

BOROUGH OF PALISADES PARK  
 ZONING BOARD OF ADJUSTMENT  
 MONDAY, FEBRUARY 22, 2021  
 7:00 P.M.

-----  
 IN THE MATTER OF: ) TRANSCRIPT OF  
 ) PROCEEDINGS  
 Case No. 20-06 )  
 Matthew S. & Anna K. Kim )  
 32 Brinkerhoff Terrace )  
 Block 214; Lot 4 )  
 Case No. 20-09 )  
 Jack Sung An )  
 50 Broad Avenue )  
 Block 614; Lot 23 )  
 Case No. 20-02 )  
 Garden Meadow Developers )  
 265 Fourth Street )  
 Block 318; Lot 12 )  
 Case No. 20-08 )  
 BBHJ, LLC )  
 203 Grand Avenue )  
 Block 111; Lot 23 )  
 BROAD & FAIRVIEW, LLC, )  
 28 Prospect Street )  
 Block 503; Lot 4. )  
 -----  
 B E F O R E:  
 JOSEPH FERGUSON, CHAIRMAN  
 PAUL ALBANESE, VICE CHAIRMAN  
 DAVID TERRANOVA, MEMBER  
 SEONGHYE YOON, MEMBER  
 ELEFTERIOS ELEFTERIOU, MEMBER  
 VINCENT CARNOVALE, MEMBER  
 JOHN GRALA, MEMBER  
 STEVEN BROGNA, ALTERNATE MEMBER #1  
 CHARLIE CHUNG, ALTERNATE MEMBER #2  
 MICHAEL LEE, ALTERNATE MEMBER #3  
 GYUHO CHO, ALTERNATE MEMBER #4

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

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 Counsel for the Zoning Board of Adjustment

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 Attorney for Applicant, Jack Sung An

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 (201) 945-2800  
 Attorney for Applicant, BBHJ, LLC

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

ELENI LAMBRINIDES, Board Secretary

MICHAEL KAUKER, P.P., Board Planner

STEVE COLLAZUOL, P.E., Board Engineer

HAL SIMOFF, P.E., Board Traffic Engineer

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1 CHAIRMAN FERGUSON: I call the meeting  
 2 to order.  
 3 Eleni, do you want to give the roll  
 4 call?  
 5 MS. LAMBRINIDES: Mr. Ferguson?  
 6 CHAIRMAN FERGUSON: Here.  
 7 MS. LAMBRINIDES: Mr. Albanese?  
 8 VICE CHAIRMAN ALBANESE: Here.  
 9 MS. LAMBRINIDES: Mr. Elefteriou?  
 10 MR. ELEFTERIOU: Here.  
 11 MS. LAMBRINIDES: Is he there?  
 12 MR. ELEFTERIOU: Yes, here.  
 13 MS. LAMBRINIDES: Ms. Yoon?  
 14 MS. YOON: Here.  
 15 MS. LAMBRINIDES: Mr. Carnovale?  
 16 MR. CARNOVALE: Here.  
 17 MS. LAMBRINIDES: Mr. Terranova?  
 18 MR. TERRANOVA: Here.  
 19 MS. LAMBRINIDES: Mr. Grala?  
 20 MR. GRALA: Here.  
 21 MS. LAMBRINIDES: Mr. Brogna?  
 22 MR. BROGNA: Here.  
 23 MS. LAMBRINIDES: Mr. Chung?  
 24 MR. CHUNG: Here.  
 25 MS. LAMBRINIDES: Mr. Lee?

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1 under the authority of people, so help me God.  
 2 I do further solemnly swear that I will  
 3 impartially and justly perform all the duties as  
 4 member of the Zoning Board of Adjustment, according  
 5 to the best of my ability, so help me God.  
 6 Congratulations. If you would just  
 7 sign, please.  
 8 Mike, if you can sign.  
 9 All right. Thank you. Thank you.  
 10 CHAIRMAN FERGUSON: Okay.  
 11 Next we're going to hire our new  
 12 traffic engineer, which is Hal Simoff.  
 13 As you all know, Judd --  
 14 VICE CHAIRMAN ALBANESE: Pledge of  
 15 Allegiance?  
 16 CHAIRMAN FERGUSON: Yes. Okay, Paul,  
 17 do you want to lead us?  
 18 (Whereupon, all rise for a recitation  
 19 of the Pledge of Allegiance led by Vice  
 20 Chairman Albanese.)  
 21 CHAIRMAN FERGUSON: Okay. So now we're  
 22 going to hire Hal.  
 23 You all know Judd has retired. He  
 24 served on the board for many years. We miss him.  
 25 But it's time hire a new traffic

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1 MR. LEE: Here.  
 2 MS. LAMBRINIDES: And, Mr. Cho?  
 3 MR. CHO: Here.  
 4 CHAIRMAN FERGUSON: Okay.  
 5 So first we'll do --  
 6 MS. TESTA: Swearing in.  
 7 CHAIRMAN FERGUSON: Yeah, we're going  
 8 to swear in our new members that weren't here last  
 9 month.  
 10 MS. TESTA: Okay. So we have Michael  
 11 Lee.  
 12 CHAIRMAN FERGUSON: No.  
 13 He was here last week.  
 14 MS. TESTA: Were you here last week?  
 15 Oh, you know what it is? I had to change something.  
 16 You just have to sign it. I'm sorry.  
 17 Steve Brogna, Mr. Cho, and David.  
 18 Okay, so if the three of you all stand, raise your  
 19 right hand, repeat after me.  
 20 I, state your name, do solemnly swear  
 21 that I will support the Constitution of the United  
 22 States and the Constitution of the State of New  
 23 Jersey, and that I will bear true faith and  
 24 allegiance to the same and to the governments  
 25 established in the United States and in this state,

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1 engineer.  
 2 So I make a motion to hire Hal Simoff.  
 3 Can I get a second?  
 4 MR. CARNOVALE: I second.  
 5 CHAIRMAN FERGUSON: Okay. Roll call,  
 6 Eleni?  
 7 MS. LAMBRINIDES: Who seconded, please?  
 8 MR. CARNOVALE: Vinny.  
 9 MS. TESTA: Vinny.  
 10 MS. LAMBRINIDES: Thank you.  
 11 MS. TESTA: You're welcome.  
 12 MS. LAMBRINIDES: Mr. Ferguson?  
 13 CHAIRMAN FERGUSON: Yes.  
 14 MS. LAMBRINIDES: Mr. Albanese?  
 15 VICE CHAIRMAN ALBANESE: Yes.  
 16 MS. LAMBRINIDES: Mr. Elefteriou?  
 17 MR. ELEFTERIOU: Yes.  
 18 MS. LAMBRINIDES: Ms. Yoon?  
 19 MS. YOON: Yes.  
 20 MS. LAMBRINIDES: Mr. Carnovale?  
 21 MR. CARNOVALE: Yes.  
 22 MS. LAMBRINIDES: Mr. Terranova?  
 23 MR. TERRANOVA: Yes.  
 24 MS. LAMBRINIDES: Mr. Grala?  
 25 MR. GRALA: Yes.

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1 MS. LAMBRINIDES: Mr. Brogna?  
 2 MS. TESTA: The alternates won't be  
 3 voting.  
 4 We have a full...  
 5 MS. LAMBRINIDES: Okay. So no vote to  
 6 anybody. No reason to call it.  
 7 MS. TESTA: Right, no reason.  
 8 MS. LAMBRINIDES: Okay, thank you.  
 9 CHAIRMAN FERGUSON: No problem.  
 10 Next is we have a copy of the minutes  
 11 previously submitted.  
 12 The board had an opportunity to review  
 13 the motion.  
 14 Can I get a motion to approve the  
 15 minutes?  
 16 VICE CHAIRMAN ALBANESE: Motion that we  
 17 accept the minutes.  
 18 CHAIRMAN FERGUSON: Paulie, you're  
 19 making a motion.  
 20 VICE CHAIRMAN ALBANESE: Yes.  
 21 CHAIRMAN FERGUSON: A motion by Paulie  
 22 Albanese.  
 23 Can I get a second?  
 24 Mr. CARNOVALE: I'll second.  
 25 CHAIRMAN FERGUSON: Okay, Vinny.

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1 VICE CHAIRMAN ALBANESE: Yes.  
 2 MS. LAMBRINIDES: Mr. Elefteriou?  
 3 MR. ELEFTERIOU: Yes.  
 4 MS. LAMBRINIDES: Ms. Yoon?  
 5 MS. YOON: Yes.  
 6 MS. LAMBRINIDES: Mr. Carnovale?  
 7 MR. CARNOVALE: Yes.  
 8 MS. LAMBRINIDES: Mr. Terranova?  
 9 MR. TERRANOVA: Yes.  
 10 MS. LAMBRINIDES: And, Mr. Grala?  
 11 MR. GRALA: Yes.  
 12 CHAIRMAN FERGUSON: Okay.  
 13 So we have one memorialization, and  
 14 that is Case Number 20-06, Matthew and Anna Kim, 32  
 15 Brinkerhoff Terrace.  
 16 Can I get a motion to approve the  
 17 memorialization?  
 18 VICE CHAIRMAN ALBANESE: I'll make a  
 19 motion.  
 20 CHAIRMAN FERGUSON: Paulie makes the  
 21 motion.  
 22 MR. CARNOVALE: I second.  
 23 CHAIRMAN FERGUSON: Second.  
 24 Roll call?  
 25 MS. LAMBRINIDES: Mr. Ferguson?

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1 Vinny seconds.  
 2 Roll call?  
 3 MS. TESTA: All Ayes.  
 4 CHAIRMAN FERGUSON: All in favor?  
 5 (Whereupon, all present members respond  
 6 in the affirmative.)  
 7 CHAIRMAN FERGUSON: Opposed?  
 8 (No Response.)  
 9 CHAIRMAN FERGUSON: All right, the  
 10 motion carries.  
 11 MS. LAMBRINIDES: All ayes.  
 12 Thank you.  
 13 CHAIRMAN FERGUSON: Okay. So we have  
 14 one bill from our board attorney for \$1,000.00.  
 15 And I'll make a motion to approve the  
 16 bill.  
 17 VICE CHAIRMAN ALBANESE: Second.  
 18 CHAIRMAN FERGUSON: Okay. We need a  
 19 roll call on this one. This is money.  
 20 MS. TESTA: Yeah.  
 21 CHAIRMAN FERGUSON: So roll call,  
 22 Eleni.  
 23 MS. LAMBRINIDES: Mr. Ferguson?  
 24 CHAIRMAN FERGUSON: Yes.  
 25 MS. LAMBRINIDES: Mr. Albanese?

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1 CHAIRMAN FERGUSON: Yes.  
 2 MS. LAMBRINIDES: Mr. Albanese?  
 3 VICE CHAIRMAN ALBANESE: Yes.  
 4 MS. LAMBRINIDES: Mr. Elefteriou?  
 5 MR. ELEFTERIOU: Yes.  
 6 MS. LAMBRINIDES: Ms. Yoon?  
 7 MS. YOON: Abstain.  
 8 MS. TESTA: Right, okay.  
 9 MS. LAMBRINIDES: Mr. Carnovale?  
 10 MR. CARNOVALE: Yes.  
 11 MS. LAMBRINIDES: Mr. Terranova?  
 12 MR. TERRANOVA: Yes.  
 13 MS. LAMBRINIDES: And, Mr. Grala?  
 14 MR. GRALA: Yes.  
 15 CHAIRMAN FERGUSON: Okay, thank you.  
 16 So next we're going to call the first  
 17 case, which is Case Number 20-09, Jack Sung, 50 Broad  
 18 Avenue in Palisades Park.  
 19 Okay, Counselor, do you want to put on  
 20 your appearance?  
 21 MR. MACRI: Good evening, Chairman and  
 22 Members of the Board, for the record, my name is Marc  
 23 Macri.  
 24 As stated, I represent the applicant in  
 25 connection with the property located at 50 Broad

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1 Avenue here in the Borough of Palisades Park.  
2 When we were here last time we made a  
3 presentation. At that time, we were proposing 18  
4 one-bedroom and 21 studios.

5 After listening to the board's  
6 comments, we went back to our expert, Peter Park, the  
7 gentleman to my right. He came up with a new design.

8 And now we're proposing substantially  
9 less. We're proposing 26 units instead of 39. We  
10 reduced it by one-third.

11 Increasing our parking from 19 spaces  
12 to 44.

13 Now we have 12 one-bedrooms and 14  
14 studios.

15 What I'd like to do is have Mr. Park  
16 sworn in. He can explain the differences and what  
17 our proposal is now.

18 MS. TESTA: Please raise your right  
19 hand.

20 Do you swear the testimony you will  
21 give in this application will be the truth, the whole  
22 truth, and nothing but the truth, so help you God?

23 MR. PARK: Yes, I do.

24 PETER CHANG SOO PARK,

25 having been duly sworn, testifies as follows:

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1 parking.

2 We are adding one more parking level on  
3 the second floor.

4 It used to be residential, but we  
5 eliminated all residential and then creating one  
6 additional parking level.

7 And then we keep the third and fourth  
8 floor as residential units.

9 So right now residential units become  
10 26 from the 39. Then we increased the parking spot  
11 number to 44.

12 So, actually, based on the variance  
13 calculation, it covers the whole one-bedroom  
14 apartments.

15 And then you see that the parking  
16 floor, that is the third page.

17 Q. That would be Z-103?

18 A. Yes, Z-103.

19 But before that, I will explain how the  
20 parking level is working.

21 So in other words, the roof avenue is  
22 sloped, so actually we're using the bi-entrance -- I  
23 mean the bi-level entrance.

24 Pitch means the center point of the  
25 entrance according to the ground level.

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1 MS. TESTA: Can you please state your  
2 name for the record?

3 You have to speak up very loud so the  
4 people that are listening in can hear, also the  
5 stenographer.

6 MR. PARK: Peter Chang Soo Park.

7 MS. LAMBRINIDES: It's very difficult  
8 for us to hear anybody speaking over there other than  
9 Ms. Testa or Mr. Ferguson.

10 MR. CARNOVALE: Poor audio system  
11 there, Eleni.

12 MS. TESTA: Go ahead.

13 MR. PARK: Yeah. My name is Peter  
14 Chang Soo Park.

15 MR. MACRI: Okay. Did you swear him  
16 in?

17 Okay.

18 DIRECT EXAMINATION

19 BY MR. MACRI:

20 Q. Mr. Park, can you please explain what  
21 we're proposing today?

22 And while you're explaining, what the  
23 differences are from the last meeting to this  
24 meeting?

25 A. So the major big difference is the

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1 And then the upper position pitch is,  
2 the front part is 88.50, a little bit higher  
3 position.

4 So we have some -- going to the second  
5 floor. There they can exit the higher parking level.

6 So the ground level, we are providing  
7 the 19 parking spots, including the handicapped  
8 parking, and nine tandem, tandem parking as well.

9 And then the second floor, we're  
10 providing the total 25 parking spots, which is  
11 including the one handicap parking and also nine  
12 tandem parking as well.

13 So, actually, we are -- we are going to  
14 -- the plan is going to alter the parking servicing  
15 to the one-bedroom apartments.

16 And then the entire studio units, which  
17 is 14 studio units, providing each one individual  
18 parking spot into the, you know, first and the second  
19 floors.

20 So that is the major big difference  
21 here.

22 And then the ground level, we still  
23 have retail spaces, which is 3,415.

24 And then in terms of the  
25 structure-wise, the big major difference is that, you

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1 know, the parking.  
 2 So we are really incorporating the last  
 3 comments from the Zoning Board.  
 4 Q. At this point, just so the board  
 5 understands.  
 6 A. Yes.  
 7 Q. We have 12 one-bedrooms, correct?  
 8 A. We have 12 one-bedrooms, yeah.  
 9 Q. A tandem spot for every one?  
 10 A. Yes.  
 11 Q. So that would be 24 parking spaces,  
 12 correct?  
 13 A. Exactly.  
 14 Q. All right.  
 15 And then we have 14 studio units,  
 16 correct?  
 17 A. Fourteen studio units, yes.  
 18 Q. And they'll each get one single parking  
 19 spot to that unit, right?  
 20 A. Exactly.  
 21 Q. That gives you 38 units?  
 22 A. Yeah.  
 23 Q. Thirty-eight parking spots?  
 24 A. Thirty-eight parking spots.  
 25 But we still have --

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1 MR. MACRI: All right.  
 2 Switching to -- I want to amend our  
 3 application to include a variance for tandem parking?  
 4 CHAIRMAN FERGUSON: Okay.  
 5 So let me just say a couple things. I  
 6 just want to get it on the record.  
 7 The original plans that you submitted  
 8 to the board, your parking was not correct?  
 9 MR. MACRI: Correct.  
 10 CHAIRMAN FERGUSON: Correct?  
 11 MR. MACRI: Correct.  
 12 CHAIRMAN FERGUSON: You showed 11 --  
 13 that you needed 11 for a variance.  
 14 Now you're eliminating a whole floor  
 15 plus adding a floor of parking, and now you're  
 16 looking for 20.  
 17 So I want to clarify -- I just want you  
 18 to get on the record and say that the original plans  
 19 that you submitted were wrong.  
 20 MR. MACRI: The architect's zoning  
 21 schedule which provided the parking was incorrect.  
 22 But our parking expert's zoning  
 23 schedule which provided parking was correct.  
 24 There was a typographical error on the  
 25 architectural plan. It's now been corrected. It's

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1 Q. You're proposing 44?  
 2 A. Forty-four.  
 3 Q. We have six available for retail.  
 4 Is that correct?  
 5 A. Yes.  
 6 Q. Okay. All right.  
 7 Can you show the board a diagram of  
 8 what the living space would look like?  
 9 A. Yeah.  
 10 The living space actually consists of  
 11 both studio and also one-bedroom apartment.  
 12 So, as you see, Z-103, we are laying  
 13 out the six one-bedroom and seven studio in each  
 14 floor.  
 15 So there is one common corridor on the  
 16 center level.  
 17 And then it makes it accessible to each  
 18 unit, individual unit.  
 19 So a one-bedroom consists of around 700  
 20 to 900 square feet each. And also a studio is going  
 21 to be 500 to 600 square feet each.  
 22 So that -- the size is also, you know,  
 23 they have a bus stop in front of the site. So I  
 24 think that really will support into the transit hub  
 25 into Palisades Park.

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1 now matching our parking table.  
 2 CHAIRMAN FERGUSON: The next thing is  
 3 -- and our new traffic engineer, and also I believe  
 4 Vinny last month, raised some questions about the  
 5 sidewalks being so close to the -- and they were  
 6 afraid that a car coming out could impact pedestrians  
 7 before the driver of the car would see.  
 8 MR. MACRI: So what we discussed with  
 9 Mr. Park was what I --  
 10 MR. CARNOVALE: Excuse me, Joe.  
 11 They just doubled their problem now.  
 12 MR. MACRI: I have a solution, if I can  
 13 just explain.  
 14 An audible sound will go off when a  
 15 vehicle is within 6 feet of the garage. This way if  
 16 someone is walking down the street, they'll hear the  
 17 audible sound.  
 18 CHAIRMAN FERGUSON: They'll hear the  
 19 sound.  
 20 But how -- but didn't -- Steve is on,  
 21 and we'll get Steve to... There were two things that  
 22 he wanted to do at the last meeting, that he  
 23 recommended.  
 24 Steve, are you on?  
 25 MR. COLLAZUOL: Yeah, I'm here.

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1 CHAIRMAN FERGUSON: Do you want to go  
2 through those two? He's now including your audible  
3 signal.

4 What were the two other things? You  
5 were going to kick back the doors, push back the  
6 doors.

7 MR. COLLAZUOL: Well, if I just  
8 understood about Mr. Macri, I indicated some audible  
9 device would be proposed --

10 MR. MACRI: Yes.

11 MR. COLLAZUOL: -- to protect the  
12 pedestrians walking down the sidewalk. Is that  
13 correct, Marc.

14 MR. MACRI: That's correct, Steve.

15 MR. COLLAZUOL: Yeah. So I think spoke  
16 of this in some way where we indicated -- we  
17 discussed having a stop sign in the building as well.

18 And there was also some discussion  
19 about throughout possibly having some type of gate.

20 So as long as there's protection for  
21 pedestrians in some way or form, and certainly some  
22 type of electronic eye with signals for pedestrians,  
23 if that device could be provided in one way or form,  
24 I think that would help the application.

25 We also talked about taking the

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1 MR. COLLAZUOL: The other topic that I  
2 recall from my notes was that, the way the existing  
3 sidewalk is located wasn't typical. When you spoke  
4 about putting the sidewalk in a typical location,  
5 which would be something like 2-and-a-half feet from  
6 the curb, which would provide an additional in the  
7 front of the building to the sidewalk. That could be  
8 incorporated on the plan.

9 MR. PARK: Yeah, 10 feet, yeah. So the  
10 curb cut to our building is 10 feet distance so...

11 MR. COLLAZUOL: Yeah.

12 MR. PARK: Yeah.

13 MR. COLLAZUOL: The dimension from the  
14 sidewalk that runs parallel to the avenue, if that  
15 dimension could be reduced from what it is now, that  
16 would help pedestrians leaving the building.

17 MR. MACRI: We can do that, absolutely,  
18 Steve.

19 CHAIRMAN FERGUSON: Okay.

20 MR. CARNOVALE: Joe?

21 CHAIRMAN FERGUSON: Yes.

22 Mr. CARNOVALE: Joe, may I?

23 CHAIRMAN FERGUSON: Yes, sure.

24 MR. CARNOVALE: Steve? Is Steve still  
25 there?

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1 entrance doors and moving them within the building 3  
2 to 5 feet to provide for a safety area for  
3 pedestrians as well. This is sort of a PDF drawing.  
4 I didn't notice changes to that. We did discuss  
5 that, though, at the last -- at the last meeting.

6 MR. MACRI: What we did is we  
7 redesigned the first floor of the garage to  
8 accommodate that, because we increased our parking by  
9 double.

10 So it becomes a moot point. It's no  
11 longer where it was originally situated.

12 MR. COLLAZUOL: So when I looked at the  
13 new sheet, the architect's 103, we see, you know,  
14 2-foot setback from the column line.

15 Is that what you're referring to, Marc?

16 MR. PARK: Yeah, yeah.

17 Because we want to keep a certain  
18 distance because of the beam size.

19 So, you know, that's we're going to  
20 keep -- but it is a change-up, so yeah.

21 MR. MACRI: Yeah. It's 30 inches. The  
22 garage entrance is 30 inches, 2-and-a-half feet  
23 before the sidewalk.

24 MR. PARK: So we can push it as much as  
25 possible, yeah, on the ground level.

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1 MS. TESTA: Yes.

2 MR. CARNOVALE: Steve?

3 CHAIRMAN FERGUSON: Steve.

4 MR. CARNOVALE: Steve, can you hear me?

5 Mr. COLLAZUOL: Just about.

6 MR. CARNOVALE: Can you hear me talk,  
7 Steve.

8 MS. TESTA: Just about.

9 MR. COLLAZUOL: Yeah, I can hear you.

10 MR. CARNOVALE: If the front -- the  
11 hood on a car, like I explained last time, is 6 feet  
12 plus -- let's say it's 8 feet.

13 Before you see anybody, the bumper or  
14 the hood of your car, your windshield, is going to be  
15 out on the sidewalk.

16 So the fact that they kicked the beam  
17 in and the garage door, they can kick it 10 feet, it  
18 doesn't matter. Because when you're exiting, as  
19 Mr. Macri indicated, if you're exiting on the right  
20 -- so the left of you is the ingress to the building,  
21 you might have 8 or 10 feet to see people there.

22 But on the right of you you have a  
23 cinder block wall.

24 So what kind of beeping alarm is going  
25 to stop somebody from walking in front of the door?

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1 And what happens if there is a power outage?  
 2 Is there a back-up generator?  
 3 MR. PARK: Yes.  
 4 MR. CARNOVALE: Where are you going to  
 5 put the back-up generator.  
 6 So, Steve, even if they kick the door  
 7 in 25 feet, as they're pulling out, they're still  
 8 within the building.  
 9 Now they've created another  
 10 ingress-egress for the second floor, so they doubled  
 11 the problem, plus they're taking another parking  
 12 space away from the street.  
 13 Now, I'm not an engineer. I'm not an  
 14 engineer, Steve.  
 15 But do you think it could be worked out  
 16 that the ingress and egress could be interior to get  
 17 to the second floor like they have in most parking  
 18 garages?  
 19 So maybe now you'll have a wider area  
 20 to be able to see people.  
 21 So this access to the second floor,  
 22 couldn't you pull in the one big door opening and  
 23 either go to the right to park or go up straight to  
 24 go to the second floor?  
 25 MR. COLLAZUOL: Yeah, I think those

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1 questions should be for the architect where the  
 2 interior --  
 3 MR. CARNOVALE: Okay. Like I said,  
 4 Steve, how do they solve the problem?  
 5 I'm only one board member, but I'm  
 6 concerned that somebody on the sidewalk is going to  
 7 get killed.  
 8 So now there's two egress-ingress  
 9 doors. You see that on there. So there's another  
 10 entrance, so now the problem is doubled. And -- go  
 11 ahead, Steve.  
 12 So for structural integrity, it doesn't  
 13 matter where they pull back that beam or the garage  
 14 door. It's a moot point because I'm concerned with  
 15 killing people on the sidewalk.  
 16 MR. COLLAZUOL: Yes. I think that's  
 17 (audio distortion) as well with respect to the sight  
 18 distance.  
 19 So a valid point, Vinny.  
 20 MR. CARNOVALE: So, and like I said,  
 21 with the alarm, or no alarm, whatever, if somebody's  
 22 in the their car and the radio is playing, the air  
 23 conditioner is on, or some kids are walking down the  
 24 street with those big boom boxes, they ain't going to  
 25 be hear no audio alarm.

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1 MR. MACRI: Mr. Chairman, I just spoke  
 2 to Mr. Park.  
 3 In addition to the audio alarm, we'll  
 4 put a red light in front of the building, the twirled  
 5 ones, when the alarm goes on.  
 6 MR. PARK: And another thing is that  
 7 there's a wall, a cinder-block wall, as you  
 8 mentioned.  
 9 But we're going to make any open, you  
 10 know, window, like, opening spaces, which visually it  
 11 can make the connection. Which means, as you see the  
 12 second level, you see that there's all open spaces,  
 13 which is all open for the ventilation.  
 14 So mostly parking requires for the  
 15 ventilation. So we're going to put -- you know, open  
 16 up, you know, the walls.  
 17 Right now the rendering -- our  
 18 rendering showing Z-101, showing the rendering is  
 19 cinder block, but we can provide open space, which  
 20 means a driver can watch -- they can watch, you know,  
 21 the walkway, you know, from the inside of the space.  
 22 MR. CARNOVALE: All right. Sir, I  
 23 don't mean to disrespect you. How many feet of open  
 24 space will you have there? Because if I'm driving  
 25 out of the building, like I said, here's my

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1 cinder-block wall. I'm driving out. The bumper, the  
 2 nose of my car, and my windshield is going to be out  
 3 over the sidewalk before I can look to my left or to  
 4 my right and see people on the sidewalk.  
 5 MR. PARK: Yeah. Actually, as I  
 6 mentioned before, the sidewalk is from the -- you  
 7 know, from the building facade line to the sidewalk  
 8 is already, like, 3 feet or something.  
 9 MR. CARNOVALE: Yeah, yeah, I  
 10 understand, sir.  
 11 But how big is the hood on your  
 12 personal car. How big is your hood? It's not 3  
 13 feet.  
 14 MR. PARK: My car -- my car. At least  
 15 these is one-bedroom and studio homes. I have a  
 16 small car.  
 17 Normally there's no problem. But as I  
 18 remember, you mentioned about a big truck or  
 19 something so...  
 20 MR. CARNOVALE: No. How about a  
 21 Cadillac? My sister's got a Cadillac. The hood --  
 22 my pickup truck, the hood is very long. So when I'm  
 23 in -- I want to leave the building, the bumper and  
 24 the hood of my car and my windshield -- the  
 25 windshield is here, I'm sitting here steering --

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1 you're talking about a good 8 feet, if not more.  
 2 So all of that vehicle before I can  
 3 look is already running people over on the sidewalk.  
 4 MR. MACRI: You can see ahead of you,  
 5 you know. Before your windshield gets out of the  
 6 garage, you can still see in front of you.  
 7 MR. CARNOVALE: Yeah, I know. But,  
 8 Marc --  
 9 MR. MACRI: It's 24-foot wide. Let's  
 10 be real.  
 11 MR. CARNOVALE: Wait a minute. What's  
 12 24-foot wide.  
 13 MR. MACRI: The driveway.  
 14 MR. CARNOVALE: Okay. You're right.  
 15 So when -- when I'm exiting, I'm assuming I'm going  
 16 to exit on this side. They're going to enter on this  
 17 side. You're right, I could look to the left 12  
 18 feet. What about to the right?  
 19 MR. PARK: The right side, there's  
 20 going to be an opening. We're going to make, like,  
 21 an opening space. The ventilation, it's like around  
 22 -- around 4 feet, 5, 5 feet, or whatever. You know,  
 23 we can provide whatever size, which is based on our  
 24 judgment.

25 MR. CARNOVALE: Listen, sir, I'm not an  
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1 MR. CARNOVALE: What is going to hold  
 2 the side of the window up? I'm sorry, sir.  
 3 CHAIRMAN FERGUSON: The frame.  
 4 MR. CARNOVALE: What's going to hold  
 5 the frame up? You're going to have a post there,  
 6 right.  
 7 MR. PARK: We can provide a post and  
 8 also detail. There's a practical way to improve, you  
 9 know.  
 10 MR. CARNOVALE: Okay. You have the  
 11 window there. There's going to be a post there.  
 12 It's got to be sufficient for the bearing load  
 13 upstairs. You're still going to block somebody's  
 14 view. That's all I want to say.  
 15 MR. PARK: It's going to be inside of  
 16 the wall.  
 17 CHAIRMAN FERGUSON: So here's what  
 18 we're going to do.  
 19 Counselor, get your engineer together  
 20 with Steven Collazuol and go over everything that --  
 21 the changes that you're going to submit on the plan,  
 22 right.  
 23 Keeping in mind that I personally think  
 24 that the alarm is a good thing, because the eye will  
 25 trigger it.

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1 architect. I'm not an engineer. I'm just a simple  
 2 board member.  
 3 MR. MACRI: Maybe to be even more safe.  
 4 Put a concave and a convex mirror, so when you come  
 5 in, you'd see around the corner from looking at the  
 6 --  
 7 MR. CARNOVALE: Marc, I'm making a  
 8 suggestion. I don't want to disrespect the  
 9 architect.  
 10 Could you wipe out that wall so you  
 11 could see at least 10 feet the other way, sir? To  
 12 the architect.  
 13 MR. PARK: I'm sorry, say that again.  
 14 MR. CARNOVALE: Could you eliminate  
 15 that wall.  
 16 MR. PARK: Yeah.  
 17 MR. CARNOVALE: Eliminate the wall. I  
 18 don't know, run an I beam there. I'm not trying to  
 19 tell you what to do but...  
 20 MR. PARK: Elimination -- I mean, if  
 21 you're punching out the wall, like, putting the  
 22 window, it's the same effect.  
 23 Visually they have -- your concern  
 24 about the visual disconnection between the driver and  
 25 also --

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1 MR. MACRI: It will alert the driver  
 2 outside the light.  
 3 CHAIRMAN FERGUSON: What's going to  
 4 happen is anybody walking on the sidewalk can hear  
 5 it.  
 6 In addition you can put your red light.  
 7 MR. PARK: Yeah. And also we can put  
 8 the bumper in or something to reduce.  
 9 MR. MACRI: A speed bump.  
 10 CHAIRMAN FERGUSON: That's all good  
 11 things. But I want you to include that. Talk to  
 12 Steve Collazuol and --  
 13 MR. MACRI: We will.  
 14 CHAIRMAN FERGUSON: -- iron this out  
 15 because...  
 16 Now, my other question is, you're not  
 17 the parking engineer, correct.  
 18 MR. PARK: No.  
 19 MR. MACRI: Correct.  
 20 CHAIRMAN FERGUSON: Okay.  
 21 Are you going -- next month, are you  
 22 going to put a parking engineer?  
 23 MR. MACRI: Yes. We'll come back with  
 24 a revised plan to show you an opening. And we'll  
 25 come back with our architect again, our engineer, our

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1 parking expert, and our planner.  
 2 CHAIRMAN FERGUSON: Yeah. Because I  
 3 want to hear from the parking. So he has to arrive  
 4 next month. Because I have one -- I'm sure he's got  
 5 questions. And I want him here or on the phone --  
 6 MR. MACRI: He will be.  
 7 CHAIRMAN FERGUSON: -- to go over it.  
 8 All right?  
 9 MR. PARK: Yes.  
 10 MR. MACRI: Yes.  
 11 CHAIRMAN FERGUSON: The only -- okay.  
 12 Any other board members have any questions?  
 13 MR. CARNOVALE: I've got one more  
 14 question, Joe.  
 15 Did we ever see an (audio distortion)  
 16 Certificate for this, or, Marc, do we have to have  
 17 one? Should we be going through all of this?  
 18 MR. MACRI: The site has been cleaned.  
 19 MR. CARNOVALE: It has been cleaned.  
 20 MR. MACRI: It has been cleaned.  
 21 MR. CARNOVALE: Does anybody have  
 22 paperwork?  
 23 MR. MACRI: I can submit it to the  
 24 board before the next hearing.  
 25 MR. CARNOVALE: I mean, I'm sure you

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1 be short 20 spaces, correct?  
 2 MR. MACRI: Yes.  
 3 MR. CARNOVALE: Mr. Macri, could I make  
 4 a suggestion maybe? How about if you cut out some of  
 5 the retail use to have that parking? You wouldn't  
 6 need so many spots for retail and you would gain  
 7 parking. Because you have 80 by something for  
 8 retail, don't you?  
 9 MR. PARK: Actually, if you eliminate  
 10 that, I mean, we can create more tandem parking.  
 11 If you or the board member is okay with  
 12 that, I mean, we can create more tandem parking. And  
 13 also --  
 14 CHAIRMAN FERGUSON: Listen to me,  
 15 right.  
 16 In the Borough of Palisades Park,  
 17 you're not allowed to have tandem parking, period.  
 18 MR. CARNOVALE: Exactly.  
 19 CHAIRMAN FERGUSON: So you're asking  
 20 for a variance, right, to permit tandem parking,  
 21 right.  
 22 So adding tandem parking is not  
 23 allowed.  
 24 MR. PARK: Is not.  
 25 MR. MACRI: Or going to be usable.

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1 guys wouldn't spend all that money to build on it,  
 2 but I'm just curious.  
 3 CHAIRMAN FERGUSON: I thought, Steve,  
 4 we talked about that last meeting and you said you  
 5 were going to --  
 6 MR. MACRI: I forgot to forward it.  
 7 MR. CARNOVALE: One more thing. On the  
 8 parking for retail, I just heard word about, it says  
 9 17 spots. You're saying it shouldn't be 17?  
 10 MR. MACRI: No. I think we're short.  
 11 MR. CARNOVALE: No. It says, "Retail  
 12 required, 17 spots." I don't know. I read it.  
 13 CHAIRMAN FERGUSON: It's on the plan.  
 14 MR. MACRI: Seventeen. We had six.  
 15 We're 11 short.  
 16 MR. CARNOVALE: So you still are short.  
 17 MR. MACRI: Correct.  
 18 CHAIRMAN FERGUSON: As the plan is  
 19 presented tonight, right, he's short 20 spaces.  
 20 MR. MACRI: Overall.  
 21 Mr. CARNOVALE: It says 20.  
 22 CHAIRMAN FERGUSON: Short is 20.  
 23 MR. MACRI: We're asking for a variance  
 24 to allow us to use 10 parking.  
 25 CHAIRMAN FERGUSON: But you still would

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1 CHAIRMAN FERGUSON: Pardon me?  
 2 MR. MACRI: It won't be usable at that  
 3 point. It won't help us eliminate -- it won't add to  
 4 the project.  
 5 MR. CARNOVALE: Why don't you eliminate  
 6 some retail and cut it in half, or eliminate retail?  
 7 You've got all your parking spots. I don't know.  
 8 It's just a suggestion.  
 9 CHAIRMAN FERGUSON: Right.  
 10 Well, you can talk about that. See,  
 11 that's why we have the traffic engineer, and you have  
 12 a traffic engineer. I would love for the two  
 13 engineers to have a discussion. I mean, not you, the  
 14 traffic engineers. All right.  
 15 This way they may have some alternate  
 16 plans, you know?  
 17 So any other board members have  
 18 anything to say?  
 19 (No Response.)  
 20 CHAIRMAN FERGUSON: Okay.  
 21 Now we're going to go to audience  
 22 participation.  
 23 Any members of the audience that want  
 24 to talk about 50 Broad Avenue?  
 25 MS. SCHOR: Hello.

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1 CHAIRMAN FERGUSON: Hello.  
 2 MS. SCHOR: Hi. This is Marsha Schor.  
 3 CHAIRMAN FERGUSON: Okay, Marsha, go  
 4 ahead.  
 5 MS. SCHOR: First of all, I didn't  
 6 understand. Cars exit and enter both on East Ruby.  
 7 CHAIRMAN FERGUSON: We can't make you  
 8 out, Marsha.  
 9 MS. TESTA: Enter and exit on East  
 10 Ruby.  
 11 MR. PARK: Yes.  
 12 MS. TESTA: Yes.  
 13 MS. SCHOR: Also I've been looking over  
 14 there (audio distortion) and council meetings.  
 15 People have (audio distortion) on East  
 16 Ruby. It's extremely crowded and it's extremely  
 17 slow.  
 18 CHAIRMAN FERGUSON: What's your  
 19 question.  
 20 MS. SCHOR: Some of the teachers there  
 21 (audio distortion) on school night because the people  
 22 (audio distortion).  
 23 CHAIRMAN FERGUSON: What's the  
 24 question?  
 25 I'm sorry.

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1 addition of all these extra cars coming and going on  
 2 there.  
 3 MR. MACRI: The traffic expert is going  
 4 to answer that question.  
 5 CHAIRMAN FERGUSON: The traffic  
 6 engineer is going to answer that question at the next  
 7 meeting.  
 8 Okay? Next question.  
 9 Marsha, did you get me? The traffic  
 10 engineer is going to --  
 11 MR. MACRI: That's all traffic  
 12 testimony.  
 13 MS. TESTA: Right. This is just  
 14 questions for the architect right now. They're going  
 15 to come back next month with their traffic engineer  
 16 and the engineer and the architect to answer, you  
 17 know, provide further testimony and answer further  
 18 questions and comments.  
 19 Okay. I don't think anybody else.  
 20 CHAIRMAN FERGUSON: No. Okay.  
 21 MS. TESTA: Motion to...  
 22 MR. MACRI: Carry this to next month's  
 23 meeting.  
 24 MS. TESTA: So you need a motion to  
 25 allow them to carry to next month's meeting.

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1 MS. TESTA: I think it's just a  
 2 comment.  
 3 MS. SCHOR: (Audio distortion.)  
 4 MS. TESTA: Yeah, we're getting like a  
 5 vibration.  
 6 CHAIRMAN FERGUSON: She's probably on a  
 7 speakerphone.  
 8 MS. TESTA: Yeah.  
 9 Are you on a speaker phone? Because  
 10 it's very hard to understand what you're saying. Or  
 11 do you two computers or two phones on.  
 12 MS. SCHOR: I'm sorry. On East Ruby --  
 13 CHAIRMAN FERGUSON: Okay.  
 14 MS. SCHOR: Should I go ahead?  
 15 MS. TESTA: Yes. Go ahead.  
 16 Much better.  
 17 MS. SCHOR: Fine. Several people have  
 18 come to the Mayor & Council meeting over this (audio  
 19 distortion), complaining that East Ruby has very bad  
 20 back-up during the rush hour, the morning rush hour.  
 21 Is that a two-way street or a one-way street?  
 22 CHAIRMAN FERGUSON: Ruby is two way,  
 23 right? Yes, it's a two-way.  
 24 MS. SCHOR: Two-way. So if it's  
 25 difficult now, what's going to be like with the

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1 CHAIRMAN FERGUSON: So I'll make a  
 2 motion to carry to the next meeting.  
 3 Can I get a second on the motion?  
 4 VICE CHAIRMAN ALBANESE: Second.  
 5 CHAIRMAN FERGUSON: To carry.  
 6 MS. TESTA: With no further notice.  
 7 CHAIRMAN FERGUSON: No further notice.  
 8 MS. LAMBRINIDES: Who was the second  
 9 from.  
 10 MR. CARNOVALE: Paulie, did you second.  
 11 VICE CHAIRMAN ALBANESE: I seconded.  
 12 MS. TESTA: We pushed it back a week  
 13 because of President's Day. So the next meeting will  
 14 be March 15th, 2021, at 7 p.m. okay.  
 15 MR. MACRI: Thank you very much.  
 16 MS. TESTA: Do you have to do roll  
 17 call, Eleni?  
 18 CHAIRMAN FERGUSON: Yes, roll call.  
 19 MS. LAMBRINIDES: Mr. Ferguson?  
 20 CHAIRMAN FERGUSON: Yes.  
 21 MS. LAMBRINIDES: Mr. Albanese?  
 22 VICE CHAIRMAN ALBANESE: Yes.  
 23 MS. LAMBRINIDES: Mr. Elefteriou?  
 24 MR. ELEFTERIOU: Yes.  
 25 MS. LAMBRINIDES: Ms. Yoon?

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1 MS. YOON: Yes.  
 2 MS. LAMBRINIDES: Mr. Carnovale?  
 3 MR. CARNOVALE: Yes.  
 4 MS. LAMBRINIDES: Mr. Terranova?  
 5 MR. TERRANOVA: Yes.  
 6 MS. LAMBRINIDES: And, Mr. Grala?  
 7 MR. GRALA: Yes.  
 8 MS. TESTA: Okay, so that's 50 Broad  
 9 Avenue, the application of Jack Sung An, Case Number  
 10 20-09, Block 614, Lot 23 is being continued to the  
 11 March 15th, 2021 meeting, 7 p.m. There will be no  
 12 further notice.  
 13 That meeting also will be held remotely  
 14 in the same format that it's being held right now.  
 15 CHAIRMAN FERGUSON: Right.  
 16 MR. MACRI: Thank you.  
 17 CHAIRMAN FERGUSON: Okay.  
 18 The next is Case Number is 20-02,  
 19 Garden Meadow Developers. And their attorney has  
 20 sent a letter withdrawing that application without  
 21 prejudice.  
 22 MR. CARNOVALE: What was the street  
 23 address on that, Joe?  
 24 MS. TESTA: 265 Broad Street.  
 25 MR. CARNOVALE: Oh, okay, okay.

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1 MR. TERRANOVA: Yes.  
 2 MS. LAMBRINIDES: Mr. Grala?  
 3 MR. GRALA: Yes.  
 4 MR. CARNOVALE: There's Lefty. You  
 5 said yes to postpone.  
 6 VICE CHAIRMAN ALBANESE: Not postpone.  
 7 They withdraw.  
 8 MR. ELEFTERIOU: Oh, yes. Okay, yes,  
 9 yes.  
 10 CHAIRMAN FERGUSON: The next case is  
 11 going to be Case Number 20-08, BBHJ Limited, 203  
 12 Grand Avenue.  
 13 As soon as we get the counselor.  
 14 You're up.  
 15 MS. TESTA: We're ready.  
 16 CHAIRMAN FERGUSON: Okay. Mr. Lee, are  
 17 you ready.  
 18 MR. LEE: Billy, are you set up yet?  
 19 As soon as our architect is set up.  
 20 CHAIRMAN FERGUSON: Oh, okay.  
 21 MR. LEE: May I proceed?  
 22 CHAIRMAN FERGUSON: Yes.  
 23 Do you want to put your appearance in,  
 24 my friend.  
 25 MR. LEE: Good evening, members of the

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1 CHAIRMAN FERGUSON: So he's withdrawing  
 2 it.  
 3 It was a three-unit. And he's  
 4 withdrawing it.  
 5 So I'll make a motion to accept the  
 6 withdrawal.  
 7 VICE CHAIRMAN ALBANESE: I'll second.  
 8 CHAIRMAN FERGUSON: Roll call.  
 9 MR. TERRANOVA: Paulie seconded it.  
 10 MS. LAMBRINIDES: Mr. Ferguson?  
 11 CHAIRMAN FERGUSON: Yes.  
 12 MS. LAMBRINIDES: Mr. Albanese?  
 13 VICE CHAIRMAN ALBANESE: Yes.  
 14 MS. LAMBRINIDES: Mr. Elefteriou?  
 15 (No Response.)  
 16 VICE CHAIRMAN ALBANESE: He went to the  
 17 ladies room.  
 18 MS. LAMBRINIDES: Mr. Elefteriou?  
 19 MS. TESTA: He stepped away.  
 20 MS. LAMBRINIDES: Okay.  
 21 Ms. Yoon?  
 22 MS. YOON: Yes.  
 23 MS. LAMBRINIDES: Mr. Carnovale?  
 24 MR. CARNOVALE: Yes.  
 25 MS. LAMBRINIDES: Mr. Terranova?

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1 board. My name is Daniel Lee.  
 2 I'm representing the applicant. This  
 3 application is with regard to 203 Grand Avenue. May  
 4 I --  
 5 MS. TESTA: Yes. That would be great.  
 6 MR. LEE: -- present Proof of  
 7 Publication and service and return receipts.  
 8 MS. TESTA: Thank you.  
 9 Okay, Notice of Publication and the  
 10 mailings to the residents looks to be order for  
 11 jurisdiction.  
 12 MR. LEE: Members of the Board, our  
 13 first witness is Billy Cocoros. Billy, can you go  
 14 over your qualifications, please.  
 15 CHAIRMAN FERGUSON: We accept him.  
 16 MS. TESTA: Yes. Please raise your  
 17 right hand.  
 18 Do you swear that the testimony you  
 19 will give in this application will be the truth, the  
 20 whole truth, and nothing but the truth, so help you  
 21 God?  
 22 MR. COCOROS: I do.  
 23 VASSILIOS COCOROS,  
 24 467 Sylvan Avenue, Englewood, Cliffs New Jersey,  
 25 having been duly sworn, testifies as follows:

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1 MS. TESTA: State your name for the  
 2 record, please.  
 3 MR. COCOROS: Vassilios,  
 4 V-A-S-S-I-L-I-O-S; Cocoros, C-O-C-O-R-O-S. 467  
 5 Sylvan Avenue, Englewood Cliffs, New Jersey 07632.  
 6 CHAIRMAN FERGUSON: Okay.  
 7 MS. TESTA: Mark your plans as A-1.  
 8 MR. COCOROS: Yes.  
 9 (Whereupon, Architectural Plans, VCA  
 10 Group, LLC, Five Sheets, Original Date  
 11 September 22, 2020, Revised October 28, 2020,  
 12 is marked as Exhibit A-1 for identification.)  
 13 DIRECT EXAMINATION  
 14 BY MR. LEE:  
 15 Q. Okay. Mr. Cocoros, can you go over  
 16 this application and tell us what this application is  
 17 about?  
 18 MS. TESTA: Those are the plans dated  
 19 September 22nd.  
 20 MR. COCOROS: Yes.  
 21 MS. TESTA: 2020.  
 22 MR. COCOROS: These are original date  
 23 9-22-20. Last revised Zoning Board review, 10-28-20.  
 24 They consist of five sheets: Sheet A-1, Sheet A-2,  
 25 Sheet A-3, Sheet S-1 and Sheet S-2.

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1 property. And there's also a detached garage at the  
 2 back of the property that's accessed off of Henry  
 3 Street.  
 4 We're proposing a three-unit  
 5 townhouse-style dwelling that will be fronting on  
 6 Henry Street.  
 7 The building width, which is -- the  
 8 configuration width on Henry Street, not the zoning  
 9 width, which we'll be looking at Grand Avenue, is  
 10 18 feet as you're looking at it from Henry Street.  
 11 And as you're looking at it from Grand  
 12 Avenue is a 35-foot-wide building, which is 5 feet  
 13 off the side yard; however, it's the rear  
 14 configuration of the building.  
 15 And at a front we have 10 feet, but we  
 16 have 18 feet to the garage door for the parking area  
 17 for each dwelling unit. Each parking area has 18  
 18 feet from the property line; however, we do have  
 19 another 3 feet from the property line to the  
 20 sidewalk.  
 21 So we can park two cars on the  
 22 property, completely on the property with the 18  
 23 feet. And there's also plenty of room between the  
 24 sidewalk and the back of the cars for people to pass  
 25 on the Henry Street sidewalk.

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1 CHAIRMAN FERGUSON: Okay.  
 2 BY MR. LEE:  
 3 Q. Okay.  
 4 If everything is order, then,  
 5 Mr. Cocoros, can you go over and explain to us what  
 6 this application is about?  
 7 A. Sure.  
 8 I'll just go over the zoning in the  
 9 center of Sheet A-1. You can see the key map  
 10 which locates this property on the tax map.  
 11 It's basically on the northwest corner  
 12 of Grand Avenue and Henry Street. Henry Street is  
 13 the smaller street that goes from Grand Avenue to  
 14 Commercial and Columbus Avenue.  
 15 It's a corner property. It's  
 16 50-feet-by-100. The 50 feet faces on Grand Avenue,  
 17 and the 100-foot depth is on Henry Street.  
 18 The property, itself -- I just have a  
 19 topographical difference from Grand heading west to  
 20 Henry of approximately 7 feet.  
 21 So the top of the curve along Henry at  
 22 the Grand Avenue intersection is 31 feet, 2 inches.  
 23 And then it goes down to 24 feet 9 inches towards the  
 24 back of the property.

There's an existing dwelling on the  
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1 You can see here, since the property  
 2 does drop off quite a bit, we've stepped each unit as  
 3 you go down towards the west from Grand Avenue.  
 4 We are basically a three-level  
 5 configuration, but we also have a roof deck area with  
 6 a partial finished attic. That gives a roof deck  
 7 facing south looking towards -- the south towards  
 8 Grand Avenue.  
 9 We set it up where we have a two-car  
 10 garage -- a two-car garage in the front and a one-car  
 11 garage behind that, Sheet A-2.  
 12 Q. Can you go over your Comment Number 6  
 13 on Sheet A-1?  
 14 A. Oh, sure.  
 15 Sheet -- these three spaces, subject to  
 16 the license agreement, is incorrect.  
 17 I previously had a scheme where we had  
 18 a bigger basement; however, we looked at it, and to  
 19 avoid doing a licensing agreement at having a  
 20 straight parking area, we decided to move the garage  
 21 wall back so we do have a conforming parking space --  
 22 parking space depth off of Henry Street.  
 23 Q. So a licensing agreement is not  
 24 required, is not needed, correct?  
 25 A. Yes.

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1 That would be -- that Note Number 6 in  
2 the Zoning Table should be deleted.

3 CHAIRMAN FERGUSON: Number 6.

4 MR. COCOROS: Yes.

5 On the Zoning Table in the middle.

6 Also what we've done --

7 CHAIRMAN FERGUSON: Oh, I see it.

8 MR. COCOROS: We set up the doors on  
9 the ground floor of each unit to avoid any staircases  
10 further going into the yard area.

11 So we've also opened up a corner of the  
12 building to try and help -- increase the sight  
13 triangle on Grand Avenue.

14 However, this portion of Grand Avenue,  
15 you're going southbound, so any cars coming out here  
16 are far enough away from that intersection to get a  
17 clear view of cars coming south on Grand Avenue.

18 The same thing coming the other way.  
19 Any cars that will be coming out from Henry will be  
20 on the south side of the street. We still tried to  
21 keep that area as open as we could.

22 CHAIRMAN FERGUSON: So are you saying  
23 that you eliminated the encroachment into the  
24 triangle?

25 MR. COCOROS: No.

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1 Then the last unit has the stairs on  
2 the outside corner.

3 That was done to basically try to keep  
4 the building in the ground as much as we could to  
5 avoid sticking out of the ground as much possible.

6 I'll go to Sheet A-3. This is the  
7 Living space. We have a living at the front. At the  
8 middle we have the staircase that will come up with a  
9 small hall area, powder room. We have the kitchen  
10 and dining room in the back. There's also a small  
11 bar area in the dining. Then the staircase up  
12 towards the second floor, which is the bedroom level.  
13 Then we have a balcony at the front which acts as a  
14 cover for the front door.

15 All the units once again are the same  
16 as far as, like, a basic similar size. However,  
17 there's a middle unit that doesn't windows. On the  
18 side we just have windows on the back and front.

19 The second floor is the bedroom level.  
20 We have a three-bedroom configuration. We have a  
21 master bedroom at the front, it's own en suite:  
22 Oversized shower, double sink, toilet. At the back  
23 we have two secondary bedrooms, a hall bathroom.  
24 Those are the stackable laundry in the hallway.

25 Once you go to the front hallway

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1 There is a slight encroachment;  
2 however, we did open it up. Sorry.

3 We did open up that wall at the corner  
4 here. I'll show you on the -- on the A-2 sheet, the  
5 plan, the ground floor plan.

6 You'll see here on Sheet A-2 we have --  
7 the right elevation will be technically in the rear  
8 of the units. You can see how the property drops  
9 down along the back.

10 At the bottom we have the ground floor  
11 plan, which is a covered parking area.

12 Now, as I mentioned, this parking area  
13 is completely on the property. There is no  
14 encroachment over the -- over the right-of way --  
15 over the right-of-way at all.

16 So we basically have it set up where we  
17 have an entry, a covered entry, which is basically  
18 cantilevered wrapped. There's no posts on the entry  
19 portion. We have an entry door, stairs up to the  
20 first floor, the main living space. In the back we  
21 have a small recreation room, a powder room. We have  
22 a one-car garage. And behind the garage we have the  
23 utility room. And that is typical for all units.  
24 However, they're slightly configured differently.  
25 Units B and C are mirror images of each other.

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1 there's a staircase that brings you up to a finished  
2 attic area with a small home office. There's a bar,  
3 powder room, closet and a sliding glass door out to  
4 the roof deck.

5 Each roof deck is 19-feet wide. One is  
6 a little smaller at 18.8 by 17-foot-3. These are the  
7 roof deck that face south. You can see them on the  
8 A-1 sheet. These are the front here. You can see  
9 the sliding glass doors. We have the roof bulkhead.

10 What we've also done is we have a  
11 portion of the roof deck that's pitched that lines up  
12 with the top of the bulkhead area. When you look at  
13 it, you'll have pitched roof, the bulkhead where the  
14 door is.

15 The same thing at the back.

16 It's basically three levels plus a  
17 finished attic and roof deck.

18 The last two sheets are the grading and  
19 drainage plan. However, we do defer to the board's  
20 engineer regarding the drainage. However, I do want  
21 to confirm some items that you requested regarding  
22 the corner, the ADA ramp at the corner. I think that  
23 was pretty new, so I guess Steve would make a comment  
24 on it to see what we could do with that.

25 In addition, if the concrete curb and

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1 sidewalk are in good shape along Grand Avenue, if we  
2 can keep those in place also.

3 At this time, we have CULTEC storm  
4 chambers in the front yard, which is the side of --  
5 the left side as you're facing -- I'm sorry -- the  
6 right side of the units as you're facing Henry  
7 Street.

8 We also have two chamber by three in  
9 that yard. Then we have two chambers in the driveway  
10 of the first unit, which is the left-hand side, which  
11 is the lowest unit on Henry Street.

12 However, once again, this would be  
13 confirmed through a perc test to see if the soil can  
14 handle it. We would, you know, confirm the system  
15 with the borough engineer and the board engineer.

16 In addition, we would provide drainage  
17 calculations to show that be sure that we could  
18 stormwater on the property in accordance with his  
19 requirements and the state requirements.

20 Sheet S-2. This is the (audio  
21 distortion) plan. Since this lot is a corner, also  
22 when you take a corner, if it goes over 5,000 square  
23 feet, so generally what you have to do is a Bergen  
24 County soil to show the silt-fence disturbance.

25 In addition, we would have wheel

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1 So that's a variance. Building  
2 coverage, we're at 2,870 square feet, which is 57.4  
3 percent, where 40 percent is required.

4 Front setback, 20 feet is required. We  
5 have 12 feet proposed for the building. Left yard  
6 setback, which is the frontage along Henry Street,  
7 15 feet is required. We're proposing 10 feet, which  
8 is in line with similar developments on the corner;  
9 however, it's still a variance.

10 Rear yard setback, 25 feet. We have  
11 6 feet. But the rear yard is acting more like a side  
12 yard, which a typical side yard is allowed 6 feet.

13 So that's why we kept the 6 feet side  
14 yard along -- along that portion of the unit. In  
15 addition, as it exists right now, there is a framed  
16 garage, an existing older dwelling. It's far enough  
17 away. But even if a new dwelling was built there, it  
18 would still be 6 feet away from our 6 feet, which  
19 would be a typical configuration.

20 VICE CHAIRMAN ALBANESE: What is it  
21 supposed to be, 25 feet rear yard? It's at 6.

22 MR. COCOROS: Yes. But it's acting  
23 like a side yard.

24 VICE CHAIRMAN ALBANESE: But if you're  
25 calling it the rear yard, you should have 25 feet,

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1 washing areas, as they call them, stabilized pads in  
2 each of the driveways. People are supposed to pull  
3 their cars into, or their trucks into, and not muddy  
4 the place in and out, hopefully.

5 And it also shows where our soil  
6 stockpile area. This will also be subject to the  
7 Bergen County Soil Review and approving these plans,  
8 if this is approved.

9 I have the Zoning Table. Should I go  
10 through it?

11 The property is located in the AA Zone,  
12 and it's a corner property. However, I think that  
13 since we have the 5,000 square feet in this area  
14 we're allowed to do a multifamily, but we've treated  
15 it as a regular 50-by-100 corner requirement.

16 Lot size is 5,000 square feet, which  
17 complies. Lot width (audio distortion). Lot depth  
18 is 100 feet. Lot width is 50 feet. So we do comply  
19 with the lot size.

20 The use that we're here for is a  
21 two-family zone in the AA. We're proposing three  
22 units so that's a variance we're requesting. Lot  
23 area, which part of this lot area for a dwelling unit  
24 2-and-a-half thousand square feet required in the  
25 zone. We have 1,666.67 square feet, a variance.

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1 not 6.

2 MR. COCOROS: Correct. We called out  
3 the variance. I'm just saying --

4 VICE CHAIRMAN ALBANESE: Don't bring up  
5 6 feet when you're talking 25.

6 MR. COCOROS: It's kind of a side yard.

7 VICE CHAIRMAN ALBANESE: I know what  
8 you're saying.

9 But if you build a regular house it  
10 would be fine. It would still be 6 feet.

11 MR. COCOROS: We still call it out.

12 VICE CHAIRMAN ALBANESE: Yeah.

13 MR. COCOROS: The right side yard  
14 setback complies. We have 5 feet. The front yard,  
15 20 feet, which is a 15 and a 5. We have 15 feet,  
16 which is a variance.

17 I mentioned the rear yard. We need the  
18 variance.

19 The building height, we have  
20 two-and-a-half stories, 25 feet. We're three  
21 stories, 31 feet 2 inches at the lower unit, and 35  
22 feet -- 34 feet 6 inches at the upper unit.

23 Parking, we do comply. We have nine  
24 spaces required. And we should actually revise -- we  
25 do have nine spaces provided and nine spaces that's

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1 required.  
 2 CHAIRMAN FERGUSON: So the drawing is  
 3 wrong.  
 4 MR. LEE: We amended the application.  
 5 MR. COCOROS: Yeah, 12 is wrong. It  
 6 should be 29. It's still compliant.  
 7 CHAIRMAN FERGUSON: Okay. Are you  
 8 done?  
 9 MR. COCOROS: Yes.  
 10 CHAIRMAN FERGUSON: Okay. So here's --  
 11 here's my general thought. The thing that's up on  
 12 top, right, what are you calling that?  
 13 MR. COCOROS: It's a roof deck.  
 14 CHAIRMAN FERGUSON: It's a roof deck.  
 15 MR. COCOROS: Yes.  
 16 CHAIRMAN FERGUSON: See, so it's not a  
 17 typical duplex.  
 18 MR. COCOROS: No, no, it's not.  
 19 CHAIRMAN FERGUSON: Right? You're  
 20 putting the roof. The problem that I have with it,  
 21 with the roof deck, is that you're asking for -- you  
 22 need 25 feet, what you're supposed to have. You're  
 23 looking 34.25, 10 feet higher. And then you're  
 24 adding -- in addition to that, then you're adding  
 25 this roof deck on top.

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1 I mean, but I'll listen to the rest of  
 2 the board and our experts and whatnot but, you know.  
 3 The other thing is, I'm still a little  
 4 confused on the triangle. You said you addressed the  
 5 triangle?  
 6 MR. COCOROS: Yeah.  
 7 Part of the building is within it.  
 8 But we left that corner open. If you  
 9 look at the -- do you see right here on the current  
 10 elevation.  
 11 CHAIRMAN FERGUSON: Right.  
 12 MR. COCOROS: Actually, no. This  
 13 should be the front elevation. It says rear. This  
 14 portion here is open, so you can see right through it  
 15 to the corner to see the other driveway.  
 16 CHAIRMAN FERGUSON: You're talking  
 17 about the one by Grand Avenue, correct?  
 18 MR. COCOROS: Yes, yes. This unit  
 19 right here. It's all the way in to the --  
 20 CHAIRMAN FERGUSON: So my question is  
 21 -- this is a simple yes-or-no. You're telling me  
 22 that there's something in the triangle.  
 23 MR. COCOROS: Yes.  
 24 CHAIRMAN FERGUSON: -- people to see,  
 25 you know. You know, if there's a triangle, you're

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1 To me, if I was a neighbor -- and I  
 2 haven't heard from them yet -- I would be saying,  
 3 well, you know, you're going to cut my sunlight out,  
 4 they're going to, you know.  
 5 And I can understand it. I mean, if  
 6 you were within the 25 feet, if you wanted to do  
 7 that, okay.  
 8 But, you know, now that you're asking  
 9 for a variance for almost 10 feet, I'm not so sure.  
 10 But the most thing is when you get  
 11 building coverage. It just seems to me that you want  
 12 to come to 57.40 percent when there's only 40 percent  
 13 that's allowed.  
 14 So you're asking for a large variance  
 15 for, you know, for the space. You know, this is -- I  
 16 assume there's a two-family house on it now, or  
 17 one-family house?  
 18 MR. LEE: It was a two-family.  
 19 CHAIRMAN FERGUSON: What is it?  
 20 MR. LEE: A two-family house.  
 21 CHAIRMAN FERGUSON: It's a two-family.  
 22 MR. LEE: From my understanding of it.  
 23 CHAIRMAN FERGUSON: It just seems to me  
 24 that, you know, you're pushing in a three-unit; it  
 25 doesn't fit?

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1 not supposed to have anything in the triangle.  
 2 MR. COCOROS: The corner of the  
 3 building is in that triangle.  
 4 You mentioned about the size. That's  
 5 something if we have to modify the footprint, we can  
 6 make that portion of the building out of that  
 7 triangle completely.  
 8 CHAIRMAN FERGUSON: Yeah, I would say  
 9 -- me personally, I would like -- if it was going to  
 10 go, I think you should eliminate, you know, you  
 11 should --  
 12 MR. COCOROS: Try to keep the building  
 13 out of it.  
 14 CHAIRMAN FERGUSON: Okay.  
 15 Any board members --  
 16 MR. CARNOVALE: Yeah. I guess I can  
 17 call you Billy. Let me get back to the driveways.  
 18 You said you don't require the Mayor & Council's  
 19 permission because you won't be on a right-of-way?  
 20 MR. COCOROS: Yes.  
 21 MR. CARNOVALE: What did you do, did  
 22 you kick the door.  
 23 MR. COCOROS: Yes.  
 24 MR. CARNOVALE: Is that reflected on  
 25 this, or no, on whatever plan I'm looking at.

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1 MR. COCOROS: Yeah.  
 2 If you go to the schematic site plan,  
 3 you'll see from the property line we have 10 feet  
 4 from the building and 18 feet to the garage door.  
 5 MR. CARNOVALE: Okay.  
 6 Now, you said 18 feet to the garage  
 7 door from what?  
 8 MR. COCOROS: From the property line.  
 9 MR. CARNOVALE: So you fixed that.  
 10 MR. COCOROS: Yes.  
 11 MR. CARNOVALE: I've got another  
 12 question for you.  
 13 How many parking spots are required for  
 14 each unit?  
 15 MR. COCOROS: I think it's typically  
 16 two, but I think the RSIS requirement is 2.7.  
 17 MR. CARNOVALE: Do we know that? Do we  
 18 have any of our experts?  
 19 I don't mean to be disrespectful, Bill.  
 20 MR. COCOROS: I can verify that.  
 21 But I know that when we do them it's  
 22 either 2.4 or 2.7 for three bedrooms?  
 23 CHAIRMAN FERGUSON: Yeah.  
 24 MR. CARNOVALE: Okay. I thought we  
 25 were required four spots per three bedrooms. They

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1 What do you have, two in the driveway  
 2 and one inside?  
 3 MR. COCOROS: Yeah, two.  
 4 We have 19-and-a-half-feet wide in the  
 5 driveway, which is more than enough for two. And  
 6 then on the inside we have 11-foot-8-by-19-foot-3.  
 7 We could actually make that a little bit more because  
 8 we could take a little bit of room out of the utility  
 9 room to make it a full 20 feet clear.  
 10 MR. CARNOVALE: All right.  
 11 So you're trying to say you would not  
 12 need four parking spots for a three-bedroom?  
 13 MR. COCOROS: Yeah.  
 14 Going by the RSIS standards, because  
 15 they're doing three units.  
 16 MR. CARNOVALE: Okay. Well, I'll let  
 17 that go because I'm not an expert on parking spot  
 18 requirements.  
 19 I've got another question too. Let's  
 20 call it the north side of this building, which would  
 21 be the back of this building, no matter if you call  
 22 it backyard, side yard, front yard. You have how  
 23 many feet back there? You said 6?  
 24 MR. COCOROS: Five feet, which is  
 25 technically what's allowed.

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1 changed it? I mean, let's say on a regular duplex,  
 2 don't you need four spots, two in and two out.  
 3 MR. COCOROS: On a regular duplex, it's  
 4 set up where you have two in the garage.  
 5 Technically when it's -- when you look  
 6 at it from the RSIS point of view it's -- it's 3.  
 7 MR. CARNOVALE: Okay.  
 8 I thought there was two in the driveway  
 9 and two in the garage; that's four.  
 10 MR. COCOROS: But it's not -- it's  
 11 barely a 16-foot door. I guess when we actually  
 12 counted them in RSIS, it's set up where you have --  
 13 it basically gets reduced down to 3. Even though you  
 14 can park -- you can park four cars in there, you  
 15 know, we really pushed it.  
 16 But even if you see, most people they  
 17 have two definitely in the driveway. There's always  
 18 usually one in the garage plus storage. But RSIS  
 19 actually knocks it down. If you have a two-car  
 20 driveway and a two-car garage and a 16-foot door,  
 21 they would knock it down and they only recognize  
 22 three of those spaces.  
 23 MR. CARNOVALE: So what are you showing  
 24 here for each unit, then? You're saying they cut it  
 25 down from there?

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1 MR. CARNOVALE: All right. You have 5  
 2 feet back there.  
 3 MR. COCOROS: Yes.  
 4 MR. CARNOVALE: Right. You have a door  
 5 back there with stairs.  
 6 MR. COCOROS: Yes.  
 7 MR. CARNOVALE: So you have stairs  
 8 going down and stairs going up.  
 9 MR. COCOROS: Yeah.  
 10 They have to keep a clear path.  
 11 MR. CARNOVALE: Right. The 3 feet.  
 12 MR. COCOROS: Yeah.  
 13 MR. CARNOVALE: Otherwise if you build  
 14 the stair 3-foot-wide, one foot for the retaining  
 15 wall, that's four; you're left with nothing.  
 16 MR. COCOROS: We actually do -- it's a  
 17 6-inch or 12-inch for the footing. A 12-inch wall  
 18 it's about, let's say, 3-and-a-half-foot clear.  
 19 There's no bay windows or anything on the side. So  
 20 basically it's a clear 5 feet. And then at the  
 21 walkway we'll have --  
 22 MR. CARNOVALE: So, Bill, you have to  
 23 walk down the stairs then build stairs going back up.  
 24 MR. COCOROS: Yes. That's to provide  
 25 clearance to get to the HVAC units on the side.

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1 MR. CARNOVALE: And also to meet the  
 2 fire code.  
 3 MR. COCOROS: Yes.  
 4 MR. CARNOVALE: All right.  
 5 Because if not, if you didn't have the  
 6 steps going up, you can't walk by on limestone and 6  
 7 inches of grass, or whatever? Well, you have to have  
 8 3 foot clear. So if you go down the stairs dead end  
 9 and there's a retaining wall there, you can't walk  
 10 around the building. So fireman would be able to...  
 11 So you do indicate steps down, steps  
 12 up?  
 13 MR. COCOROS: Yeah. If you see on the  
 14 --  
 15 MR. CARNOVALE: Yeah, I'm looking at it  
 16 now. I'm looking at it.  
 17 And getting back to that sight  
 18 triangle. You're going to blow out this whole  
 19 corner.  
 20 MR. COCOROS: Like I said, yeah. Some  
 21 concerns in the building footprint, I know it's one  
 22 way we could bring it down. We could truncate the  
 23 corner and cut down some of the -- some of the -- the  
 24 mass on that corner.  
 25 MR. CARNOVALE: All right. And then as

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1 top of the bulk. So it's about a 9-foot difference.  
 2 If it's 4-on-12, it would probably be, like, you  
 3 know, 3 or 4 feet less. Which would be a  
 4 foot-and-a-half reduction because it goes to the  
 5 midpoint.  
 6 The only thing is, you know, we also --  
 7 we have three -- this is measuring from the highest  
 8 unit. We have to set the units down.  
 9 MR. CARNOVALE: Right. But don't you  
 10 that into your calculations when you do the average  
 11 grade plane, whatever it's called.  
 12 MR. COCOROS: Yes. We basically take  
 13 it from the soffit.  
 14 MR. CARNOVALE: Right. I'm aware of  
 15 that, Bill.  
 16 So do you think you could do anything  
 17 there? I mean, I don't know. So if you go from the  
 18 top of the third floor up to the top of the peak of  
 19 the roof, how many feet do you have?  
 20 MR. COCOROS: From the top of the  
 21 third.  
 22 MR. CARNOVALE: Yeah. From the bedroom  
 23 ceilings, let's say.  
 24 MR. COCOROS: Nine feet.  
 25 MR. CARNOVALE: Nine feet. So, I mean,

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1 the Chairman mentioned about the height here. So you  
 2 have three levels plus with the attic roof. Could  
 3 you do anything with that?  
 4 MR. COCOROS: I mean, you know, if  
 5 there's a hydrant, we can do -- let's see, we could  
 6 do a small roof deck with one of those skylight-type  
 7 openings.  
 8 MR. CARNOVALE: Well, I don't want to  
 9 tell you guys what to do.  
 10 But besides for salability,  
 11 rentability, whatever, you really just need a roof  
 12 here so it doesn't rain on people's heads? And you  
 13 have to stick the air conditioner -- air handlers in  
 14 the attic, right?  
 15 MR. COCOROS: Correct.  
 16 MR. CARNOVALE: Do you think you could  
 17 do something with that? And I'm not telling you what  
 18 to do. But I'm just saying the height looks a little  
 19 crazy. What do you think? You're the architect. I  
 20 don't know. What do I know?  
 21 I mean, how many feet do you have  
 22 actually there? You really don't need that much to  
 23 stick an air handler up in the attic.  
 24 MR. COCOROS: Usually 4-on-12 pitch.  
 25 Here basically we have the roof lining up with the

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1 I'm not one to say anything, but isn't that a little  
 2 excessive, Bill.  
 3 MR. COCOROS: That's what we were  
 4 talking about right now.  
 5 MR. CARNOVALE: Because if a duplex,  
 6 you can barely stand up in the middle of it. But we  
 7 don't have no 9 feet there, correct.  
 8 MR. COCOROS: Yeah. A duplex I'd say  
 9 is 18.  
 10 MR. CARNOVALE: I think it would be  
 11 less, bill, but you're architect.  
 12 MR. COCOROS: I forgot the -- 4 inches.  
 13 It's 4 inches to the (audio distortion).  
 14 MR. CARNOVALE: I'm just saying, the  
 15 Chairman brought up the point about the height. I  
 16 don't know if you think you could do something with  
 17 it.  
 18 MR. COCOROS: I mean, it usually comes  
 19 out to about 7 feet, let's say, you know, for the  
 20 actual feet. Because we have 4 times 18 is the --  
 21 that's based on a 4-on-12 pitch.  
 22 MR. CARNOVALE: Which is a good pitch?  
 23 Because we always talk you drop it down.  
 24 MR. COCOROS: Pitch 3-12.  
 25 MR. CARNOVALE: I'll just leave that

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1 open, Bill.  
 2 I'm not going to tell you what to do.  
 3 MR. COCOROS: I'll let the applicant  
 4 confer right now.  
 5 MR. LEE: The applicant is open to  
 6 suggestions from the board on the roof deck.  
 7 Obviously we'd like to keep it as  
 8 proposed, but...  
 9 MR. CARNOVALE: Joe, what do you think.  
 10 Do you have any input here?  
 11 CHAIRMAN FERGUSON: I would eliminate  
 12 the whole top.  
 13 MR. CARNOVALE: Well, you need a roof  
 14 for the air handler. You've got to stick the air  
 15 handler somewhere.  
 16 MR. COCOROS: When we designed the roof  
 17 deck, we actually keep it on the one side.  
 18 So, even, if you get -- I mean, what  
 19 we've done before is, you know, if we do, say, a  
 20 smaller roof deck, we've done what is called  
 21 daylighters, like a skylight. So you walk up the  
 22 steps and you open it up like a hatch. It acts like  
 23 a skylight. The staircase stays where it is.  
 24 We get rid of the room up there. We  
 25 just create a staircase to get to the -- to get to

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1 But this is measured to the midpoint.  
 2 It will be a foot-and-a-half on paper.  
 3 MR. TERRANOVA: Right.  
 4 So, in other words, this would go from  
 5 34-and-a-half to 33.  
 6 MR. COCOROS: Yeah. At the highest  
 7 point.  
 8 MR. TERRANOVA: Right.  
 9 Well, I mean, based upon the variance.  
 10 I've got a question. You have two areas in between  
 11 the first and second floor that measure 1-foot-2. Is  
 12 that a structural reason for that?  
 13 Mr. COCOROS: Where is that?  
 14 MR. TERRANOVA: In between the first  
 15 floor and the ground floor, you have an 8-foot ground  
 16 floor, then you have ceiling.  
 17 MR. COCOROS: That's what it comes out  
 18 to when you do pre -- (Audio Distortion). I learned  
 19 the hard way, when we do plans and we get the  
 20 as-builts back and it's 4 inches over.  
 21 So it is basically 11 and 7/8, and 5/8  
 22 on the ceiling in the garage. Then we have like a  
 23 plywood sub-floor then a hardwood floor. So it comes  
 24 out to, like, you know -- it's actually  
 25 13-and-a-half, but we, you know, just build in a

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1 the roof deck, and just make a smaller roof deck.  
 2 Maybe try to limit the -- limit the actual access to  
 3 face south so we're not looking directly into  
 4 neighbors on the -- to the north of us.  
 5 MR. TERRANOVA: You could lower the  
 6 pitch on the backside to make it lower.  
 7 MR. COCOROS: Yeah.  
 8 Say, I've got to see what -- let's say,  
 9 18 feet. Right now we're -- what is half 30,  
 10 17-and-a-half, 17.  
 11 So let's say it's about 60 inches clear  
 12 to the middle from the triangle. If we go  
 13 3-and-a-half-on-12, so that would be basically  
 14 another 12 inches on top because, you know, because  
 15 of the angle of the roof. So it would still be 6  
 16 feet to the top.  
 17 So we're almost -- we're bringing down,  
 18 let's say, the roof. The highest point of the roof  
 19 is about 3 feet, which would bring down the roof by  
 20 about a foot-and-a-half.  
 21 MR. TERRANOVA: So you would save a  
 22 foot-and-a-half in terms of the height overall.  
 23 MR. COCOROS: Yeah. Actually, in  
 24 reality it's really a 3-foot reduction when you look  
 25 at the highest point of the roof.

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1 little bit of a safety factor.  
 2 MR. TERRANOVA: So it's also a  
 3 structural issue.  
 4 MR. COCOROS: Yeah.  
 5 I mean, you might be able to get away  
 6 with the finished 10-inch, but it still gets a  
 7 little bouncy. So we stick to the 12-inch.  
 8 MR. TERRANOVA: Right.  
 9 So, basically, your height is what  
 10 you're saying on the right there where it's 7 on the  
 11 second and 8.3 on the first.  
 12 MR. COCOROS: Yes. We have a -- yeah.  
 13 And what we try to do also, when we step the units,  
 14 we try to use, like, 8-foot increments -- 8-inch  
 15 increments to kind of, you know, work the block into  
 16 it.  
 17 MR. TERRANOVA: Right.  
 18 MR. COCOROS: And also the other thing,  
 19 you know, the driveway, itself, on the left is pretty  
 20 much bed level.  
 21 It's a little bit higher. This one  
 22 in the middle since it's more of a pitch difference,  
 23 it has flat on the one corner and then there's, like,  
 24 a 16-inch difference from the middle corner.  
 25 So, you know, we try -- when we foot

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1 the garage we try to set it at the lowest possible  
 2 point from the beginning.  
 3 MR. TERRANOVA: Right.  
 4 I'm just trying to come up with ideas  
 5 to lower the height because it's very high.  
 6 CHAIRMAN FERGUSON: Okay. Any other  
 7 board members have anything?  
 8 MR. CARNOVALE: Joe, I just need a  
 9 clarification on how many parking spots do we  
 10 actually need per unit or per the whole three units.  
 11 CHAIRMAN FERGUSON: Okay, no problem.  
 12 MR. CARNOVALE: Who is our expert?  
 13 Do we got him on the phone? Does  
 14 anybody know?  
 15 VICE CHAIRMAN ALBANESE: Aren't we  
 16 supposed to have four per unit.  
 17 MR. CARNOVALE: That's what I thought.  
 18 VICE CHAIRMAN ALBANESE: Two in the  
 19 garage, two in driveway.  
 20 MR. COCOROS: I always know they wanted  
 21 the stairs at 3 feet, or actually 3-foot-1.  
 22 VICE CHAIRMAN ALBANESE: Bill, you're  
 23 supposed to have two in the garage and two in the  
 24 driveway. It's four. You've got three units. You  
 25 need 12. You need 12. I think you've got it

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1 VICE CHAIRMAN ALBANESE: But to me it  
 2 says here, required 9 spaces.  
 3 Mr. COCOROS: Yes. Three --  
 4 VICE CHAIRMAN ALBANESE: If you're  
 5 putting three units, it requires 12 spaces. But  
 6 you're going to put three.  
 7 MR. COCOROS: The only thing is it's  
 8 not a duplex.  
 9 VICE CHAIRMAN ALBANESE: But then what  
 10 is it you're looking for?  
 11 If you're putting a duplex there, you  
 12 would require eight parking space, two in the garage  
 13 and two in the driveway.  
 14 MR. COCOROS: I guess we have to go  
 15 with a non-duplex, like 6-over-6.  
 16 MR. CARNOVALE: But it's not a  
 17 6-over-6.  
 18 VICE CHAIRMAN ALBANESE: It says you're  
 19 proposing 12 units. According to this it's 12.  
 20 MR. CARNOVALE: No, 12 spaces.  
 21 VICE CHAIRMAN ALBANESE: Twelve spaces.  
 22 Well, that's 12.  
 23 MR. CARNOVALE: There's nine spaces.  
 24 VICE CHAIRMAN ALBANESE: You've got one  
 25 driveway and two on the -- that's nine.

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1 backwards over here. You said required nine. You  
 2 would need 12. Not required 9, you would require 12.  
 3 MR. COCOROS: The only thing is the two  
 4 families --  
 5 VICE CHAIRMAN ALBANESE: But this isn't  
 6 a two-family.  
 7 MR. COCOROS: I know. That's what I'm  
 8 saying.  
 9 VICE CHAIRMAN ALBANESE: If it was a  
 10 duplex you were putting there you would need how many  
 11 spaces.  
 12 MR. CARNOVALE: Four.  
 13 MR. COCOROS: It's not really four,  
 14 though.  
 15 VICE CHAIRMAN ALBANESE: Eight. Two,  
 16 four, eight. I know what you're saying.  
 17 MR. COCOROS: It won't be recognized.  
 18 VICE CHAIRMAN ALBANESE: What you're  
 19 saying is that you're not proposing a duplex, you're  
 20 proposing three units.  
 21 MR. COCOROS: Correct.  
 22 VICE CHAIRMAN ALBANESE: A duplex you  
 23 need four for per side, two in the garage, two in the  
 24 driveway. Now you want to put three?  
 25 MR. COCOROS: Yes.

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1 MR. LEE: We earlier amended to correct  
 2 that.  
 3 MR. COCOROS: Yeah.  
 4 Originally I had a garage there, but  
 5 there was no space left over so I changed that.  
 6 VICE CHAIRMAN ALBANESE: Well, how many  
 7 cars are they going to put there.  
 8 MR. COCOROS: We can put three per  
 9 unit.  
 10 VICE CHAIRMAN ALBANESE: Three.  
 11 That's nine.  
 12 MR. COCOROS: Yes.  
 13 VICE CHAIRMAN ALBANESE: You're putting  
 14 it in, you're supposed to have 12.  
 15 MR. CARNOVALE: Where's our expert,  
 16 Joe.  
 17 CHAIRMAN FERGUSON: Okay, well that  
 18 would be Hal.  
 19 MR. CARNOVALE: He's in the Bahamas.  
 20 CHAIRMAN FERGUSON: We're trying to get  
 21 ahold of him. He's on vacation.  
 22 VICE CHAIRMAN ALBANESE: Vinny, who's  
 23 the expert, you or me.  
 24 MR. CARNOVALE: Not me. No, I'm not.  
 25 Nobody likes me anymore.

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1 VICE CHAIRMAN ALBANESE: I don't like  
 2 you either.  
 3 CHAIRMAN FERGUSON: Mike Kauker? Mike?  
 4 Mike Kauker, you're on the line, correct.  
 5 MR. KAUKER: Joe, I'm on.  
 6 Did you need me?  
 7 MS. TESTA: Yeah, good.  
 8 CHAIRMAN FERGUSON: Yeah.  
 9 We're trying to determine how many  
 10 spots are required for this three -- is it four or is  
 11 it three?  
 12 MR. KAUKER: Right.  
 13 MS. TESTA: Right.  
 14 How many units?  
 15 MR. KAUKER: Yeah, I've been listening.  
 16 The -- can you guys hear me.  
 17 CHAIRMAN FERGUSON: Yes.  
 18 MR. KAUKER: Okay. There's a little  
 19 bit of an echo.  
 20 Now, the RSIS for townhome developments  
 21 does require 2.4 parking spaces per unit. And that's  
 22 for a three-bedroom unit.  
 23 Having said that, your ordinance for a  
 24 duplex, which this is probably obviously a  
 25 three-family, so it's not permitted. Your duplex

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1 or four.  
 2 MR. KAUKER: The ordinance -- the  
 3 ordinance doesn't have a requirement for this type of  
 4 use. You know, like I said before, the closest would  
 5 be a duplex because it's somewhat -- you know, you're  
 6 permitted to have a duplex in this -- in this zone.  
 7 So if they were proposing a duplex --  
 8 excuse me. If they were proposing a duplex, they'd  
 9 be required to provide eight parking spaces.  
 10 CHAIRMAN FERGUSON: Correct.  
 11 VICE CHAIRMAN ALBANESE: In other  
 12 words, if they said they want to put triplex, they  
 13 said they want to put six cars, they could put six  
 14 in.  
 15 MR. KAUKER: Like I said, that's  
 16 something you can take into your -- you know, your  
 17 analysis. If you think that they're going to require  
 18 more parking, you know, based upon your experience --  
 19 guys live there -- you know, then that's obviously  
 20 something that you can, you know, make everybody --  
 21 make them aware of.  
 22 And then, obviously, you're feeling  
 23 that they would require the additional parking. And  
 24 again this is a use variance, so you would have that  
 25 authority, I believe.

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1 ordinance does require four.  
 2 Now, given the fact that this is a  
 3 three-family home and there's no specific  
 4 requirement, my guidance to the board would be,  
 5 because it's a use variance, you can use your  
 6 discretion, and you can weigh the number of parking  
 7 spaces into your determination when you're assessing  
 8 the use variance as to whether or not the site can  
 9 adequately accommodate the use.  
 10 So there -- you know, pursuant to the  
 11 RSIS, it would be 2.4. Your ordinance does require  
 12 slightly more, which is four parking space.  
 13 But again, it's something that you can  
 14 weigh in your analysis with respect to the use  
 15 variance requirement. We haven't heard any testimony  
 16 related to that yet, but I'm sure we will at some  
 17 point.  
 18 VICE CHAIRMAN ALBANESE: Every other  
 19 triplexes in this town has got four parking spaces.  
 20 MR. CARNOVALE: So that's 12.  
 21 VICE CHAIRMAN ALBANESE: Now they're  
 22 going to put three if we approve this.  
 23 MR. KAUKER: Right.  
 24 VICE CHAIRMAN ALBANESE: Then what's  
 25 the town -- what's the ordinance going to be, three

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1 VICE CHAIRMAN ALBANESE: Yeah, I know.  
 2 All I know is that every other duplex -- triplex is  
 3 four. If we -- if we approve this, then it's, like,  
 4 saying you only need three.  
 5 Somebody else comes in, you only need  
 6 three. You can't give one three and another guy  
 7 four.  
 8 CHAIRMAN FERGUSON: Okay.  
 9 MR. KAUKER: Agreed 100 percent. And  
 10 they still have to prove to the board that -- because  
 11 don't forget, they're requiring a use variance.  
 12 So they still have to prove to the  
 13 board the site -- you know, the site is particularly  
 14 suited for this use.  
 15 And really the important thing is  
 16 whether or not the site can accommodate three  
 17 townhome units on a site that's 5,000 square feet,  
 18 which is the requirement for a duplex or for a  
 19 two-family home. So basically they're requesting one  
 20 more unit than what (audio distortion).  
 21 CHAIRMAN FERGUSON: Yeah, we get it.  
 22 Okay. So we're going to open it up to audience  
 23 participation.  
 24 Is there anybody on the line?  
 25 MR. TESTA: For the architect. Right,

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1 this is just questions for the architect. We're  
 2 opening it to the public.  
 3 CHAIRMAN FERGUSON: So is there  
 4 anybody.  
 5 MS. BRAUER: Hi.  
 6 May I ask a question?  
 7 CHAIRMAN FERGUSON: Sure.  
 8 Your name and address?  
 9 MS. BRAUER: Susan Brauer, 15 Henry  
 10 Avenue.  
 11 CHAIRMAN FERGUSON: Okay, Susan, you're  
 12 on.  
 13 MS. BRAUER: Thank you.  
 14 This house is, so far as I know, living  
 15 near it for 46 years, has been a one-family. It's at  
 16 the corner. So the sight triangle is really, really  
 17 important because there is a bus stop on that corner  
 18 at Grand Avenue. There is no traffic light. Getting  
 19 from Henry Street onto Grand but crossing over to  
 20 Henry Avenue, which is where I live, can often be a  
 21 10- or 15-minute wait, because Grand is a bus route,  
 22 a truck route, and you know how bad it is. Okay.  
 23 What is this behind the garage? You  
 24 have the utility room -- utility room in each unit.  
 25 MR. COCOROS: Well, we have the utility

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1 MS. BRAUER: You did mention it before,  
 2 okay.  
 3 Now, you said each unit has three  
 4 bedrooms, correct?  
 5 MR. COCOROS: Yes.  
 6 MS. BRAUER: All right.  
 7 The middle unit has no side windows.  
 8 How did you configure three bedrooms? Because you've  
 9 got to have windows to have a legal bedroom.  
 10 MR. COCOROS: Well, all the units have  
 11 basically a master bedroom in the front, which has  
 12 windows. And then even for the middle unit, the two  
 13 bedrooms and the bathroom are facing the back. So  
 14 there's basically a bedroom in the middle -- a  
 15 bathroom in the middle, then the two bedrooms near  
 16 the side there's windows facing the north, which will  
 17 be looking towards -- towards Palisade Boulevard  
 18 there.  
 19 MS. BRAUER: So you're putting --  
 20 correct me if I'm wrong, you're putting the master in  
 21 the front, a bathroom, then two bedrooms in the back.  
 22 MR. COCOROS: Yes.  
 23 MS. BRAUER: They're going to be small  
 24 bedrooms, okay.  
 25 The other thing is -- I'm sorry if I'm

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1 room. We have a bathroom, you know, a powder room, a  
 2 toilet and the sink. And to the side of the garage,  
 3 which is directly behind the entry, we have a  
 4 recreation room, which at this time is 13-foot-7-wide  
 5 by approximately 17-and-a-half feet deep at the back  
 6 of the stairs.  
 7 CHAIRMAN FERGUSON: No bathtub.  
 8 MR. COCOROS: No.  
 9 MS. BRAUER: Okay, that's a pretty good  
 10 sized room.  
 11 And do you have side doors except in  
 12 the middle unit, which probably has a back door, in  
 13 and of those back rooms.  
 14 MR. COCOROS: There's one side door on  
 15 the -- which is technically at the back of -- from a  
 16 zoning point, it's the back, but it's the side of the  
 17 unit as you're looking at it -- the left side of the  
 18 unit as you're looking at it from Henry.  
 19 Then there's -- in the back of the  
 20 units, which is the right-hand side, which is north  
 21 of the building, there's two doors out to the side  
 22 yard.  
 23 MS. BRAUER: Okay, interesting. And  
 24 you do have powder rooms there.  
 25 MR. COCOROS: Yes.

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1 repeating what someone has already asked. The  
 2 finished attic and the roof deck -- the finished  
 3 attic contains what, and what is the height on that?  
 4 MR. COCOROS: Right now it's 9 feet to  
 5 the bulkhead from the attic floor. We have the home  
 6 office. You know, which really is a 12-by --  
 7 12-by-10 room, with a powder room, a closet, and a  
 8 wet bar and sliding glass door out to the roof deck  
 9 facing --  
 10 MS. BRAUER: And a powder room.  
 11 MR. COCOROS: Yes.  
 12 MS. BRAUER: A powder room or a full  
 13 bathroom.  
 14 Mr. COCOROS: A powder room.  
 15 MS. BRAUER: A powder room.  
 16 And then you have a sliding door out to  
 17 the deck.  
 18 MR. COCOROS: Yes.  
 19 MS. BRAUER: So in addition to having a  
 20 possible basement unit that could have an illegal  
 21 tenant, conceivably you could also have someone  
 22 living upstairs.  
 23 Now, they're going to be facing -- the  
 24 roof deck is going to be facing south, directly  
 25 towards Route 46 and the turnpike. That's really

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1 attractive. We're not the Hamptons.  
 2 Why do you need roof decks and a  
 3 finished attic when you're already asking for a  
 4 variance for height?  
 5 MR. COCOROS: People seem to like it.  
 6 MS. BRAUER: And don't tell me people  
 7 are asking for it, because they're having trouble  
 8 selling the ones that have it because of the price.  
 9 MR. COCOROS: You're asking the  
 10 question. People do like it. You know, we've been  
 11 doing it in Edgewater. We started doing a couple up  
 12 on the hill, in Cliffside Park, Fort Lee.  
 13 MS. BRAUER: Okay. But this isn't the  
 14 hill. What people are going to look at here will not  
 15 be the same view the hill has. You know that.  
 16 CHAIRMAN FERGUSON: Okay.  
 17 MS. BRAUER: And that is a horrible  
 18 corner. There have been fender-benders there for the  
 19 46 years I've lived here. You're stuffing 10 pounds  
 20 of crap into a 5-pound bag. That lot should have --  
 21 it's 50-by-100. You should have two duplexes at  
 22 maximum. You know, you're using your magic line;  
 23 you're making up your own rules and regulations.  
 24 But please, eliminate the height on  
 25 this. People have to live on that block. There are

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1 Avenue, that car is going to have to stop to allow  
 2 that car to get out because (audio distortion).  
 3 There's going to be multiple accidents  
 4 on there.  
 5 Not only that, again, the height of the  
 6 building is going to cut out the light on the  
 7 sidewalk on that corner to Grand and Henry.  
 8 CHAIRMAN FERGUSON: Okay, Steve.  
 9 Next?  
 10 MR. TERRANOVA: Go ahead.  
 11 CHAIRMAN FERGUSON: Go ahead.  
 12 MR. MORESCA: Hello. Can you hear me?  
 13 CHAIRMAN FERGUSON: Yes. Your name and  
 14 address and your question.  
 15 MR. MORESCA: Thank you. I appreciate  
 16 the opportunity to speak. My name is Chuck Moresca.  
 17 My parents and aunt and uncle have been at the  
 18 two-family house on West Henry Street for over 70  
 19 years, having purchased it in 1950. We are directly  
 20 adjacent to the property in question at 203 Grand  
 21 Avenue, being right on West Henry Street.  
 22 I spent my entire childhood in  
 23 Palisades Park. It was truly a wonderful place to  
 24 grow up, and I wouldn't trade those experiences for  
 25 anything. When I go back there to see my aunt, who

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1 duplexes there. There are people who bought new  
 2 duplexes who would like to have a pleasant life. And  
 3 I think you're really pushing it on here.  
 4 Thank you.  
 5 CHAIRMAN FERGUSON: Okay, next. Next  
 6 person.  
 7 MR. GUARDINO: Steve Guardino, 108 West  
 8 Henry Street.  
 9 CHAIRMAN FERGUSON: Hi, Steve.  
 10 What's your question.  
 11 MR. GUARDINO: Well, I just want to  
 12 point out that Henry Street is a lot narrower than  
 13 Henry Avenue. So with his configuration, he's  
 14 expanding the building. And even if he cuts out that  
 15 corner, you cannot see onto Grand Avenue if you're  
 16 coming up to Henry Street towards Grand. There's  
 17 been many accidents on that corner for that reason.  
 18 Plus, if he's putting the garages on  
 19 that side, we're losing three street parking spots.  
 20 You're talking about him gaining parking spots, but  
 21 we're losing three parking spots.  
 22 And the safety factor in that is, if he  
 23 has a car backing out -- and keep in mind that Henry  
 24 Street is narrower -- and we have a car turning off  
 25 of Grand onto Henry Street, and they rush down Grand

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1 is now 94, those pleasant memories quickly fade. The  
 2 congestion seems over bearing, and it's very  
 3 difficult to find a place to park.  
 4 Now, I realize that old house on the  
 5 corner of Grand and Henry, 203 Grand Avenue, should  
 6 be replaced. It's an eyesore.  
 7 But I'm hoping it can be replaced with  
 8 something less than the three units being proposed by  
 9 the current owners, which would, I feel, be a burden  
 10 on my property and the area.  
 11 I think the current town requirement of  
 12 two units on that sized property is quite ample and  
 13 would serve the area and its people just fine.  
 14 Thank you again for the opportunity to  
 15 speak.  
 16 CHAIRMAN FERGUSON: Okay, next. Okay.  
 17 So you have another -- yeah, go ahead.  
 18 MR. COCOROS: Actually, we were talking  
 19 about, you know, a couple ways to mitigate this. You  
 20 know, we could basically go to 3-and-a-half-on-12  
 21 roof pitch, which would bring us down, our height, a  
 22 foot-and-a-half.  
 23 Also, one of the concerns, I just  
 24 realized, which is a pretty -- a valid concern is at  
 25 that corner pulling out. We could basically flip the

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1 Unit C where we're putting the door on the outside  
2 corner.  
3 And by doing that, we could have the  
4 driveway further away from the intersection. I think  
5 that might be a better configuration so we're not so  
6 close with it.

7 Then we were looking. We could  
8 probably get another 8 inches off each unit and bring  
9 the building over 2 feet, which would reduce the  
10 footprint by 70 square feet and also increase the  
11 sight triangle at the corner.

12 In addition, by putting the entry area  
13 at that corner, we won't have cars in the triangle  
14 also.

15 So, you know, I think then if we  
16 configure it that way, there might even be a way of  
17 lowering the highest unit by maybe another foot.

18 So we might be able to get -- or at  
19 least 8 inches. We might be able to get a 2-foot  
20 reduction in the building height by doing that, and a  
21 2-foot decrease in the width of the structure looking  
22 at it from Henry Street. So that would bring that --  
23 it's only 70 square feet, but it's a little bit  
24 closer to what -- you know, it helps bring it down a  
25 little bit. It's gets further away from the corner,

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1 I've been listening to all the  
2 comments. If I could just back up. I did prepare a  
3 report. It was dated January 5th.

4 Bill, the sight triangle the way it's  
5 on the plans, it's going to be revised so we're not  
6 going to discuss the second floor and the design  
7 waiver that may be part of this plan

8 Is that correct?

9 MR. COCOROS: Yes.

10 You know, if we flip this thing, it's  
11 going to do two things. It might be able to bring  
12 the height down a little bit. It keeps the cars  
13 further away from -- it moves the curb cut  
14 approximately about 7 feet 4 to the -- to the west,  
15 let's say, further away from the corner of Grand and  
16 Henry.

17 MR. COLLAZUOL: That was going to be my  
18 next question, Bill.

19 Because the driveway, you have at 13  
20 feet distance at the corner. It might be a safety  
21 consideration, I thought, with cars coming in off of  
22 Grand with a car backing out of Unit C. So I think  
23 that might be a better plan if you Unit C was flat.

24 So then there was talk about -- just  
25 for informational purposes. Under proposed number of

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1 too.

2 CHAIRMAN FERGUSON: I appreciate that.

3 But --

4 MR. COCOROS: And then the roof -- you  
5 know, we're talking about, you know, go to a regular  
6 roof deck, maybe use those small daylighters.

7 CHAIRMAN FERGUSON: So you would  
8 eliminate the roof deck.

9 MR. COCOROS: I mean, we can keep a  
10 small portion, like. It would be that smaller  
11 10-by-10 with, like, that little skylight thingy to  
12 get to it.

13 We would like to keep that, but it's up  
14 to the board's consideration.

15 CHAIRMAN FERGUSON: Okay. You have  
16 another expert you want to put on.

17 MR. LEE: Yes. Our next witness --

18 CHAIRMAN FERGUSON: Oh, wait.

19 We didn't hear from Steve. Steve, are  
20 you on.

21 MR. COLLAZUOL: Yes.

22 CHAIRMAN FERGUSON: Do you have any  
23 recommendations here?

24 Steve, go ahead.

25 MR. COLLAZUOL: Okay. Thank you.

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1 parking spaces, proposed number of spaces is 9, not  
2 12, correct?

3 MR. COCOROS: Correct.

4 MR. COLLAZUOL: You went through that  
5 already, okay. Then on the bottom of Note Number 6,  
6 you have in parenthesis, "Subject to license  
7 agreement with the Borough." That line and that  
8 agreement is not necessary, correct?

9 MR. COCOROS: Correct.

10 MR. COLLAZUOL: So you eliminate that  
11 on the plans -- the revised plan.

12 MR. COCOROS: Yes.

13 MR. COLLAZUOL: Okay. Another small  
14 point. You have the condenser for Unit C on the  
15 Grand Avenue side of the yard. Can you tuck that in  
16 so it's behind on the units so it's not so much  
17 visible from Grand Avenue.

18 MR. COCOROS: Yeah, I guess we could  
19 work on that. We could put it on the corner and just  
20 screen it.

21 MR. COLLAZUOL: Yeah. We had a similar  
22 situation on another project we talked about.

23 MR. COCOROS: Yes (audio distortion)  
24 Boulevard.

25 MR. COLLAZUOL: Yes. Then turning to

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1 the report. The rear and side yard drainage should  
2 be addressed a little bit more to protect the  
3 adjacent properties. If you could address that with  
4 the plan.

5 MR. COCOROS: Sure.

6 I guess we could do a swale and make  
7 sure -- put some (audio distortion) on that side to  
8 cover it.

9 MR. COLLAZUOL: Yes.

10 Number 3 on page 2, there's sort of  
11 existing perimeter walls along the lot line.

12 And under Miscellaneous we have the  
13 addition of the existing concrete wall along the  
14 westerly lot line to be determined. It shows  
15 existing. It may need to be replaced.

16 MR. COCOROS: Okay, verify condition.

17 MR. COLLAZUOL: Yes.

18 And this application, I believe, should  
19 be submitted to -- should the board approve the  
20 application at some period of time for whatever  
21 changes they make in the meantime, it would have to  
22 go to New Jersey DOT for either a Letter of Exception  
23 or a Letter of No Interest, correct?

24 MR. COCOROS: Yeah, I guess.

25 Even though we're not touching anything

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1 CHAIRMAN FERGUSON: Okay. Back in  
2 session.

3 Can I get a roll call for attendance?

4 Okay, can I get a roll call? Eleni.

5 MS. LAMBRINIDES: Yes, sir, I'm right  
6 here.

7 CHAIRMAN FERGUSON: Okay, good.

8 MS. LAMBRINIDES: Mr. Ferguson?

9 CHAIRMAN FERGUSON: Yes, here.

10 MS. LAMBRINIDES: Mr. Albanese?

11 VICE CHAIRMAN ALBANESE: Here.

12 MS. LAMBRINIDES: Mr. Elefteriou?

13 MR. ELEFTERIOU: Here.

14 MS. LAMBRINIDES: Ms. Yoon?

15 MS. YOON: Here.

16 MS. LAMBRINIDES: Mr. Carnovale?

17 MR. CARNOVALE: Here.

18 MS. LAMBRINIDES: Mr. Terranova?

19 MR. TERRANOVA: Here.

20 LAMBRINIDES: Mr. Grala?

21 MR. GRALA: Here.

22 MS. LAMBRINIDES: Mr. Brogna?

23 MR. BROGNA: Here.

24 MS. LAMBRINIDES: Mr. Chung?

25 MR. CHUNG: Here.

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1 on the -- that's the other question I would have  
2 regarding -- because the existing ADA ramps, I think  
3 they were pretty new.

4 That's something we could -- we could  
5 verify, if this is approved, verify in the field with  
6 someone in your office to see if we could use it at  
7 the corner.

8 MR. COLLAZUOL: Yeah.

9 I do think that New Jersey DOT may have  
10 some input into whether that walk remains, the ADA  
11 remains, and the concrete curb remains as well, if  
12 they want any changes as far as this application.

13 Other than that, the letter report  
14 stands. I have nothing further.

15 Thank you.

16 MR. COCOROS: Thank you.

17 VICE CHAIRMAN ALBANESE: Does any board  
18 member have anything to say?

19 MR. CARNOVALE: How about we take a  
20 break?

21 VICE CHAIRMAN ALBANESE: Do you want to  
22 take a break? All right. We'll take a ten-minute  
23 break? Fifteen? Two hours? What? Five-minute  
24 break.

25 (Whereupon, a brief recess is held.)

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1 MS. LAMBRINIDES: Mr. Lee?

2 Is Mr. Lee still there.

3 MR. ELEFTERIOU: No.

4 VICE CHAIRMAN ALBANESE: Where is he?

5 MS. TESTA: Did he leave?

6 CHAIRMAN FERGUSON: Okay, he's not  
7 here.

8 MS. LAMBRINIDES: How about Mr. Cho?

9 MR. CHO: Here.

10 CHAIRMAN FERGUSON: He's here.

11 MS. LAMBRINIDES: Okay, thank you.

12 MR. LEE: Okay. I'll bring back

13 Mr. Cocoros a little later.

14 But at this time I'd like to bring our

15 second witness, who is Harry Tuvel, licensed planner.

16 Harry, can you go over your

17 qualifications, please?

18 MS. TESTA: Okay. Well, let's raise

19 the right hand first.

20 Do you swear that the testimony you'll

21 give this application will be the truth, the whole

22 truth, and nothing but the truth, so help you God?

23 MR. TUVEL: I do.

24 H A R R Y T U V E L, P.P.,

25 having been duly sworn, testifies as follows:

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1 MS. TESTA: State your name for the  
 2 record.  
 3 MR. TUVEL: Harry Tuvel, T-U-V-E-L.  
 4 CHAIRMAN FERGUSON: Okay, Harry, you've  
 5 been here many times.  
 6 So we kept him as an expert?  
 7 MR. TUVEL: Thank you.  
 8 CHAIRMAN FERGUSON: The hour is getting  
 9 late and we have another case behind you, so I would  
 10 appreciate anything you can do to move it along.  
 11 MR. TUVEL: Okay. I'll try to be as  
 12 brief as possible. But it's my job to get the  
 13 testimony on the record to justify the use variance.  
 14 So, you know, we have here a proposed  
 15 three-unit townhouse residential building on a  
 16 50-by-100-square-foot lot that you've already been  
 17 briefed on.  
 18 There are bulk variances that -- for  
 19 lot area, building coverage, front side yards.  
 20 But those are said to be subsumed under  
 21 the use variance. So when you give a (d)(1) use  
 22 variance. You sort of include the bulk variances,  
 23 because you're sort of creating a special zone.  
 24 So but we are requesting a use  
 25 variance, which where in particular cases and for

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1 required for a -- for a detached single-family  
 2 dwelling.  
 3 So it will nine -- as we talked about,  
 4 there will be 9 parking spaces, 3 each per unit.  
 5 Now, that's less than your duplex  
 6 ordinance requires. But remember, that the three  
 7 units here will -- actually each unit will be a  
 8 little bit smaller than a duplex unit would be.  
 9 The existing house which fronts --  
 10 fronts on Grand Avenue, these new units will front on  
 11 Henry Street. And even though the chances -- the  
 12 possibility or the potential for -- Grand Avenue  
 13 certainly over the years has become a very different  
 14 kind of business corridor. The possibility of  
 15 changing or the potential to change a house that  
 16 fronts on Grand Avenue into something that fronts on  
 17 Henry Street is certainly -- is certainly much more  
 18 desirable.  
 19 We are utilizing the 7-foot step -- the  
 20 7-foot grade differential to step down along the  
 21 slope of Henry Street.  
 22 Also, this multifamily townhouse style  
 23 development is certainly consistent with the land use  
 24 pattern and the development trends that have been  
 25 seen in this area. You have a number of other --

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1 special reasons the zoning board can grant a variance  
 2 to allow a departure from the regulations.  
 3 So you have to go through, as you've  
 4 seen from -- many times as you've heard testimony  
 5 from different planners. You've got to go through  
 6 the proofs, talking about the positive criteria --  
 7 the positive criteria to support the variance and  
 8 also the negative criteria that -- to show that the  
 9 variance can be granted without substantial detriment  
 10 to the public good and will not -- and will not  
 11 substantially impair the intent or purpose of the  
 12 zone plan.  
 13 So under the positive criteria, this  
 14 proposed use is consistent with aspects of Chapter  
 15 341.4, where back in 2016 the borough introduced and  
 16 passed an ordinance which allows for development of  
 17 multifamilies in the AA Zone.  
 18 So this type of development has been --  
 19 has been in the -- in the borough certainly before  
 20 2016 and since.  
 21 The three townhouse units can be  
 22 accommodated on this lot with sufficient onsite  
 23 parking. The parking, the townhouse requirement, as  
 24 you heard a little bit earlier is 2.4 for a townhouse  
 25 unit, which is actually a little bit more than is

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1 this is replacing older housing stock. And this is  
 2 very similar to other development that I've  
 3 represented before.  
 4 You've seen it on West Homestead  
 5 Avenue. You see it on West Columbian. And you've  
 6 seen it on West Ruby.  
 7 So this type of development, especially  
 8 -- especially on the corner lots, where you can  
 9 utilize the long section on the side street, has been  
 10 approved in a number of cases by this board. And I  
 11 think those have been desirable -- desirable  
 12 developments.  
 13 So the proposed use is consistent with  
 14 the existing development in the area. And it  
 15 certainly doesn't adversely affect the AA District,  
 16 because the residential character of the AA District  
 17 is maintained.  
 18 We are consistent with the goals in the  
 19 Master Plan in providing a variety of housing types  
 20 and densities while preserving the residential  
 21 character of the community.  
 22 Although there is -- there is one  
 23 medium -- there is a multifamily. Well, as I said  
 24 earlier -- I'm sorry. This -- the AA Zone since 2016  
 25 has accommodated a multifamily development in the AA

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1 Zone.  
2 So just in the interest of brevity, I'd  
3 just like to wind up by saying that in my  
4 professional opinion, there would be no detriment to  
5 the granting of this variance.

6 And I hope that my testimony has  
7 satisfied the requirements of the board for the  
8 granting of the use variance. And I certainly would  
9 be happy to entertain any questions from the board,  
10 or comments.

11 CHAIRMAN FERGUSON: Okay. Any board  
12 members have any comments?

13 MR. CARNOVALE: Yes.

14 Sir, you mentioned that AA zone can  
15 accommodate, what you did you say, multi.

16 MR. TUVEL: No. I said that since  
17 2016, you have Chapter 341.4 where -- and this  
18 doesn't exactly meet all the requirements of that.  
19 But it does -- since 2016, the borough has  
20 acknowledged the fact that there are many  
21 nonconforming -- some predate the Municipal Land Use  
22 Law -- but there are a number of residential type  
23 units that are not one- and two-family zones [sic] in  
24 the AA Zone.

25 As a matter of fact, the majority of  
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1 takes into account what the real parking requirements  
2 are for various types of residential housing,  
3 including detached housing, garden style apartment  
4 housing, townhouse style housing. And it's broken  
5 down.

6 And I would just suggest -- again, even  
7 though we technically need a waiver from your  
8 ordinance for this parking, it's my opinion, and I  
9 would strongly make the point that the Residential  
10 Site Improvement Standards are the more current,  
11 widely-used requirements for parking.

12 MR. CARNOVALE: All right, sir, I'm not  
13 going to debate the point.

14 But like you said, actually it would be  
15 maybe the lawyer could tell us, or tell you guys, or  
16 whatever, that we really would need another variance  
17 not to just override our ordinance.

18 MR. TUVEL: I'm not sure if it's a  
19 waiver or a variance.

20 MR. CARNOVALE: You mentioned waiver.  
21 I don't really know.

22 CHAIRMAN FERGUSON: So wait.

23 But the good news is -- hold it.

24 The good news is that our parking  
25 expert is on the line. So why don't we talk to Hal

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1 Pal Park, probably 75 or 80 percent is a AA Zone.

2 MR. CARNOVALE: I don't want to debate  
3 that with you, sir.

4 But our expert said -- and it's our  
5 ordinance that I need a clarification from. Maybe  
6 the Chairman or somebody said that we typically would  
7 need four parking spots per unit for a three-bedroom  
8 house.

9 Now, you or the architect said the  
10 units are smaller. But that's based on bedrooms.  
11 Bedrooms meaning that different people can live  
12 there. They can own X amount of cars.

13 So somebody, not me, invented this law  
14 that we need -- I don't know -- our ordinance says we  
15 need four spots.

16 MR. TUVEL: Okay.

17 MR. CARNOVALE: So the applicant -- I'm  
18 just -- I'm not the boss here. I'm just a simple  
19 member.

20 MR. TUVEL: I would suggest there -- I  
21 would suggest there that your ordinance is quite a  
22 bit older than the Residential Site Improvement  
23 Standards. And the Residential Site Improvement  
24 Standards, I would suggest, are a more modern,  
25 current type of requirement that sees what -- that

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1 and see what his opinion is.

2 Hal, are you there?

3 MR. SIMOFF: Yeah, I'm on the line.

4 CHAIRMAN FERGUSON: Okay, Hal, there  
5 seems to be -- there's a discussion, how many parking  
6 spaces are required for this three-unit proposal?

7 We know in duplexes you need two in and  
8 two out. This one here has three.

9 Their representatives are saying that  
10 the RSIS standard is 2.6.

11 MR. TUVEL: 2.4.

12 CHAIRMAN FERGUSON: 2.4.

13 MR. SIMOFF: For a townhouse style.

14 CHAIRMAN FERGUSON: Some board members  
15 feel like they need, you know, four, two in and two  
16 out. I know you know --

17 MR. SIMOFF: Yeah.

18 The requirement is based on the bedroom  
19 count. And RSIS for townhomes and garden apartments  
20 is for a three-bedroom -- it's a three-bedroom unit,  
21 correct?

22 CHAIRMAN FERGUSON: Yes.

23 MS. TESTA: Yes.

24 MR. SIMOFF: So it requires 2.4.

25 You're allowed to count -- you're allowed to count

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1 the garage space and then the parking space behind it  
 2 as two spaces.  
 3 And then if you're talking about the  
 4 one that at Grand Avenue -- is that what one you're  
 5 still on.  
 6 CHAIRMAN FERGUSON: Yes.  
 7 MS. TESTA: Yes.  
 8 MR. SIMOFF: Yeah, that had three  
 9 parking spaces, two outside and one in the garage,  
 10 correct?  
 11 CHAIRMAN FERGUSON: Right.  
 12 MS. TESTA: Right.  
 13 MR. TUVEL: All three of them do,  
 14 right.  
 15 MR. CARNOVALE: But, sir, does that  
 16 override our ordinance.  
 17 MR. SIMOFF: Yes.  
 18 The Residential Site Improvement  
 19 Standards are about five, eight years old.  
 20 And they were drafted by the  
 21 legislature to override local ordinances.  
 22 CHAIRMAN FERGUSON: Okay.  
 23 MR. CARNOVALE: So a question for you,  
 24 sir, before you leave, or whatever.  
 25 So does that mean any applicant from

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1 take that into consideration.  
 2 If the board feels like, you know, it  
 3 should be four, the board can vote that way.  
 4 There's nothing that says -- you know,  
 5 it's a use variance.  
 6 So if the board feels they would like  
 7 to have four, then you either, you know, vote for it  
 8 or against it.  
 9 But as far as the legality goes, our  
 10 expert, their expert, says 2.4.  
 11 So I've got to assume that it's okay.  
 12 MR. TUVEL: And we're providing three?  
 13 CHAIRMAN FERGUSON: No, I understand.  
 14 I understand.  
 15 But you could see where the confusion  
 16 is as far as the duplex ordinance requires two in and  
 17 two out.  
 18 MR. TUVEL: So then I would suggest,  
 19 subject to your attorney -- to the attorney -- that  
 20 if it's technically a waiver or a variance, we're  
 21 requesting that as well.  
 22 MR. COCOROS: Right.  
 23 To amend the application?  
 24 MS. TESTA: That's fine.  
 25 CHAIRMAN FERGUSON: Right, okay.

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1 now on comes in and says RSIS overrides our ordinance  
 2 as far as parking so they don't have to have four  
 3 spots?  
 4 MR. SIMOFF: Yeah.  
 5 I mean, Diane will opine on that.  
 6 But it's my understanding that RSIS  
 7 overrides local parking as well as a lot of other  
 8 criteria?  
 9 MS. TESTA: But as far as, our  
 10 ordinance is specific with regards to the duplexes.  
 11 And that's where it requires the two  
 12 spaces in and two spaces out.  
 13 MR. CARNOVALE: Yeah, that's my point.  
 14 MS. TESTA: This is not a duplex here.  
 15 MR. CARNOVALE: Right.  
 16 But it's basically three, three half  
 17 duplexes. So is it a legal point? I don't know.  
 18 CHAIRMAN FERGUSON: Well, here's the  
 19 issue really when we get down to it.  
 20 Our expert and their expert is saying  
 21 you need 2.4. They've got 3, right.  
 22 MR. CARNOVALE: Right.  
 23 So they cover that.  
 24 CHAIRMAN FERGUSON: However, the use  
 25 variance is the other -- Mr. Kauker said, you can

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1 So, Daniel, you were going -- you have  
 2 something else you want to add now.  
 3 MR. LEE: Yes.  
 4 At this point we would like to amend  
 5 the application. And, Mr. Cocoros, will go over the  
 6 amendments?  
 7 CHAIRMAN FERGUSON: What do you want to  
 8 -- what do you want to amend?  
 9 MR. COCOROS: The building height.  
 10 We mentioned before we can get a  
 11 foot-and-a-half by reducing the pitch of the roof and  
 12 getting rid of the bulkhead requirement.  
 13 The bulkhead to -- we'll still have a  
 14 small roof deck, but we cut it, basically, to a  
 15 smaller size.  
 16 No full -- no full bulkhead up on top,  
 17 which would be basically up about 4-and-a-half feet  
 18 or 6 feet to the top of the pitch, wherever a  
 19 3-and-a-half pitch comes out to.  
 20 As we mentioned before, we've reduced  
 21 the building size by a foot-and-a-half.  
 22 In addition, by flipping the unit on  
 23 Unit C closest to the -- to Grand Avenue, we could  
 24 probably get another 6 inches, maybe even more after  
 25 we figure it out.

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1 But we can bring the building height  
 2 down by approximately 2 feet, you know, overall.  
 3 In addition, you know, we reduced -- we  
 4 decreased the mass of the building by getting rid of  
 5 the finished area up on the second floor.  
 6 So then we could get at least  
 7 2-and-a-half feet off the footprint of the building,  
 8 which is -- I mean, it's a little bit less.  
 9 It will bring us up to  
 10 14-and-a-half-foot side -- you know, 14-and-a-half  
 11 front yard from 12.  
 12 And then we'd be still be able to keep  
 13 the two-car driveways where we have them. You know,  
 14 we would take the foot out of each basement.  
 15 You know, the basement itself is a rec  
 16 room.  
 17 CHAIRMAN FERGUSON: Right.  
 18 But how would that affect the lot  
 19 coverage?  
 20 MR. COCOROS: The lot coverage goes  
 21 down to 55.65.  
 22 CHAIRMAN FERGUSON: What is it?  
 23 MR. COCOROS: 55.65.  
 24 CHAIRMAN FERGUSON: 55.  
 25 MR. COCOROS: Point 65.

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1 use variance.  
 2 Now, there are two specific (d)  
 3 variances with respect to this application.  
 4 I'll address the (d)(1) use variance  
 5 first.  
 6 So just a question, Mr. Tuvel. You're  
 7 aware that with respect to the special reasons, I  
 8 guess, the special reasons proffered by yourself is,  
 9 what it sounds like, is that the site is particularly  
 10 suited for the proposed use. I guess the question to  
 11 you is, what in your mind differentiates this site  
 12 from other sites in the neighborhood and the  
 13 immediate area that make this appropriate or  
 14 particularly suited for a three-family home?  
 15 MR. TUVEL: You know, I thank you for  
 16 that.  
 17 In my attempt to rush I probably didn't  
 18 go over that as well, Mr. Kauker.  
 19 If you look -- we think what  
 20 distinguishes this or what makes this particularly  
 21 suitable is the fact that it's a corner lot. And  
 22 that the other similar developments, as I mentioned,  
 23 along West Homestead and West Columbia and West Ruby,  
 24 where this type of development where you use the side  
 25 street for the frontage, that's exactly the same type

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1 You know, looking at it too, the other  
 2 thing is, you know, we get 3 foot off each unit  
 3 (audio distortion) upstairs. That would bring us  
 4 closer to the --  
 5 CHAIRMAN FERGUSON: I got you.  
 6 You want to take two.  
 7 MR. COCOROS: Two-and-a-half. That's  
 8 what we're requesting.  
 9 MR. TUVEL: I guess we would also like  
 10 to point out in support of what Mr. Cocoros is saying  
 11 that in your 341.4 ordinance which allows for a  
 12 multi-family in the AA Zone, that requirement is --  
 13 the building height requirement there is 45 feet.  
 14 CHAIRMAN FERGUSON: Okay. All right.  
 15 So, Mr. Kauker, do you have any  
 16 comments?  
 17 MR. KAUKER: Yeah, I do have some  
 18 comments and a couple questions.  
 19 CHAIRMAN FERGUSON: Okay, go.  
 20 MR. KAUKER: Thank you for your  
 21 testimony, Mr. Tuvel. Just to give the board some  
 22 guidance, and as Mr. Tuvel mentioned in his  
 23 testimony, what the board has to find is that --  
 24 well, it's the applicant's burden to show that there  
 25 are special reasons in support of the grant of the

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1 of approach.  
 2 So the corner -- the fact that it's a  
 3 corner lot is what distinguishes and makes this  
 4 development suitable for the site.  
 5 Thank you for that.  
 6 MR. KAUKER: So your testimony  
 7 basically is a corner lot makes it suitable.  
 8 The other corner lots that you  
 9 mentioned, are you aware or do you know the lot areas  
 10 of those lots.  
 11 MR. TUVEL: Yes. I know the one that  
 12 was -- at least there was also another one or -- at  
 13 least one of them is also three units on a 5,000 --  
 14 roughly 5,000 square foot lot. I think that's the  
 15 one on West Homestead.  
 16 MR. KAUKER: Is that an older --  
 17 MR. TUVEL: No. It's brand-new.  
 18 MR. LEE: This is Daniel Lee, the  
 19 attorney for the applicant.  
 20 If I remember correctly, the lot size  
 21 was about 30 to 35 and about 150 on the side.  
 22 So it's about approximately 5,000,  
 23 maybe a little less than 5,000. And there were only  
 24 three units.  
 25 MS. TESTA: It was a little bit more

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1 than 5,000.  
 2 MR. LEE: It was more than 5,000.  
 3 MR. TUVEL: I think it was 5,100.  
 4 MR. KAUKER: Obviously I think it's  
 5 important for the board to consider -- you need to  
 6 take the characteristics of the existing neighborhood  
 7 into consideration.  
 8 And I appreciate your testimony with  
 9 respect to the multifamily in the AA.  
 10 But I would just like to point out that  
 11 the AA Zone, although it does permit multiple family  
 12 use, it also has a much larger lot area requirement.  
 13 So for a multiple family home to be constructed in  
 14 the AA District, it has to have a minimum lot area of  
 15 15,000 square feet.  
 16 MR. TUVEL: That's absolutely correct,  
 17 Mr. Kauker.  
 18 I wasn't saying that this was fully --  
 19 I was just trying to say that it was consistent with  
 20 that type of -- that this is consistent with that, or  
 21 akin to that -- to that type of development. You are  
 22 -- you are correct. That has different requirements  
 23 for lot area.  
 24 But it is also part of the -- the fact  
 25 that the town recognized the need in the AA Zone for

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1 in-fill type developments that have occurred -- that  
 2 has occurred in this area as well.  
 3 MR. KAUKER: Right.  
 4 They did recognize the need, but in  
 5 appropriate locations and where it was appropriate  
 6 standards.  
 7 So just to follow up with respect to  
 8 the board, just my observations. As I mentioned  
 9 earlier before when we had a discussion about the  
 10 parking, you know, one of the things with respect to  
 11 this lot and I think one of the things that you have  
 12 to consider is the size of the lot.  
 13 Now, again the lot is 5,000 square  
 14 feet. And again a two-family home is permitted on a  
 15 5,000 square foot lot. They're requesting one  
 16 additional lot.  
 17 You also have to take into  
 18 consideration the fact -- and, Mr. Tuvel, is correct.  
 19 Typically when you have a (d)(1) use variance, you do  
 20 have to -- basically the (c) variances -- there's a  
 21 court case that indicates that they're basically  
 22 subsumed in the request for the use variance.  
 23 So basically the board considers what  
 24 those variances are and use that in its  
 25 deliberations.

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1 So, for example, is there enough  
 2 setbacks for the building? Does the building have an  
 3 adequate setback to accommodate this building,  
 4 specifically given the fact that it's three units as  
 5 opposed to two units?  
 6 So those are some of the things that  
 7 you need to take into consideration.  
 8 And, again, they do require variances  
 9 for a number of setback requirements. For example, I  
 10 believe there's a deviation in the rear yard setback  
 11 where I think they propose 10 feet where 15 feet is  
 12 provided. Let me just look at my notes.  
 13 There were a couple other things. I  
 14 heard testimony with respect to the Master Plan.  
 15 But with respect to the negative  
 16 criteria, more specifically the first prong of the  
 17 negative criteria, I didn't -- could you elaborate on  
 18 whether or not there's going to be any significant  
 19 impact on the surrounding area?  
 20 MR. TUVEL: It's my testimony that this  
 21 variance can be granted without substantial detriment  
 22 to the public good and the surrounding -- and the  
 23 surrounding area.  
 24 MR. KAUKER: Then moving on with are  
 25 respect to the use variance, a (d)(1) use variance

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1 specifically, the applicant is also required to make  
 2 the Medici enhanced quality of proof.  
 3 Basically what you would do with  
 4 respect to that -- and the board has to make findings  
 5 pursuant to that -- is that the omission of this  
 6 specific use from the ordinance can be reconciled.  
 7 So, in your opinion, how would the fact  
 8 that this use, given the fact that it's not permitted  
 9 in the zone in its current -- I mean, I know you  
 10 mentioned the fact that it's contemplated but it  
 11 doesn't meet those specific requirements.  
 12 So how does this specific use on a lot  
 13 that's substandard in area, how is that reconciled  
 14 with that omission from the Master Plan and the  
 15 Zoning Plan.  
 16 MR. TUVEL: How is it reconciled with  
 17 what?  
 18 I'm sorry, I didn't get.  
 19 MR. COCOROS: The Master Plan.  
 20 MR. KAUKER: Basically, I just asked  
 21 you to address the Medici enhanced quality of proof,  
 22 which is the second part of the negative criteria  
 23 with respect to a (d)(1) use variance.  
 24 MR. TUVEL: Impairing the intent and  
 25 purpose of the zone plan? I think the --

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1 MR. KAUKER: Well, the Medici --  
 2 MR. TUVEL: Sorry.  
 3 MR. KAUKER: Go ahead.  
 4 MR. TUVEL: No, no. Go ahead. You go  
 5 ahead.  
 6 MR. KAUKER: No, no. You go ahead. I  
 7 didn't want to cut you off.  
 8 MR. TUVEL: I'm just -- I'm just saying  
 9 that under the positive -- you know, under the  
 10 positive criteria, that the fact that this follows --  
 11 that the ordinance of the town recognizes the fact  
 12 that multifamily development has occurred in the --  
 13 in the AA Zone -- and as I said at the outset, the  
 14 vast majority of Palisades Park is a AA Zone. But we  
 15 do see that this type of multifamily development is  
 16 interspersed basically throughout -- throughout the  
 17 Borough.  
 18 And certainly that -- the fact that we  
 19 are seeing -- replacing older -- older housing stock  
 20 with newer developments.  
 21 And it also reflects -- it's also  
 22 reflective of development trends and market forces  
 23 that have been -- that exist in the town, which is  
 24 why you're seeing the types of developments that have  
 25 been built and ones that are being proposed to be

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1 that fronts on Grand Avenue, I would think would be  
 2 something that this -- as well as previously approved  
 3 applications -- that you would you want to discourage  
 4 that type of development on Grand Avenue.  
 5 Something that worked 50 or 75 years  
 6 ago does not seem to be the type of development that  
 7 you want to see today.  
 8 MR. KAUKER: Understood.  
 9 But there is nothing that would  
 10 prohibit this -- if it were to be developed a  
 11 two-family home -- from the home being oriented on --  
 12 MR. TUVEL: Fronting on Grand Avenue?  
 13 Fronting on Grand Avenue.  
 14 MR. KAUKER: No, no.  
 15 MR. TUVEL: Prohibited? There was  
 16 nothing that would prohibit it from being developed  
 17 with up with the Henry -- along the Henry Street  
 18 frontage, you're saying?  
 19 Nothing that would prohibit it, no.  
 20 MR. KAUKER: Right. Okay, thank you.  
 21 And then just finally, just wrapping up  
 22 the (d)(1) use variance.  
 23 Again, I think I provided sufficient  
 24 guidance to the board. And again, I'd be happy to  
 25 answer any questions specifically if you have them.

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1 built.  
 2 MR. KAUKER: So basically you're  
 3 proffering that those, I guess, are valid plans  
 4 objectives in support of the application.  
 5 MR. TUVEL: Yes. I'm not sure I'm  
 6 hearing you well. Yes.  
 7 MR. KAUKER: One other thing, though.  
 8 With respect to those objectives, you could also  
 9 accomplish those objectives through, you know, the  
 10 redevelopment and replacement of older substandard  
 11 homes.  
 12 But that could also be achieved through  
 13 the redevelopment of new two-family homes, correct?  
 14 MR. TUVEL: It could be achieved with  
 15 the development -- well, I think the fact that a  
 16 duplex on this property would probably be using the  
 17 50-foot front side on Grand Avenue.  
 18 And here we're using the 100-foot side  
 19 on Henry Street, which is what makes this -- this  
 20 proposed development work. And that you could have  
 21 the three -- the three units.  
 22 Where the conventional duplex on a  
 23 50-by-100 lot, the entrance is on -- is on the  
 24 50-foot side. And we certainly don't want to see --  
 25 I mean, I shouldn't put it that way. Development

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1 There is another major (d) variance  
 2 with respect to this application of the height  
 3 variance.  
 4 That required a height variance for  
 5 this application. And I don't -- I didn't hear any  
 6 testimony on height variance.  
 7 MR. COCOROS: The reason the height is  
 8 -- part of it has to do with the topography drops off  
 9 for three units and we're measuring it to the highest  
 10 -- the highest unit.  
 11 So that's a good function of it.  
 12 In addition, we've modified or  
 13 decreased the roof height measurement to the tallest  
 14 unit by 2 feet. So it's mitigated by some  
 15 adjustments.  
 16 And the function of the site dropping  
 17 down almost 7 feet adds to the -- to the increase of  
 18 roof height. And also the requirement of 25 feet,  
 19 where 28 feet is a typical duplex.  
 20 But we've also reduced the  
 21 configuration to minimize the attic space up on top  
 22 and the volume of the roof area.  
 23 So we still are requesting a (d)(6)  
 24 variance for the height; however, we did mitigate  
 25 some of it by reducing the building height and

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1 minimizing the roof volume. And the height is still  
 2 a function of the topography drop-off on the  
 3 property.  
 4 MR. TUVEL: And we're following the  
 5 slope of Henry Street.  
 6 And we also want to provide garages  
 7 that are not sloped downwards into -- into the  
 8 property. So that would also justify the (d)(6)  
 9 height variance.  
 10 And as Mr. Cocoros just indicated, we  
 11 have certainly reduced the amount of that.  
 12 CHAIRMAN FERGUSON: Okay.  
 13 MR. KAUKER: Has there been any  
 14 analysis with respect to the other buildings in the  
 15 area, whether or not the proposed height would be  
 16 consistent with those other structures that exist.  
 17 MR. TUVEL: Yes.  
 18 This particular structure, as I  
 19 mentioned earlier, the other developments that have  
 20 -- that are along West Ruby, West Columbia and West  
 21 Homestead are very similar to this type -- very  
 22 similar to this type of development in terms of  
 23 height.  
 24 MR. KAUKER: What about in this  
 25 specific neighborhood.

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1 MR. TUVEL: Well, I'm not sure what you  
 2 mean by the extent of the neighborhood.  
 3 I certainly would think that it would  
 4 be very, very close to the duplexes -- to the newer  
 5 duplexes that exist in the neighborhood.  
 6 CHAIRMAN FERGUSON: Okay.  
 7 MR. KAUKER: Well, specifically along  
 8 this section on Henry Street, in order to prove --  
 9 there are two justifications for the grant of the  
 10 (d)(6) variance, and one is the Coventry Square case.  
 11 Then there's the newer one, which is the Spring Lake  
 12 Heights case, in which the board can approve a  
 13 variance for a building that's taller than one that's  
 14 permitted in the zone if the applicant can make a  
 15 showing that the proposed building height is  
 16 consistent with the heights of other buildings in the  
 17 immediate area.  
 18 So that's basically where I was going  
 19 with that.  
 20 MR. TUVEL: Yeah. And I would -- I  
 21 would say that it's my testimony that it is  
 22 consistent with the building heights in the area.  
 23 MR. KAUKER: Okay. I have nothing  
 24 further.  
 25 Again, as I said, I'd be happy to

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1 answer any questions if the board has any  
 2 specifically of me.  
 3 CHAIRMAN FERGUSON: Okay. Does the  
 4 board have anything? No. Dan, do you want to sum  
 5 up.  
 6 MR. LEE: Yes.  
 7 MS. TESTA: Open to the public.  
 8 CHAIRMAN FERGUSON: Oh, yeah.  
 9 Anybody in the public have anything to  
 10 say?  
 11 MS. TESTA: Anything further?  
 12 MR. LEE: Would the board like to hear  
 13 what the --  
 14 MS. TESTA: We have the public first.  
 15 MS. BRAUER: Hi. Can I just ask a  
 16 question or two?  
 17 CHAIRMAN FERGUSON: Sure.  
 18 Be brief, though, please.  
 19 MS. BRAUER: Okay, this is Susan  
 20 Brauer. The first thing is, who is the owner BBHJ;  
 21 who is that, please?  
 22 MR. LEE: It's BBHJ, LLC.  
 23 MS. TESTA: It's an LLC.  
 24 CHAIRMAN FERGUSON: It's an LLC.  
 25 MS. BRAUER: And who is the principal

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1 of the LLC that owns 10 percent or more.  
 2 MR. LEE: Well, I can reveal it. But I  
 3 don't feel that I'm inclined -- I'm obligated to  
 4 reveal their identity at this point.  
 5 MS. TESTA: Okay.  
 6 CHAIRMAN FERGUSON: Okay.  
 7 MS. BRAUER: According to the state,  
 8 yes. The other thing is, Mr. Kauker, I know the  
 9 ordinance that Mr. Tuvel was using to justify his  
 10 special reasons. And in that ordinance -- he caught  
 11 that -- so the lot would have to be 100-by-100 feet.  
 12 And according to that ordinance, as I remember it, at  
 13 least 75 percent of the building -- of the buildings  
 14 have to have one bedroom. It would change his plan.  
 15 So that ordinance doesn't hold water. You need  
 16 15,000 and 40,000 square feet. So that whole point  
 17 is moot.  
 18 So this particular application really  
 19 does not belong on that corner. It's dangerous. And  
 20 go to two duplexes and don't be, you know, greedy  
 21 about it.  
 22 CHAIRMAN FERGUSON: Okay. Thank you,  
 23 Sue.  
 24 Anybody else online?  
 25 UNIDENTIFIED SPEAKER: Yes, I do.

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1 Can we just know the names of the  
 2 owners or somebody to at least maintain this  
 3 property? There has been no snow removal. One of  
 4 fences is laying in the pathway. If there was snow  
 5 removal. People with children and parents are  
 6 walking in the street. So can we please get some  
 7 snow removal over there.  
 8 CHAIRMAN FERGUSON: Okay, I'll place  
 9 that on to the powers that be in the town.  
 10 UNIDENTIFIED SPEAKER: Thank you very  
 11 much.  
 12 CHAIRMAN FERGUSON: Okay, no problem.  
 13 Anybody else that would like to make a  
 14 comment.  
 15 (No Response.)  
 16 CHAIRMAN FERGUSON: No.  
 17 Dan, do you want to sum up? All right.  
 18 MR. LEE: Do you want to go over,  
 19 Mr. Cocoros, the amendments that we're proposing?  
 20 MR. COCOROS: First of all, we increase  
 21 the front yard setback to --  
 22 MR. LEE: If you can go slow and  
 23 describe what we're trying to accomplish by reducing  
 24 it.  
 25 MR. COCOROS: We can decrease the depth

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1 -- so we're going to ask for a motion, if the board  
 2 is in favor of the applicant or against the  
 3 applicant.  
 4 VICE CHAIRMAN ALBANESE: Well, I will  
 5 make a motion we deny this application.  
 6 CHAIRMAN FERGUSON: There's a motion on  
 7 the floor to deny.  
 8 I'll second it.  
 9 Roll call vote?  
 10 MS. LAMBRINIDES: Mr. Ferguson?  
 11 CHAIRMAN FERGUSON: Yes for the denial.  
 12 MS. LAMBRINIDES: Mr. Albanese?  
 13 VICE CHAIRMAN ALBANESE: Yes for the  
 14 denial.  
 15 MS. LAMBRINIDES: Mr. Elefteriou?  
 16 MR. ELEFTERIOU: Yes.  
 17 MR. CARNOVALE: For the denial.  
 18 MS. LAMBRINIDES: Ms. Yoon?  
 19 MS. YOON: Yes, for denial.  
 20 MS. LAMBRINIDES: Mr. Carnovale?  
 21 Mr. CARNOVALE: Yes to deny.  
 22 MS. LAMBRINIDES: Mr. Terranova?  
 23 Mr. TERRANOVA: Yes to deny.  
 24 MS. LAMBRINIDES: And, Mr. Grala?  
 25 MR. GRALA: Yes to deny.

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1 of the building, or the width of the building, as  
 2 you're looking at it from Henry Street by 3 feet,  
 3 which would bring down our coverage to 55.3 percent  
 4 with a footprint of 2,765 square feet.  
 5 In addition, we'll reduce the roof  
 6 height so we get a foot-and-a-half decrease in the  
 7 overall height measured to the midpoint.  
 8 In addition, we will flip Unit C to get  
 9 everything out of the sight triangle. That's also  
 10 part and parcel by moving the building over 3 feet.  
 11 And then we might be able to get an additional 6  
 12 inches in height reduction by doing that. So we  
 13 would reduce the overall height of the building  
 14 measured to the highest point by 2 feet.  
 15 CHAIRMAN FERGUSON: Okay, that's it.  
 16 MR. COCOROS: And also the roof deck.  
 17 MS. TESTA: Removing the powder room.  
 18 MR. COCOROS: Yeah, the powder room is  
 19 out. We'd basically do a roof access hatch to a  
 20 small -- basically half the size it would have been  
 21 10-feet-by-17-feet, and line up part of this roof.  
 22 CHAIRMAN FERGUSON: Okay, Dan, are you  
 23 done?  
 24 MR. LEE: Yes.  
 25 CHAIRMAN FERGUSON: Okay. The motion

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1 CHAIRMAN FERGUSON: Okay, thank you.  
 2 VICE CHAIRMAN ALBANESE: We have one  
 3 more, right, Joe.  
 4 CHAIRMAN FERGUSON: Yeah, one more.  
 5 MR. LEE: If the board is ready.  
 6 CHAIRMAN FERGUSON: Yes, we're ready.  
 7 MS. TESTA: You have been sworn in so  
 8 you're still under oath.  
 9 State your name for the record.  
 10 MR. COCOROS: Sure, Vassilios --  
 11 MR. LEE: Notice of Publication.  
 12 MS. TESTA: This is Block 505, Lot 4.  
 13 V A S S I L I O S C O C O R O S,  
 14 467 Sylvan Avenue, Englewood, Cliffs New Jersey,  
 15 having been duly sworn, testifies as follows:  
 16 DIRECT EXAMINATION  
 17 BY MR. LEE:  
 18 Q. Mr. Cocoros, this application is  
 19 regarding 28 Prospect Street.  
 20 Could you go over and explain to the  
 21 board what this application is all about?  
 22 MS. TESTA: Okay. I received the Proof  
 23 of Publication and notice to the property owners  
 24 within 200 feet, and everything seems to be in order  
 25 so the board does have jurisdiction.

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1 CHAIRMAN FERGUSON: Okay. Take it  
 2 away.  
 3 THE WITNESS: Sure.  
 4 The existing property is located on the  
 5 south side of Prospect Street basically between Grand  
 6 Avenue and the end of South Railroad Avenue.  
 7 The existing lot size is 33-and-a-half  
 8 feet wide by 116 feet deep. There currently exists  
 9 an existing structure on the property with a back  
 10 building that used to be a taxidermy shop.  
 11 We're proposing to knock both  
 12 improvements and construct a new 6-over-6 two-family  
 13 dwelling on the property.  
 14 The building, itself, will be set back  
 15 20 feet from the front, 25 feet from the back.  
 16 We have 3-and-a-half feet from the side  
 17 yard.  
 18 It's a three-bedroom configuration on  
 19 two levels. The property does drop off slightly from  
 20 front to back basically about 94, 96 along -- I'm  
 21 sorry -- 97 along the front. And then it goes back  
 22 to about 95 in the back.  
 23 It's about a 2-and-a-half-foot  
 24 difference from front to back.  
 25 The configuration, at the front we have

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1 have to be submitted as a condition of the approval.  
 2 We have an all-brick structure;  
 3 however, we do have bay windows all the way down to  
 4 the panel light system. We have the front entry  
 5 canopy over each door. A two-car driveway in front.  
 6 And as you can see on the aerial, behind this there's  
 7 some sort of industrial-type building at Fairview  
 8 Avenue.  
 9 So the building, itself, right now,  
 10 it's an older building. It consists of two  
 11 structures. The existing building in the front is  
 12 located approximately 11 feet from the front and 2  
 13 feet off of the side of the property. So, you know,  
 14 we are asking for some variances for the coverage and  
 15 some variances for the side yard setback.  
 16 CHAIRMAN FERGUSON: It's an undersized  
 17 lot. I get it.  
 18 MR. COCOROS: Yeah. It's preexisting.  
 19 And there's no -- I don't think there's  
 20 any way of getting the properties on either side of  
 21 us because those are basically -- there's a 60-foot  
 22 lot next to us and a newer house. I don't think  
 23 they're going to be knocking it down anytime soon.  
 24 And the house to the right of us is also a  
 25 preexisting nonconforming lot.

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1 a two-car garage. We also have it set up where we  
 2 have a recreation room and home office in the back,  
 3 powder room, no full bathrooms.  
 4 Upstairs we have it set up with a  
 5 living room and a dining room, an eat-in kitchen with  
 6 a bar area, a hallway, and the back bedrooms. So the  
 7 master bedroom is in the back. There's an en suite  
 8 master bathroom, walk-in closet. A hall bathroom.  
 9 Two secondary bedrooms. There's also a staircase  
 10 that brings you down to the basement. The basement  
 11 and the first floor are connected. We have a  
 12 side-by-side laundry for that unit.  
 13 The second floor is basically the same  
 14 set-up: A three-bedroom configuration, a flat living  
 15 room, dining room, kitchen, three bedrooms, one being  
 16 the master in the back, en suite bathroom,  
 17 side-by-side laundry.  
 18 In addition, we have wood decks out the  
 19 back.  
 20 We also proposed drainage improvements  
 21 on the property. All the details are subject to the  
 22 board's engineer. We have the CULTEC system that  
 23 would take the roof leader -- the roof water and  
 24 basically take it to the back of the property. You  
 25 know, hopefully, we'll get a perc test that works and

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1 CHAIRMAN FERGUSON: Okay.  
 2 MR. COCOROS: The variances with regard  
 3 to the height are based on the property dropping off.  
 4 We put the driveway pretty much a little bit higher  
 5 than the street to avoid the water going down into  
 6 it. It's the three-bedroom configuration, like most  
 7 other two-family 6-over-6s that have been developed  
 8 or built in this town.  
 9 CHAIRMAN FERGUSON: Okay. So I have no  
 10 questions.  
 11 Does anybody have -- board members have  
 12 any questions?  
 13 MR. CARNOVALE: Yeah. Bill, one quick  
 14 question. You always mention the 20-foot setback.  
 15 You are aware it's 25 but the average of all the  
 16 houses on the block, it should be no closer than 20?  
 17 MR. COCOROS: Correct.  
 18 MR. CARNOVALE: Okay.  
 19 MR. COCOROS: Yeah. That's a very good  
 20 -- that's why -- the existing house has 11. The  
 21 building next to it is about the same. The one next  
 22 to us is a little bit further back but. The older  
 23 ones bring the setback up.  
 24 MR. CARNOVALE: Because you're supposed  
 25 to do all the houses on that side of the street, add

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1 them all up and divide by that many houses.  
 2 I'm just -- I'm not looking out for  
 3 myself. But later on, I don't know if the Building  
 4 Department is going to require your engineer to give  
 5 them a measurement and division, et cetera, et  
 6 cetera.  
 7 MR. COCOROS: We can always provide  
 8 them the --  
 9 MR. CARNOVALE: I'm not the boss.  
 10 VICE CHAIRMAN ALBANESE: Just the  
 11 property, there was a taxidermist there? My cousin's  
 12 property. They both died.  
 13 MR. COCOROS: He used to have a buck  
 14 head on there and everything. It was pretty cool.  
 15 MR. CARNOVALE: I've got no further  
 16 questions.  
 17 CHAIRMAN FERGUSON: Okay. Any other  
 18 questions?  
 19 (No Response.)  
 20 CHAIRMAN FERGUSON: Okay. Steve, do you  
 21 have any comments on this?  
 22 MR. COLLAZUOL: Just a couple quick  
 23 comments, Chairman.  
 24 CHAIRMAN FERGUSON: Okay.  
 25 MR. COLLAZUOL: Bill, have you tried --

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1 MR. COLLAZUOL: Right. It depends on  
 2 who owns the fence on the back.  
 3 MR. COCOROS: That's all the way in the  
 4 back. In the front it's clearly on the neighbor's  
 5 property, according to the survey.  
 6 MR. COLLAZUOL: It says 1.4. So  
 7 something has to happen at that fence. Other than  
 8 that, we have no objection to the plan.  
 9 CHAIRMAN FERGUSON: Okay. What are you  
 10 going to do with the fence?  
 11 MR. COCOROS: I guess right now  
 12 technically we can't really touch because it's on the  
 13 neighbor's property. So, you know, we can talk to  
 14 the neighbor see if the neighbor wants to take it  
 15 down. The neighbor might even think it's better but  
 16 technically we can't really do anything with it  
 17 because it's not really our fence.  
 18 MR. COLLAZUOL: Yeah, I recognize that.  
 19 But if this fence is on the line, also on the  
 20 right-hand side of the fence -- I mean, if it's an  
 21 old chain link fence and it's in poor condition, then  
 22 it should be either removed or replaced. It should  
 23 be addressed somehow.  
 24 CHAIRMAN FERGUSON: Okay. Well, it's  
 25 not on their property.

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1 on the report we prepared on February 3rd, the rear  
 2 and side yard drainage should be addressed further to  
 3 address runoff. (Audio distortion) if you could  
 4 address that runoff in the back.  
 5 MR. COCOROS: Sure.  
 6 MR. COLLAZUOL: All right. And then it  
 7 appears that there's an existing perimeter wall with  
 8 fences shown along the lot line. And if you could  
 9 indicate on the final plan, if the board were to  
 10 approve this, what's going to happen, how is it going  
 11 to be disposed of, replaced or eliminated. As well  
 12 as on the left-hand side.  
 13 The pavers on the adjoining property on  
 14 the right appears to be just three different  
 15 properties. That seem to be acceptable. But the  
 16 fence on the easement line should be determined.  
 17 MR. COCOROS: I think -- I'm looking at  
 18 the survey. It looks like -- technically it's a  
 19 chain link fence. It looks like it's on the  
 20 neighbor's property. And plus that wall, it looks  
 21 like where the patio block kind of starts. It's  
 22 technically on the neighbors property. So that would  
 23 be something that would have to be coordinated, if  
 24 the neighbors want that taken out. And be sure whose  
 25 that is.

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1 MR. LEE: If it's not on our property  
 2 --  
 3 CHAIRMAN FERGUSON: What can they do.  
 4 MR. COLLAZUOL: Somehow if during the  
 5 course of construction, the Building Department or  
 6 the owners were notified what's going to happen with  
 7 that fence.  
 8 CHAIRMAN FERGUSON: All right. Well, I  
 9 think the applicant has represented that they're  
 10 going to contact the neighbors to see what they're  
 11 going to do.  
 12 MR. LEE: We'll make every attempt to  
 13 contact the neighbor then resolve that issue, if that  
 14 concerns you.  
 15 CHAIRMAN FERGUSON: Okay.  
 16 Anyone?  
 17 (No Response.)  
 18 MR. COLLAZUOL: Thank you, thank you.  
 19 CHAIRMAN FERGUSON: Okay. Do you want  
 20 to put --  
 21 MR. LEE: I have no other witnesses. I  
 22 don't.  
 23 CHAIRMAN FERGUSON: You have no other  
 24 witnesses.  
 25 MR. COCOROS: Can I go over the

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1 variances real quick.  
 2 MS. TESTA: Sure. Your height is.  
 3 MR. COCOROS: Yeah, the eight is 32.8.  
 4 MS. TESTA: You need a (d)(6) so you  
 5 need a planner.  
 6 MR. COCOROS: Can I go over the  
 7 variances real quick.  
 8 MS. TESTA: Sure.  
 9 MR. COCOROS: Okay. The lot size is a  
 10 previously nonconforming condition. We have 5,000  
 11 square feet required. 3,886 feet exists. 50 feet is  
 12 required, and we have 33-and-a-half feet existing.  
 13 Lot depth that we're -- is 116. Dwelling units: Two  
 14 proposed, two allowed. Lot area per dwelling unit.  
 15 We're 2 and half thousand square feet, where we have  
 16 1,943 square feet.  
 17 Building coverage, we're at 48.43  
 18 percent. Front yard setback, we have 20 feet. We  
 19 will confirm the average setback. We're at 20 feet.  
 20 We're proposing 20 feet, so we don't have a variance.  
 21 Right side yard setback and left side  
 22 yard setback is a minimum of 5 feet and combined 14  
 23 feet. We have 3-and-a-half feet, which has been  
 24 approved before. We used to them 3-foot-2. So we've  
 25 got a little room to get the fire access and

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1 MR. KAUKER: I don't really have any  
 2 comments on this one, Mr. Chairman. The (d)(6)  
 3 height variance is the only (d) variance that they do  
 4 require with the application.  
 5 Again, I'll be happy to answer any  
 6 questions if they are any.  
 7 CHAIRMAN FERGUSON: Okay. Does any  
 8 board members have any questions? Okay, do you want  
 9 to sum up.  
 10 MS. TESTA: Public.  
 11 CHAIRMAN FERGUSON: Okay, the public.  
 12 MS. SCHOR: Hello. Marsha Schor.  
 13 CHAIRMAN FERGUSON: Yes, Marsha.  
 14 MS. SCHOR: I have a few. First of  
 15 all, are there any doors under the staircase.  
 16 MS. TESTA: Any doors under the  
 17 staircase.  
 18 MR. COCOROS: No.  
 19 MS. TESTA: No.  
 20 MS. SCHOR: All right. And as far as  
 21 behind the garage, how many side doors will there be.  
 22 MR. COCOROS: One.  
 23 CHAIRMAN FERGUSON: One.  
 24 MS. SCHOR: On what side.  
 25 MR. COCOROS: It is on the left side.

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1 emergency access back there, even for maintenance.  
 2 In addition, there's no bay windows on  
 3 the side. It's basically straight brick all the way  
 4 up.  
 5 So the variances for minimum and  
 6 combined. Rear yard setback, we do meet the  
 7 requirement. We're at 25 feet to the back of the  
 8 building. The building height, it's  
 9 2-and-a-half-story, 25 feet for the non-duplex  
 10 requirement. We have three stories and 32.88 feet.  
 11 Part of that is the fact that we're keeping -- this  
 12 is kind of the low part of town. We're keeping the  
 13 driveway slightly higher than the street level. And  
 14 we're not filling up the neighbor's property. We're  
 15 not filling up the back of the property. We'll just  
 16 let the water go naturally where it's supposed to go.  
 17 That's a function of the roof. So the building is  
 18 narrower. We really have to do a 4-on-12 pitch.  
 19 Because we only really have 4 feet clear. It's  
 20 actually less than 4 feet clear in the middle of the  
 21 building because of the narrowness of the building.  
 22 So we couldn't really do much less with the height  
 23 unless we do a flat roof on that.  
 24 CHAIRMAN FERGUSON: Okay. Mr. Kauker,  
 25 do you have any comments?

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1 MS. SCHOR: All right. And you have no  
 2 full bathroom in that door behind the garage.  
 3 MR. COCOROS: Correct.  
 4 MS. TESTA: It's just a powder room,  
 5 correct.  
 6 MS. SCHOR: By the way, why is the  
 7 height so much higher.  
 8 MR. COCOROS: Because the property  
 9 drops off in the back. Also, it's a function of --  
 10 you know, there's a 2-and-a-half-foot difference from  
 11 front to back. You know, we have 92 at the front  
 12 corner, 96 at the back. Then it goes down another  
 13 foot. It's almost another 6 inches to the back of  
 14 the property.  
 15 So we could have filled up the back of  
 16 the property to bring the height down. But we kept  
 17 it as an actual height. Also, you know, to keep the  
 18 water from going down to the driveway, we had to  
 19 raise it up a little bit higher.  
 20 MS. SCHOR: Okay, thank you.  
 21 MR. COCOROS: You're welcome.  
 22 CHAIRMAN FERGUSON: Okay. Daniel, you  
 23 have no planner ready to go on? You know, you need  
 24 a --  
 25 MR. LEE: There was a mix-up and it's

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1 my fault. I have no planner tonight present for  
 2 this.  
 3 CHAIRMAN FERGUSON: Okay. Well, I  
 4 don't want to deny it because it's a pretty simple  
 5 thing; however, I think you have to have a planner.  
 6 So, Mr. Tuvel, you don't want to.  
 7 MR. TUVEL: I'm not that familiar with  
 8 these plans but...  
 9 CHAIRMAN FERGUSON: Well, you know, our  
 10 planner has said he has no comments so...  
 11 MS. TESTA: It's a (d)(6).  
 12 CHAIRMAN FERGUSON: It's a (d)(6) so  
 13 you need --  
 14 MS. TESTA: Does it fit in with the  
 15 neighborhood.  
 16 CHAIRMAN FERGUSON: Yeah.  
 17 MR. TUVEL: The (d)(6) variance here is  
 18 based on the topographic difference. Mr. Cocoros has  
 19 indicated to you that the height -- the front on  
 20 Prospect Street is 95, and it drops off approximately  
 21 to those 2 feet approximately to 97. And the  
 22 variance -- this is for a duplex, right.  
 23 Mr. COCOROS: No. 6-over-6.  
 24 MR. TUVEL: Oh, it's 6-over-6. So it's  
 25 a 25 feet requirement. So you have that -- you have


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1 VICE CHAIRMAN ALBANESE: Yes.  
 2 MS. LAMBRINIDES: Mr. Elefteriou?  
 3 MR. ELEFTERIOU: Yes.  
 4 MS. LAMBRINIDES: Ms. Yoon?  
 5 MS. YOON: Yes.  
 6 MS. LAMBRINIDES: Mr. Carnovale?  
 7 MR. CARNOVALE: Yes.  
 8 MS. LAMBRINIDES: Mr. Terranova?  
 9 MR. TERRANOVA: Yes.  
 10 MS. LAMBRINIDES: And, Mr. Grala?  
 11 MR. GRALA: Yes.  
 12 MS. LAMBRINIDES: Thank you.  
 13 CHAIRMAN FERGUSON: Okay, thank you.  
 14 MR. LEE: Thank you, Mr. Chairman.  
 15 VICE CHAIRMAN ALBANESE: I make a  
 16 motion to adjourn.  
 17 CHAIRMAN FERGUSON: I make a motion to  
 18 adjourn.  
 19 All in favor?  
 20 (Whereupon, all present members respond  
 21 in the affirmative.)  
 22 (Whereupon, the meeting is concluded.  
 23 Time noted: 9:40 a.m.)

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1 that difference three stories. And again, I think  
 2 you would -- certainly I think every application that  
 3 we've seen here, you definitely don't want to have  
 4 the driveway dive down into the property. You want  
 5 to keep it -- keep it at grade. So in this case, to  
 6 have a 6-over-6 and have the grade -- have the  
 7 driveway at grade, that would necessitate the height  
 8 variance.  
 9 CHAIRMAN FERGUSON: Okay. All right.  
 10 Well, I'm satisfied. So I'll make a motion to  
 11 approve the application with any suggestions from our  
 12 engineer.  
 13 Also \$2,000.00 for the Tree  
 14 Preservation Fund.  
 15 VICE CHAIRMAN ALBANESE: I'll second  
 16 that.  
 17 CHAIRMAN FERGUSON: Okay, roll call.  
 18 MS. LAMBRINIDES: Was that Paulie on  
 19 the second?  
 20 MS. TESTA: Yes.  
 21 CHAIRMAN FERGUSON: Yes.  
 22 MS. LAMBRINIDES: Thank you.  
 23 Mr. Ferguson?  
 24 CHAIRMAN FERGUSON: Yes.  
 25 MS. LAMBRINIDES: Mr. Albanese?

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1 C E R T I F I C A T E  
 2  
 3 I, RONDA L. REINSTEIN, a Certified Court  
 4 Reporter of the State of New Jersey, authorized to  
 5 administer oaths pursuant to R.S.41:2-2, do hereby  
 6 certify that the foregoing is a true and accurate  
 7 transcript of the testimony as taken stenographically  
 8 by and before me at the time, place and on the date  
 9 herein before set forth, to the best of my ability.  
 10 I DO FURTHER CERTIFY that I am neither a  
 11 relative nor employee nor attorney nor counsel of any  
 12 of the parties to this action, and that I am neither  
 13 a relative nor employee of such attorney or counsel,  
 14 and that I am not financially interested in the  
 15 action.  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24   
 -----  
 25 RONDA L. REINSTEIN, CCR No. 30X100217800

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