15 :  
 GRAMUGLIA BUILDERS, LLC :  
 403 Northwood Way :  
 Block 716; Lot 10 :  
 :  
 APPLICATION NO. 19-16 :  
 FAIR SUPREME, LLC :  
 56 W. Ruby Avenue :  
 Block 617; Lot 6 :  
 :  
 APPLICATION NO. 19-12 :  
 HOSU LEE & JEONG N. LEE :  
 435 Highland Avenue :  
 Block 211; Lot 19 :  
 :  
 APPLICATION NO. 19-14 :  
 401 E. CENTRAL, LLC :  
 401 E. Central Boulevard :  
 Block 423; Lot 1 :  
 :  
 APPLICATION NO. 19-17 :  
 25 CLEVELAND PLACE, LLC :  
 126 Roff Avenue :  
 Block 609; Lot 22 :  
 :  
 APPLICATION NO. 19-18 :  
 JAMES H. NOH :  
 43 Henry Ave :  
 Block 214; Lot 20 :  
 .....  
 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.  
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**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
 201-641-1812

**1 A P P E A R A N C E S:**  
**2**  
**3** DIANE DECARLO, ESQUIRE  
 -and-  
**4** DIANE TESTA, ESQUIRE  
 Counsel for the Board  
**5**  
**6** LAW OFFICE OF MARC D. RAMUNDO  
 BY: MARC D. RAMUNDO, ESQ.  
 416 E. Central Boulevard  
**7** Palisades Park, New Jersey 07650  
 Counsel for Hosu Lee and Jeong N. Lee and 401 E.  
**8** Central, LLC  
**9**  
**10** MARC D. MACRI, P.C.  
 BY: MARC D. MACRI, ESQ.  
 2160 North Central Road  
**11** Fort Lee, New Jersey 07024  
 Counsel for 25 Cleveland Place, LLC, and James H. Noh  
**12**  
**13**  
**14** A L S O P R E S E N T :  
**15** ELENI LAMBRINIDES, BOARD CLERK/SECRETARY  
 STEVEN COLLAZUOL, BOARD ENGINEER  
**16** MICHAEL KAUKER, BOARD PLANNER  
**17**  
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**1 B E F O R E:**  
**2** THE BOROUGH OF PALISADES PARK BOARD OF ADJUSTMENT  
**3** THERE BEING PRESENT:  
**4** JOSEPH FERGUSON, CHAIRMAN  
**5** PAUL ALBANESE, VICE CHAIRMAN  
**6** VINCENT CARNOVALE, MEMBER  
**7** DAVID TERRANOVA, MEMBER  
**8** SEUNG YOON, MEMBER  
**9** LEFTERI LEFTERIOU, MEMBER  
**10** SUK JUN MIN, ALTERNATE MEMBER  
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07:03PM **1** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **2** MR. LEFTERIOU: Yes.

07:06PM **3** CHAIRMAN FERGUSON: Okay. Next we have

07:06PM **4** three bills to pay. One is for Judd Rocciola,

07:06PM **5** \$697.50; one is for Collazuol -- oh, I'm sorry --

07:06PM **6** Kauker & Kauker, \$1,470.00; and the third would be

07:06PM **7** for Diane, our board attorney, Testa, \$2,650.00.

07:06PM **8** Can I get a motion?

07:06PM **9** VICE CHAIRMAN ALBANESE: I make a

07:06PM **10** motion we pay the bills.

07:06PM **11** CHAIRMAN FERGUSON: There's a motion.

07:06PM **12** MR. CARNOVALE: I second.

07:07PM **13** CHAIRMAN FERGUSON: Okay. Roll call.

07:07PM **14** MS. LAMBRINIDES: Mr. Ferguson?

07:07PM **15** CHAIRMAN FERGUSON: Yes.

07:03PM **16** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **17** VICE CHAIRMAN ALBANESE: Yes.

07:03PM **18** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **19** MR. TERRANOVA: Yes.

07:03PM **20** MS. LAMBRINIDES: Mr. Min?

07:03PM **21** MR. MIN: Yes.

07:03PM **22** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **23** MS. YOON: Yes.

07:03PM **24** MS. LAMBRINIDES: Mr. Carnovale?

07:03PM **25** MR. CARNOVALE: Yes.

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

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07:03PM **1** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **2** MR. LEFTERIOU: Yes.

07:07PM **3** CHAIRMAN FERGUSON: Okay. So I guess

07:07PM **4** we can go through the memorializations.

07:07PM **5** Case No. 19-13, 6 Boulevard, LLC, 132

07:07PM **6** Princeton Place.

07:07PM **7** Can I get a motion to memorialize?

07:07PM **8** VICE CHAIRMAN ALBANESE: I make a

07:07PM **9** motion for memorialization.

07:07PM **10** MR. CARNOVALE: I second.

07:07PM **11** CHAIRMAN FERGUSON: Roll call.

07:07PM **12** MS. LAMBRINIDES: Mr. Ferguson.

07:07PM **13** CHAIRMAN FERGUSON: Yes.

07:03PM **14** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **15** VICE CHAIRMAN ALBANESE: Yes.

07:03PM **16** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **17** MR. TERRANOVA: Yes.

07:03PM **18** MS. LAMBRINIDES: Mr. Min?

07:03PM **19** MR. MIN: Yes.

07:03PM **20** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **21** MS. YOON: Yes.

07:03PM **22** MS. LAMBRINIDES: Mr. Carnovale?

07:03PM **23** MR. CARNOVALE: Yes.

07:03PM **24** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **25** MR. LEFTERIOU: Yes.

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

11

07:07PM **1** CHAIRMAN FERGUSON: Next we have Case

07:07PM **2** No. 19-15, Gramuglia Builders, LLC, 403 Northwood

07:07PM **3** Way.

07:07PM **4** VICE CHAIRMAN ALBANESE: I make a

07:07PM **5** motion for memorialization.

07:07PM **6** MR. CARNOVALE: Second.

07:07PM **7** CHAIRMAN FERGUSON: I'll second.

07:07PM **8** MR. CARNOVALE: All right.

07:08PM **9** CHAIRMAN FERGUSON: Roll call.

07:08PM **10** MS. LAMBRINIDES: Mr. Ferguson.

07:08PM **11** CHAIRMAN FERGUSON: Yes.

07:03PM **12** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **13** VICE CHAIRMAN ALBANESE: Yes.

07:03PM **14** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **15** MR. TERRANOVA: Yes.

07:03PM **16** MS. LAMBRINIDES: Mr. Min?

07:03PM **17** MR. MIN: Yes.

07:03PM **18** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **19** MS. YOON: Yes.

07:03PM **20** MS. LAMBRINIDES: Mr. Carnovale?

07:03PM **21** MR. CARNOVALE: Yes.

07:03PM **22** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **23** MR. LEFTERIOU: Yes.

07:08PM **24** CHAIRMAN FERGUSON: And next will be

07:08PM **25** Case No. 19-16, Fair Supreme, LLC, 56 West Ruby

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12

07:08PM **1** Avenue.

07:08PM **2** I'll make a motion to approve that.

07:08PM **3** MR. CARNOVALE: I second.

07:08PM **4** CHAIRMAN FERGUSON: Roll call vote.

07:08PM **5** MS. LAMBRINIDES: Mr. Ferguson.

07:08PM **6** CHAIRMAN FERGUSON: Yes.

07:03PM **7** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **8** VICE CHAIRMAN ALBANESE: Yes.

07:03PM **9** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **10** MR. TERRANOVA: Abstain.

07:03PM **11** MS. LAMBRINIDES: Abstain.

07:03PM **12** Mr. Min?

07:03PM **13** MR. MIN: Yes.

07:03PM **14** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **15** MS. YOON: Yes.

07:03PM **16** MS. LAMBRINIDES: Mr. Carnovale?

07:03PM **17** MR. CARNOVALE: Yes.

07:03PM **18** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **19** MR. LEFTERIOU: Yes.

07:08PM **20** CHAIRMAN FERGUSON: Okay. The first

07:08PM **21** case tonight is Case 19-12, Hosu Lee, 435 Highland

07:08PM **22** Avenue. It's a continuation.

07:08PM **23** Counsel? Oh, you're here.

07:10PM **24** Okay. You're ready to go, Counsel?

07:10PM **25** MR. RAMUNDO: Yes, Mr. Chairman.

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07:10PM 1 I believe just procedurally, I think we  
 07:10PM 2 left off with Mr. Cocoros having to make a couple of  
 07:10PM 3 changes that we all agreed upon at the last meeting  
 07:10PM 4 that he will incorporate into some revised plans, as  
 07:10PM 5 well as we were directed by the board to have a perc  
 07:10PM 6 test done.  
 07:10PM 7 A perc test was done. I circulated it  
 07:10PM 8 to the borough's engineer, as well as I believe the  
 07:10PM 9 --  
 07:10PM 10 CHAIRMAN FERGUSON: Right, I got the  
 07:10PM 11 perc test.  
 07:10PM 12 MR. RAMUNDO: Good.  
 07:10PM 13 So I'll just have Mr. Cocoros proceed.  
 07:10PM 14 And then we also have a planner to testify.  
 07:10PM 15 CHAIRMAN FERGUSON: Yes, you need the  
 07:10PM 16 planner, yes.  
 07:11PM 17 Okay. Mr. Cocoros.  
 07:11PM 18 Do you want to swear him in?  
 07:11PM 19 MS. DeCARLO: Mr. Cocoros, do you swear  
 07:11PM 20 or affirm the testimony you give with regard to this  
 07:11PM 21 application is the truth, the whole truth and nothing  
 07:11PM 22 but the truth?  
 07:11PM 23 MR. COCOROS: I do.  
 24  
 25

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07:12PM 1 yard based on the results of the test.  
 07:12PM 2 Since we got this the 30th, what I've  
 07:12PM 3 done is I've done a preliminary plan based on the  
 07:12PM 4 last comments from Mr. Collazuol.  
 07:12PM 5 Since this will work, what I've done is  
 07:12PM 6 I've -- on the easel my last -- this was last  
 07:12PM 7 revised, I think it was last week for the seepage pit  
 07:12PM 8 location. What I've done is I split the system where  
 07:12PM 9 the front half of the building is taken care of by  
 07:12PM 10 two 1,000-gallon pits in the front yard, which would  
 07:12PM 11 be under the driveway.  
 07:12PM 12 CHAIRMAN FERGUSON: Right.  
 07:12PM 13 MR. COCOROS: And at the back we have  
 07:12PM 14 two separate 1,000-gallon pits that would take each  
 07:12PM 15 side.  
 07:12PM 16 In addition, what we're done is we've  
 07:12PM 17 installed a small retaining wall at the rear portion  
 07:12PM 18 of the property that's 2-feet high on the right side  
 07:12PM 19 and 1-foot 4-inches high on the left-hand side that  
 07:12PM 20 will help clean up the yard.  
 07:13PM 21 In addition, what it does, it helps  
 07:13PM 22 slow any flow going towards the back and what we've  
 07:13PM 23 done is we provided for another 1,000-gallon seepage  
 07:13PM 24 pit with two field inlets at those corners to catch  
 07:13PM 25 any surface runoff on the property.

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07:11PM 1 VASSILIOS COCOROS,  
 2 467 Sylvan Avenue, Englewood Cliffs, New Jersey  
 3 07632, having been duly sworn, testifies as  
 07:11PM 4 follows:  
 07:11PM 5 MS. DECARLO: State your name.  
 07:11PM 6 MR. COCOROS: Sure.  
 07:11PM 7 Vassilios, V-A-S-S-I-L-I-O-S, Cocoros,  
 07:11PM 8 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,  
 07:11PM 9 New Jersey 07632.  
 07:11PM 10 CHAIRMAN FERGUSON: Okay. So  
 07:11PM 11 Mr. Cocoros has been before us every meeting for the  
 07:11PM 12 last three and a half years, so we accept him.  
 07:11PM 13 MR. COCOROS: Thank you.  
 07:11PM 14 Just some background --  
 07:11PM 15 MR. LEFTERIOU: I'm going to recuse  
 07:11PM 16 myself. I forgot.  
 07:11PM 17 (Whereupon, Mr. Lefteriou recuses  
 07:11PM 18 himself and steps off the dais.)  
 07:11PM 19 MR. COCOROS: We got the letter dated  
 07:11PM 20 October 30, 2019 with the seepage pit, the test pit  
 07:11PM 21 that was done in the rear in the general location of  
 07:11PM 22 where the two proposed pits were -- the previous pits  
 07:11PM 23 were to be located.  
 07:11PM 24 So, apparently, it appears that we can  
 07:11PM 25 put a water retention system in that portion of the

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07:13PM 1 In addition to that, we decreased the  
 07:13PM 2 size of the building by 4 feet from front to back.  
 07:13PM 3 It's now 90-feet deep proposed and we've made the  
 07:13PM 4 building 4 inches narrower where we have 36-feet  
 07:13PM 5 8-inches wide at the main width of the building and  
 07:13PM 6 at the front it's 28 feet 8 inches.  
 07:13PM 7 The side yard setbacks are now a little  
 07:13PM 8 over 3-and-a-half feet.  
 07:13PM 9 CHAIRMAN FERGUSON: Okay. That  
 07:13PM 10 concludes your presentation?  
 07:13PM 11 MR. COCOROS: Yes.  
 07:13PM 12 CHAIRMAN FERGUSON: Okay. Did you give  
 07:13PM 13 our experts a copy of that report?  
 07:13PM 14 MR. COCOROS: Yes.  
 07:13PM 15 CHAIRMAN FERGUSON: Okay. Steve,  
 07:13PM 16 you're on.  
 07:13PM 17 MR. COLLAZUOL: Yes, Mr. Chairman. I  
 07:13PM 18 received the soil report dated October 30th and the  
 07:13PM 19 results of that Test Pit No. 1 in the rear are good.  
 07:14PM 20 So it shows that the soils will accept the runoff  
 07:14PM 21 from the new development.  
 07:14PM 22 Bill, could you please let the board  
 07:14PM 23 know approximately where that test pit in the rear  
 07:14PM 24 was taken?  
 07:14PM 25 MR. COCOROS: I think it was basically

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07:14PM 1 halfway between where the proposed setback is and the  
 07:14PM 2 rear property line.  
 07:14PM 3 Right now we have as proposed, we have  
 07:14PM 4 99 foot to the back of the building.  
 07:14PM 5 So I think it's approximately 30 feet  
 07:14PM 6 from the back of the proposed building, which is the  
 07:14PM 7 general location that I'm showing the two pits for  
 07:14PM 8 the dwelling. The pit at the rear, I've located  
 07:14PM 9 closer to the -- to the field inlets, which are  
 07:14PM 10 towards the back to catch anything that escapes the  
 07:14PM 11 main -- you know, the grass, because the back will be  
 07:14PM 12 grass.  
 07:14PM 13 So whatever runs down the grass will  
 07:14PM 14 hopefully be absorbed by the grass, but whatever gets  
 07:14PM 15 down to that point, back there where it will be less  
 07:14PM 16 of a pitch because we're raising up the back yard,  
 07:14PM 17 that will be taken by the two field inlets at the  
 07:14PM 18 back.  
 07:14PM 19 In addition, based on your previous  
 07:15PM 20 recommendations and what we've done before on other  
 07:15PM 21 projects, we've taken two seepage pits for the front  
 07:15PM 22 portion of the roof leaders and located them under  
 07:15PM 23 the driveway and those would be roadway rated and the  
 07:15PM 24 same thing, whatever we do there, we would make sure  
 07:15PM 25 that that portion of the property would perc also.

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07:16PM 1 portion?  
 07:16PM 2 MR. COLLAZUOL: Well, you have -- the  
 07:16PM 3 wall at this point is setback how many feet from the  
 07:16PM 4 property line?  
 07:16PM 5 MR. COCOROS: At the closest point,  
 07:16PM 6 which is the right-hand side, I have 6 feet.  
 07:16PM 7 MR. COLLAZUOL: So I guess it's up for  
 07:16PM 8 discussion for the board or any comments from anyone.  
 07:16PM 9 That was just my notes that it was recommended a  
 07:16PM 10 fence be placed on the rear line. I think it was to  
 07:16PM 11 do with the sight line and whether you were going to  
 07:16PM 12 see the decks from the rear properties or so.  
 07:16PM 13 CHAIRMAN FERGUSON: Okay.  
 07:16PM 14 MR. COLLAZUOL: Aside from that, I have  
 07:16PM 15 no further comments.  
 07:17PM 16 I'm fine that the material furnished to  
 07:17PM 17 date and then this evening I've got a schematic are  
 07:17PM 18 acceptable.  
 07:17PM 19 CHAIRMAN FERGUSON: Are acceptable,  
 07:17PM 20 okay.  
 07:17PM 21 So before he does anything, he's going  
 07:17PM 22 to -- nothing is going to proceed unless he gets the  
 07:17PM 23 green light from you, correct?  
 07:17PM 24 MR. COLLAZUOL: Correct.  
 07:17PM 25 CHAIRMAN FERGUSON: Now, I believe it

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07:15PM 1 MR. COLLAZUOL: Mr. Chairman, I think  
 07:15PM 2 and for the board's edification, that that  
 07:15PM 3 preliminary is suitable and acceptable, but as part  
 07:15PM 4 of our report, it indicates that prior to the --  
 07:15PM 5 should the board look favorably on the application,  
 07:15PM 6 prior to the installation that soil reports should be  
 07:15PM 7 done for the other locations as well. It would  
 07:15PM 8 generally appear that the soils would be uniform  
 07:15PM 9 through the site, but you never know. So that if  
 07:15PM 10 they were different in the front, as an example,  
 07:15PM 11 addition test holes would be performed and submitted  
 07:15PM 12 for review.  
 07:15PM 13 The comment about the drainage system,  
 07:15PM 14 furnishing the lawn inlets in the back, Bill, usually  
 07:16PM 15 the stone surround should be a minimum of 5 feet from  
 07:16PM 16 the backfill for the wall, so if you could move that  
 07:16PM 17 towards Highland Avenue.  
 07:16PM 18 MR. COCOROS: Correct, we can do that.  
 07:16PM 19 MR. COLLAZUOL: And indicate that.  
 07:16PM 20 And then from my notes, just in  
 07:16PM 21 general, I had a note that there was a recommendation  
 07:16PM 22 that a fence be placed along the rear line.  
 07:16PM 23 MR. COCOROS: I want to confirm that, I  
 07:16PM 24 guess with the neighbor, would they want it on top of  
 07:16PM 25 the -- on top of the proposed wall or on the bottom

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07:17PM 1 was this lady.  
 07:17PM 2 I'm sorry, I don't know your name.  
 07:17PM 3 Yes.  
 07:17PM 4 MRS. MIRAKIAN: Barbara.  
 07:17PM 5 CHAIRMAN FERGUSON: Yes. I'm just --  
 07:17PM 6 where would you like the wall, the wall that we --  
 07:17PM 7 you want it on top of --  
 07:17PM 8 MALE AUDIENCE MEMBER: The fence.  
 07:17PM 9 CHAIRMAN FERGUSON: The fence.  
 07:17PM 10 MS. GIACOBONE: A fence of what  
 07:17PM 11 material? Excuse me.  
 07:17PM 12 CHAIRMAN FERGUSON: Well, right now --  
 07:17PM 13 MS. PIRRERA: Do you want a fence or  
 07:17PM 14 not? That's for start.  
 07:17PM 15 MS. GIACOBONE: Not unless it's  
 07:17PM 16 memorialized.  
 07:17PM 17 MS. PIRRERA: They want to know if you  
 07:17PM 18 want a fence.  
 07:17PM 19 MR. MIRAKIAN: Look, there's a wall and  
 07:17PM 20 leave the fence. They said something about a wall.  
 07:17PM 21 MS. PIRRERA: On the side.  
 07:17PM 22 MR. MIRAKIAN: On the side.  
 07:17PM 23 MS. PIRRERA: Do you want a privacy  
 07:18PM 24 fence or you want it open like it is now? That's  
 07:18PM 25 what they're asking.

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07:18PM 1 Am I correct?

07:18PM 2 CHAIRMAN FERGUSON: Yeah.

07:18PM 3 MS. PIRRERA: He wants to know about a

07:18PM 4 natural fence. Are you going to put any shrubs? Can

07:18PM 5 it be a natural fence, you know, like arborvitaes or

07:18PM 6 can it be --

07:18PM 7 CHAIRMAN FERGUSON: Counsel.

07:18PM 8 MS. GIACOBONE: Or Leyland cypress. It

07:18PM 9 cost a little more and give you a little more

07:18PM 10 privacy.

07:18PM 11 MR. MIRAKIAN: We'd like to see less of

07:18PM 12 the house as possible.

07:18PM 13 MR. COCOROS: So that would be -- the

07:18PM 14 top of the wall would be better, so you have a higher

07:18PM 15 -- a higher sight line.

07:18PM 16 MR. MIRAKIAN: Well, the question is:

07:18PM 17 Are there any plans of putting any evergreens behind

07:18PM 18 it? I think we discussed that.

07:18PM 19 MR. COCOROS: Well, if you put the

07:18PM 20 evergreens behind the fence, you're not going to see

07:18PM 21 the evergreens.

07:18PM 22 MR. MIRAKIAN: I'm sorry.

07:18PM 23 MR. COCOROS: The evergreens --

07:18PM 24 MS. PIRRERA: If they came in --

07:18PM 25 THE COURT REPORTER: I'm sorry, one at

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07:19PM 1 consider it.

07:19PM 2 MR. COCOROS: Yeah, I guess would the

07:19PM 3 board be okay with us taking the trees out?

07:19PM 4 CHAIRMAN FERGUSON: Yeah, I'm fine with

07:19PM 5 it. If it makes the neighbors happy, I'm all for it.

07:19PM 6 MS. GIACOBONE: Mike, why don't you

07:19PM 7 have a fence, the evergreens behind it and this way

07:19PM 8 you have some --

07:19PM 9 MR. MIRAKIAN: Well, that would be --

07:20PM 10 MS. GIACOBONE: You know, this is your

07:20PM 11 opportunity to ask for that.

07:20PM 12 MR. MIRAKIAN: The ultimate for us

07:20PM 13 would be to have a fence and have evergreens behind

07:20PM 14 it. That would be the ultimate.

07:20PM 15 CHAIRMAN FERGUSON: Now, when you say

07:20PM 16 "behind it," you're talking about on his property or

07:20PM 17 are you talking about on the other side of the wall

07:20PM 18 towards your guys' house.

07:20PM 19 MR. MIRAKIAN: Yes, towards us.

07:20PM 20 CHAIRMAN FERGUSON: Right, towards you.

07:20PM 21 So now the question is --

07:20PM 22 MR. COCOROS: So a fence on our

07:20PM 23 property line and trees on top --

07:20PM 24 CHAIRMAN FERGUSON: No, don't think

07:20PM 25 he's looking for that. I think, and correct me if

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07:18PM 1 a time.

07:18PM 2 CHAIRMAN FERGUSON: Okay, one at a

07:18PM 3 time.

07:18PM 4 MR. COCOROS: Instead of a fence, you

07:18PM 5 would like evergreens along the top of that wall?

07:19PM 6 MS. PIRRERA: Right, that's what he's

07:19PM 7 saying, yes, yes.

07:19PM 8 MR. COCOROS: Okay.

07:19PM 9 CHAIRMAN FERGUSON: All right.

07:19PM 10 MR. MIRAKIAN: I also -- we also

07:19PM 11 discussed it.

07:19PM 12 THE COURT REPORTER: Sir, can you

07:19PM 13 please state your name.

07:19PM 14 MR. MIRAKIAN: I'm sorry, ma'am.

07:19PM 15 Michael Mirakian, M-I-R-A-K-I-A-N, 432 Hillside

07:19PM 16 Avenue.

07:19PM 17 THE COURT REPORTER: Thank you.

07:19PM 18 MR. MIRAKIAN: Okay. We also discussed

07:19PM 19 that there were three mature trees in the southwest

07:19PM 20 corner and if you were to be putting -- either we

07:19PM 21 asked to have them removed or to have them trimmed

07:19PM 22 back significantly.

07:19PM 23 Well, if you're going to be putting

07:19PM 24 evergreens, can we just put the evergreens straight

07:19PM 25 across and take those trees out? You said you would

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07:20PM 1 I'm wrong, he wants to do the fence --

07:20PM 2 MS. GIACOBONE: It's hard to hear back

07:20PM 3 here.

07:20PM 4 CHAIRMAN FERGUSON: -- but he wants the

07:20PM 5 evergreens on -- not on -- on your property, but on

07:20PM 6 the other side, the Hillside side of the --

07:20PM 7 VICE CHAIRMAN ALBANESE: In other

07:20PM 8 words, from back from where they are you're going to

07:20PM 9 see the fence and then the trees are going to be on

07:20PM 10 the other side of the fence?

07:20PM 11 MR. CARNOVALE: No, he wants the trees

07:20PM 12 facing them and then the --

07:20PM 13 MS. PIRRERA: You put the wall of trees

07:21PM 14 and then the fence behind it. So all they see are

07:21PM 15 the evergreens. Do you understand? They like both

07:21PM 16 barriers.

07:21PM 17 VICE CHAIRMAN ALBANESE: Behind the

07:21PM 18 fence, behind the trees.

07:21PM 19 MR. MIRAKIAN: That's correct.

07:21PM 20 VICE CHAIRMAN ALBANESE: Okay. My

07:21PM 21 mistake, I'm sorry.

07:21PM 22 MR. MIRAKIAN: Thank you.

07:21PM 23 CHAIRMAN FERGUSON: Okay? So you're

07:21PM 24 amenable to that?

07:21PM 25 MR. COCOROS: Yeah, let me --

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07:21PM 1 VICE CHAIRMAN ALBANESE: In other  
 07:21PM 2 words, they don't want to really see the fence  
 07:21PM 3 either.  
 07:21PM 4 CHAIRMAN FERGUSON: They don't want to  
 07:21PM 5 see the fence, they just want --  
 07:21PM 6 MS. GIACOBONE: This is your only  
 07:21PM 7 chance. Arborvitae grow tall and thin.  
 07:21PM 8 CHAIRMAN FERGUSON: All right, let's  
 07:21PM 9 keep it down.  
 07:21PM 10 So Counsel.  
 07:21PM 11 MR. RAMUNDO: Yes.  
 07:21PM 12 CHAIRMAN FERGUSON: Is that a go?  
 07:21PM 13 MR. RAMUNDO: That's a go, Your --  
 07:21PM 14 Mr. Chairman, Your Honor. Forgot where I am.  
 07:21PM 15 CHAIRMAN FERGUSON: Wait, wait, and  
 07:21PM 16 I'll get back to you. Okay? You're taking notes?  
 07:21PM 17 MR. COCOROS: Yeah.  
 07:21PM 18 CHAIRMAN FERGUSON: Okay.  
 07:21PM 19 MR. MIRAKIAN: I'm told the Leyland  
 07:21PM 20 cypress would be advantageous because they spread.  
 07:21PM 21 MR. COCOROS: Steve.  
 07:22PM 22 CHAIRMAN FERGUSON: What is it?  
 07:22PM 23 VICE CHAIRMAN ALBANESE: He's talking  
 07:22PM 24 about the evergreens.  
 07:22PM 25 MS. LAMBRINIDES: He wants a different

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1 CHAIRMAN FERGUSON: Yes.  
 2 MR. COLLAZUOL: Emerald, they go by the  
 3 name "Emerald."  
 4 CHAIRMAN FERGUSON: Green Emeralds?  
 5 MR. COCOROS: Green Giants?  
 6 MR. COLLAZUOL: I don't think they're  
 07:23PM 7 giants, but they're termed "Emeralds."  
 07:23PM 8 CHAIRMAN FERGUSON: Okay. Before we  
 07:23PM 9 completely lose the meeting -- okay.  
 07:23PM 10 So next is we're going to -- I'm going  
 07:23PM 11 to open it up for these comments that he said as far  
 07:23PM 12 as the seepage pits and everything.  
 07:23PM 13 Is there any comments from -- Cindy.  
 07:23PM 14 MS. PIRRERA: I have a question. You  
 07:23PM 15 didn't move anything else, correct? There's still  
 07:23PM 16 the same footage from the back to the --  
 07:23PM 17 MR. COCOROS: No, the building -- we  
 07:23PM 18 reduced the building by 4 feet in depth. So we have  
 07:23PM 19 --  
 07:23PM 20 MS. PIRRERA: So now what's the  
 07:23PM 21 distance from the back of the building --  
 07:23PM 22 MR. COCOROS: The back of the building  
 07:23PM 23 or the back of the property line is 99 feet, 8th of  
 07:23PM 24 an inch.  
 07:23PM 25 MS. PIRRERA: Okay.

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07:22PM 1 type of tree now.  
 07:22PM 2 CHAIRMAN FERGUSON: Does it make a  
 07:22PM 3 difference what kind of --  
 07:22PM 4 MR. COCOROS: Hey, Steve.  
 07:22PM 5 MR. CARNOVALE: The roots, Joe.  
 07:22PM 6 MR. COLLAZUOL: I think you have to be  
 07:22PM 7 careful with the --  
 07:22PM 8 MR. COCOROS: The gravel, how far away  
 07:22PM 9 from the --  
 07:22PM 10 MR. COLLAZUOL: With these, because  
 07:22PM 11 they grow very wide and they grown very tall and very  
 07:22PM 12 fast as well. I think you should consider a  
 07:22PM 13 different evergreen.  
 07:22PM 14 Arborvitae are very suitable. There's  
 07:22PM 15 a lot of large arborvitae that grow very well and are  
 07:22PM 16 healthy enough in this climate as well. So Leyland  
 07:22PM 17 cypress, I would say would be --  
 07:22PM 18 CHAIRMAN FERGUSON: What would be your  
 07:22PM 19 recommendation?  
 07:22PM 20 MR. COLLAZUOL: Arborvitaes.  
 07:22PM 21 MR. RAMUNDO: Like a Jolly Green?  
 07:22PM 22 MR. COLLAZUOL: Big Emeralds, I believe  
 23 they call them.  
 24 VICE CHAIRMAN ALBANESE: You can put  
 25 some apple trees.

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07:23PM 1 MR. COCOROS: And the building is also  
 07:23PM 2 a little bit more narrower.  
 3 THE COURT REPORTER: Can you please  
 4 state your name?  
 5 MS. PIRRERA: Cynthia Pirrera, 434  
 6 Hillside Avenue.  
 7 THE COURT REPORTER: Thank you.  
 8 MS. PIRRERA: And also, the other  
 9 question is you haven't changed the garages either,  
 07:23PM 10 it's still that they pull into the front of the  
 07:23PM 11 house, no vehicle can go around to the back of the  
 07:24PM 12 house, correct?  
 07:24PM 13 MR. COCOROS: Correct. All parking is  
 07:24PM 14 in the front.  
 07:24PM 15 MS. PIRRERA: Okay. That's -- I just  
 07:24PM 16 wanted to verify it, but thank you.  
 07:24PM 17 CHAIRMAN FERGUSON: Name and address,  
 07:24PM 18 please. I know you.  
 07:24PM 19 MS. GIACOBONE: What can I say? We got  
 07:24PM 20 to stop meeting like this.  
 07:24PM 21 CHAIRMAN FERGUSON: Yeah, I hear you.  
 07:24PM 22 MS. GIACOBONE: Susan, S-U-S-A-N,  
 07:24PM 23 Giacobone, G-I-A-C-O-B-O-N-E, 438 Hillside.  
 07:24PM 24 So the question is, I thought we were  
 07:24PM 25 going to change the length of the house. How many

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07:24PM 1 bedrooms are in that house?  
 07:24PM 2 MR. COCOROS: It's still the same, but  
 07:24PM 3 we did change it.  
 07:24PM 4 MS. GIACOBONE: How many bedrooms?  
 07:24PM 5 Because I don't remember.  
 07:24PM 6 MR. COCOROS: It's four bedrooms.  
 07:24PM 7 MS. GIACOBONE: It's four bedrooms and  
 07:24PM 8 you did not change the length of the house?  
 07:24PM 9 MR. COCOROS: Yes, we did.  
 07:24PM 10 MS. GIACOBONE: To what?  
 07:24PM 11 MR. COCOROS: The house now is 90 feet.  
 07:24PM 12 MS. GIACOBONE: How do you justify  
 07:24PM 13 that? Where is the hardship in not having a house  
 07:24PM 14 only 80 feet in keeping with everything else in the  
 15 neighborhood?  
 16 MR. COCOROS: We're not seeking a  
 17 coverage variance. I mean, we are seeking maximum  
 18 building footprint. We're not seeking setback from  
 19 the rear, setback from the front. We are requesting  
 20 a side yard variance, but there's no hardship in the  
 21 sense of, we're not requesting a hardship variance in  
 22 the sense of the depth of the building because the  
 07:25PM 23 setbacks do comply.  
 07:25PM 24 MS. GIACOBONE: And how much of the  
 07:25PM 25 property area are you covering with that dwelling,  
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07:26PM 1 lights all around the house.  
 07:26PM 2 I'm wondering if this an intent on that  
 07:26PM 3 -- this property whatever is being built.  
 07:26PM 4 MR. COCOROS: As far as, I know this  
 07:26PM 5 client, we did a previous house for him. We've done  
 07:26PM 6 more traditional, so I don't -- at this time we're  
 07:26PM 7 not planning to do anything modern. It's more of a  
 07:26PM 8 traditional configuration.  
 07:26PM 9 MRS. MIRAKIAN: Oh, okay. And as long  
 07:26PM 10 as there's no spotlights going towards our house or  
 07:26PM 11 anything.  
 07:26PM 12 MR. COCOROS: No. I'll put that.  
 07:26PM 13 MRS. MIRAKIAN: Because the previous  
 07:26PM 14 owner had a spotlight at the top of the house that  
 07:26PM 15 lit up all our houses, second floor, first floor, it  
 07:26PM 16 was like --  
 07:26PM 17 CHAIRMAN FERGUSON: Right.  
 07:26PM 18 MRS. MIRAKIAN: So I just --  
 07:26PM 19 CHAIRMAN FERGUSON: Well, they had  
 07:26PM 20 parking in the back of that house, correct? They had  
 07:26PM 21 parking.  
 07:26PM 22 MS. PIRRERA: It was a spotlight.  
 07:26PM 23 MRS. MIRAKIAN: It was a big spotlight.  
 07:26PM 24 MS. PIRRERA: Into our houses.  
 07:26PM 25 MRS. MIRAKIAN: Okay, that's, that's --  
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07:25PM 1 hence the variance?  
 07:25PM 2 MR. COCOROS: The percentage is 31.65  
 07:25PM 3 percent.  
 07:25PM 4 MS. GIACOBONE: And you're not going to  
 07:25PM 5 give any consideration to moving it back to, like, an  
 07:25PM 6 80-foot house?  
 07:25PM 7 MR. COCOROS: No, we did make a  
 07:25PM 8 revision. You know, we tried, that's what -- we did  
 07:25PM 9 try to make a revision based on the input from the  
 07:25PM 10 client that I'm working with.  
 07:25PM 11 MS. GIACOBONE: But it's not enough of  
 07:25PM 12 a revision, says me.  
 07:25PM 13 MR. COCOROS: Understood.  
 07:25PM 14 CHAIRMAN FERGUSON: Okay.  
 07:25PM 15 MS. GIACOBONE: And that's it, you  
 07:25PM 16 don't plan to do anything else with it?  
 07:25PM 17 MR. COCOROS: I can't at this time.  
 07:25PM 18 CHAIRMAN FERGUSON: Okay, next. Yes,  
 07:25PM 19 your name and address, please.  
 07:25PM 20 MRS. MIRAKIAN: Barbara Mirakian,  
 07:25PM 21 M-I-R-A-K-I-A-N, 432 Hillside Avenue.  
 07:25PM 22 I only have one thing. I was driving  
 07:25PM 23 on Edsall Boulevard and on the corner of Edsall and I  
 07:25PM 24 think it's Lawn, it's one of those new duplexes  
 07:26PM 25 that's, like, the wood-grain siding and it's got  
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07:26PM 1 CHAIRMAN FERGUSON: Okay.  
 07:26PM 2 MRS. MIRAKIAN: Thank you so much.  
 07:26PM 3 CHAIRMAN FERGUSON: Your name?  
 07:26PM 4 MR. DEMPSEY: My name is Chris Dempsey,  
 07:27PM 5 it's D-E-M-P-S-E-Y, 316 10th Street.  
 07:27PM 6 I just was curious because I heard this  
 07:27PM 7 last time when we had the meeting, am I clear that we  
 07:27PM 8 have a parcel soil report and no drainage report?  
 07:27PM 9 CHAIRMAN FERGUSON: Steve.  
 07:27PM 10 MR. CARNOVALE: We finished that.  
 07:27PM 11 VICE CHAIRMAN ALBANESE: We finished --  
 07:27PM 12 MR. DEMPSEY: I'm sorry, Mr. Expert  
 07:27PM 13 here stated that they only had the front soil, they  
 07:27PM 14 didn't have the rear soil and there's no drainage  
 07:27PM 15 report that I'm aware of and I thought that was what  
 07:27PM 16 was going to be happening prior to anything  
 07:27PM 17 happening.  
 07:27PM 18 MR. COCOROS: Well, the first thing we  
 07:27PM 19 had was the test pit for where we had the location of  
 07:27PM 20 the main pits. If this -- if it percs there, there  
 07:27PM 21 should be no reason why it shouldn't perc in the  
 07:27PM 22 other portion of the property.  
 07:27PM 23 What we've usually done is as far as a  
 07:27PM 24 drainage report, this exceeds what we're -- what is  
 07:27PM 25 -- our proposed drainage exceeds the amount of  
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07:27PM 1 drainage that we have to provide. So we have at  
 07:27PM 2 least a pit-and-a-half of excess.  
 07:27PM 3 But we can provide drainage  
 07:28PM 4 calculations that show that as a condition of  
 07:28PM 5 approval, but the way this is designed, we basically  
 07:28PM 6 have five 1,000-gallon seepage pits, which is pretty  
 07:28PM 7 excessive, because you are allowed to even take a  
 07:28PM 8 credit from the previous improvements.  
 07:28PM 9 However, we're taking the proposed  
 07:28PM 10 building in addition to the grass area, which in most  
 07:28PM 11 cases would take the water as a surface that we're  
 07:28PM 12 trying to corral rainwater into.  
 07:28PM 13 So the proposed stormwater system does  
 07:28PM 14 meet the requirements as far as capacity. The  
 07:28PM 15 general test pit that we've done does show that the  
 07:28PM 16 pits themselves work, but however, we will provide  
 07:28PM 17 additional pits wherever we do have the locations in  
 07:28PM 18 the front to verify that the system would -- you  
 07:28PM 19 know, will work there also.  
 07:28PM 20 So that's something that would be a  
 07:28PM 21 function of the permitting and a function of the  
 07:28PM 22 approval that would be written into the resolution.  
 07:28PM 23 MR. DEMPSEY: Okay. My curiosity is,  
 07:28PM 24 when we left last meeting, there was to be a full  
 07:29PM 25 soil report and a full drainage report. You came  
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07:29PM 1 back with a soil report done under Mr. Expert's  
 07:29PM 2 opinion that the soil wasn't tested in the rear of  
 07:29PM 3 the home, is what I understood from what he stated.  
 07:29PM 4 My point is, why are we going forward  
 07:29PM 5 with this particular situation when the fulfillment  
 07:29PM 6 of last time's requirements were not met?  
 07:29PM 7 MS. PIRRERA: I live on Hillside Avenue  
 07:29PM 8 right behind it and they tested in the rear of the  
 07:29PM 9 property. They fenced it, they dug up the --  
 07:29PM 10 MR. DEMPSEY: Was that soil or  
 07:29PM 11 drainage?  
 07:29PM 12 MS. PIRRERA: It was soil, drainage,  
 07:29PM 13 whatever this -- whatever --  
 07:29PM 14 VICE CHAIRMAN ALBANESE: Let the expert  
 07:29PM 15 --  
 07:29PM 16 MR. COCOROS: The soil was used to back  
 07:29PM 17 up the drainage system. The drainage system was  
 07:29PM 18 designed to basically hold it and then it goes into  
 07:29PM 19 the soil. So that's called a perc test, so it  
 20 percolates into the ground.  
 21 MR. DEMPSEY: I understand that.  
 22 MR. COCOROS: So --  
 23 MS. PIRRERA: Johnson Soil did it,  
 24 correct?  
 25 MR. COCOROS: Correct.  
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1 MS. PIRRERA: Yeah, they dug up the  
 07:29PM 2 back of the property.  
 07:29PM 3 MR. DEMPSEY: So were both tests done?  
 07:29PM 4 VICE CHAIRMAN ALBANESE: Yes.  
 07:29PM 5 CHAIRMAN FERGUSON: Steve?  
 07:29PM 6 MR. COLLAZUOL: Mr. Chairman, the  
 07:29PM 7 requests of the board were to have the soils tested.  
 07:29PM 8 They did test it in the rear of the property where  
 07:29PM 9 the concern was.  
 07:29PM 10 CHAIRMAN FERGUSON: Right.  
 07:30PM 11 MR. COLLAZUOL: And prior to any  
 07:30PM 12 further construction, during construction, prior to  
 07:30PM 13 building permit, they'll have to provide what's  
 07:30PM 14 typical. They have provided sufficient information  
 07:30PM 15 for this board to make a decision.  
 07:30PM 16 CHAIRMAN FERGUSON: Okay. So our  
 07:30PM 17 expert -- the answer is, our expert is satisfied with  
 07:30PM 18 the proposal.  
 07:30PM 19 Yes, Susan.  
 07:30PM 20 MS. GIACOBONE: I'm concerned also in a  
 07:30PM 21 different way with the height of the house. On  
 07:30PM 22 Ackerman -- and everybody has to understand the  
 07:30PM 23 topography of the area.  
 07:30PM 24 So Ackerman heads up to Highland. So I  
 07:30PM 25 have two huge two-families next to me, which become  
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07:30PM 1 the equivalent of around three-and-a-half-story  
 07:30PM 2 houses. My light has been seriously affected. Just  
 07:30PM 3 the pleasure of my life of going into a yard and  
 07:30PM 4 having sunlight. In the morning I have no sunlight  
 07:30PM 5 until in the summer 9:30, 10:00.  
 07:31PM 6 How are our lives going to be affected  
 07:31PM 7 vis-a-vis the height of that house?  
 07:31PM 8 MR. COCOROS: I didn't do a --  
 07:31PM 9 CHAIRMAN FERGUSON: So what she wants  
 07:31PM 10 to know is what's the height of the building.  
 07:31PM 11 MS. GIACOBONE: That's not just what I  
 07:31PM 12 want to know. I want to know how we're going to be  
 07:31PM 13 impacted. He can tell me the height, he's told me  
 07:31PM 14 the length. All right.  
 07:31PM 15 MR. COCOROS: The height, itself --  
 07:31PM 16 MS. GIACOBONE: I'd like to grow a  
 07:31PM 17 petunia and a tomato and I can't anymore.  
 07:31PM 18 Paulie, don't laugh. I'm not in the  
 07:31PM 19 mood.  
 07:31PM 20 MR. COCOROS: The answer is, I haven't  
 07:31PM 21 done a study of shadows or the impact of the  
 07:31PM 22 building. I can't really answer what it's going to  
 07:31PM 23 be.  
 07:31PM 24 MS. GIACOBONE: But it's a viable  
 07:31PM 25 concern of mine, is it not?  
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07:31PM 1 MR. COCOROS: Yes, of course.  
 07:31PM 2 MS. GIACOBONE: All right. This is  
 07:31PM 3 what I live with now and I've invited you all, come  
 07:31PM 4 on over and see exactly what I have.  
 07:31PM 5 MR. COCOROS: I mean, one saving grace  
 07:31PM 6 is the fact that the building, itself, is located  
 07:31PM 7 almost 100 feet away from the back property line.  
 07:31PM 8 MS. GIACOBONE: Ah, but what about the  
 07:31PM 9 height, all right? Especially come the winter.  
 07:31PM 10 No, it's not the right answer.  
 07:32PM 11 CHAIRMAN FERGUSON: Well, in your  
 07:32PM 12 opinion.  
 07:32PM 13 Listen, my friend, what is the height  
 07:32PM 14 of the building as it is now?  
 07:32PM 15 MR. COCOROS: The height, which is  
 07:32PM 16 measured to the average, is 34 feet 9 inches.  
 07:32PM 17 I mean, the sun does come from the left  
 07:32PM 18 side of the building, it comes across.  
 07:32PM 19 Like I said, it is a height variance.  
 07:32PM 20 The building, itself, is basically built into the  
 07:32PM 21 existing grade, which does have a considerable  
 07:32PM 22 drop-off from front to back.  
 07:32PM 23 I mean, the drop-off from the front  
 07:32PM 24 corner to the rear corner of the building is almost,  
 07:32PM 25 is almost 6 feet, it's natural, and then it goes

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07:32PM 1 quite a bit even more to the back of the property.  
 07:32PM 2 CHAIRMAN FERGUSON: Right.  
 07:32PM 3 Anybody else?  
 07:32PM 4 (No response.)  
 07:32PM 5 CHAIRMAN FERGUSON: Okay. So before  
 07:33PM 6 you call your next, you're going to put a planner on?  
 07:33PM 7 MR. RAMUNDO: Yes, Mr. Chairman.  
 07:33PM 8 CHAIRMAN FERGUSON: Okay. Diane, do  
 07:33PM 9 you want to take your -- do you want to wait or do  
 07:33PM 10 you want to switch now?  
 07:33PM 11 (Whereupon, Ms. Testa arrives and  
 07:33PM 12 Ms. DeCarlo departs the meeting at 7:33 p.m.)  
 07:33PM 13 MS. TESTA: Thank you, Chairman.  
 07:33PM 14 CHAIRMAN FERGUSON: Yes.  
 07:33PM 15 MS. GIACOBONE: It's worse for me  
 07:33PM 16 because now that you're --  
 07:33PM 17 CHAIRMAN FERGUSON: Listen.  
 07:33PM 18 (Whereupon, Chairman strikes the gavel  
 07:33PM 19 to maintain order.)  
 07:33PM 20 MR. MIRAKIAN: Mr. Chair, it's just I  
 07:33PM 21 appreciate the attorney and the architect trying to  
 07:34PM 22 accommodate us here, but I also -- I'm sorry -- I'm a  
 07:34PM 23 kids from Old 25th Street and I have to -- I have to  
 07:34PM 24 check something out.  
 07:34PM 25 When we speak of putting arborvitae

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07:34PM 1 in, are we talking two, are we talking the length of  
 07:34PM 2 the back property? And how high are they going to  
 07:34PM 3 be? Are they going to be 3-footers, 6-footers or  
 07:34PM 4 9-footers? I don't want to be surprised by this. I  
 07:34PM 5 hope you understand that.  
 07:34PM 6 CHAIRMAN FERGUSON: No, I understand.  
 07:34PM 7 MR. MIRAKIAN: Okay, it's a legitimate  
 07:34PM 8 concern.  
 07:34PM 9 MR. COCOROS: Well, they're usually 3  
 07:34PM 10 foot on center, typically.  
 07:34PM 11 MR. COLLAZUOL: Well, I would say in  
 07:34PM 12 this case you would want to plant 4 to 6 foot in  
 07:34PM 13 height and you want them 3 feet on center.  
 07:34PM 14 MR. COCOROS: Okay.  
 07:34PM 15 MR. COLLAZUOL: So unless you have  
 07:34PM 16 staggered.  
 07:34PM 17 MR. MIRAKIAN: I'm sorry?  
 07:34PM 18 VICE CHAIRMAN ALBANESE: Four to 6 feet  
 07:34PM 19 in height.  
 07:34PM 20 MR. COCOROS: Fourteen to 16 across, it  
 07:34PM 21 will be staggered 3 feet on center. So a zigzag so  
 07:34PM 22 they have room to grow.  
 07:34PM 23 MR. MIRAKIAN: Okay.  
 07:34PM 24 MR. COCOROS: So 3 feet apart from each  
 07:34PM 25 other.

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07:35PM 1 MR. MIRAKIAN: And how tall would they  
 07:35PM 2 be?  
 07:35PM 3 MR. COCOROS: I guess they start about  
 07:35PM 4 4 or 5 feet and they go up to maybe 6, 7 feet.  
 07:35PM 5 MR. MIRAKIAN: Well, that's not even  
 07:35PM 6 going to cover the fence.  
 07:35PM 7 Is that correct?  
 07:35PM 8 MR. COCOROS: No, the fence is going to  
 07:35PM 9 be behind the -- you're going to see the trees and  
 07:35PM 10 the fence is behind the trees from your point of  
 07:35PM 11 view.  
 07:35PM 12 VICE CHAIRMAN ALBANESE: The fence is,  
 07:35PM 13 what, 4 feet?  
 07:35PM 14 CHAIRMAN FERGUSON: Well, the wall is  
 07:35PM 15 only going to be 2 feet. The wall is only going to  
 07:35PM 16 be 2 feet, right?  
 07:35PM 17 MR. COCOROS: Well, 2 feet on one  
 07:35PM 18 portion and 16 inches on the other.  
 07:35PM 19 CHAIRMAN FERGUSON: Okay. So it's  
 07:35PM 20 going to cover the wall?  
 07:35PM 21 MR. COCOROS: Yeah.  
 07:35PM 22 VICE CHAIRMAN ALBANESE: Yeah, it will  
 07:35PM 23 cover it.  
 07:35PM 24 CHAIRMAN FERGUSON: Okay. Mr. Spatz,  
 07:35PM 25 are you ready?

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07:35PM 1 MR. SPATZ: Yes, I am.  
 07:35PM 2 MS. TESTA: Please raise your right  
 07:35PM 3 hand.  
 07:35PM 4 Do you swear that the testimony you  
 07:35PM 5 will give in this application will be the truth, the  
 6 whole truth and nothing but the truth, so help you  
 7 God?  
 8 MR. SPATZ: Yes, I do.  
 9 D A V I D S P A T Z,  
 10 60 Friend Terrace, Harrington Park, New jersey,  
 11 having been duly sworn, testifies as follows:  
 12 MS. TESTA: State your name for the  
 13 record, please.  
 07:36PM 14 MR. SPATZ: David Spatz, S-P-A-T-Z.  
 07:36PM 15 MS. TESTA: Thank you.  
 07:36PM 16 CHAIRMAN FERGUSON: Okay. Mr. Spatz,  
 07:36PM 17 has been here many times. We'll accept him as an  
 07:36PM 18 expert.  
 07:36PM 19 MR. SPATZ: Thank you.  
 07:36PM 20 DIRECT EXAMINATION  
 07:36PM 21 BY MR. RAMUNDO:  
 07:36PM 22 Q. Okay. Mr. Spatz, you were retained to  
 07:36PM 23 provide a planning report for 435 Highland Avenue?  
 07:36PM 24 A. Yes, I was, yes.  
 07:36PM 25 Q. And you visited the site?  
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07:36PM 1 A. I have visited the property.  
 07:36PM 2 Q. And you have in conjunction with that,  
 07:36PM 3 being retained, you also reviewed the master plan and  
 07:36PM 4 zoning ordinances of the Township of -- or the  
 07:36PM 5 Borough of Palisades Park?  
 07:36PM 6 A. Yes, I did.  
 07:36PM 7 Q. And prepared a report for this evening?  
 07:36PM 8 A. I did, as part of my testimony this  
 07:36PM 9 evening, yes.  
 07:36PM 10 Q. Okay. Do you want to be so kind to --  
 07:36PM 11 you know, to explain your report and testify as --  
 07:36PM 12 and answering any of the board's questions?  
 07:36PM 13 A. Of course.  
 07:36PM 14 We have a photo exhibit, which we've  
 07:36PM 15 submitted. The top left-hand photographic is of the  
 16 subject property. Top right-hand photograph is  
 17 looking to the right of our property. It's a  
 18 two-family home and then a series of one-families.  
 19 The bottom left is looking to the left of our  
 20 property, it's a two-family. There's some newer  
 21 two-families after that and then a multifamily  
 22 building.  
 07:36PM 23 And then the bottom right is looking  
 07:36PM 24 across the street from our property, which includes  
 07:36PM 25 some older two-families, as well as newer two  
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07:37PM 1 families that have been constructed on the street.  
 07:37PM 2 The two-family that we're proposing is  
 07:37PM 3 permitted within the zone. The lot conforms to the  
 07:37PM 4 area and depth requirements. We're merely twice the  
 07:37PM 5 size of what is required. The depth is 225 feet of  
 07:37PM 6 the lot.  
 07:37PM 7 We need one (d) variance, which is for  
 07:37PM 8 building height and then two (c) variances, building  
 07:37PM 9 coverage and minimum side yards.  
 07:37PM 10 As Mr. Cocoros indicated, there were  
 07:37PM 11 modifications to the plan since the previous  
 07:37PM 12 submission and that has reduced the variance for  
 07:37PM 13 building coverage, reduced the side yard variance  
 07:37PM 14 coverage and although the rear yard is -- was more  
 07:37PM 15 than conforming, that has been improved as well. The  
 07:37PM 16 rear yard is nearly 100 feet from the building to the  
 07:38PM 17 rear yard.  
 07:38PM 18 So looking quickly at the height  
 07:38PM 19 variance, we exceed the height limitation by half a  
 07:38PM 20 story and less than 7 feet and as was described,  
 07:38PM 21 there is a significant topographic change in the  
 07:38PM 22 property from front to back, which affects the  
 07:38PM 23 increase in height.  
 07:38PM 24 As can be seen from the photographs,  
 07:38PM 25 the three stories and that height is typical of the  
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07:38PM 1 newer two-families that have been constructed on the  
 07:38PM 2 street and in the surrounding neighborhoods. So it  
 07:38PM 3 is consistent with the development pattern.  
 07:38PM 4 As I indicated, Highland to the rear is  
 07:38PM 5 at a lower elevation than what we're proposing. As  
 07:38PM 6 was indicated in testimony earlier, there will be a  
 07:38PM 7 substantial amount of landscaping provided along the  
 07:38PM 8 side and the rear, particularly the rear to help  
 9 buffer those adjacent properties and that will soften  
 10 the appearance of the building in terms of height.  
 11 It also has a rear yard of nearly 100 feet. So where  
 12 only 25 feet is required. So there is a substantial  
 13 distance from our building to the rear property line.  
 07:39PM 14 Looking at the two bulk variances, the  
 07:39PM 15 subject property is undersized in terms of width.  
 07:39PM 16 The properties on either side are fully developed, so  
 07:39PM 17 we cannot acquire property to expand our lot without  
 07:39PM 18 making those lots nonconforming.  
 07:39PM 19 In terms of width, the setbacks on the  
 07:39PM 20 side have been increased from what was originally  
 07:39PM 21 submitted. We tried to create as much of a setback  
 07:39PM 22 as possible.  
 07:39PM 23 We conform to the front yard and rear  
 07:39PM 24 yard substantially. In terms of the rear yard, as  
 07:39PM 25 I've indicated, the building has been designed to  
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07:39PM **1 provide a conforming amount of parking within the**  
 07:39PM **2 building, as well as on the driveway. We've**  
 07:39PM **3 eliminated the previous condition where cars**  
 07:39PM **4 circulate to the rear yard. So that's a substantial**  
 07:39PM **5 improvement.**  
 07:39PM **6 In order to get the garages to support**  
 07:39PM **7 the vehicles, the building is a little bit wider to**  
 07:39PM **8 get the cars in there and that goes towards the**  
 07:40PM **9 variance as well.**  
 07:40PM **10 In terms of coverage, we meet the**  
 07:40PM **11 standard in terms of percentages. We are**  
 07:40PM **12 significantly under what is permitted, 40 percent is**  
 07:40PM **13 permitted. We're at 31.65 percent, because the**  
 07:40PM **14 standards are designed for a 5,000-square-foot lot.**  
 07:40PM **15 The building, itself, actually in terms of the square**  
 07:40PM **16 footage, exceeds the coverage, but in terms of its**  
 07:40PM **17 relationship to the lot, it is significantly under**  
 07:40PM **18 what is there.**  
 07:40PM **19 So I think the positive criteria are**  
 07:40PM **20 met for both the (d) variance, as well as those bulk**  
 07:40PM **21 variances.**  
 07:40PM **22 Lastly, looking at the negative**  
 07:40PM **23 criteria, I don't think there's anything that is**  
 07:40PM **24 substantially negative. We are a permitted use.**  
 07:40PM **25 We're consistent with the neighborhood development**  
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07:41PM **1 consistent with other structures in the neighborhood,**  
 07:41PM **2 if that can justify the grant of that variance. And**  
 07:41PM **3 if you presented the testimony, I apologize, but I**  
 07:41PM **4 didn't hear it.**  
 07:41PM **5 Is this building consistent with other**  
 07:41PM **6 building heights in the neighborhood and if so, what**  
 07:41PM **7 are those buildings?**  
 07:41PM **8 THE WITNESS: Okay. I'll go over that.**  
 07:41PM **9 On the photo exhibit, the bottom right-hand**  
 07:41PM **10 photograph is of the properties directly across the**  
 07:41PM **11 street.**  
 07:41PM **12 Directly across the street from us, you**  
 07:42PM **13 can see that at the right edge of the photograph**  
 07:42PM **14 there's a three-story building. That's an older**  
 07:42PM **15 two-family home. If you look towards the left on**  
 07:42PM **16 that, there are two newer two-family homes, which are**  
 07:42PM **17 designed similar to what we are proposing. They're**  
 07:42PM **18 three stories and approximately 35 feet, similar to**  
 07:42PM **19 ours. And then looking at the bottom left-hand**  
 07:42PM **20 photograph, to the left of our property, they're**  
 07:42PM **21 hidden behind the trees. There are newer two-family**  
 07:42PM **22 homes and then a multifamily building that is four**  
 07:42PM **23 stories in height.**  
 07:42PM **24 So we are certainly consistent with the**  
 07:42PM **25 neighborhood development pattern. The other**  
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07:40PM **1 pattern. The setbacks front and rear are fully**  
 07:40PM **2 conforming. The side yards have been improved. The**  
 07:40PM **3 rear yard has been improved as well. We've discussed**  
 07:40PM **4 that landscaping is being provided to help buffer the**  
 07:40PM **5 adjacent properties. There is a conforming amount of**  
 07:41PM **6 parking provided on-site. It is now all in the front**  
 07:41PM **7 yard, so that reduces the impacts to the rear yard.**  
 07:41PM **8 And I would say on balance, the**  
 07:41PM **9 positive impact far outweighs anything that can be**  
 07:41PM **10 considered negative and I think the variances could**  
 07:41PM **11 be granted.**  
 07:41PM **12 MR. RAMUNDO: Mr. Chairman, your**  
 07:41PM **13 witness.**  
 07:41PM **14 CHAIRMAN FERGUSON: Right. Any board**  
 07:41PM **15 members have any questions?**  
 07:41PM **16 (No response.)**  
 07:41PM **17 CHAIRMAN FERGUSON: Mr. Kauker, you're**  
 07:41PM **18 on.**  
 07:41PM **19 MR. KAUKER: Just a couple of questions**  
 07:41PM **20 with respect to the building height. As you**  
 07:41PM **21 mentioned, you require a (d)(6) variance?**  
 07:41PM **22 THE WITNESS: Correct.**  
 07:41PM **23 MR. KAUKER: And, obviously, with**  
 07:41PM **24 respect to the height, the board has to find that for**  
 07:41PM **25 -- they can find, they can find that the height is**  
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07:42PM **1 two-family buildings in the surrounding neighborhood**  
 07:42PM **2 are all of a similar design.**  
 07:42PM **3 MR. KAUKER: And then just with respect**  
 07:42PM **4 to the negative criteria and more specifically,**  
 07:42PM **5 potential impact on the surrounding area, there's**  
 07:42PM **6 been a lot of discussion about, I guess, the size of**  
 07:42PM **7 the building in terms of its massing, its length and**  
 07:42PM **8 its height.**  
 07:42PM **9 Is it your opinion that this proposed**  
 07:42PM **10 building is consistent with that of other buildings**  
 07:43PM **11 that exist in the neighborhood and is it something**  
 07:43PM **12 that would be consistent with the character of the**  
 07:43PM **13 neighborhood.**  
 07:43PM **14 THE WITNESS: I believe it is. I think**  
 07:43PM **15 what's important in the design of the building is the**  
 07:43PM **16 fact that the lot is merely twice, it's almost 10,000**  
 07:43PM **17 square feet where 5,000 is required. So the building**  
 07:43PM **18 is bigger, but even though it is bigger, it still**  
 07:43PM **19 provides a rear yard. Instead of the 25 feet that is**  
 07:43PM **20 required, we're nearly 100 feet setback from the**  
 07:43PM **21 buildings to the rear of our property.**  
 07:43PM **22 So I think in terms of its impact on**  
 07:43PM **23 the size, we're actually providing a much greater**  
 07:43PM **24 rear yard than what would be typical for a two-family**  
 07:43PM **25 house in the neighborhood. The fact that the**  
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07:43PM 1 property is more than twice the depth of what is  
 07:43PM 2 required allows us to build a slightly larger  
 07:43PM 3 building. If you look at it in terms of lot area per  
 07:43PM 4 unit, your ordinance requires 2500 square feet per  
 07:43PM 5 unit and we're at over 4900 square feet per unit.  
 07:44PM 6 So we are, again, nearly twice the lot  
 07:44PM 7 area per unit of what is typically proposed. So in  
 07:44PM 8 terms of density and impact, I think we are far under  
 07:44PM 9 what the lot could support.  
 07:44PM 10 MR. KAUKER: I have no other questions.  
 07:44PM 11 CHAIRMAN FERGUSON: Okay. Anybody in  
 07:44PM 12 the audience have anything for the planner?  
 07:44PM 13 This is strictly for the planner. Go  
 07:44PM 14 ahead.  
 07:44PM 15 MS. PIRRERA: Cindy Pirrera, Hillside  
 07:44PM 16 Avenue.  
 07:44PM 17 The only thing I didn't hear mentioned  
 07:44PM 18 tonight, I think at the last meeting there was a  
 07:44PM 19 bathroom with a tub in the basement. That has been  
 07:44PM 20 removed, correct?  
 07:44PM 21 CHAIRMAN FERGUSON: Well, we're going  
 07:44PM 22 to find out.  
 07:44PM 23 THE WITNESS: That will be removed. It  
 07:44PM 24 will be a powder room.  
 07:44PM 25 CHAIRMAN FERGUSON: The answer is --  
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07:45PM 1 value of the height of the fence in terms of privacy.  
 07:45PM 2 Because from what I've understood, Mr. Ferguson, that  
 07:45PM 3 fence will not even come to the lowest level of the  
 07:45PM 4 basement window. So what kind of privacy are we  
 07:45PM 5 talking about?  
 07:45PM 6 CHAIRMAN FERGUSON: We're not -- the  
 07:45PM 7 wall that we talked about, the 2-foot wall is not for  
 07:46PM 8 privacy. That is to keep water from rolling down the  
 07:46PM 9 hills into everybody's backyard. So that's -- it  
 07:46PM 10 isn't meant for the privacy. It's meant to keep  
 07:46PM 11 water on the applicant's property.  
 07:46PM 12 MS. GIACOBONE: Okay, understood.  
 07:46PM 13 But then that is going to be masonry,  
 07:46PM 14 but were we not talking about a fence of some sort  
 07:46PM 15 and then shrubbery? Or have I totally misunderstood  
 07:46PM 16 the conversation.  
 07:46PM 17 VICE CHAIRMAN ALBANESE: No. There's  
 07:46PM 18 going to be the wall, there's going to be a fence on  
 07:46PM 19 top of the wall and then the shrubs are going to be  
 07:46PM 20 --  
 07:46PM 21 MS. GIACOBONE: So the fence on top of  
 07:46PM 22 the wall will give me what kind of height then?  
 07:46PM 23 VICE CHAIRMAN ALBANESE: Four feet,  
 07:46PM 24 guess.  
 07:46PM 25 MS. GIACOBONE: On top of the wall 4  
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07:44PM 1 MS. PIRRERA: It will be removed or it  
 07:44PM 2 is removed? I'm sorry, I didn't hear you.  
 07:44PM 3 THE WITNESS: I think we still have --  
 07:44PM 4 the architectural, we still have the old plan. We  
 07:44PM 5 have the revised site plan. So the architectural  
 07:44PM 6 plans will be revised to make sure that the full bath  
 07:44PM 7 --  
 07:44PM 8 MS. PIRRERA: That will be on the  
 07:44PM 9 record?  
 07:44PM 10 MS. TESTA: Yes.  
 07:44PM 11 CHAIRMAN FERGUSON: It will be in the  
 07:44PM 12 resolution.  
 07:44PM 13 MS. PIRRERA: Okay.  
 07:44PM 14 CHAIRMAN FERGUSON: Sue.  
 07:45PM 15 MS. GIACOBONE: Just a comment in  
 07:45PM 16 general. The buildings that are three and four  
 07:45PM 17 stories that are on Highland Avenue really aren't  
 07:45PM 18 germane to this issue. Those buildings were put up  
 07:45PM 19 when, in the '20s or in the '30s, Paulie, when there  
 07:45PM 20 was a stream running down through Highland Avenue?  
 07:45PM 21 The buildings that might be comparable,  
 07:45PM 22 they back commercial property on Broad Avenue. So  
 07:45PM 23 this building is far in excess of anything that is  
 07:45PM 24 alongside it. So that's number one.  
 07:45PM 25 Number two, I'm not understanding the  
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07:46PM 1 feet?  
 07:46PM 2 THE WITNESS: It's the wall, shrubs and  
 07:46PM 3 then the fence.  
 07:46PM 4 VICE CHAIRMAN ALBANESE: That fence  
 07:46PM 5 really is so the lights coming down don't shine.  
 07:46PM 6 MS. LAMBRINIDES: There's no lights  
 07:46PM 7 coming down. Please don't start anything.  
 07:46PM 8 CHAIRMAN FERGUSON: But the wall, the  
 07:46PM 9 2-foot wall is there --  
 07:46PM 10 THE WITNESS: To keep the water from  
 07:47PM 11 sheeting all the way down.  
 07:47PM 12 CHAIRMAN FERGUSON: Thank you.  
 07:47PM 13 THE WITNESS: It basically is going to  
 07:47PM 14 channel the water towards two inlets in the back.  
 07:47PM 15 CHAIRMAN FERGUSON: Into the inlets.  
 07:47PM 16 MS. GIACOBONE: Then on top of that  
 07:47PM 17 wall, we're talking about 4 feet of fencing?  
 07:47PM 18 THE WITNESS: No, from your point of  
 07:47PM 19 view from the back, there's going to be the trees  
 07:47PM 20 first, then the fence. The fence really is just  
 07:47PM 21 keeping people, you know, from falling over the --  
 07:47PM 22 CHAIRMAN FERGUSON: I want to be clear,  
 07:47PM 23 are you putting a fence on top of the wall?  
 07:47PM 24 THE WITNESS: No. You want to see the  
 07:47PM 25 trees, you don't want to see the fence.  
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07:47PM 1 MS. GIACOBONE: Correct.

07:47PM 2 THE WITNESS: Yeah, so we're doing the

07:47PM 3 wall, the wall steps up, the trees and then the fence

07:47PM 4 in front of the trees, you know, to keep people from

07:47PM 5 going through and falling over on the small wall.

07:47PM 6 MR. MIRAKIAN: That's correct.

07:47PM 7 CHAIRMAN FERGUSON: Yes.

07:47PM 8 MR. KIM: Chong Kim, 59 Liberty Place.

07:47PM 9 Could the board provide me what the

07:47PM 10 ordinance is concerning the duplexes not having -- is

07:47PM 11 there an ordinance that duplexes should have a

07:47PM 12 two-car garage? Is that that or is it just you have

07:47PM 13 to put in two cars inside there? Or does the width

07:48PM 14 have to require that it has to be a two-car for

07:48PM 15 duplexes?

07:48PM 16 CHAIRMAN FERGUSON: Go ahead.

07:48PM 17 MR. KIM: Yeah, I mean, like I want to

07:48PM 18 know, it's a general question, because my memory

07:48PM 19 recollects that you need for a duplex, you need

07:48PM 20 two-car garages. I don't know if that means, do you

07:48PM 21 need the width of it or you just have to put in two

07:48PM 22 cars?

07:48PM 23 VICE CHAIRMAN ALBANESE: It's supposed

07:48PM 24 to be two cars.

07:48PM 25 MR. KIM: Is that an ordinance? Is  
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07:48PM 1 that what the ordinance is?

07:48PM 2 MR. CARNOVALE: You can tandem them, I

07:48PM 3 believe. You would know better.

07:48PM 4 MS. TESTA: Two cars counting the

07:48PM 5 driveway?

07:48PM 6 MR. KIM: Because there is no ordinance

07:48PM 7 --

07:48PM 8 MR. CARNOVALE: No.

07:48PM 9 MR. KIM: -- that made us change from

07:48PM 10 the old duplex to a new duplex with the width having

07:48PM 11 two cars. That fits in two cars. Does the ordinance

07:48PM 12 specify you just have to put in two cars or the width

07:48PM 13 of the --

07:48PM 14 MR. COCOROS: I thought it was the

07:48PM 15 driveway.

07:48PM 16 MR. KIM: I have no idea.

07:48PM 17 MS. TESTA: Yeah.

07:48PM 18 VICE CHAIRMAN ALBANESE: You got to put

07:48PM 19 two cars in the garage.

07:48PM 20 MS. TESTA: Yeah.

07:48PM 21 MR. KIM: Okay, just a two-car garage?

07:48PM 22 All right, thank you.

07:48PM 23 THE WITNESS: Right, not side by side,

07:48PM 24 but just to get the two cars in.

07:48PM 25 VICE CHAIRMAN ALBANESE: It could be  
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07:49PM 1 tandem, they could be side by side.

07:49PM 2 CHAIRMAN FERGUSON: Okay. We're ready?

07:49PM 3 Any other questions for the planner?

07:49PM 4 (No response.)

07:49PM 5 CHAIRMAN FERGUSON: Do you want to sum

07:49PM 6 up, Counsel, so we can go to the next one?

07:49PM 7 MR. RAMUNDO: Mr. Chairman, I don't

07:49PM 8 think I need to sum up. I think we've provided an

07:49PM 9 exhaustive recitation of the entire application. I

07:49PM 10 know we've been here probably four times now. We've

07:49PM 11 listened to the concerns of the residents.

07:49PM 12 We've, you know, been very conservative

07:49PM 13 as far as I didn't want to put this to a vote, I

07:49PM 14 wanted to hear the concerns of the residents, we

07:49PM 15 wanted to address them. The applicant was

07:49PM 16 understanding and for the most part changed the

07:49PM 17 application maybe three times in order to provide a

07:49PM 18 --

07:49PM 19 CHAIRMAN FERGUSON: Right, address the

07:49PM 20 concerns.

07:49PM 21 MR. RAMUNDO: -- building that can at

07:49PM 22 least meet the concerns of the residents and the

07:49PM 23 board. So I think with all the changes that we've

07:50PM 24 made and today's revisions and Mr. Collazuol's

07:50PM 25 conditions, I think we're ready to submit for a vote.  
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07:50PM 1 CHAIRMAN FERGUSON: Okay.

07:50PM 2 MR. CARNOVALE: Mr. Chairman, I would

07:50PM 3 make a motion that we approve it, always contingent

07:50PM 4 to everything she's going to write in the resolution.

07:50PM 5 CHAIRMAN FERGUSON: Okay. So the

07:50PM 6 motion is to accept?

07:50PM 7 MR. CARNOVALE: To accept it, yes.

07:50PM 8 VICE CHAIRMAN ALBANESE: I'll second

07:50PM 9 it.

07:50PM 10 CHAIRMAN FERGUSON: There's a motion

07:50PM 11 and a second.

07:50PM 12 Any comments from the board members?

07:50PM 13 (No response.)

07:50PM 14 CHAIRMAN FERGUSON: Roll call vote.

07:50PM 15 MS. LAMBRINIDES: Mr. Ferguson.

07:50PM 16 CHAIRMAN FERGUSON: Yes.

07:03PM 17 MS. LAMBRINIDES: Mr. Albanese?

07:03PM 18 VICE CHAIRMAN ALBANESE: Yes.

07:03PM 19 MS. LAMBRINIDES: Mr. Terranova?

07:03PM 20 MR. TERRANOVA: No.

07:03PM 21 MS. LAMBRINIDES: Mr. Min?

07:03PM 22 MR. MIN: Yes.

07:03PM 23 MS. LAMBRINIDES: Ms. Yoon?

07:03PM 24 MS. YOON: Yes.

07:03PM 25 MS. LAMBRINIDES: Mr. Carnovale?  
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07:50PM **1** MR. CARNOVALE: Yes.

07:50PM **2** CHAIRMAN FERGUSON: Okay. So the vote

07:50PM **3** was?

07:50PM **4** MS. LAMBRINIDES: Five yeses and one

07:50PM **5** no.

07:50PM **6** MS. TESTA: Five yes, one no. It

07:50PM **7** passes.

07:50PM **8** CHAIRMAN FERGUSON: The motion passes.

07:50PM **9** Thank you.

07:50PM **10** MR. CARNOVALE: Five-minute break?

07:50PM **11** CHAIRMAN FERGUSON: Yeah, we'll take a

07:50PM **12** five-minute break.

07:50PM **13** (Whereupon, a short recess is held.)

08:00PM **14** CHAIRMAN FERGUSON: Roll call.

08:00PM **15** MS. LAMBRINIDES: Chairman Ferguson?

08:00PM **16** CHAIRMAN FERGUSON: Here.

**17** Can we get going?

**18** (Whereupon, Chairman strikes the gavel

**19** to maintain order.)

**20** CHAIRMAN FERGUSON: All right. I want

**21** to get going.

**22** Take your conversations to the back.

**23** MS. LAMBRINIDES: We'll take attendance

**24** and they'll stop.

**25** CHAIRMAN FERGUSON: Okay.

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08:00PM **1** next month, so...

08:01PM **2** MR. CARNOVALE: Mr. Chairman, then I

08:01PM **3** would make a motion that we table December's meeting

08:01PM **4** because of the holidays and we push it to January.

08:01PM **5** CHAIRMAN FERGUSON: Okay. What's our

08:01PM **6** meeting date in January?

08:01PM **7** MR. CARNOVALE: I'm not sure.

08:01PM **8** MS. TESTA: The third meeting would be

08:01PM **9** the 20th, which is also Martin Luther King, but it's

08:01PM **10** up to -- or the week after, which would be the 27th.

08:01PM **11** VICE CHAIRMAN ALBANESE: The 27th.

08:01PM **12** MR. CARNOVALE: 27th.

08:01PM **13** CHAIRMAN FERGUSON: 27th?

08:01PM **14** MR. CARNOVALE: 27th.

08:01PM **15** CHAIRMAN FERGUSON: All right. So I

08:01PM **16** have a motion to cancel -- postpone, table --

08:01PM **17** MR. CARNOVALE: Table December's

08:01PM **18** meeting to January 27th.

08:01PM **19** MS. TESTA: Yeah, table or cancel,

08:01PM **20** basically.

08:01PM **21** CHAIRMAN FERGUSON: All right. That's

08:01PM **22** the motion. We're going to cancel December's

08:01PM **23** meeting.

08:01PM **24** VICE CHAIRMAN ALBANESE: The next

08:01PM **25** meeting is the 27th.

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**1** MS. LAMBRINIDES: Mr. Ferguson.

**2** CHAIRMAN FERGUSON: Here.

07:03PM **3** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **4** VICE CHAIRMAN ALBANESE: Here.

07:03PM **5** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **6** MR. TERRANOVA: Here.

07:03PM **7** MS. LAMBRINIDES: Mr. Min?

07:03PM **8** MR. MIN: Here.

07:03PM **9** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **10** MS. YOON: Here.

**11** MS. LAMBRINIDES: Mr. Carnovale?

**12** MR. LEFTERIOU: He's coming.

**13** MS. LAMBRINIDES: Mr. Carnovale?

**14** VICE CHAIRMAN ALBANESE: Say "here."

**15** MR. CARNOVALE: Here.

07:03PM **16** MS. LAMBRINIDES: Mr. Lefteriou?

07:03PM **17** MR. LEFTERIOU: Here.

07:03PM **18** MR. CARNOVALE: I was on vacation.

08:00PM **19** CHAIRMAN FERGUSON: Okay. Counsel,

08:00PM **20** you're with this or --

08:00PM **21** MS. LAMBRINIDES: We'd like to continue

08:00PM **22** the meeting, please.

08:00PM **23** CHAIRMAN FERGUSON: Okay. First order

08:00PM **24** of business, next month is December. Unfortunately I

08:00PM **25** will be going in for surgery, so I will not be here

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**1** MS. TESTA: Right.

**2** CHAIRMAN FERGUSON: Is the 27th.

**3** MS. TESTA: Of January.

**4** CHAIRMAN FERGUSON: Of January.

**5** VICE CHAIRMAN ALBANESE: Because of

**6** Martin Luther King Day.

08:01PM **7** MS. TESTA: Yes.

08:01PM **8** CHAIRMAN FERGUSON: All right.

08:01PM **9** MS. LAMBRINIDES: So we have a motion

08:02PM **10** by Vinny.

08:02PM **11** VICE CHAIRMAN ALBANESE: Second.

08:02PM **12** MR. CARNOVALE: Second by Paulie.

08:02PM **13** MS. LAMBRINIDES: Okay. Roll call.

08:02PM **14** Mr. Ferguson?

08:02PM **15** CHAIRMAN FERGUSON: Yes.

07:03PM **16** MS. LAMBRINIDES: Mr. Albanese?

07:03PM **17** VICE CHAIRMAN ALBANESE: Yes.

07:03PM **18** MS. LAMBRINIDES: Mr. Terranova?

07:03PM **19** MR. TERRANOVA: Yes.

07:03PM **20** MS. LAMBRINIDES: Mr. Min?

07:03PM **21** MR. MIN: Yes.

07:03PM **22** MS. LAMBRINIDES: Ms. Yoon?

07:03PM **23** MS. YOON: Yes.

07:03PM **24** MS. LAMBRINIDES: Mr. Carnovale?

07:03PM **25** MR. CARNOVALE: Yes.

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07:03PM **1** MS. LAMBRINIDES: Mr. Lefteriou?  
 07:03PM **2** MR. LEFTERIOU: Yes.  
 08:02PM **3** CHAIRMAN FERGUSON: Okay. Thank you.  
 08:02PM **4** MS. BRAUER: Could you put that on the  
 08:02PM **5** website, please? Put it on the borough website  
 08:02PM **6** because people ask about that all the time.  
 08:02PM **7** CHAIRMAN FERGUSON: Right, that would  
 08:02PM **8** be good.  
 08:02PM **9** FEMALE AUDIENCE MEMBER: What did you  
 08:02PM **10** say, the 27th?  
 08:02PM **11** MS. TESTA: Yes, 27th of January. It's  
 08:02PM **12** the fourth Monday of the month.  
 08:02PM **13** CHAIRMAN FERGUSON: Okay. Next we have  
 08:02PM **14** one on Case No. 19-14, 401 East Central Boulevard.  
 08:02PM **15** Counsel, that's up to you.  
 08:02PM **16** MR. RAMUNDO: Yes, Mr. Chairman. I  
 08:02PM **17** would like to respectfully request that this  
 08:02PM **18** application be carried to that January meeting.  
 08:02PM **19** We want to go back and actually  
 08:02PM **20** reconfigure the plans, as well as some of the  
 08:02PM **21** comments from the engineer and the zoning. We have a  
 08:03PM **22** planner engaged and we do want to make some changes  
 08:03PM **23** and I'll actually re-notice.  
 08:03PM **24** MS. TESTA: Right, okay, very good.  
 08:03PM **25** And the publication also.

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07:03PM **1** MS. YOON: Yes.  
 07:03PM **2** MS. LAMBRINIDES: Mr. Carnovale?  
 07:03PM **3** MR. CARNOVALE: Yes.  
 07:03PM **4** MS. LAMBRINIDES: Mr. Lefteriou?  
 07:03PM **5** MR. LEFTERIOU: Yes.  
 08:03PM **6** MS. TESTA: Okay. So Case No. 19-14,  
 08:03PM **7** 401 East Central, LLC, 401 East Central Boulevard is  
 08:03PM **8** being carried to the January 27th, 2020 meeting.  
 08:03PM **9** There will be notice provided by the applicant to the  
 08:04PM **10** property owners within 200 feet and notice published  
 08:04PM **11** in the paper, in the record.  
 08:04PM **12** MR. RAMUNDO: That's correct.  
 08:04PM **13** MALE AUDIENCE MEMBER: I'm sorry, I  
 08:04PM **14** just want to make clear, everything for this  
 08:04PM **15** particular property will be carried to January 27th,  
 08:04PM **16** there will be notice given to all property owners  
 08:04PM **17** prior to that event?  
 08:04PM **18** MS. TESTA: Correct, within the 200  
 08:04PM **19** feet, yes.  
 08:04PM **20** MALE AUDIENCE MEMBER: Okay. Because  
 08:04PM **21** last time there was no notice given to anybody  
 08:04PM **22** because we sort of carried it over.  
 08:04PM **23** MS. TESTA: Yes.  
 08:04PM **24** CHAIRMAN FERGUSON: Okay. Thank you,  
 08:04PM **25** Counsel.

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08:03PM **1** MR. RAMUNDO: That's correct.  
 08:03PM **2** MS. TESTA: Yes, very good. And your  
 08:03PM **3** client waives any time constraints?  
 08:03PM **4** MR. RAMUNDO: That's correct, yes.  
 08:03PM **5** MS. TESTA: Okay.  
 08:03PM **6** CHAIRMAN FERGUSON: Okay. I'll make  
 08:03PM **7** the motion to -- adjourn?  
 08:03PM **8** MS. LAMBRINIDES: Carry.  
 08:03PM **9** MS. TESTA: Carry the case.  
 08:03PM **10** CHAIRMAN FERGUSON: Carry the case.  
 08:03PM **11** MR. CARNOVALE: I second the motion.  
 08:03PM **12** CHAIRMAN FERGUSON: Roll call.  
 08:03PM **13** MS. LAMBRINIDES: We need some quiet,  
 08:03PM **14** please. It's very hard to hear the people at the  
 08:03PM **15** front.  
 08:03PM **16** Thank you.  
 08:03PM **17** Mr. Ferguson?  
 08:03PM **18** CHAIRMAN FERGUSON: Yes.  
 07:03PM **19** MS. LAMBRINIDES: Mr. Albanese?  
 07:03PM **20** VICE CHAIRMAN ALBANESE: Yes.  
 07:03PM **21** MS. LAMBRINIDES: Mr. Terranova?  
 07:03PM **22** MR. TERRANOVA: Yes.  
 07:03PM **23** MS. LAMBRINIDES: Mr. Min?  
 07:03PM **24** MR. MIN: Yes.  
 07:03PM **25** MS. LAMBRINIDES: Ms. Yoon?

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08:04PM **1** Next up will be Roff Avenue, 19-17.  
 08:04PM **2** MS. TESTA: That's also you?  
 08:04PM **3** MR. RAMUNDO: No, that's Mr. Macri.  
 08:04PM **4** But since I won't see everybody until after the  
 08:04PM **5** holidays, Happy Holidays to the whole board.  
 08:04PM **6** MS. TESTA: Thank you.  
 08:04PM **7** MS. LAMBRINIDES: Thank you.  
 08:04PM **8** MR. RAMUNDO: Happy Thanksgiving, Merry  
 08:04PM **9** Christmas.  
 08:04PM **10** MS. TESTA: Yes. And Happy New Year.  
 08:04PM **11** MR. RAMUNDO: Happy New Year.  
 08:04PM **12** CHAIRMAN FERGUSON: 25 Cleveland Place,  
 08:04PM **13** LLC, 126 Roff Avenue.  
 08:04PM **14** MR. RAMUNDO: Good luck to you on your  
 08:04PM **15** surgery.  
 08:04PM **16** CHAIRMAN FERGUSON: Thank you.  
 08:04PM **17** MR. MACRI: Good evening, Mr. Chairman,  
 08:04PM **18** Members of the Board. My name is Marc Macri  
 08:04PM **19** representing 25 Cleveland Place, LLC. This is an  
 08:05PM **20** application for variance relief at 126 Roff Avenue in  
 08:05PM **21** Palisades Park.  
 08:05PM **22** I'd like to hand in my Affidavit of  
 08:05PM **23** Service, proof of publication.  
 08:05PM **24** (Whereupon, Chairman strikes the gavel  
 08:05PM **25** to maintain order.)

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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08:05PM 1 MS. TESTA: The notice of publication  
08:05PM 2 and notice to the property owners looks to be in  
08:05PM 3 order, so the board has jurisdiction.  
08:05PM 4 MR. MACRI: Mr. Chairman, I'm going to  
08:05PM 5 request an adjournment on this matter. I don't have  
08:05PM 6 my expert report, nor do I have a copy of the board's  
08:05PM 7 expert report. So if I can carry to the next  
08:05PM 8 meeting.  
08:05PM 9 CHAIRMAN FERGUSON: Okay. So that  
08:05PM 10 would be January 27th, 2020.  
08:06PM 11 MR. MACRI: Without the necessity of  
08:06PM 12 re-noticing, correct?  
08:06PM 13 CHAIRMAN FERGUSON: Yeah, correct.  
08:06PM 14 MS. TESTA: And your client will waive  
08:06PM 15 any of the time constraints?  
08:06PM 16 MR. MACRI: Yes.  
08:06PM 17 MS. TESTA: So the motion would be to  
08:06PM 18 carry this case to January 27th, 2020. No further  
08:06PM 19 notice to be provided by the applicant and his  
08:06PM 20 clients will waive the time constraints.  
08:06PM 21 MR. CARNOVALE: I'll second that if you  
08:06PM 22 --  
08:06PM 23 CHAIRMAN FERGUSON: I'll make the  
08:06PM 24 motion.  
08:06PM 25 MR. CARNOVALE: I second it.  
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08:06PM 1 MR. MACRI: No, sir.  
08:06PM 2 Good evening, Mr. Chairman, Members of  
08:06PM 3 the Board. My name is Marc Macri representing  
08:06PM 4 Mr. James Noh, who is the owner of the property  
08:06PM 5 located at 43 Henry Avenue here in the borough.  
08:07PM 6 Before we begin, I would like to hand  
08:07PM 7 in my Affidavit of Service and proof of publication.  
08:07PM 8 MS. TESTA: Okay. Notice of  
08:07PM 9 publication and the notice to property owners is in  
08:07PM 10 order.  
08:07PM 11 So the board has jurisdiction to hear  
08:07PM 12 this matter.  
08:07PM 13 CHAIRMAN FERGUSON: Okay. Counsel,  
08:07PM 14 you're on.  
08:07PM 15 MR. MACRI: Thank you. Mr. Chairman, I  
08:07PM 16 have two experts with me this evening. I have  
08:07PM 17 Mr. Vassilios Cocoros, our architect and Mr. David  
08:07PM 18 Spatz, our professional planner.  
08:07PM 19 If we can begin by having Mr. Cocoros  
08:07PM 20 sworn in.  
08:08PM 21 MS. TESTA: Okay. Do you swear the  
08:08PM 22 testimony you will give in this application will be  
08:08PM 23 the truth, the whole truth and nothing but you truth,  
08:08PM 24 so help you God?  
08:08PM 25 MR. COCOROS: I do.  
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08:06PM 1 CHAIRMAN FERGUSON: Roll call.  
08:06PM 2 MS. LAMBRINIDES: Mr. Ferguson.  
08:06PM 3 CHAIRMAN FERGUSON: Yes.  
07:03PM 4 MS. LAMBRINIDES: Mr. Albanese?  
07:03PM 5 VICE CHAIRMAN ALBANESE: Yes.  
07:03PM 6 MS. LAMBRINIDES: Mr. Terranova?  
07:03PM 7 MR. TERRANOVA: Yes.  
07:03PM 8 MS. LAMBRINIDES: Mr. Min?  
07:03PM 9 MR. MIN: Yes.  
07:03PM 10 MS. LAMBRINIDES: Ms. Yoon?  
07:03PM 11 MS. YOON: Yes.  
07:03PM 12 MS. LAMBRINIDES: Mr. Carnovale?  
07:03PM 13 MR. CARNOVALE: Yes.  
07:03PM 14 MS. LAMBRINIDES: Mr. Lefteriou?  
07:03PM 15 MR. LEFTERIOU: Yes.  
08:06PM 16 CHAIRMAN FERGUSON: Okay. Moving right  
08:06PM 17 along. We'll finish it up with this one on 19-18, 43  
08:06PM 18 Henry Avenue.  
08:06PM 19 MS. LAMBRINIDES: Did you want to give  
08:06PM 20 me those notices?  
08:06PM 21 MS. TESTA: Yes.  
08:06PM 22 MS. LAMBRINIDES: Is that you, too?  
08:06PM 23 MR. MACRI: Yes.  
08:06PM 24 CHAIRMAN FERGUSON: You're looking for  
08:06PM 25 an adjournment on this one, too?  
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1 VASSILIOS COCOROS,  
2 467 Sylvan Avenue, Englewood Cliffs, New Jersey,  
3 having been duly sworn, testifies as follows:  
4 MS. TESTA: Please state your name for  
5 the record.  
6 THE WITNESS: Sure. Vassilios,  
7 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S, 467 Sylvan  
8 Avenue, Englewood Cliffs, New Jersey.  
9 CHAIRMAN FERGUSON: Yes.  
10 MR. MACRI: Do you accept him as an  
11 expert?  
08:08PM 12 CHAIRMAN FERGUSON: Yeah, I accept him  
08:08PM 13 as an expert. He's been here for every meeting for  
08:08PM 14 three and a half years.  
08:08PM 15 MR. MACRI: Thank you, Mr. Chairman.  
08:08PM 16 DIRECT EXAMINATION  
08:08PM 17 BY MR. MACRI:  
08:08PM 18 **Q.** Billy, could you explain to the board  
08:08PM 19 what we propose to construct upon the property?  
08:08PM 20 **A. Sure. We propose to knock down the**  
08:08PM 21 **existing dwelling and the nonconforming detached**  
08:08PM 22 **two-car garage at the back of the property and**  
08:08PM 23 **construct a new 6-over-6, two-family dwelling. The**  
08:08PM 24 **lot, itself, is 40-foot wide and 111-foot deep for a**  
08:08PM 25 **lot area of 4,440 square feet.**  
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08:08PM **1** **It's located on the south side of Henry**  
 08:08PM **2** **Avenue, which has the 14-foot right-of-way alley at**  
 08:08PM **3** **the back.**  
 08:08PM **4** **The building, itself, is 61-feet deep**  
 08:09PM **5** **by 33-feet 8-inches wide with a 3-foot-2 side yard**  
 08:09PM **6** **setback, a 25-foot rear yard setback and a 25-foot**  
 08:09PM **7** **front yard setback.**  
 08:09PM **8** **The building, itself, does meet the**  
 08:09PM **9** **setback requirements in the front. However, the**  
 08:09PM **10** **sides are a variance that we're requesting, but the**  
 08:09PM **11** **configuration and the width that we are proposing is**  
 08:09PM **12** **in line with other 6-over-6's that have been built**  
 08:09PM **13** **and improved in this area.**  
 08:09PM **14** **The building, itself, is set up on**  
 08:09PM **15** **three levels. The property does drop off, so the**  
 08:09PM **16** **right-hand side is higher than the left-hand side.**  
 08:09PM **17** **The building, itself, will be somewhat**  
 08:09PM **18** **buried into the ground as you look at it from the**  
 08:09PM **19** **right-hand side.**  
 08:09PM **20** **It's an all brick building that's set**  
 08:09PM **21** **up with a two-car garage, two-car driveway at the**  
 08:09PM **22** **front. We have a recreation room, home office in the**  
 08:09PM **23** **back. Powder room, not a full bath. There's no**  
 08:09PM **24** **shower, there's no tub.**  
 08:09PM **25** **First floor and second floor are**  
**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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08:10PM **1** **similar layouts where we have a three-bedroom**  
 08:10PM **2** **configuration, one being a master, which is located**  
 08:10PM **3** **at the rear with its own en suite master bathroom.**  
 08:10PM **4** **The main living space consists of a living room,**  
 08:10PM **5** **dining room, kitchen with an eat-in area that has**  
 08:10PM **6** **access to a wood deck off the back of the property.**  
 08:10PM **7** **The deck is 10-feet deep by 12-feet wide.**  
 08:10PM **8** **Q. The exterior is going to be brick,**  
 08:10PM **9** **correct?**  
 08:10PM **10** **A. Yes, all-brick structure.**  
 08:10PM **11** **In addition, we are providing for a new**  
 08:10PM **12** **stormwater retention system where one did not exist**  
 08:10PM **13** **before.**  
 08:10PM **14** **And as per Mr. Collazuol's letter,**  
 08:10PM **15** **prior to any installation of a stormwater system, we**  
 08:10PM **16** **would be providing a drainage report and a perc test**  
 08:10PM **17** **to verify that system works.**  
 08:10PM **18** **Q. Thank you.**  
 08:10PM **19** **A. And subject to approval.**  
 08:10PM **20** **MR. MACRI: Mr. Chairman, we're also**  
 08:10PM **21** **going to stipulate we're not going to use any dark**  
 08:10PM **22** **grey or black brick.**  
 08:10PM **23** **CHAIRMAN FERGUSON: Say again?**  
 08:10PM **24** **MR. MACRI: One of the concerns of the**  
 08:10PM **25** **neighbors was the color of the brick. We're not**  
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08:10PM **1** **going to use dark grey, nor are we going to use**  
 08:10PM **2** **black.**  
 08:11PM **3** **CHAIRMAN FERGUSON: Okay. So that's**  
 08:11PM **4** **real quickly. I assume -- are you going to go over**  
 08:11PM **5** **the variances?**  
 08:11PM **6** **MR. MACRI: No, that's going to be**  
 08:11PM **7** **handled by Mr. Spatz.**  
 08:11PM **8** **CHAIRMAN FERGUSON: Going to be handled**  
 08:11PM **9** **by Mr. Spatz. So I think I heard that there's no**  
 08:11PM **10** **bathrooms in the basement?**  
 08:11PM **11** **MR. MACRI: That's correct, full**  
 08:11PM **12** **bathroom.**  
 08:11PM **13** **CHAIRMAN FERGUSON: I've been waiting**  
 08:11PM **14** **for two years for that.**  
 08:11PM **15** **THE WITNESS: I'm getting there.**  
 08:11PM **16** **VICE CHAIRMAN ALBANESE: Joe.**  
 08:11PM **17** **CHAIRMAN FERGUSON: Yeah.**  
 08:11PM **18** **VICE CHAIRMAN ALBANESE: He said no**  
 08:11PM **19** **full bath.**  
 08:11PM **20** **MR. MACRI: No full bath.**  
 08:11PM **21** **THE WITNESS: Don't get crazy.**  
 08:11PM **22** **CHAIRMAN FERGUSON: Now, just so I'm**  
 08:11PM **23** **clear, your front yard is 25 feet, you have that?**  
 08:11PM **24** **THE WITNESS: Yes.**  
 08:11PM **25** **CHAIRMAN FERGUSON: And your back yard**  
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08:11PM **1** **is going to be?**  
 08:11PM **2** **THE WITNESS: It's 25 feet also.**  
 08:11PM **3** **CHAIRMAN FERGUSON: And what's the**  
 08:11PM **4** **length of the property?**  
 08:11PM **5** **THE WITNESS: The property is 111 feet.**  
 08:11PM **6** **CHAIRMAN FERGUSON: It's 111?**  
 08:11PM **7** **THE WITNESS: Yeah.**  
 08:11PM **8** **CHAIRMAN FERGUSON: So your house is**  
 08:11PM **9** **going to be --**  
 08:11PM **10** **THE WITNESS: Sixty-one, 61 feet.**  
 08:11PM **11** **CHAIRMAN FERGUSON: Sixty-one feet,**  
 08:11PM **12** **okay.**  
 08:11PM **13** **MS. SCHOR: What?**  
 08:11PM **14** **VICE CHAIRMAN ALBANESE: Sixty-one**  
 08:11PM **15** **feet.**  
 08:11PM **16** **Why not?**  
 08:11PM **17** **MS. SCHOR: They're close to me.**  
 08:11PM **18** **VICE CHAIRMAN ALBANESE: It's 111 foot.**  
 08:11PM **19** **MS. SCHOR: It's not actually.**  
 08:11PM **20** **MR. BRAUER: You have the easement that**  
 08:12PM **21** **cuts into that.**  
 08:12PM **22** **THE WITNESS: No, we're not including**  
 08:12PM **23** **the easement. The easement is --**  
 08:12PM **24** **MS. BRAUER: No, you can include the**  
 08:12PM **25** **easement.**  
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08:12PM **1** CHAIRMAN FERGUSON: Don't -- let's not  
 08:12PM **2** do any crosstalk.  
 08:12PM **3** THE WITNESS: No, the easement is  
 08:12PM **4** outside of our property.  
 08:12PM **5** So we're not measuring to the easement.  
 08:12PM **6** So if you measure -- the easement is 14-feet wide.  
 08:12PM **7** Our property is abutting the easement and the setback  
 08:12PM **8** from the back property line to our building is 25  
 08:12PM **9** feet.  
 08:12PM **10** CHAIRMAN FERGUSON: So let me get this  
 08:12PM **11** straight, the easement is, I assume, water?  
 08:12PM **12** THE WITNESS: No, I think it's an  
 08:12PM **13** alleyway that's back there.  
 08:12PM **14** CHAIRMAN FERGUSON: It's an alleyway, I  
 08:12PM **15** got you.  
 08:12PM **16** THE WITNESS: Yeah, so it's 25 feet to  
 08:12PM **17** the property line and then 14 feet to the property  
 08:12PM **18** that's behind us, which is to the south of us -- I'm  
 08:12PM **19** sorry, north of us.  
 08:12PM **20** CHAIRMAN FERGUSON: So you're telling  
 08:12PM **21** me there's going to be 25 feet, the building, another  
 08:12PM **22** 25 feet, and then --  
 08:12PM **23** THE WITNESS: No, let's say from the  
 08:12PM **24** front, yeah, the front from Henry we have 25 feet.  
 08:12PM **25** CHAIRMAN FERGUSON: Right.

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08:12PM **1** THE WITNESS: Sixty-one feet for the  
 08:12PM **2** depth of the building.  
 08:12PM **3** CHAIRMAN FERGUSON: Right.  
 08:12PM **4** THE WITNESS: Twenty-five feet to the  
 08:12PM **5** back property line and then there's a 14-foot  
 08:12PM **6** easement that's behind the property.  
 08:13PM **7** CHAIRMAN FERGUSON: Now, how close are  
 08:13PM **8** you from the -- your property line to the easement?  
 08:13PM **9** THE WITNESS: Twenty-five feet. But  
 08:13PM **10** the easement is the property line, the easement is  
 08:13PM **11** the property line.  
 08:13PM **12** CHAIRMAN FERGUSON: Oh, the easement's  
 08:13PM **13** on the property line. So you're going right up to  
 08:13PM **14** the easement?  
 08:13PM **15** THE WITNESS: If you look at the tax  
 08:13PM **16** map here, there's basically like a separation between  
 08:13PM **17** the two lots and on a usual block there's the one lot  
 08:13PM **18** on one street and then behind you there's another  
 08:13PM **19** house directly against you. Here there's a gap.  
 08:13PM **20** That gap is the alleyway between the houses that are  
 08:13PM **21** on the north side of Henry and then the south side of  
 08:13PM **22** Brinkerhoff.  
 08:13PM **23** CHAIRMAN FERGUSON: Okay. And just for  
 08:13PM **24** my own, you're going to get -- in the backyard you're  
 08:13PM **25** going to put, what do you call them, decks?

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08:13PM **1** THE WITNESS: Yeah, we have a deck  
 08:13PM **2** that's 9 feet -- I'm sorry, it's 12-feet wide.  
 08:14PM **3** CHAIRMAN FERGUSON: Okay. So that deck  
 08:14PM **4** is going to be on, what, the second, third floor?  
 08:14PM **5** THE WITNESS: Yes.  
 08:14PM **6** CHAIRMAN FERGUSON: Okay.  
 08:14PM **7** THE WITNESS: But it's minimized  
 08:14PM **8** because the building, itself, is in the ground on  
 08:14PM **9** that part of the property, the lot is a little bit  
 08:14PM **10** higher than the --  
 08:14PM **11** CHAIRMAN FERGUSON: And where is your  
 08:14PM **12** -- where is your entries, on the size of the house?  
 08:14PM **13** THE WITNESS: We have one entry at the  
 08:14PM **14** side, which is on the left-hand side and we the main  
 08:14PM **15** entry at the front with a staircase up to a covered  
 08:14PM **16** platform and then there's two separate entry doors.  
 08:14PM **17** CHAIRMAN FERGUSON: Two separate entry  
 08:14PM **18** doors?  
 08:14PM **19** THE WITNESS: Correct. We've done the  
 08:14PM **20** side door --  
 08:14PM **21** CHAIRMAN FERGUSON: Now, is the garage  
 08:14PM **22** open up -- from the garage can you get into the  
 08:14PM **23** bottom of --  
 08:14PM **24** THE WITNESS: Yes, there's a staircase  
 08:14PM **25** and a hallway that connects the basement and garage

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08:14PM **1** to the first floor unit.  
 08:14PM **2** CHAIRMAN FERGUSON: Okay. So you have  
 08:14PM **3** to go up the steps?  
 08:14PM **4** THE WITNESS: Yeah, there's -- you  
 08:14PM **5** know, there's a -- you open a door, you go into the  
 08:14PM **6** hallway of the basement and then there's a staircase  
 08:14PM **7** that brings you up to the first floor.  
 08:14PM **8** CHAIRMAN FERGUSON: Okay. So there's  
 08:14PM **9** really just two doors, that door and the door on the  
 08:15PM **10** side?  
 08:15PM **11** THE WITNESS: Correct.  
 08:15PM **12** CHAIRMAN FERGUSON: Okay. I just  
 08:15PM **13** wanted to be sure.  
 08:15PM **14** Any other board members have anything?  
 08:15PM **15** Any board members?  
 08:15PM **16** (No response.)  
 08:15PM **17** CHAIRMAN FERGUSON: Okay. Steve, you  
 08:15PM **18** got anything?  
 08:15PM **19** MR. COLLAZUOL: Yeah, a few questions.  
 08:15PM **20** CHAIRMAN FERGUSON: Sure.  
 08:15PM **21** MR. COLLAZUOL: Bill, there's limited  
 08:15PM **22** topography shown. We asked for additional  
 08:15PM **23** topography.  
 08:15PM **24** If this board were to approve this,  
 08:15PM **25** would you provide additional topography to review the

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08:15PM 1 site plan?  
 08:15PM 2 THE WITNESS: Yeah, we can do that.  
 08:15PM 3 MR. COLLAZUOL: Could you just give the  
 08:15PM 4 board an idea of what the height, maximum height of  
 08:15PM 5 the wall is in the rear?  
 08:15PM 6 THE WITNESS: We've set it up where  
 08:15PM 7 it's not going to be more than 3 feet and that will  
 08:15PM 8 taper to almost nothing to meet the existing grade.  
 08:15PM 9 MR. COLLAZUOL: And the adjoining grade  
 08:15PM 10 on the left, on Lot 21 is lower, I presume?  
 08:15PM 11 THE WITNESS: Correct.  
 08:15PM 12 MR. COLLAZUOL: And then your drainage  
 08:15PM 13 plan indicates that there's going to be a trench  
 08:16PM 14 drain in front of the garage door. It's just  
 08:16PM 15 slightly lower than the garage elevation. There's  
 08:16PM 16 limited elevations out on the sidewalk to give us an  
 08:16PM 17 idea of the grade, but you are, I presume, connecting  
 08:16PM 18 the trench drain into the dry well?  
 08:16PM 19 THE WITNESS: Yes.  
 08:16PM 20 MR. COLLAZUOL: And it does show it on  
 08:16PM 21 there. And you'll provide, as you indicated, the  
 08:16PM 22 conditions in our report?  
 08:16PM 23 THE WITNESS: Correct. The way the  
 08:16PM 24 trench drain is set up, it's basically there as an  
 08:16PM 25 emergency. Right now the driveway, itself, is pretty

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08:17PM 1 from the back? There's only one basement, isn't  
 08:17PM 2 there?  
 08:17PM 3 THE WITNESS: No, the back and the  
 08:17PM 4 right-hand side are basically into the ground. What  
 08:17PM 5 we've done is the -- since the property does drop  
 08:17PM 6 off, we try to minimize the height by setting the  
 08:17PM 7 property into the grade while still providing a  
 08:17PM 8 relatively level driveway and the way it's set up,  
 08:17PM 9 that side door on the right is basically at grade.  
 08:17PM 10 Instead of -- instead of building a  
 08:17PM 11 window well in the back, which could have drainage  
 08:17PM 12 issues, we decided to put the door at the side.  
 08:17PM 13 MS. SCHOR: But you're going to put  
 08:17PM 14 windows in back there also, aren't you?  
 08:17PM 15 THE WITNESS: Yes. Well, the grade is  
 08:17PM 16 approximately 2-and-a-half, 3-feet high and there's a  
 08:17PM 17 regular window that would go above that.  
 08:17PM 18 MS. SCHOR: Also, if there's only one  
 08:17PM 19 basement, one office for the two, correct? There's  
 08:17PM 20 only one office space?  
 08:17PM 21 THE WITNESS: There's an  
 08:17PM 22 office/basement.  
 08:17PM 23 MS. SCHOR: Excuse me?  
 08:17PM 24 Office/basement. Well, why can't they go from  
 08:17PM 25 upstairs down?

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08:16PM 1 much dead level with the upper portion of the  
 08:16PM 2 driveway, which is the right-hand side and then it  
 08:16PM 3 pitches slightly away from the left-hand side.  
 08:16PM 4 MR. COLLAZUOL: I have nothing further.  
 08:16PM 5 Thank you.  
 08:16PM 6 CHAIRMAN FERGUSON: Okay. And I'll  
 08:16PM 7 guess you'll wait for the planner.  
 08:16PM 8 MR. KAUKER: Yeah.  
 08:16PM 9 CHAIRMAN FERGUSON: You're going to put  
 08:16PM 10 a planner on, correct?  
 08:16PM 11 MR. MACRI: Yes.  
 08:16PM 12 CHAIRMAN FERGUSON: Okay. Now we're  
 08:16PM 13 ready for --  
 08:16PM 14 MS. SCHOR: Marsha Schor, Henry Avenue,  
 08:16PM 15 50 to be exact, across the street.  
 08:16PM 16 Are you having side doors on either  
 08:16PM 17 side of the building?  
 08:16PM 18 THE WITNESS: One side door, yes.  
 08:16PM 19 MS. SCHOR: Can you do away with that?  
 08:16PM 20 Because last time you said no doors and they went and  
 08:16PM 21 built two doors, one on either side and one under the  
 08:17PM 22 steps.  
 08:17PM 23 THE WITNESS: No, we are allowed a side  
 08:17PM 24 door. We would like to have a door for safety.  
 08:17PM 25 MS. SCHOR: Why? Can't they go out

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08:17PM 1 THE WITNESS: They're connected. The  
 08:17PM 2 first floor is connected to the basement.  
 08:18PM 3 MS. SCHOR: My question is: Why do you  
 08:18PM 4 need the side -- bless you -- what do you need the  
 08:18PM 5 side door for outside?  
 08:18PM 6 THE WITNESS: To get to the backyard,  
 08:18PM 7 it's a convenience.  
 08:18PM 8 MS. SCHOR: Isn't there a back door?  
 08:18PM 9 THE WITNESS: No, there's no back door.  
 08:18PM 10 MS. SCHOR: There's no back --  
 08:18PM 11 MR. MACRI: There's no back door.  
 08:18PM 12 MS. SCHOR: What's the back?  
 08:18PM 13 MR. MACRI: He just told you, grade.  
 08:18PM 14 THE WITNESS: The back is the backyard  
 08:18PM 15 that's going to be basically a couple feet higher  
 08:18PM 16 than the basement level.  
 08:18PM 17 MS. SCHOR: And no patio back there at  
 08:18PM 18 all?  
 08:18PM 19 THE WITNESS: There's two decks that  
 08:18PM 20 are off the back. There's one deck off the first  
 08:18PM 21 floor and a deck off the second floor.  
 08:18PM 22 MS. SCHOR: And how many windows are  
 08:18PM 23 you having on the side? Because there are houses on  
 08:18PM 24 both sides that are --  
 08:18PM 25 THE WITNESS: Well, on the one side we

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08:18PM 1 have basically --

08:18PM 2 MR. MACRI: Six.

08:18PM 3 THE WITNESS: Six.

08:18PM 4 MS. SCHOR: Six?

08:18PM 5 THE WITNESS: Yeah, six and six.

08:18PM 6 MR. MACRI: Two on every floor.

08:18PM 7 THE WITNESS: It does meet the

08:18PM 8 requirement for the maximum allowed windows on the

08:18PM 9 building point of view. And the side will be brick.

08:18PM 10 MS. SCHOR: Because the person --

08:18PM 11 CHAIRMAN FERGUSON: Go ahead, I'm

08:18PM 12 listening. I'm with you.

08:18PM 13 MS. SCHOR: They're not used to having

08:18PM 14 people looking in their house, because the house

08:18PM 15 there now is basically the same house, plus they have

08:18PM 16 the privacy of their yard, which will be invaded by

08:19PM 17 people looking from the windows also.

08:19PM 18 THE WITNESS: Any house, any new house,

08:19PM 19 technically you'll be able to look at you neighbor.

08:19PM 20 MR. MACRI: You're making assumptions

08:19PM 21 someone is going to stand in the window and stare.

08:19PM 22 MS. SCHOR: You haven't been in this

08:19PM 23 town long, have you?

08:19PM 24 CHAIRMAN FERGUSON: All right. Let me

08:19PM 25 -- wait, wait, wait. Wait a minute. Let me take

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08:20PM 1 actually, it was supposed to have no side doors and

08:20PM 2 it wound up with two and one under the steps. So

08:20PM 3 don't give me any of that.

08:20PM 4 You're the building department, fine.

08:20PM 5 I'm concerned about me, because I live across the

08:20PM 6 street.

08:20PM 7 CHAIRMAN FERGUSON: Right. And that's

08:20PM 8 the building department. We -- if we said no doors,

08:20PM 9 which I don't think -- because there's always got to

08:20PM 10 be egress, two ways of egress, because if there's a

08:20PM 11 fire --

08:20PM 12 MS. SCHOR: They have -- the other one

08:20PM 13 has a patio.

08:20PM 14 CHAIRMAN FERGUSON: Well, I don't know

08:20PM 15 about the other one. I'm just talking about this

08:20PM 16 one. This one you need two doors. That's why I

08:20PM 17 asked the question.

08:20PM 18 MS. SCHOR: Fine. Also, is there a

08:20PM 19 door under the stairs, the staircase on the outside?

08:20PM 20 THE WITNESS: No.

08:20PM 21 MS. SCHOR: That's funny.

08:20PM 22 CHAIRMAN FERGUSON: Well, he answered

08:20PM 23 the question. He said "no." I mean, I don't know,

08:20PM 24 you're there, so I'm quite sure --

08:20PM 25 MS. SCHOR: This is what I'm saying,

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08:19PM 1 care of one question.

08:19PM 2 MS. SCHOR: Is there going to be one

08:19PM 3 door under the steps? Because there was.

08:19PM 4 CHAIRMAN FERGUSON: Hold it, let me

08:19PM 5 just finish one question that you asked.

08:19PM 6 MS. SCHOR: He did.

08:19PM 7 CHAIRMAN FERGUSON: You have to have --

08:19PM 8 no, you have to have two-way -- two egresses. In

08:19PM 9 case there's a fire that locks one, you need the

08:19PM 10 second egress.

08:19PM 11 MS. SCHOR: How about the front and the

08:19PM 12 back, that's two egresses?

08:19PM 13 CHAIRMAN FERGUSON: Well, there's

08:19PM 14 nothing in the back. He put it on the side. You put

08:19PM 15 it on the side. What's the difference?

08:19PM 16 VICE CHAIRMAN ALBANESE: What's the

08:19PM 17 difference if he puts two doors?

08:19PM 18 MS. SCHOR: On the side --

08:19PM 19 VICE CHAIRMAN ALBANESE: What's the

08:19PM 20 difference if he puts two doors? What is the --

08:19PM 21 MS. SCHOR: Because they rent it out.

08:20PM 22 You haven't seen what's on our street, Paul.

08:20PM 23 VICE CHAIRMAN ALBANESE: We -- we --

08:20PM 24 MS. SCHOR: Don't we -- we -- because

08:20PM 25 the last time they approved -- you approved it

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08:20PM 1 Joe.

08:20PM 2 CHAIRMAN FERGUSON: But here's the

08:20PM 3 deal, if you see something being built there, you're

08:21PM 4 going to the building department.

08:21PM 5 MS. SCHOR: I did go to the building

08:21PM 6 department and --

08:21PM 7 MS. BRAUER: They're not doing

08:21PM 8 anything.

08:21PM 9 MS. SCHOR: They're not doing it. They

08:21PM 10 issued a violation, big deal. The doors are still

08:21PM 11 there and under the stairway is still there. That's

08:21PM 12 a lot of baloney.

08:21PM 13 You do the developer's agreement. They

08:21PM 14 should go by what you write in your developer's

08:21PM 15 agreement. Not tell them -- just say yes and then

08:21PM 16 they do whatever they want to do.

08:21PM 17 CHAIRMAN FERGUSON: Yeah, but the

08:21PM 18 building department is supposed to --

08:21PM 19 MS. SCHOR: Well, they're not doing

08:21PM 20 what they're supposed to do.

08:21PM 21 CHAIRMAN FERGUSON: Well, is that my

08:21PM 22 fault?

08:21PM 23 MS. SCHOR: No, it's not your fault.

08:21PM 24 CHAIRMAN FERGUSON: Why don't you go to

08:21PM 25 the building department.

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08:21PM 1 VICE CHAIRMAN ALBANESE: In other  
 08:21PM 2 words, if we say one door and when it's going up,  
 08:21PM 3 it's two doors, what do you want us to do? That's  
 08:21PM 4 not us.  
 08:21PM 5 MS. BRAUER: Yes, it is.  
 08:21PM 6 MS. SCHOR: It is, you're passing the  
 08:21PM 7 rules that say what they can and cannot build.  
 08:21PM 8 VICE CHAIRMAN ALBANESE: I said to you,  
 08:21PM 9 if we pass --  
 08:21PM 10 CHAIRMAN FERGUSON: Wait, wait, wait,  
 08:21PM 11 Paulie.  
 08:21PM 12 MS. TESTA: We put it in the resolution  
 08:21PM 13 and the board of course --  
 08:21PM 14 VICE CHAIRMAN ALBANESE: And when  
 08:21PM 15 they're building, they build two doors, what does  
 08:21PM 16 that have to do with us? That's the building  
 08:21PM 17 department.  
 08:21PM 18 MS. SCHOR: Joe said go to the building  
 08:21PM 19 department.  
 08:21PM 20 MS. BRAUER: We did, we've gone to the  
 08:21PM 21 building department. They're doing zero.  
 08:21PM 22 VICE CHAIRMAN ALBANESE: Well, that's  
 08:21PM 23 them. We can't say they can't -- then don't put no  
 08:21PM 24 doors. Then when they put --  
 08:21PM 25 MS. SCHOR: Fine, fine.

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08:21PM 1 VICE CHAIRMAN ALBANESE: But you can't  
 08:21PM 2 do that because if somebody gets killed in a fire,  
 08:22PM 3 you be responsible.  
 08:22PM 4 MS. SCHOR: No, you have egress, just  
 08:22PM 5 put windows.  
 08:22PM 6 MS. LAMBRINIDES: Can we not argue.  
 08:22PM 7 MS. SCHOR: Also, if I can say  
 08:22PM 8 something, the easement, you know which easement it  
 08:22PM 9 is, because it used to lead to the diner, it still  
 08:22PM 10 does.  
 08:22PM 11 CHAIRMAN FERGUSON: Right. It goes  
 08:22PM 12 into -- it's --  
 08:22PM 13 MS. SCHOR: So that's -- each property,  
 08:22PM 14 I think they take 7 feet from. So he can't be 111  
 08:22PM 15 feet.  
 08:22PM 16 THE WITNESS: It hasn't been vacated as  
 08:22PM 17 far -- as far as I know, it hasn't been vacated.  
 08:22PM 18 It's still an existing easement.  
 08:22PM 19 MR. COLLAZUOL: I don't think that's  
 08:22PM 20 correct.  
 08:22PM 21 MS. TESTA: Right, yeah, your property  
 08:22PM 22 line is 111 feet and then the easement is 14 beyond  
 08:22PM 23 that, correct?  
 08:22PM 24 THE WITNESS: Correct.  
 08:22PM 25 MR. CARNOVALE: So you're really going

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08:22PM 1 --  
 08:22PM 2 MS. TESTA: So it's not including the  
 08:22PM 3 easement.  
 08:22PM 4 THE WITNESS: Correct.  
 08:22PM 5 MS. SCHOR: It's 7 and 7.  
 08:22PM 6 MS. TESTA: Right, but it's still that  
 08:22PM 7 14 is there. Right, they're not -- they're not using  
 08:22PM 8 that in their calculation.  
 08:22PM 9 CHAIRMAN FERGUSON: Susan, name and  
 08:22PM 10 address.  
 08:22PM 11 MS. BRAUER: Susan Brauer, 50 Henry  
 08:22PM 12 Avenue, Palisades Park.  
 08:22PM 13 Okay. The property, first of all, is  
 08:22PM 14 not on the -- it's on the north side?  
 08:22PM 15 THE WITNESS: Yeah, correct.  
 08:22PM 16 MS. BRAUER: I've lived across from it  
 08:23PM 17 for 45 years plus. It doesn't look like it drops  
 08:23PM 18 off.  
 08:23PM 19 Now, you said the garages are to be at  
 08:23PM 20 the street level. That property is slightly raised.  
 08:23PM 21 So you're going to lower that grade to street level.  
 08:23PM 22 THE WITNESS: I'm sorry, say it again.  
 08:23PM 23 MS. BRAUER: All right. The property  
 08:23PM 24 is slightly raised from street level. There's a  
 08:23PM 25 little retaining wall in front of that, day laborers

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08:23PM 1 go to sleep on periodically and stuff like that. So  
 08:23PM 2 that means, you're going to now lower that --  
 08:23PM 3 THE WITNESS: No, no, we're not. What  
 08:23PM 4 we're going to have is, where the garage is, that's  
 08:23PM 5 going to be level with the sidewalk.  
 08:23PM 6 So the grades, themselves, will stay up  
 08:23PM 7 on the sides. Right now you have a plateau. You  
 08:23PM 8 have the retaining wall and the property is up a  
 08:23PM 9 little bit higher.  
 08:23PM 10 MS. BRAUER: Right.  
 08:23PM 11 THE WITNESS: So where the staircase is  
 08:23PM 12 going to be and the driveway, that's going to be at  
 08:23PM 13 the sidewalk level. However, on the right-hand --  
 08:23PM 14 MS. BRAUER: So it's going to go up?  
 08:23PM 15 The driveway is going up?  
 08:23PM 16 THE WITNESS: No, the driveway is going  
 08:24PM 17 to be level with the sidewalk.  
 08:24PM 18 MS. BRAUER: So that means? I'm sorry.  
 08:24PM 19 THE WITNESS: This is the sidewalk here  
 08:24PM 20 (indicating), right.  
 08:24PM 21 MS. BRAUER: Right.  
 08:24PM 22 THE WITNESS: There's a retaining wall  
 08:24PM 23 here that raises our property a little bit higher.  
 08:24PM 24 So where the driveway is, that portion  
 08:24PM 25 will be dug out so the driveway will be level with

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08:24PM 1 the sidewalk.

08:24PM 2 MS. BRAUER: Right.

08:24PM 3 THE WITNESS: So the grades themselves

08:24PM 4 at the sides and the back will be set up where there

08:24PM 5 will be in that existing grade. So we're not going

08:24PM 6 to be removing soil from the sides to make that work.

08:24PM 7 MS. BRAUER: Okay. But can I ask the

08:24PM 8 board to consider if they're going through that,

08:24PM 9 because that property is higher, on our street and

08:24PM 10 many streets in town they've been raising the grade

08:24PM 11 and then building. What's the height of the building

08:24PM 12 and what would it be if you, you know, lowered that

08:24PM 13 grade so that it matches all the other houses on that

08:24PM 14 side of the street? They're all older homes.

08:24PM 15 THE WITNESS: Well, the height we're

08:24PM 16 proposing is in line with the newer stuff that's been

08:24PM 17 built. I don't have the existing heights of the

08:24PM 18 houses adjacent.

08:25PM 19 MS. BRAUER: You don't have the height?

08:25PM 20 THE WITNESS: Of the existing houses,

08:25PM 21 we don't measure that typically.

08:25PM 22 MS. BRAUER: How come you don't have

08:25PM 23 the height?

08:25PM 24 THE WITNESS: Our building is --

08:25PM 25 CHAIRMAN FERGUSON: This house.

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08:25PM 1 regular house is.

08:25PM 2 So really, basically, because they

08:26PM 3 never changed the master plan that all the houses

08:26PM 4 should be height limit of 28. It says 25. He's at

08:26PM 5 28 feet 2 inches.

08:26PM 6 And actually, I didn't want to say

08:26PM 7 anything, but I don't really like the driveway on the

08:26PM 8 one side slopes down a little bit, but I'm going to

08:26PM 9 keep my mouth shut.

08:26PM 10 CHAIRMAN FERGUSON: Okay.

08:26PM 11 MR. CARNOVALE: So what I'm trying to

08:26PM 12 say is, in essence all the duplexes on the block

08:26PM 13 legally are 28 feet or -- 28 feet, whether it went

08:26PM 14 for a variance or not. He's asking for 28.2, 2

08:26PM 15 inches over what the rest of the duplexes are.

08:26PM 16 And he's already lowered his driveway

08:26PM 17 beyond what I would be happy with, but I'm going to

08:26PM 18 keep my mouth shut.

08:26PM 19 CHAIRMAN FERGUSON: Okay.

08:26PM 20 MS. BRAUER: Okay. I'm happy with

08:26PM 21 that, keeping your mouth shut part.

08:26PM 22 Where will your dry wells be, because

08:26PM 23 that side of the street has no catch basin at all,

08:26PM 24 all the way down to --

08:26PM 25 THE WITNESS: They're in the front.

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08:25PM 1 THE WITNESS: Our proposed house is 28

08:25PM 2 feet 2 inches to the midpoint.

08:25PM 3 MS. BRAUER: So already you're -- so

08:25PM 4 you need a height variance?

08:25PM 5 THE WITNESS: Yes, we're here for that.

08:25PM 6 MS. BRAUER: So that's one thing. So

08:25PM 7 couldn't they shave a little off and bring it down a

08:25PM 8 little? You know, on that side of the street --

08:25PM 9 CHAIRMAN FERGUSON: You mean, dig it

08:25PM 10 out?

08:25PM 11 MS. BRAUER: Pardon?

08:25PM 12 CHAIRMAN FERGUSON: You mean dig it

08:25PM 13 out?

08:25PM 14 MS. BRAUER: The digging out to do --

08:25PM 15 they've got to do a garage that's going to be an

08:25PM 16 18-foot cut probably. So, you know, that property is

08:25PM 17 only 40-foot wide.

08:25PM 18 MR. CARNOVALE: Mr. Chairman, may I?

08:25PM 19 CHAIRMAN FERGUSON: Yes.

08:25PM 20 MR. CARNOVALE: I think he's cutting

08:25PM 21 that part of the wall and the driveways are going to

08:25PM 22 be flat. If he digs out all of that other dirt, it's

08:25PM 23 going to affect the neighbors. Plus another point,

08:25PM 24 on this zone, it's 25-foot tall and the duplex is 28.

08:25PM 25 There's duplexes there. He's 2 inches over what a

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08:26PM 1 MS. BRAUER: Where?

08:26PM 2 THE WITNESS: There's one seepage pit

08:26PM 3 in the front driveway.

08:26PM 4 MS. BRAUER: How big?

08:26PM 5 THE WITNESS: One-thousand gallon.

08:26PM 6 Ms. BRAUER: Is that sufficient, board

08:27PM 7 members?

08:27PM 8 MR. CARNOVALE: Usually they do 500 and

08:27PM 9 500, he's already -- because on a duplex, he put

08:27PM 10 1,000 gallons.

08:27PM 11 MS. BRAUER: Usually it's two of them.

08:27PM 12 THE WITNESS: Five-hundred each side.

08:27PM 13 MR. CARNOVALE: Five-hundred each side.

08:27PM 14 So he's put one 1,000, because it's a 6 over 6. It's

08:27PM 15 not a duplex.

08:27PM 16 MS. BRAUER: Now, the total of the side

08:27PM 17 yards is supposed to be 14 feet. You should be, say,

08:27PM 18 7 and 7. So on the letter you sent out, there's

08:27PM 19 something -- could you clarify in your math?

08:27PM 20 THE WITNESS: The setback is 5 feet

08:27PM 21 minimum combined.

08:27PM 22 MS. BRAUER: I'm sorry?

08:27PM 23 THE WITNESS: The side yard setback is

08:27PM 24 a 5-foot minimum, combined 14 feet. So you have --

08:27PM 25 you could have a 5-foot, but has to be combined 14.

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08:27PM 1 MS. BRAUER: Okay. But you're not  
 08:27PM 2 doing either one?  
 08:27PM 3 THE WITNESS: No, because we have an  
 08:27PM 4 exceptionally -- our hardship here is we have a  
 08:27PM 5 narrow lot and there's no way to buy more property.  
 08:27PM 6 MS. BRAUER: All right. Now, how wide  
 08:27PM 7 is the house?  
 08:27PM 8 THE WITNESS: The house itself is 33  
 08:27PM 9 feet 8 inches wide.  
 08:27PM 10 MS. BRAUER: Thirty-three, I'm sorry?  
 08:27PM 11 THE WITNESS: Thirty-three feet 8  
 08:28PM 12 inches.  
 08:28PM 13 MS. BRAUER: Eight inches by 61 feet  
 08:28PM 14 deep?  
 08:28PM 15 THE WITNESS: Correct.  
 08:28PM 16 MS. BRAUER: That's pretty big. The  
 08:28PM 17 houses on our side, which Vinny said are all taller  
 08:28PM 18 are only 50, 55 max. And that's -- those are smaller  
 08:28PM 19 lots. It's going to be overcrowding.  
 08:28PM 20 The other thing is, you've got a  
 08:28PM 21 25-foot setback. How far out is your staircase going  
 08:28PM 22 to come? Because every house there is setback,  
 08:28PM 23 except the one Cafasso (phonetic) built, problematic  
 08:28PM 24 duplex.  
 08:28PM 25 THE WITNESS: There's 10 feet of  
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08:28PM 1 staircase. There's a 4-foot landing and a 10-foot  
 08:28PM 2 staircase, which is typical.  
 08:28PM 3 MS. BRAUER: And so how far out from  
 08:28PM 4 the building will that come? How much into the 25  
 08:28PM 5 feet will that interfere?  
 08:28PM 6 THE WITNESS: Fourteen feet, which is  
 08:28PM 7 allowed, which is -- we're not requesting a variance  
 08:28PM 8 for -- there's no setback requirement for staircases,  
 08:28PM 9 as far as I know.  
 08:28PM 10 MS. BRAUER: So that's going to be --  
 08:28PM 11 that's going to stick out like a sore thumb.  
 08:29PM 12 THE WITNESS: No, it's in line with  
 08:29PM 13 other developed --  
 08:29PM 14 MS. BRAUER: Not on that street, it's  
 08:29PM 15 not. It's going to stick out, it's going to be a  
 08:29PM 16 problem.  
 08:29PM 17 MR. CARNOVALE: You're allowed to go up  
 08:29PM 18 to the property line, Susan. So he's got 25 feet in  
 08:29PM 19 the front.  
 08:29PM 20 MS. BRAUER: You're allowed to -- wait,  
 08:29PM 21 Vinny, I thought you were going to take a nap.  
 08:29PM 22 MR. CARNOVALE: No, I didn't complain  
 08:29PM 23 about the driveway. I was trying to help you.  
 08:29PM 24 MS. BRAUER: I mean, what's going on?  
 08:29PM 25 All right, all right. Because you're  
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08:29PM 1 allowed to, does it mean he has to? Does it mean  
 08:29PM 2 that? Come on, he's here.  
 08:29PM 3 MR. CARNOVALE: Can I answer, Susan?  
 08:29PM 4 He has to get down from upstairs, he needs those  
 08:29PM 5 steps.  
 08:29PM 6 MS. BRAUER: You ever hear of a rope?  
 08:29PM 7 Like come on.  
 08:29PM 8 MR. CARNOVALE: He's the architect.  
 08:29PM 9 MR. MACRI: We're allowed 25 feet.  
 08:29PM 10 We're only going 14. I don't think a rope would be  
 08:29PM 11 safe here or a flagpole.  
 08:29PM 12 CHAIRMAN FERGUSON: Okay.  
 08:29PM 13 MS. BRAUER: I just have a problem that  
 08:29PM 14 the size of that house, the other ones -- the other  
 08:29PM 15 one built there, there's only one on that side, the  
 08:29PM 16 rest are all older homes.  
 08:30PM 17 CHAIRMAN FERGUSON: Okay.  
 08:30PM 18 MS. BRAUER: I just think it's too big.  
 08:30PM 19 And we're going to keep an eye.  
 08:30PM 20 CHAIRMAN FERGUSON: Please. Anybody  
 08:30PM 21 else? Anybody else?  
 08:30PM 22 (No response.)  
 08:30PM 23 CHAIRMAN FERGUSON: Nobody else?  
 08:30PM 24 (No response.)  
 08:30PM 25 CHAIRMAN FERGUSON: All right. You've  
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08:30PM 1 got a planner you're going to put on?  
 08:30PM 2 MR. MACRI: I do, Mr. Chairman. At  
 08:30PM 3 this time, I would like to have Mr. David Spatz sworn  
 08:30PM 4 in.  
 08:30PM 5 MS. TESTA: Raise your right hand.  
 08:30PM 6 Do you swear the testimony you will  
 08:30PM 7 give in this application will be the truth, the whole  
 08:30PM 8 truth and nothing but the truth so help you God?  
 08:30PM 9 MR. SPATZ: Yes, I do.  
 08:30PM 10 D A V I D S P A T Z,  
 08:30PM 11 60 Friend Terrace, Harrington Park, New jersey,  
 08:30PM 12 having been duly sworn, testifies as follows:  
 08:30PM 13 MS. TESTA: State your name for the  
 08:30PM 14 record, please.  
 08:30PM 15 MR. SPATZ: David Spatz, S-P-A-T-Z.  
 08:30PM 16 DIRECT EXAMINATION  
 08:30PM 17 BY MR. MACRI:  
 08:30PM 18 Q. Thank you, Mr. Spatz.  
 08:30PM 19 Please go over the existing conditions,  
 08:30PM 20 the neighborhood conditions and explain to the board  
 08:30PM 21 the variances which we seek and the reason why they  
 08:30PM 22 can be granted.  
 08:30PM 23 A. Certainly.  
 08:30PM 24 Henry Street in this area has a mixture  
 08:30PM 25 of one- and two-family dwellings. On the opposite  
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08:30PM **1** side of the street are primarily -- has a number of  
 08:30PM **2** two-family dwellings. There are also some  
 08:30PM **3** multifamily buildings.  
 08:30PM **4** On the southern side of Henry Street  
 08:31PM **5** and to the east on Broad there are commercial  
 08:31PM **6** buildings located there, as well as some residential.  
 08:31PM **7** We are in the AA Zone, which permits  
 08:31PM **8** two-family dwellings. The existing lot does not  
 08:31PM **9** conform to the lot area and lot width requirements of  
 08:31PM **10** the zone. There is one (d) variance. It's for  
 08:31PM **11** height. We are slightly over what would be permitted  
 08:31PM **12** for the height.  
 08:31PM **13** And then there are (c) variances for  
 08:31PM **14** building coverage, lot area per unit and side yard.  
 08:31PM **15** So looking at the height variance, it  
 08:31PM **16** is caused in part by the topographical conditions.  
 08:31PM **17** The building has been kept down in terms of height  
 08:31PM **18** and we're really only 2 inches, as was discussed,  
 08:31PM **19** over what typically would be permitted, a 28-foot  
 08:31PM **20** structure.  
 08:31PM **21** There are some topographical changes on  
 08:31PM **22** the property and that as well causes the height to be  
 08:31PM **23** slightly excessive. And we are in line with the  
 08:31PM **24** newer two-family homes in the area, as well as those  
 08:32PM **25** multifamily buildings, which are taller.

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08:33PM **1** provided on the property and that will compensate for  
 08:33PM **2** the slightly larger building. We've discussed the  
 08:33PM **3** height as well.  
 08:33PM **4** So I think the positive impacts are  
 08:33PM **5** there for both the height variance, as well as the  
 08:33PM **6** (c) variances.  
 08:33PM **7** Looking at the negative criteria, I  
 08:33PM **8** don't think there is anything that is substantially  
 08:33PM **9** negative. We are in character with the surrounding  
 08:33PM **10** land uses. There are two-family dwellings in the  
 08:33PM **11** area and they are permitted within the district. So  
 08:33PM **12** we don't need that use variance.  
 08:33PM **13** The setbacks, I believe, are consistent  
 08:33PM **14** with the surrounding neighborhood. The removal of  
 08:33PM **15** the detached garage in the rear actually provides --  
 08:33PM **16** between that and the easement, the properties to the  
 08:33PM **17** rear will have a greater amount of light, air and  
 08:33PM **18** open space because we do have that conforming rear  
 08:33PM **19** yard, including the easement.  
 08:33PM **20** There is landscaping that will be  
 08:34PM **21** provided to buffer the adjacent properties. A  
 08:34PM **22** conforming amount of parking is being provided to  
 08:34PM **23** serve the units. And the driveway configuration,  
 08:34PM **24** Mr. Cocoros indicated how the grading of that would  
 08:34PM **25** take place and it is similar to what is existing for

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08:32PM **1** Looking at the bulk variances in terms  
 08:32PM **2** of lot area and lot width, the subject property is  
 08:32PM **3** existing as an undersized lot. The properties on  
 08:32PM **4** either side of us are fully developed. We have the  
 08:32PM **5** easement to the rear of us. So there's no ability to  
 08:32PM **6** acquire property to enlarge our property without  
 08:32PM **7** making those other surrounding properties  
 08:32PM **8** nonconforming.  
 08:32PM **9** We do conform to the front and rear  
 08:32PM **10** yard setbacks. The side yard setbacks are caused, in  
 08:32PM **11** part, by both the lot being narrower, so we try to  
 08:32PM **12** get a normal building.  
 08:32PM **13** The side yards are slightly narrow, as  
 08:32PM **14** well as providing garages in order to get a vehicle  
 08:32PM **15** within the building.  
 08:32PM **16** The building, itself, becomes a little  
 08:32PM **17** bit wider, as well as the driveway and that's the  
 08:32PM **18** cause of the side yard variance.  
 08:32PM **19** Looking at the lot coverage variance,  
 08:32PM **20** we meet the structure in terms of square footage, but  
 08:33PM **21** the percentage limitation is exceeded. This is also  
 08:33PM **22** caused by the fact that the lot is undersized. So  
 08:33PM **23** the percentage grows up a little bit even though the  
 08:33PM **24** square footage in total meets the ordinance.  
 08:33PM **25** There are drainage facilities being

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08:34PM **1** two-family dwellings.  
 08:34PM **2** So on balance, I think the positive  
 08:34PM **3** impact far outweighs anything that might be negative.  
 08:34PM **4** And I think that the variances could be granted.  
 08:34PM **5** CHAIRMAN FERGUSON: Mr. Kauker?  
 08:34PM **6** MR. KAUKER: Yeah.  
 08:34PM **7** Mr. Spatz actually addressed the  
 08:34PM **8** questions that I had in his direct testimony  
 08:34PM **9** regarding the height of the building and its  
 08:34PM **10** relationship to other buildings in the surrounding  
 08:34PM **11** area. So I have nothing further.  
 08:34PM **12** CHAIRMAN FERGUSON: Okay. Anybody in  
 08:34PM **13** the audience have any questions for Mr. Spatz?  
 08:34PM **14** Yes.  
 08:34PM **15** MS. BRAUER: There is a problem on the  
 08:34PM **16** street with the parking, and I know that there's no  
 08:34PM **17** law in town for this, particularly on weekends,  
 08:34PM **18** because of the proximity to Broad Avenue, Friday,  
 08:34PM **19** Saturday, Sunday.  
 08:34PM **20** Is there any way you can make sure  
 08:35PM **21** people park in their driveways? I mean, I know the  
 08:35PM **22** town puts out a blast when there's snow on the  
 08:35PM **23** street. Is there anything that we can do to make  
 08:35PM **24** people park in their driveways?  
 08:35PM **25** MS. TESTA: Unfortunately there isn't

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08:35PM **1** any law that requires. That would be something in an  
 08:35PM **2** ordinance that would have to be done by the town.  
 08:35PM **3** MS. BRAUER: That makes snow clearing  
 08:35PM **4** difficult.  
 08:35PM **5** MS. TESTA: Right, but it's difficult,  
 08:35PM **6** because many properties don't have garages or don't  
 08:35PM **7** have driveways and there's areas that are very  
 08:35PM **8** densely populated. It's not like upper Bergen County  
 08:35PM **9** where there's no parking on the street, but in these  
 08:35PM **10** --  
 08:35PM **11** MS. BRAUER: And the apartment  
 08:35PM **12** buildings that are on the corner, I've been there, I  
 08:35PM **13** think they're prewar, they have no parking and  
 08:35PM **14** they're going to now lose more parking on the street,  
 08:35PM **15** which is not fair. There are people living there as  
 08:35PM **16** long as those buildings are up.  
 08:35PM **17** MS. TESTA: Right.  
 08:35PM **18** MS. BRAUER: And the other thing is  
 08:35PM **19** we're going to be watching that if anything goes in  
 08:35PM **20** that shouldn't go in there, you're going to hear  
 08:35PM **21** about it.  
 08:36PM **22** CHAIRMAN FERGUSON: Well, I'm for that.  
 08:36PM **23** MS. SCHOR: Marsha Schor.  
 08:36PM **24** On my side of the street where all the  
 08:36PM **25** duplexes are, where you're going to build that  
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08:36PM **1** there's exactly one duplex, which is all the way at  
 08:36PM **2** the other end of the street.  
 08:36PM **3** THE WITNESS: Correct. I didn't  
 08:36PM **4** indicate anything other than that.  
 08:36PM **5** MS. SCHOR: The apartment buildings are  
 08:36PM **6** on our side.  
 08:36PM **7** THE WITNESS: Correct.  
 08:36PM **8** MS. SCHOR: So that side basically is  
 08:36PM **9** -- they can at least lower it to conform to the other  
 08:36PM **10** houses on that street.  
 08:36PM **11** CHAIRMAN FERGUSON: But the plans don't  
 08:36PM **12** say -- they're not asking for that. They're asking  
 08:36PM **13** for the application that's before us.  
 08:36PM **14** MS. SCHOR: I know that, but your board  
 08:36PM **15** can change it, I've seen you do it.  
 08:36PM **16** CHAIRMAN FERGUSON: Do you want to sum  
 08:36PM **17** up?  
 08:36PM **18** MR. MACRI: Do you want to open --  
 08:36PM **19** Mr. Chairman, do you want to open it up to the public  
 08:36PM **20** for comments?  
 08:36PM **21** CHAIRMAN FERGUSON: I did.  
 08:36PM **22** MR. MACRI: That was to question the  
 08:36PM **23** expert.  
 08:36PM **24** CHAIRMAN FERGUSON: Say again?  
 08:36PM **25** MR. MACRI: That was only questions for  
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**1** the expert.  
**2** CHAIRMAN FERGUSON: Oh, any questions  
**3** -- thought I asked for questions for Mr. Spatz.  
**4** MS. TESTA: No, no, he's saying for the  
**5** application, itself.  
**6** CHAIRMAN FERGUSON: For the  
**7** application, itself?  
**8** MS. TESTA: Not to do with any of the  
**9** experts.  
**10** CHAIRMAN FERGUSON: Okay. Any -- yes.  
**11** MS. SCHOR: Can I ask, who actually  
**12** owns this building?  
**13** MR. MACRI: The property?  
**14** MS. SCHOR: Yeah.  
 08:37PM **15** MR. MACRI: My client, Mr. -- it's on  
 08:37PM **16** the notice there. It's on the first line.  
 08:37PM **17** MS. SCHOR: Is he here?  
 08:37PM **18** MR. MACRI: The third row.  
 08:37PM **19** MR. NOH: Hi.  
 08:37PM **20** MS. SCHOR: Hello.  
 08:37PM **21** MR. NOH: Nice to meet you.  
 08:37PM **22** MS. SCHOR: You're not welcome on our  
 08:37PM **23** street. Not for what you're building.  
 08:37PM **24** CHAIRMAN FERGUSON: Okay.  
 08:37PM **25** MS. LAMBRINIDES: Well, that's not  
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08:37PM **1** nice.  
 08:37PM **2** MS. BRAUER: Stick to the law and we're  
**3** cool.  
**4** CHAIRMAN FERGUSON: Okay. They all  
**5** made their comments.  
**6** All right. Do you want to sum up?  
**7** MR. MACRI: Yes, Mr. Chairman.  
 08:37PM **8** I believe we presented a very viable  
 08:37PM **9** application here. If the property were 10 feet  
 08:38PM **10** wider, we wouldn't have our -- we would not have the  
 08:38PM **11** side yard, nor would we have the combined side yard  
 08:38PM **12** variances.  
 08:38PM **13** As Mr. Spatz pointed out, we do have a  
 08:38PM **14** conforming front yard, conforming rear yard. We're  
 08:38PM **15** getting rid of the detached garage in the back,  
 08:38PM **16** creating more open space, as well as increasing the  
 08:38PM **17** rear yard. This application does meet both the  
 08:38PM **18** negative -- excuse me -- positive and negative  
 08:38PM **19** criteria and I request that you would vote favorably  
 08:38PM **20** upon it.  
 08:38PM **21** CHAIRMAN FERGUSON: Okay. Can I get a  
 08:38PM **22** motion?  
 08:38PM **23** VICE CHAIRMAN ALBANESE: I make a  
 08:38PM **24** motion we approve this application.  
 08:38PM **25** MR. LEFTERIOU: I second it.  
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08:38PM **1** CHAIRMAN FERGUSON: Can we get  
 08:38PM **2** \$2,000.00 for the Tree Preservation Fund? Yes?  
 08:38PM **3** MS. TESTA: You want to add that in?  
 08:38PM **4** CHAIRMAN FERGUSON: Absolutely.  
 08:38PM **5** VICE CHAIRMAN ALBANESE: Yes, \$2,000.00  
 08:38PM **6** for the trees.  
 08:38PM **7** MS. LAMBRINIDES: I'm going to visit  
 08:38PM **8** the forest one day.  
 08:38PM **9** CHAIRMAN FERGUSON: Roll call vote.  
 08:38PM **10** MS. LAMBRINIDES: Mr. Ferguson.  
 08:38PM **11** CHAIRMAN FERGUSON: Yes.  
 07:03PM **12** MS. LAMBRINIDES: Mr. Albanese?  
 07:03PM **13** VICE CHAIRMAN ALBANESE: Yes.  
 07:03PM **14** MS. LAMBRINIDES: Mr. Terranova?  
 07:03PM **15** MR. TERRANOVA: Yes.  
 07:03PM **16** MS. LAMBRINIDES: Mr. Min?  
 07:03PM **17** MR. MIN: Yes.  
 07:03PM **18** MS. LAMBRINIDES: Ms. Yoon?  
 07:03PM **19** MS. YOON: Yes.  
 07:03PM **20** MS. LAMBRINIDES: Mr. Carnovale?  
 07:03PM **21** MR. CARNOVALE: Yes.  
 07:03PM **22** MS. LAMBRINIDES: Mr. Lefteriou?  
 07:03PM **23** MR. LEFTERIOU: Yes.  
 08:39PM **24** MR. MACRI: Thank you.  
 08:39PM **25** CHAIRMAN FERGUSON: What was the vote

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C E R T I F I C A T E

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I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary Public of the State of New Jersey, Notary ID.#50094914, Certified Court Reporter of the State of New Jersey, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey. I am not related to the parties involved in this action; I have no financial interest, nor am I related to an agent of or employed by anyone with a financial interest in the outcome of this action. This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.

\_\_\_\_\_  
 LAURA A. CARUCCI, C.C.R., R.P.R.  
 License #X102050 Notary Public  
 of New Jersey #50094914, Notary  
 Expiration Date December 3, 2023

Dated: \_\_\_\_\_

**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
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08:39PM **1** on that?  
 08:39PM **2** MS. LAMBRINIDES: Can I get a motion?  
**3** VICE CHAIRMAN ALBANESE: What was the  
**4** vote on?  
**5** CHAIRMAN FERGUSON: Motion to adjourn.  
**6** What was the vote on that?  
**7** VICE CHAIRMAN ALBANESE: I make a  
**8** motion we adjourn.  
 08:39PM **9** MR. CARNOVALE: Second.  
 08:39PM **10** (Whereupon, the meeting is adjourned.)  
**11** Time noted: 8:39 p.m.)  
**12**  
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<b>#</b>	<p><b>132</b> [3] - 1:5, 4:5, 10:5  <b>13:43-5.9</b> [1] - 107:10  <b>14</b> [7] - 73:17, 86:22, 87:7, 92:17, 92:24, 92:25, 95:10  <b>14-foot</b> [1] - 73:6  <b>14-foot</b> [2] - 69:2, 74:5  <b>16</b> [2] - 39:20, 40:18  <b>18</b> [1] - 1:2  <b>18-foot</b> [1] - 90:16  <b>19</b> [3] - 1:13, 4:14, 5:5  <b>19-12</b> [4] - 1:12, 4:13, 5:3, 12:21  <b>19-13</b> [3] - 1:4, 4:4, 10:5  <b>19-14</b> [4] - 1:14, 5:11, 6:14, 63:6  <b>19-15</b> [3] - 1:7, 4:7, 11:2  <b>19-16</b> [3] - 1:9, 4:10, 11:25  <b>19-17</b> [3] - 1:17, 5:14, 64:1  <b>19-18</b> [4] - 1:19, 5:17, 6:3, 66:17</p>	<p>72:2, 73:8, 73:16, 73:21, 73:22, 73:24, 91:4, 94:4, 94:18, 95:9  <b>25-feet</b> [1] - 90:24  <b>25-foot</b> [3] - 69:6, 93:21  <b>2500</b> [1] - 49:4  <b>25th</b> [1] - 38:23  <b>26</b> [1] - 4:16  <b>27th</b> [14] - 59:10, 59:11, 59:12, 59:13, 59:14, 59:18, 59:25, 60:2, 61:10, 61:11, 63:8, 63:15, 65:10, 65:18  <b>28</b> [9] - 4:17, 4:18, 16:6, 90:1, 90:24, 91:4, 91:5, 91:13  <b>28-foot</b> [1] - 97:19  <b>28.2</b> [1] - 91:14</p>	<p>61:14, 63:7  <b>403</b> [3] - 1:8, 4:8, 11:2  <b>41</b> [2] - 5:6, 5:6  <b>416</b> [1] - 3:6  <b>423</b> [2] - 1:16, 5:13  <b>43</b> [5] - 1:20, 5:18, 6:4, 66:17, 67:5  <b>432</b> [4] - 4:19, 4:20, 22:15, 30:21  <b>434</b> [3] - 4:17, 5:8, 28:5  <b>435</b> [5] - 1:13, 4:14, 5:4, 12:21, 41:23  <b>438</b> [3] - 4:18, 5:9, 28:23  <b>45</b> [1] - 87:17  <b>46</b> [1] - 5:7  <b>467</b> [4] - 14:2, 14:8, 68:2, 68:7  <b>49</b> [2] - 5:7, 5:8  <b>4900</b> [1] - 49:5</p>	<p><b>66</b> [1] - 5:19  <b>67</b> [1] - 5:20  <b>68</b> [1] - 5:20</p>
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