

BOROUGH OF PALISADES PARK  
 BOARD OF ADJUSTMENT  
 MONDAY, APRIL 16, 2018  
 COMMENCING AT 7:00 P.M.

IN THE MATTER OF: : TRANSCRIPT  
 : OF  
 : PROCEEDINGS

**APPLICATION NO. 17-17**  
 BERGEN KR LLC :  
 400 Bergen Boulevard :  
 Block 420; Lots 23&24 :

**APPLICATION NO. 17-18**  
 LOIS GRATO :  
 210 Glen Avenue :  
 BLOCK 16, LOT 606 :

**APPLICATION NO. 18-01**  
 DANIEL LEE :  
 134 Grand Avenue :  
 BLOCK 607; LOT 1 :

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

JOSEPH FERGUSON, CHAIRMAN  
 VINCENT CARNOVALE, MEMBER  
 ANDY NAM, MEMBER  
 PAUL KIM, MEMBER  
 SEUNG YOON, MEMBER  
 MIRJANA TARABOCCHIA, ALTERNATE MEMBER  
 LEFTERI LEFTERIOU, ALTERNATE MEMBER

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

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

**2 DIANE TESTA, ESQ.**  
 Counsel for the Board

**3**

LAW OFFICE OF DANIEL LEE  
**4 BY: DANIEL LEE, ESQ.**  
 21 Grand Ave, Suite 601  
**5 Palisades Park, New Jersey 07650**  
 Counsel for Daniel Lee

**6**

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

**7**

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

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00:03 **1** CHAIRMAN FERGUSON: Okay. I call the  
 00:03 **2** meeting to order.  
 00:03 **3** (Whereupon, Recitation of the Pledge of  
 00:03 **4** Allegiance.)  
 00:02 **5** CHAIRMAN FERGUSON: Roll call for  
 00:02 **6** attendance.  
 00:03 **7** MS. LAMBRINIDES: Mr. Ferguson?  
 00:03 **8** CHAIRMAN FERGUSON: Here.  
 00:03 **9** MS. LAMBRINIDES: Mr. Albanese?  
 00:03 **10** (No response.)  
 00:03 **11** MS. LAMBRINIDES: Mr. Terranova?  
 00:03 **12** (No response.)  
 00:03 **13** MS. LAMBRINIDES: Mr. Kim?  
 00:03 **14** MR. KIM: Here.  
 00:03 **15** MS. LAMBRINIDES: Mr. Nam?  
 00:03 **16** MR. NAM: Here.  
 00:03 **17** MS. LAMBRINIDES: Ms. Yoon?  
 00:03 **18** MS. YOON: Here.  
 00:03 **19** MS. LAMBRINIDES: Mr. Carnovale?  
 00:03 **20** MR. CARNOVALE: Here.  
 00:03 **21** MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:03 **22** MS. TARABOCCHIA: Here.  
 00:03 **23** MS. LAMBRINIDES: Mr. Lefteriou?  
 00:03 **24** MR. LEFTERIOU: Here.  
 00:04 **25** CHAIRMAN FERGUSON: First we have a

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00:-03 1 memorialization, Case Number 17-17, Bergen L.L.C.,  
 00:-03 2 400 Bergen Boulevard.  
 00:-03 3 MS. TESTA: Chairman?  
 00:-03 4 CHAIRMAN FERGUSON: Yes.  
 00:-03 5 MS. TESTA: With regards to this  
 00:-03 6 matter, there's an issue that has been raised  
 00:-03 7 regarding notice.  
 00:-03 8 The applicant's attorney represented  
 00:-03 9 and provided the Board with an affidavit that notice  
 00:-03 10 was posted on March 9th as far as the mailing, 2018,  
 00:-03 11 and that it was placed in the newspaper also on March  
 00:-03 12 9, 2018.  
 00:-03 13 What was later discovered,  
 00:-03 14 inadvertently, some of the -- it's a very large  
 00:-03 15 mailing, and when they ran all the letters through  
 00:-03 16 their computer to mail it, some of them, somehow it  
 00:-03 17 was either insufficient postage or the postage didn't  
 00:-03 18 stick to the actual letter.  
 00:-03 19 Those letters were then subsequently  
 00:-03 20 returned by the post office for insufficient funds.  
 00:-03 21 So the applicant was unable to notify  
 00:-03 22 all the people that he needed to on his lift. So  
 00:-03 23 without proper notice, this board does not have  
 00:-02 24 jurisdiction to hear the matter.  
 00:-02 25 So tonight I would just ask for a

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00:-02 1 motion that the hearing that took place on March 19,  
 00:-02 2 2018, would be null and void. And the applicant does  
 00:-02 3 have a right to bring the case back here, but they'll  
 00:-02 4 have to re-notice.  
 00:-02 5 CHAIRMAN FERGUSON: I'll make that  
 00:-02 6 motion.  
 00:-02 7 MR. CARNOVALE: I second.  
 00:-02 8 CHAIRMAN FERGUSON: Roll call vote on  
 00:-02 9 that motion.  
 00:-02 10 MR. KIM: Quick question.  
 00:-02 11 CHAIRMAN FERGUSON: Yes.  
 00:-02 12 MR. KIM: Quick question?  
 00:-02 13 CHAIRMAN FERGUSON: Yes.  
 00:-02 14 MS. TESTA: Yes.  
 00:-02 15 MR. KIM: I will have to abstain,  
 00:-02 16 because I don't hear it. I wasn't here last month.  
 00:-02 17 MS. TESTA: You can abstain.  
 00:-02 18 MR. KIM: Abstain, thank you.  
 00:-02 19 CHAIRMAN FERGUSON: Roll call.  
 00:-02 20 MS. LAMBRINIDES: Chairman Ferguson?  
 00:-02 21 CHAIRMAN FERGUSON: Yes.  
 00:-02 22 MS. LAMBRINIDES: Mr. Kim?  
 00:-02 23 MR. KIM: Abstain.  
 00:-02 24 MS. LAMBRINIDES: Mr. Nam?  
 00:-02 25 MR. NAM: Yes.

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00:-02 1 MS. LAMBRINIDES: Ms. Yoon?  
 00:-02 2 MS. YOON: Yes.  
 00:-02 3 MS. LAMBRINIDES: Mr. Carnovale?  
 00:-02 4 MR. CARNOVALE: Yes.  
 00:-02 5 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:-02 6 MS. TARABOCCHIA: Abstain.  
 00:-02 7 CHAIRMAN FERGUSON: And Mr. Lefteriou?  
 00:-02 8 MR. LEFTERIOU: Yes.  
 00:-02 9 CHAIRMAN FERGUSON: Okay.  
 00:-02 10 Next on the agenda is 17-18 Lois Grato,  
 00:-02 11 210 Glen Avenue. It's a memorialization.  
 00:-02 12 MS. TESTA: This is the operation of  
 00:-02 13 the real estate office.  
 00:-02 14 CHAIRMAN FERGUSON: The real estate  
 00:-02 15 office.  
 00:-02 16 I'll make a motion to grant the  
 00:-02 17 memorialization.  
 00:-02 18 MR. CARNOVALE: I second it.  
 00:-01 19 CHAIRMAN FERGUSON: Any questions on  
 00:-01 20 the motion?  
 00:-01 21 (No response.)  
 00:-01 22 CHAIRMAN FERGUSON: Roll call vote.  
 00:-01 23 MS. LAMBRINIDES: Chairman Ferguson?  
 00:-01 24 CHAIRMAN FERGUSON: Yes.  
 00:-01 25 MS. LAMBRINIDES: Mr. Kim?

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00:-01 1 MR. KIM: Abstain.  
 00:-01 2 MS. LAMBRINIDES: Mr. Nam?  
 00:-01 3 MR. NAM: Yes.  
 00:-01 4 MS. LAMBRINIDES: Ms. Yoon?  
 00:-01 5 MS. YOON: Yes.  
 00:-01 6 MS. LAMBRINIDES: Mr. Carnovale?  
 00:-01 7 MR. CARNOVALE: Yes.  
 00:-01 8 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:-01 9 MS. TARABOCCHIA: Abstain.  
 00:-01 10 MS. LAMBRINIDES: Mr. Lefteriou?  
 00:-01 11 MR. LEFTERIOU: Yes.  
 00:-01 12 CHAIRMAN FERGUSON: Thank you.  
 00:-01 13 And you're here for what case?  
 00:-01 14 She's with you?  
 00:-01 15 MR. LEE: No, she is not.  
 00:-01 16 (Whereupon, off-the-record discussion  
 00:-01 17 is held.)  
 00:-01 18 CHAIRMAN FERGUSON: Next on the agenda  
 00:-01 19 is Case 18-01, Daniel Lee --  
 00:00 20 MR. LEE: Yes.  
 00:00 21 CHAIRMAN FERGUSON: -- 134 Grand  
 00:00 22 Avenue.  
 00:00 23 MR. LEE: My -- waiting for the  
 00:00 24 architect to show up. He's parking his car. He  
 00:00 25 should be here in a -- in a minute or so.

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00:00 1 CHAIRMAN FERGUSON: Okay. You're  
 00:00 2 looking for an adjournment to next month or --  
 00:00 3 MR. LEE: No, no, no. Just bear with  
 00:00 4 me.  
 00:00 5 MR. CARNOVALE: Keep wishing, Joe.  
 00:00 6 CHAIRMAN FERGUSON: Daniel, you're  
 00:00 7 looking for a five-minute recess?  
 00:00 8 MR. LEE: Yes, like, five-minute  
 00:00 9 recess.  
 00:00 10 CHAIRMAN FERGUSON: Okay. We'll take a  
 00:00 11 five-minute recess.  
 00:01 12 (Whereupon, a brief recess is taken.)  
 00:01 13 CHAIRMAN FERGUSON: Call the meeting to  
 00:01 14 order.  
 00:01 15 Could we have a second vote on the  
 00:01 16 attendance?  
 00:01 17 MS. LAMBRINIDES: Chairman Ferguson?  
 00:01 18 CHAIRMAN FERGUSON: Yes, here.  
 00:01 19 MS. LAMBRINIDES: Mr. Kim?  
 00:01 20 MR. KIM: Here.  
 00:01 21 MS. LAMBRINIDES: Mr. Nam?  
 00:01 22 MR. NAM: Here.  
 00:01 23 MS. LAMBRINIDES: Ms. Yoon?  
 00:01 24 MS. YOON: Here.  
 00:01 25 MS. LAMBRINIDES: Mr. Carnovale?

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00:02 1 MR. CARNOVALE: Yes.  
 00:02 2 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:02 3 MS. TARABOCCHIA: Yes.  
 00:02 4 MS. LAMBRINIDES: Mr. Lefteriou?  
 00:02 5 MR. LEFTERIOU: Yes.  
 00:02 6 CHAIRMAN FERGUSON: Are we ready to  
 00:03 7 proceed, counsel?  
 00:03 8 MR. LEE: Yes. Good evening,  
 00:03 9 Mr. Chairperson, Members of the Board.  
 00:03 10 I'm Daniel Lee, the applicant. And my  
 00:03 11 first witness is Mr. Bill Cocoros, the architect.  
 00:03 12 CHAIRMAN FERGUSON: Okay. Bill, before  
 00:03 13 you get sworn in, I just got to take care of the  
 00:04 14 minutes from the previous meeting.  
 00:04 15 So everybody had an opportunity to  
 00:04 16 review the minutes of the previous meeting.  
 00:04 17 Any questions, any corrections?  
 00:04 18 (No response.)  
 00:04 19 CHAIRMAN FERGUSON: Everything's good?  
 00:04 20 Okay. I'll make a motion to accept the minutes.  
 00:04 21 MR. CARNOVALE: I second the motion.  
 00:04 22 CHAIRMAN FERGUSON: Roll call vote on  
 00:04 23 the minutes.  
 00:04 24 MS. LAMBRINIDES: Mr. Ferguson?  
 00:04 25 CHAIRMAN FERGUSON: Yes.

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00:01 1 MR. CARNOVALE: Here.  
 00:01 2 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:01 3 MS. TARABOCCHIA: Here.  
 00:01 4 MS. LAMBRINIDES: Mr. Lefteriou?  
 00:01 5 MR. LEFTERIOU: Here.  
 00:01 6 CHAIRMAN FERGUSON: So before we call  
 00:02 7 Danny's case, I know one of his witnesses is eight  
 00:02 8 minutes late, which -- but we're going to pay some  
 00:02 9 bills.  
 00:02 10 Judd Rocciola \$1,276.25; Kauker &  
 00:02 11 Kauker, \$1,295.00; North Jersey Media, \$75.90; the  
 00:02 12 Court Reporter, \$1,853.50; and Diane Testa, who's the  
 00:02 13 board attorney, \$1,150.00.  
 00:02 14 So make a motion to pay those bills.  
 00:02 15 MR. CARNOVALE: I second the motion.  
 00:02 16 CHAIRMAN FERGUSON: Roll call vote.  
 00:02 17 MS. LAMBRINIDES: Mr. Ferguson?  
 00:02 18 CHAIRMAN FERGUSON: Yes.  
 00:02 19 MS. LAMBRINIDES: Mr. Kim?  
 00:02 20 MR. KIM: Yes.  
 00:02 21 MS. LAMBRINIDES: Mr. Nam?  
 00:02 22 MR. NAM: Yes.  
 00:02 23 MS. LAMBRINIDES: Ms. Yoon?  
 00:02 24 MS. YOON: Yes.  
 00:02 25 MS. LAMBRINIDES: Mr. Carnovale?

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00:04 1 MS. LAMBRINIDES: Mr. Kim?  
 00:04 2 MR. KIM: Yes.  
 00:04 3 MS. LAMBRINIDES: Mr. Nam?  
 00:04 4 MR. NAM: Yes.  
 00:04 5 MS. LAMBRINIDES: Ms. Yoon?  
 00:04 6 MS. YOON: Yes.  
 00:04 7 MS. LAMBRINIDES: Mr. Carnovale?  
 00:04 8 MR. CARNOVALE: Yes.  
 00:04 9 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:04 10 MS. TARABOCCHIA: I abstain.  
 00:04 11 MS. LAMBRINIDES: Mr. Lefteriou?  
 00:04 12 MR. LEFTERIOU: Yes.  
 00:04 13 CHAIRMAN FERGUSON: Okay.  
 00:04 14 MR. LEE: Okay.  
 00:04 15 CHAIRMAN FERGUSON: Danny, you're on  
 00:04 16 now.  
 00:04 17 MR. LEE: Just as a reminder, this is a  
 00:04 18 continuation from the last month's meeting.  
 00:04 19 CHAIRMAN FERGUSON: Right.  
 00:04 20 MR. LEE: And we have made some  
 00:04 21 changes, you know, to accommodate some of the  
 00:04 22 comments that were addressed by the board in the last  
 00:04 23 meeting.  
 00:04 24 CHAIRMAN FERGUSON: Okay.  
 00:04 25 MR. LEE: Bill, can you --

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00:04 1 MS. TESTA: You were sworn in at the  
 00:04 2 last meeting?  
 00:04 3 MR. COCOROS: Yes.  
 00:04 4 MR. LEE: He was sworn in last meeting.  
 00:04 5 MS. TESTA: Okay. You continue to be  
 00:04 6 sworn in.  
 00:04 7 MR. COCOROS: Thank you.  
 00:04 8 VASSILIOS COCOROS,  
 00:04 9 Having been previously sworn, testifies to  
 00:04 10 testify as follows:  
 00:04 11 DIRECT EXAMINATION  
 00:04 12 BY MR. LEE:  
 00:04 13 Q. Bill, can you show us or tell us what  
 00:04 14 kind of changes you have made since you last  
 00:05 15 submitted the last drawing that was submitted?  
 00:05 16 A. Sure. There was two --  
 00:05 17 MS. TESTA: Can you just identify, this  
 00:05 18 is a new plan?  
 00:05 19 THE WITNESS: This is a new plan.  
 00:05 20 MR. LEE: This is a new plan.  
 00:05 21 MS. TESTA: Identify it for the record.  
 00:05 22 MR. LEE: That was mailed out. And  
 00:05 23 we'll mark this as Exhibit B.  
 00:05 24 MS. LAMBRINIDES: Don't we usually do  
 00:05 25 A-1, A-2?

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00:06 1 the proposed edge of sidewalk and the garage wall of  
 00:06 2 18-and-a-half feet.  
 00:06 3 I have a small handout, you can see it  
 00:06 4 a little easier. This would be A-3.  
 00:06 5 (Whereupon, Blow-up of Section of A-2  
 00:06 6 is received and marked as Exhibit A-2 for  
 00:06 7 identification.)  
 00:06 8 THE WITNESS: And this is just a  
 00:07 9 blow-up of sheet A-2. Okay.  
 00:07 10 If you look at the area, we have a  
 00:07 11 6-foot curb, approximately 2 foot 11 inches of  
 00:07 12 planting area, a 4 foot new sidewalk all the way  
 00:07 13 across West Homestead. Then we have an 18 foot 6  
 00:07 14 driveway area between the edge of the sidewalk and  
 00:07 15 the garage wall (indicating).  
 00:07 16 If you measure to the actual garage  
 00:07 17 door you have an area of 19 feet 6 because the garage  
 00:07 18 is set back in approximately 1 foot from the -- from  
 00:07 19 the face of the masonry wall.  
 00:07 20 The width is 18 foot 6 as the minimum  
 00:07 21 and 19-foot wide in the middle.  
 00:08 22 In addition, what we've done is we've  
 00:08 23 reconfigured the roof and lowered the building into  
 00:08 24 the ground, and we were able to reduce the building  
 00:08 25 height by 13-and-a-half inches, which is, I think,

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00:05 1 MS. TESTA: Yes. Can we do it A-2?  
 00:05 2 MR. LEE: A-2, rather. Thank you.  
 00:05 3 (Whereupon, Revised Architectural Plans  
 00:05 4 are received and marked as Exhibit A-2 for  
 00:05 5 identification.)  
 00:05 6 MS. TESTA: What's the date on that,  
 00:05 7 Bill?  
 00:05 8 THE WITNESS: This is last revised  
 00:05 9 4/05/18, and this is the architectural plans that  
 00:05 10 were revised. The stormwater hasn't changed, but we  
 00:05 11 can submit an updated plan that reflects the --  
 00:05 12 there's an increased setback and minor variation with  
 00:05 13 the sidewalk, but the concept of the stormwater is  
 00:05 14 still the same as far as locations and as far as the  
 00:05 15 -- subject to the borough engineer's review and  
 00:05 16 subject to the actual site conditions as far as  
 00:05 17 permeability of the soil.  
 00:05 18 CHAIRMAN FERGUSON: Okay.  
 00:05 19 THE WITNESS: There are two major  
 00:06 20 changes. What we have done is we've reconfigured the  
 00:06 21 garage area and the sidewalk along Homestead Avenue,  
 00:06 22 and we still have ample planting area between where  
 00:06 23 the sidewalk is and the curb.  
 00:06 24 So we have readjusted the garage and  
 00:06 25 the driveway so that we have a driveway area between

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00:08 1 1.12 feet.  
 00:08 2 CHAIRMAN FERGUSON: Okay.  
 00:08 3 BY MR. LEE:  
 00:08 4 Q. Any other changes you made in the  
 00:08 5 drawing?  
 00:08 6 A. No.  
 00:08 7 Like I said, it was basically we  
 00:08 8 reconfigured the walkway/garages to accommodate a  
 00:08 9 full 18.5 foot depth so you can accommodate a car.  
 00:08 10 Within that point.  
 00:08 11 Q. So we are in compliance with the  
 00:08 12 18 feet requirement?  
 00:08 13 A. Yes. So the concern previously with  
 00:08 14 the planner's report and we -- I think we addressed  
 00:08 15 those changes.  
 00:08 16 Q. Okay.  
 00:08 17 MR. CARNOVALE: Questions.  
 00:08 18 CHAIRMAN FERGUSON: That concludes your  
 00:08 19 testimony?  
 00:08 20 THE WITNESS: Yes. I think so, yes.  
 00:08 21 CHAIRMAN FERGUSON: Okay. Any  
 00:08 22 questions?  
 00:08 23 MR. CARNOVALE: Question.  
 00:09 24 CHAIRMAN FERGUSON: Take it away,  
 00:09 25 Vinny.

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00:09 1 MR. CARNOVALE: Mr. Cocoros, did you  
 00:09 2 realign the sidewalk with Homestead Avenue or you  
 00:09 3 twirled it around or what did you do?  
 00:09 4 THE WITNESS: Well, the --  
 00:09 5 MR. CARNOVALE: Coming down Homestead.  
 00:09 6 THE WITNESS: Yes. We actually moved  
 00:09 7 it closer -- we moved it closer to the north, so we  
 00:09 8 still have a 3-foot planting strip; however, there is  
 00:09 9 a big apron at the property next door.  
 00:09 10 The sidewalk, itself, is maybe 1  
 00:09 11 foot-and-a-half to the south of ours, but we do have  
 00:09 12 an area where there's a concrete apron that exists  
 00:09 13 where that can accommodate a shift of the sidewalk.  
 00:09 14 MR. CARNOVALE: So when I'm walking  
 00:09 15 down Homestead Avenue and I'm walking straight down  
 00:09 16 on 4 foot, you shifted your sidewalk towards the curb  
 00:09 17 more?  
 00:09 18 THE WITNESS: Yes.  
 00:09 19 MR. CARNOVALE: And how does that shift  
 00:09 20 transition?  
 00:09 21 THE WITNESS: Well, right now if you  
 00:09 22 look at the neighbor that's to the east of us, that's  
 00:09 23 a concrete driveway, so that driveway is basically --  
 00:09 24 it goes all the way to the back of the existing curb,  
 00:09 25 all the way to his -- past our property.

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00:10 1 thickness of the wall. I think I have the oversized  
 00:10 2 wall, I could go with a 2-by-4 wall there, because  
 00:10 3 it's nonstructural, the overhang deems that a  
 00:10 4 structural wall, so I can get three more inches to  
 00:10 5 get the 20 foot clear.  
 00:10 6 MR. CARNOVALE: Where are we going to  
 00:11 7 take that out of.  
 00:11 8 THE WITNESS: The garage -- the wall  
 00:11 9 where the garage door is on --  
 00:11 10 MR. CARNOVALE: Yes.  
 00:11 11 THE WITNESS: -- that has a -- I think  
 00:11 12 it's an 8-inch wall now, so if I go down to, let's  
 00:11 13 say, a 4-and-a-half-inch wall, I can get -- I can get  
 00:11 14 it to 20 feet half an inch.  
 00:11 15 MR. CARNOVALE: I mean I'm not sure,  
 00:11 16 but I thought the code was 20 feet inside the garage.  
 00:11 17 THE WITNESS: I mean that's what I  
 00:11 18 said, I believe there's a minimum.  
 00:11 19 MR. CARNOVALE: I'm sorry.  
 00:11 20 THE WITNESS: I tried to keep to the  
 00:11 21 minimum. My own duplex where I actually lived in, I  
 00:11 22 actually did a 19 feet 6. I was able to get cars in  
 00:11 23 there.  
 00:11 24 MR. CARNOVALE: Right.  
 00:11 25 And another question, so you kick the

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00:09 1 MR. CARNOVALE: Past their apron, let's  
 00:09 2 say or --  
 00:09 3 THE WITNESS: Yes.  
 00:09 4 MR. CARNOVALE: All right.  
 00:10 5 So if I'm walking down Homestead  
 00:10 6 Avenue, I don't have to go like this (indicating)?  
 00:10 7 THE WITNESS: No.  
 00:10 8 As it stands right now, there's  
 00:10 9 basically a concrete driveway which will, if you walk  
 00:10 10 -- let's say if you're walking straight down --  
 00:10 11 MR. CARNOVALE: Right.  
 00:10 12 THE WITNESS: -- the concrete driveway,  
 00:10 13 you have to kind of adjust a little bit over, but  
 00:10 14 you're still on pavement. You're not going over  
 00:10 15 grass or anything to get to that, or -- or any other  
 00:10 16 different material. It's a continuation of the  
 00:10 17 material.  
 00:10 18 MR. CARNOVALE: Okay. What -- I see  
 00:10 19 your inside garage, what is it, 19 feet 9?  
 00:10 20 THE WITNESS: Yes.  
 00:10 21 MR. CARNOVALE: I thought the code was  
 00:10 22 20 feet. Because I see you kick the door in, which  
 00:10 23 is nice, and --  
 00:10 24 THE WITNESS: I'm sorry. I think you  
 00:10 25 actually get to 20 feet just by adjusting the

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00:11 1 wall, you kicked the garage door in and you moved the  
 00:11 2 sidewalk, so you've obtained your what, 18 something?  
 00:11 3 THE WITNESS: I got to 18 foot 6  
 00:11 4 inches.  
 00:11 5 MR. CARNOVALE: But you're still on  
 00:11 6 town property.  
 00:11 7 THE WITNESS: Yes. It would have to be  
 00:11 8 license.  
 00:11 9 MR. CARNOVALE: Right. License  
 00:11 10 agreement --  
 00:11 11 THE WITNESS: With the town.  
 00:11 12 MR. CARNOVALE: -- which our board has  
 00:11 13 nothing to do with.  
 00:11 14 THE WITNESS: I guess that would be  
 00:11 15 Mayor & Council or is that --  
 00:11 16 MR. LEE: Yes, it's Mayor & Council.  
 00:11 17 MR. CARNOVALE: Yes.  
 00:11 18 So the two changes was what? I'm  
 00:11 19 sorry.  
 00:11 20 THE WITNESS: The height, we brought it  
 00:11 21 down 13-and-a-half inches, and that was done by  
 00:12 22 lowering the building into the ground.  
 00:12 23 MR. CARNOVALE: Which unit did you  
 00:12 24 lower, though, because let me see.  
 00:12 25 THE WITNESS: All of them.

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00:12 1 MR. CARNOVALE: All of them?  
 00:12 2 THE WITNESS: Yes.  
 00:12 3 MR. CARNOVALE: How'd you attain that?  
 00:12 4 I'm just curious.  
 00:12 5 You sunk it into the ground.  
 00:12 6 THE WITNESS: Yes. Before I had -- I  
 00:12 7 had the platform --  
 00:12 8 MR. CARNOVALE: Right.  
 00:12 9 THE WITNESS: -- at the front door with  
 00:12 10 a step up of six inches.  
 00:12 11 MR. CARNOVALE: Right.  
 00:12 12 THE WITNESS: We had two -- two steps  
 00:12 13 down to the garage from the entry level.  
 00:12 14 So I eliminated that to a 6-inch step,  
 00:12 15 so between that -- I think it was an 8-inch lowering,  
 00:12 16 and then we brought the midpoint height by going to a  
 00:12 17 3-on-12 pitch instead of a 4-on-12 pitch, which we  
 00:12 18 could still so a shingle roof, however we have to do,  
 00:12 19 the weather --  
 00:12 20 MR. CARNOVALE: From the -- all right.  
 00:12 21 How about my favorite subject, what's  
 00:12 22 the pitch? Negative, positive on this driveway?  
 00:12 23 THE WITNESS: Well, it's basically dead  
 00:12 24 even in the middle, slightly pitched out as you're  
 00:12 25 going to the corner, and a little bit of a pitch at

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00:12 1 the --  
 00:12 2 MR. CARNOVALE: On all the units?  
 00:12 3 THE WITNESS: Yes.  
 00:12 4 The trench drain is there just more for  
 00:12 5 safety, especially on a day like today.  
 00:12 6 MR. CARNOVALE: Right.  
 00:13 7 THE WITNESS: So in the middle it's  
 00:13 8 basically dead center, on the side there may be 2, 3  
 00:13 9 inches lower, then the other side actually goes down  
 00:13 10 maybe 6 inches because it gets steeper as you go  
 00:13 11 towards the bottom on West Homestead.  
 00:13 12 MR. CARNOVALE: That's all I have for  
 00:13 13 how.  
 00:13 14 CHAIRMAN FERGUSON: Okay. Before I  
 00:13 15 kick it over to Steve, I just -- when you get to be  
 00:13 16 73 your memory starts fading. And I could have swore  
 00:13 17 that we made comments about the sewer, that we want  
 00:13 18 only two cutouts in the sewer.  
 00:13 19 THE WITNESS: That could be  
 00:13 20 accommodated. I did the actual architectural plans.  
 00:13 21 The -- the engineering site plan with the drainage  
 00:13 22 calculations haven't been revised yet, but those  
 00:13 23 could be done subject to -- we can accommodate one  
 00:13 24 line across, like a 6-inch and actually have one  
 00:13 25 connection into the sanitary sewer.

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00:13 1 CHAIRMAN FERGUSON: And who would that  
 00:13 2 be? That would be?  
 00:13 3 THE WITNESS: That would be me and  
 00:13 4 Harry would come up with it, but Steve would review  
 00:13 5 and if he's okay with it, we would proceed with it.  
 00:13 6 CHAIRMAN FERGUSON: Okay.  
 00:14 7 The other thing is the big tree on the  
 00:14 8 corner, the one that has the wires running through  
 00:14 9 it --  
 00:14 10 THE WITNESS: Yes. The 48 inch?  
 00:14 11 CHAIRMAN FERGUSON: Yes. Is that going  
 00:14 12 to be removed? I thought we had a discussion about  
 00:14 13 that.  
 00:14 14 THE WITNESS: I'm sure -- it's whatever  
 00:14 15 the board would like. I'm showing. I'm keeping it.  
 00:14 16 It's up to the -- would the board want to take it  
 00:14 17 down for sight-angle purposes or would they --  
 00:14 18 CHAIRMAN FERGUSON: Yes, I think the  
 00:14 19 board would like to -- I would like to take it down.  
 00:14 20 I don't know if the board wants to, you know, but I  
 00:14 21 would like to.  
 00:14 22 THE WITNESS: We have no problem with  
 00:14 23 taking it down.  
 00:14 24 CHAIRMAN FERGUSON: Now, the other  
 00:14 25 thing is, and I think reviewing the testimony of last

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00:14 1 month, Mr. -- Vinny -- we're on a first name basis  
 00:14 2 here -- made a comment about the air conditioning.  
 00:14 3 I'm not talking about the air conditioning  
 00:14 4 themselves, I'm talking about the round --  
 00:14 5 MR. CARNOVALE: The compressors.  
 00:14 6 THE WITNESS: The compressors?  
 00:14 7 CHAIRMAN FERGUSON: The compressors.  
 00:14 8 And I believe you said that the compressors were  
 00:14 9 going to be in the back.  
 00:14 10 THE WITNESS: Well, we could -- the  
 00:15 11 compressors for the end units would be located in the  
 00:15 12 front corner. We can screen them.  
 00:15 13 The compressors for the end units will  
 00:15 14 be -- the end unit will be located in the --  
 00:15 15 basically the rear yard as you're looking at it from  
 00:15 16 Grand Avenue, so we could accommodate condensers here  
 00:15 17 (indicating).  
 00:15 18 And the only thing is we have 5-foot  
 00:15 19 side yard setbacks, so to get a 3-foot condenser back  
 00:15 20 there it creates an issue. We can do condensers in  
 00:15 21 the middle units if we have to so that people can  
 00:15 22 still get around from -- let's say from the Grand  
 00:15 23 Avenue side or from the back side which is going up  
 00:15 24 towards Broad Avenue.  
 00:15 25 CHAIRMAN FERGUSON: I think -- I think

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00:15 1 what the -- I think the board would like to put them  
 00:15 2 on the side. I don't think the board wants them in  
 00:15 3 the back because there's only 5 feet back there.  
 00:15 4 MR. CARNOVALE: What so you have --  
 00:15 5 THE WITNESS: Oh, like a -- yes.  
 00:15 6 That's -- excuse me. Yes, we can do them on the side  
 00:15 7 which is -- you're looking at it at the side as  
 00:15 8 you're looking at it --  
 00:15 9 MR. CARNOVALE: We're looking at the  
 00:15 10 Grand Avenue side into the Broad Avenue side.  
 00:15 11 THE WITNESS: Okay. And we could  
 00:16 12 screen them there.  
 00:16 13 CHAIRMAN FERGUSON: Okay.  
 00:16 14 MR. CARNOVALE: What's your side yard  
 00:16 15 there -- I'm sorry, on the Broad Avenue, let's call  
 00:16 16 it Broad Avenue side, the upper side as you're  
 00:16 17 looking --  
 00:16 18 THE WITNESS: It's 14 foot 3.  
 00:16 19 MR. CARNOVALE: Oh, so you have plenty  
 00:16 20 of room there.  
 00:16 21 THE WITNESS: Yes.  
 00:16 22 CHAIRMAN FERGUSON: Here's the --  
 00:16 23 another issue that I'm toying with. I haven't made a  
 00:16 24 decision yet, but I'm toying with it seriously.  
 00:16 25 You know, people come before us and

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00:16 1 they got small yards, and they come before the board  
 00:16 2 to -- you know, for variances for -- and it's usually  
 00:16 3 because the property is small. You know, this  
 00:16 4 applicant, the applicant is -- has a large piece of  
 00:16 5 property, and I'm wondering -- and what you have as  
 00:16 6 the -- I guess the rear yard, which is 14 something,  
 00:16 7 14 feet, you're short there, correct?  
 00:17 8 THE WITNESS: Yes.  
 00:17 9 CHAIRMAN FERGUSON: Okay. So you're  
 00:17 10 looking for a variance there?  
 00:17 11 THE WITNESS: Yes. I mean, we have the  
 00:17 12 planner here for the variances.  
 00:17 13 I mean I think it mitigates it a little  
 00:17 14 bit by the fact that the side yard of the property  
 00:17 15 that's on West Homestead which is going towards Broad  
 00:17 16 Avenue.  
 00:17 17 CHAIRMAN FERGUSON: Right.  
 00:17 18 But what's to stop reducing to the size  
 00:17 19 of the building by one? And this way you would -- if  
 00:17 20 you -- if you reduce the size of the building by one,  
 00:17 21 right, so you would have three. And let's just say  
 00:17 22 it's 27 feet. Just throwing it out there. And you  
 00:17 23 could divvy it up between the front and the back --  
 00:17 24 the rear -- the front yard and the rear yard, the  
 00:17 25 rear yard then would be -- you wouldn't need a

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00:17 1 variance there, correct? Because you'd be adding 13  
 00:17 2 feet to that.  
 00:17 3 So it would be --  
 00:17 4 THE WITNESS: No, it's --  
 00:17 5 CHAIRMAN FERGUSON: No, I'm not talking  
 00:18 6 about Grand Avenue, I'm talking about the other side  
 00:18 7 where there's 14 feet.  
 00:18 8 THE WITNESS: You mean 12 inches off  
 00:18 9 each unit.  
 00:18 10 CHAIRMAN FERGUSON: No, no, no. If I  
 00:18 11 eliminated a unit --  
 00:18 12 THE WITNESS: Okay.  
 00:18 13 CHAIRMAN FERGUSON: -- that's 27 feet.  
 00:18 14 If you divide it in half, 13-and-a-half,  
 00:18 15 13-and-a-half, right? And you put 13 on one end and  
 00:18 16 13 on the other end, the rear end would then have  
 00:18 17 enough -- you wouldn't need that variance, correct?  
 00:18 18 THE WITNESS: Yes, if we can do a  
 00:18 19 25-foot rear yard, then I guess it would be.  
 00:18 20 CHAIRMAN FERGUSON: The only issue that  
 00:18 21 I have with it, and I'm not an engineer or -- is that  
 00:18 22 I know in the front you have a wall, and I don't know  
 00:18 23 if you could accommodate that.  
 00:18 24 If -- in other words, can you get 13 --  
 00:18 25 if you can go 13 feet on one end, 13 feet on the

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00:18 1 other end, and not compromise -- see, I don't care  
 00:19 2 what unit you remove. That's immaterial.  
 00:19 3 But if you did 13, if you took the  
 00:19 4 width of a unit, which is 13 -- which is 27, half of  
 00:19 5 that's 13.  
 00:19 6 Now, would you -- and it's not even  
 00:19 7 important to me that you put them, you know, 13 and  
 00:19 8 13. You could put five on one end and the rest on  
 00:19 9 the other end.  
 00:19 10 Is that doable?  
 00:19 11 THE WITNESS: I would have to consult  
 00:19 12 with the client if, you know, what their, you know,  
 00:19 13 their preference is.  
 00:19 14 CHAIRMAN FERGUSON: Yes, because the  
 00:19 15 issue is that it's a big piece of property, so you're  
 00:19 16 really allowed two units, if we get you three units  
 00:19 17 wouldn't you -- couldn't you divide whichever way you  
 00:19 18 want, a little in the front, a little in the back?  
 00:19 19 THE WITNESS: I mean, it's possible. I  
 00:20 20 would have to get direction from the client on that,  
 00:20 21 the developer.  
 00:20 22 CHAIRMAN FERGUSON: Well, you're the  
 00:20 23 architect, so you would know if you could do it or  
 00:20 24 not do it, right?  
 00:20 25 THE WITNESS: Right. Yes. I can do

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00:20 1 anything. I can do it the opposite way, too.  
 00:20 2 But the board doesn't want to, you  
 00:20 3 know, see that.  
 00:20 4 I mean, it -- yes, it could -- you  
 00:20 5 know, theoretically it could be done, you know, but  
 00:20 6 I'd have to be directed by the client.  
 00:20 7 CHAIRMAN FERGUSON: Okay. And Danny is  
 00:20 8 your client?  
 00:20 9 MR. LEE: Possibly, yes.  
 00:20 10 We just haven't, like, thought about  
 00:20 11 that option to give you any educated answer.  
 00:20 12 CHAIRMAN FERGUSON: Okay.  
 00:20 13 MR. LEE: -- to that at this point.  
 00:20 14 I think we can make it -- it's four.  
 00:20 15 We're almost there. We're trying to fit in here and  
 00:20 16 there, tweak a few areas just to -- to make it more  
 00:20 17 appealing to the board.  
 00:20 18 I think we're almost there.  
 00:20 19 CHAIRMAN FERGUSON: Right.  
 00:20 20 MR. LEE: So with the board's  
 00:20 21 indulgence, I would like to try to go for four.  
 00:20 22 CHAIRMAN FERGUSON: Well, I just think  
 00:20 23 that, Danny, you know, it's a big piece of property.  
 00:20 24 And I would be -- and I would be -- me personally,  
 00:21 25 speaking for myself, I would be okay with giving you  
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00:21 1 three, because I figure three, it's 148 feet, you  
 00:21 2 know.  
 00:21 3 But because there's a wall in the front  
 00:21 4 and all the other stuff, I don't know, you know, it  
 00:21 5 just seems to be crowded. The whole damn thing seems  
 00:21 6 to be so bunched in, you know --  
 00:21 7 MR. LEE: Well, yeah.  
 00:21 8 CHAIRMAN FERGUSON: -- it's like you  
 00:21 9 could have did it, but, nah, you're going to throw  
 00:21 10 the other unit in. I'm just throwing it out there.  
 00:21 11 MR. LEE: Well, whether it's three or  
 00:21 12 four units, the only thing that changes is the -- I  
 00:21 13 guess, is the --  
 00:21 14 CHAIRMAN FERGUSON: The two yards.  
 00:21 15 MR. LEE: The yards. Two side yards.  
 00:21 16 CHAIRMAN FERGUSON: The two side yards.  
 00:21 17 MR. LEE: The side yard variance. But  
 00:21 18 other variances still kick in so...  
 00:21 19 CHAIRMAN FERGUSON: Okay.  
 00:21 20 MR. CARNOVALE: Joe -- I'm sorry.  
 00:21 21 CHAIRMAN FERGUSON: Go ahead.  
 00:21 22 MR. CARNOVALE: I'm sorry. Do we have  
 00:21 23 Steve's report here? Do you want to go over that?  
 00:21 24 CHAIRMAN FERGUSON: Well, Steve's going  
 00:21 25 to go over that.  
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00:21 1 MR. CARNOVALE: That's what I meant,  
 00:21 2 yeah.  
 00:21 3 MR. COLLAZUOL: Picking up on the  
 00:21 4 point, Bill, regarding this sidewalk, the existing  
 00:21 5 sidewalk is shown and the proposed sidewalk that's  
 00:22 6 shown is about 3 feet from the curb line.  
 00:22 7 You're talking about the concrete  
 00:22 8 driveway that's next door to the adjoining property.  
 00:22 9 THE WITNESS: Yes.  
 00:22 10 MR. COLLAZUOL: If that property, which  
 00:22 11 is shown on your key map as lot Number 2, if that  
 00:22 12 property were to be developed and they put the  
 00:22 13 sidewalk in the correct place, they would be forced  
 00:22 14 to put a transition in if they connected this, which  
 00:22 15 you've done on the plan, to what they would be  
 00:22 16 required to do.  
 00:22 17 So what I'm thinking about, based on  
 00:22 18 what you explained, is whatever the side yard is  
 00:22 19 or -- excuse me -- whatever the rear yard is,  
 00:22 20 presently it's about 14 feet, whether it's 14 feet or  
 00:22 21 26 feet as the Chairman was suggesting, could that  
 00:22 22 area be used as the transition from the standard  
 00:22 23 sidewalk which is on the properties towards Broad  
 00:22 24 Avenue, which it looks like they're 5 feet, the grass  
 00:22 25 strip between the curb and the sidewalk, and the  
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00:23 1 approximate 3 feet that you have, use that 14 or to  
 00:23 2 27 feet as a transition area --  
 00:23 3 THE WITNESS: Yes, we could. I would  
 00:23 4 rather than --  
 00:23 5 MR. COLLAZUOL: -- go from a 5-foot  
 00:23 6 grassed area to the 3-foot grassed area.  
 00:23 7 THE WITNESS: Now, would you want to  
 00:23 8 angle the sidewalk the 4 feet or would you rather  
 00:23 9 keep, like, a 5-foot walk all the way across to kind  
 00:23 10 of widen it or would you rather put it on an angle  
 00:23 11 next to the driveway --  
 00:23 12 MR. COLLAZUOL: Well, if the board --  
 00:23 13 if the board were to approve this, it'd be subject to  
 00:23 14 Mayor & Council allowing you to have a license  
 00:23 15 agreement, we're presuming, for the driveway.  
 00:23 16 I think that the plan would incorporate  
 00:23 17 what you're suggesting as this sidewalk location, and  
 00:23 18 the transition should be shown there, and a simple  
 00:23 19 transition would be fine, but I think it should be on  
 00:23 20 this property -- this property frontage, not on the  
 00:23 21 -- subject to the adjoining property that gets  
 00:23 22 developed.  
 00:23 23 THE WITNESS: As it's laid out right  
 00:23 24 now we have basically 25 feet from the -- where our  
 00:23 25 property line starts and where that drop curb starts,  
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00:23 1 so basically from that point we could transition it  
 00:23 2 from where the front walk comes out there to that --  
 00:23 3 it should be more than enough to do a 3-foot angle of  
 00:24 4 a sidewalk.  
 00:24 5 MR. COLLAZUOL: Okay. So, just as a  
 00:24 6 suggestion, I think that makes sense.  
 00:24 7 Then turning to the report that we had  
 00:24 8 from last time, there was discussion about the  
 00:24 9 disposition of the adjoining properties, steps and  
 00:24 10 wall.  
 00:24 11 THE WITNESS: The one on Grand Avenue.  
 00:24 12 MR. COLLAZUOL: Yes. On the property  
 00:24 13 on Lot 43.  
 00:24 14 THE WITNESS: We're showing to keep  
 00:24 15 that.  
 00:24 16 MR. COLLAZUOL: Pardon me?  
 00:24 17 THE WITNESS: We're going to basically  
 00:24 18 keep that.  
 00:24 19 There's a little bit of a -- what's  
 00:24 20 that called -- an encroachment on our property, but  
 00:24 21 we're not going to touch that staircase.  
 00:24 22 MR. COLLAZUOL: So that staircase and  
 00:24 23 that wall is going to remain, so you'll note that on  
 00:24 24 the plan?  
 00:24 25 THE WITNESS: Yes.

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00:24 1 MR. COLLAZUOL: Okay. And then the  
 00:24 2 wall along the front, you didn't address what's going  
 00:24 3 to take place with that wall.  
 00:25 4 THE WITNESS: Right now I'm showing  
 00:25 5 that area graphically showing the staircase getting  
 00:25 6 removed and that area filled in. I'm not sure what  
 00:25 7 the condition of that wall was, if that's something  
 00:25 8 we can either update with a new wall or...  
 00:25 9 MR. COLLAZUOL: I would suggest that be  
 00:25 10 a condition of the approval.  
 00:25 11 CHAIRMAN FERGUSON: What is it now?  
 00:25 12 MR. COLLAZUOL: The wall that's along  
 00:25 13 the property frontage on Grand Avenue.  
 00:25 14 CHAIRMAN FERGUSON: Okay.  
 00:25 15 MR. COLLAZUOL: All we know at this  
 00:25 16 point that's shown on the plan that the steps are  
 00:25 17 going to be removed.  
 00:25 18 CHAIRMAN FERGUSON: Right.  
 00:25 19 MR. COLLAZUOL: But we don't know the  
 00:25 20 height of the wall, the condition of the wall if it's  
 00:25 21 going to be replaced.  
 00:25 22 I believe at the last hearing you said  
 00:25 23 -- we asked you and you said you would replace that  
 00:25 24 wall --  
 00:25 25 THE WITNESS: Okay.

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00:25 1 MR. COLLAZUOL: -- if I'm not mistaken.  
 00:25 2 CHAIRMAN FERGUSON: Right.  
 00:25 3 MR. COLLAZUOL: So that should be on  
 00:25 4 the plan as a condition of approval.  
 00:25 5 THE WITNESS: So we'll take the tree  
 00:25 6 out and replace the wall.  
 00:25 7 CHAIRMAN FERGUSON: So you're going to  
 00:25 8 replace the whole -- so you're going to replace the  
 00:25 9 wall?  
 00:25 10 MR. LEE: We're going to replace the  
 00:25 11 wall on the Grand Avenue side and we'll get rid of  
 00:25 12 the tree.  
 00:25 13 THE WITNESS: Actually we'll cut it  
 00:25 14 back to where that existing staircase is and then  
 00:25 15 start from there forward.  
 00:25 16 CHAIRMAN FERGUSON: All right.  
 00:25 17 Are you guys agreeable?  
 00:25 18 THE WITNESS: Yes, sir.  
 00:26 19 MR. COLLAZUOL: The staircase on the  
 00:26 20 adjoining property.  
 00:26 21 THE WITNESS: Yes. We'll keep that  
 00:26 22 sidewalk, the staircase from that point on.  
 00:26 23 MR. COLLAZUOL: On page 3 we talked  
 00:26 24 about the landscape review at the last hearing.  
 00:26 25 Since the number of trees is getting

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00:26 1 removed, it would seem appropriate that you would  
 00:26 2 plant trees in the Grand Avenue frontage, in that  
 00:26 3 landscaped area.  
 00:26 4 And, of course, you have a proposed  
 00:26 5 drainage system shown there, so if this board were to  
 00:26 6 approve this can you enhance that -- a landscape  
 00:26 7 plan, submit that for review, and also show that the  
 00:26 8 48-inch tree would be removed, and also additional  
 00:26 9 plantings within the sight triangle but none that  
 00:26 10 would object -- obstruct the sight-triangle distance.  
 00:26 11 THE WITNESS: Yes.  
 00:26 12 MR. COLLAZUOL: Bill, turning to the  
 00:26 13 details, Item No. 8 which is regarding the ADA corner  
 00:27 14 ramp. It appears that the second look that we took  
 00:27 15 at it, that ADA ramp is not compliant.  
 00:27 16 THE WITNESS: That's an older one.  
 00:27 17 MR. COLLAZUOL: Yes. It looks like it  
 00:27 18 was done without conforming, so would you either  
 00:27 19 acknowledge that and place a note on the drawing that  
 00:27 20 it shall be replaced and be compliant?  
 00:27 21 And you discussed the sewer, so I won't  
 00:27 22 go over that, but I think the plan should be clear as  
 00:27 23 to the limits of the area that would be of the  
 00:27 24 license agreement. It should be dimensioned.  
 00:27 25 In other words, you have this dimension

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00:27 1 from the right-of-way line to the curb -- I'm sorry,  
 00:27 2 right-of-way line to the sidewalk, so you should  
 00:27 3 delineate that as that area to be within that, if it  
 00:27 4 is called a license agreement, designate it on your  
 00:28 5 plan.  
 00:28 6 THE WITNESS: So that would be like on  
 00:28 7 a sketch like this?  
 00:28 8 MR. COLLAZUOL: Well, I think it should  
 00:28 9 be pretty clear on the plan so that if the Mayor and  
 00:28 10 Council does get an approval to look at it, it would  
 00:28 11 be a nice simple drawing for them to see.  
 00:28 12 I have nothing further at this time.  
 00:28 13 CHAIRMAN FERGUSON: I just have a  
 00:28 14 couple of additional comments.  
 00:28 15 Number one, I believe on the Rocciola's  
 00:28 16 report he talks about -- on the di minimus -- I can't  
 00:28 17 say it -- exception.  
 00:28 18 THE WITNESS: Di minimus.  
 00:28 19 CHAIRMAN FERGUSON: Yes, but he had  
 00:28 20 said to me that because you have changed dimensions  
 00:28 21 of the driveway that you no longer need that; is that  
 00:28 22 your -- or is my very good friend going to take care  
 00:29 23 of that.  
 00:29 24 THE WITNESS: As far as I know, yes,  
 00:29 25 but Harry's here to say yes.

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00:30 1 MR. LEE: We're talking about one space  
 00:30 2 and if Harry will probably -- will testify will tell  
 00:30 3 you that there's -- you go there in the daytime, you  
 00:30 4 see open parking spaces.  
 00:30 5 MS. LAMBRINIDES: Please, don't tell  
 00:30 6 people there's parking in Palisades Park. That's  
 00:30 7 insulting.  
 00:30 8 CHAIRMAN FERGUSON: Well, you should go  
 00:30 9 -- you should go there at nighttime.  
 00:30 10 MS. LAMBRINIDES: We all live here.  
 00:30 11 CHAIRMAN FERGUSON: And they're right  
 00:30 12 to the corner.  
 00:30 13 MR. LEE: So we're talking about one  
 00:30 14 parking space.  
 00:30 15 CHAIRMAN FERGUSON: Yes. But if you  
 00:30 16 eliminated -- I didn't say I'm doing it yet, I'm  
 00:30 17 saying, but if you eliminated it, you would eliminate  
 00:30 18 the rear yard because now you would have a full rear  
 00:30 19 yard, correct? Because instead of 14 feet you would  
 00:30 20 add whatever to it, you know, either 13 feet or --  
 00:30 21 correct?  
 00:30 22 THE WITNESS: Yes. Well, to make it  
 00:30 23 comply it would be 10 feet 9 inches.  
 00:30 24 CHAIRMAN FERGUSON: You would need,  
 00:30 25 right.

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00:29 1 MR. TUVEL: Mr. Rocciola had indicated  
 00:29 2 that we had corrected the -- the depth of the  
 00:29 3 driveway --  
 00:29 4 CHAIRMAN FERGUSON: Right. Right.  
 00:29 5 MR. TUVEL: -- that's no longer an  
 00:29 6 issue.  
 00:29 7 CHAIRMAN FERGUSON: That's no longer an  
 00:29 8 issue.  
 00:29 9 MR. TUVEL: Right.  
 00:29 10 CHAIRMAN FERGUSON: Okay.  
 00:29 11 Now, the other thing is, and one of the  
 00:29 12 residents in the area -- it's one of the reasons why  
 00:29 13 I'm talking about cutting a unit, is the parking  
 00:29 14 situation.  
 00:29 15 As you all know, parking in Palisades  
 00:29 16 Park is very scarce, and if we took a unit off that  
 00:29 17 would increase the parking along Homestead. Now,  
 00:29 18 you'd probably get one or two more spots, depending  
 00:29 19 on the front or the back.  
 00:29 20 MR. LEE: Well, they'll probably free  
 00:29 21 up the one parking space probably.  
 00:29 22 THE WITNESS: Yes, because we remove  
 00:29 23 one dropped curb approximately, say, 18 feet, so it's  
 00:29 24 about one space.  
 00:30 25 CHAIRMAN FERGUSON: One space.

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00:30 1 But my real problem with this is the  
 00:31 2 front with the wall and tying in everything together.  
 00:31 3 Because if you eliminate a unit, pick a unit, I don't  
 00:31 4 care what unit you take out, right, are you going to  
 00:31 5 be able to tie in the front of the building with the  
 00:31 6 wall and --  
 00:31 7 THE WITNESS: Okay. I will --  
 00:31 8 CHAIRMAN FERGUSON: Keeping the  
 00:31 9 building the same size now.  
 00:31 10 I'm not looking to make the building  
 00:31 11 bigger, I'm talking --  
 00:31 12 THE WITNESS: Well, yes, I mean, we try  
 00:31 13 to keep it -- you see right we have the setback I  
 00:31 14 think at 20 feet, I'd like to keep that there because  
 00:31 15 that lines up with the building next door and it also  
 00:31 16 gives 24 feet to the corner which -- you know, which  
 00:31 17 is nice and open.  
 00:31 18 CHAIRMAN FERGUSON: Right.  
 00:31 19 THE WITNESS: So I don't want to do  
 00:31 20 anything on that.  
 00:31 21 CHAIRMAN FERGUSON: That's why I'm  
 00:31 22 saying that. Yes.  
 00:31 23 THE WITNESS: Let me -- you now, if we  
 00:31 24 -- if we're able to keep the four, and I know you can  
 00:31 25 get another -- there's room on the cheek wall, it's a

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00:32 1 17-foot garage door where I can get almost, like, 8  
00:32 2 inches off each one of them, it will be 2 feet. But,  
00:32 3 you know, I think you're going a different way, with  
00:32 4 how you want to -- you know, how you want this thing  
00:32 5 to go.  
00:32 6 CHAIRMAN FERGUSON: So you could reduce  
00:32 7 it.  
00:32 8 THE WITNESS: I mean, I -- there's a  
00:32 9 way I could reduce what I proposed, you know, the  
00:32 10 four that's proposed, I'm going to have the garage  
00:32 11 door, I have a 17-foot garage door so you could  
00:32 12 accommodate two cars comfortably.  
00:32 13 CHAIRMAN FERGUSON: Yes, that's what  
00:32 14 we're looking to do. Yes.  
00:32 15 MR. CARNOVALE: Mr. Chairman?  
00:32 16 CHAIRMAN FERGUSON: Yes.  
00:32 17 MR. CARNOVALE: You keep talking about  
00:32 18 it's a big piece of property, but what's the width of  
00:32 19 the property?  
00:32 20 CHAIRMAN FERGUSON: What?  
00:32 21 MR. CARNOVALE: What's the width of the  
00:32 22 property? It's not 50 by 100.  
00:32 23 CHAIRMAN FERGUSON: No, it's not 50 by  
00:32 24 100.  
00:32 25 MR. CARNOVALE: Right. So it's  
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00:32 1 fruitless to be saying, yes, it's a long property,  
00:32 2 but it's also narrow.  
00:32 3 CHAIRMAN FERGUSON: Right.  
00:32 4 MR. CARNOVALE: And I really think that  
00:32 5 four units is a little overkill on this piece of  
00:32 6 property.  
00:32 7 CHAIRMAN FERGUSON: You think it's  
00:32 8 overkill?  
00:32 9 MR. CARNOVALE: I -- I honestly do.  
00:32 10 And I think you have a good idea that should the  
00:32 11 board decide if they took one unit off, you could  
00:32 12 probably split those dimensions a little bit on the  
00:32 13 Grand side, a little bit on the Broad Avenue side,  
00:32 14 and maybe not make it look as monstrous as four units  
00:32 15 would look because the property is now -- and there's  
00:32 16 nothing that they could really do with the 5-foot  
00:32 17 side yard which is, it's okay for a corner duplex,  
00:32 18 but we're talking four units here.  
00:32 19 CHAIRMAN FERGUSON: Okay. Well --  
00:32 20 MR. CARNOVALE: Now, that's just my  
00:32 21 thought.  
00:32 22 I don't know what the board, you  
00:32 23 know --  
00:32 24 CHAIRMAN FERGUSON: Yeah. Any other  
00:32 25 board members have any comments?  
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00:33 1 No comments that you have to bring?  
00:33 2 No.  
00:33 3 (No response.)  
00:33 4 CHAIRMAN FERGUSON: Okay. You want to  
00:33 5 put your next witness in?  
00:33 6 MR. LEE: Yes, sir.  
00:33 7 MR. TUVEL: So I'm previously sworn in,  
00:33 8 as well as the architect.  
00:33 9 MS. TESTA: You testified at the  
00:33 10 last --  
00:33 11 MR. TUVEL: I testified -- I presented  
00:33 12 the bulk of my planning testimony at the last meet  
00:33 13 ing.  
00:33 14 MS. TESTA: Right. Yes. Okay.  
00:33 15 H A R R Y T U V E L,  
00:33 16 Having been previously sworn, continues to  
00:33 17 testify as follows:  
00:33 18 MR. TUVEL: I would only -- I'd like to  
00:34 19 keep this brief this evening and just talk about the  
00:34 20 fact that with the -- the diminished height  
00:34 21 variance --  
00:34 22 CHAIRMAN FERGUSON: Right.  
00:34 23 MR. TUVEL: -- the (d)(6) variance. I  
00:34 24 mean, we technically need the (d)(6) height variance,  
00:34 25 but I would submit that we are -- certainly we comply  
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00:34 1 at one with the duplex height --  
00:34 2 CHAIRMAN FERGUSON: Right.  
00:34 3 MR. TUVEL: -- which is 28 feet, and  
00:34 4 then we're just -- and we're within 10 percent of the  
00:34 5 -- of it, so technically because this is not a  
00:34 6 duplex, we do -- we do need the (d)(6) height  
00:34 7 variance, but I think the fact that it's been  
00:34 8 diminished from the previous plan, it justifies the  
00:34 9 granting of the -- and the way the building is  
00:34 10 stepped down going from west to east and east to west  
00:34 11 justifies the granting of the (d)(6) variance.  
00:34 12 Now, I just want to add in terms of the  
00:34 13 parking situation.  
00:34 14 CHAIRMAN FERGUSON: Right.  
00:34 15 MR. TUVEL: I was there on a couple of  
00:34 16 occasions.  
00:34 17 CHAIRMAN FERGUSON: Right.  
00:34 18 MR. TUVEL: And on one occasion I  
00:35 19 actually saw no cars parked in front of -- in front  
00:35 20 this building.  
00:35 21 CHAIRMAN FERGUSON: Okay.  
00:35 22 MR. TUVEL: And on the other occasion  
00:35 23 there were about three cars.  
00:35 24 CHAIRMAN FERGUSON: Right.  
00:35 25 MR. TUVEL: Three cars parked.  
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00:35 1 So I'm sure that situation varies  
 00:35 2 depending upon who's there.  
 00:35 3 I would also submit to you that for  
 00:35 4 most of the properties on West Homestead, they have  
 00:35 5 their own on-site parking --  
 00:35 6 CHAIRMAN FERGUSON: Right.  
 00:35 7 MR. TUVEL: -- especially newer, the  
 00:35 8 newer duplexes and even -- and even the older  
 00:35 9 existing multifamily building on West Homestead,  
 00:35 10 which is about halfway up the block, has its own  
 00:35 11 parking.  
 00:35 12 So I don't think, from a planning  
 00:35 13 consideration, that parking is a huge or substantial  
 00:35 14 -- substantial issue.  
 00:35 15 So, you know, with the record of my  
 00:35 16 previous testimony, I think the fact that this  
 00:35 17 fronts -- even though it's a corner lot and we have  
 00:35 18 to observe two front yards, you know, you talk about  
 00:36 19 that Broad Avenue side, as you put it, as having --  
 00:36 20 as being a rear yard, and, technically, you could say  
 00:36 21 it's a rear yard, but it's really -- it's really a  
 00:36 22 side yard because those houses front -- the units  
 00:36 23 front on West Homestead.  
 00:36 24 But we have to abide by both because  
 00:36 25 there's two front yards because it's -- it's a  
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00:37 1 architect, that if you made them any skinnier you'd  
 00:37 2 have a problem, you can't run front steps out from  
 00:37 3 that property here.  
 00:37 4 So I don't have a problem with the  
 00:37 5 height variance. I still think four units are -- the  
 00:37 6 property is very narrow, and being a board member we  
 00:37 7 have to kind of abide by the fact that it's a corner  
 00:37 8 lot and it should be for a duplex and even as a  
 00:37 9 duplex, the property is small.  
 00:37 10 So the left side, Broad Avenue side  
 00:37 11 property is technically a rear yard and the Grand is  
 00:38 12 a front yard, even though it's strange, but that's  
 00:38 13 the way they set up the ordinance, I guess, so those  
 00:38 14 were my only comments about it, you know.  
 00:38 15 CHAIRMAN FERGUSON: Yes.  
 00:38 16 See, my only -- you know, I just think  
 00:38 17 that there's a lot -- four units is a lot for this  
 00:38 18 one lot.  
 00:38 19 And if we can eliminate one of the  
 00:38 20 units and give -- even if it's one parking spot or  
 00:38 21 two, whatever it is, I think that's the way we should  
 00:38 22 go.  
 00:38 23 I mean, it's -- you know, like I said  
 00:38 24 before that, you know, people come in here with small  
 00:38 25 lots, we give them variances, you know, because they  
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00:36 1 corner, it's a corner lot.  
 00:36 2 So I don't think that, you know, the  
 00:36 3 massing of -- because of the long narrow shape of  
 00:36 4 this property, I think the way it's been designed,  
 00:36 5 and it takes -- also it takes the buildings -- the  
 00:36 6 frontage off of Grand Avenue, which I think is a very  
 00:36 7 desirable aspect of this from a planning perspective.  
 00:36 8 So unless there's any questions from  
 00:36 9 you or your professionals, I would conclude my  
 00:36 10 testimony.  
 00:36 11 CHAIRMAN FERGUSON: Well, we're going  
 00:36 12 to kick it to the board members first.  
 00:36 13 MR. TUVEL: Okay.  
 00:36 14 CHAIRMAN FERGUSON: Any board members  
 00:36 15 have any questions for Mr. Tuvel?  
 00:36 16 MR. CARNOVALE: Just comments.  
 00:36 17 Sir, I don't mean to disrespect you,  
 00:36 18 but, yes, you said the duplex height is 28 feet, but  
 00:37 19 most duplexes are 50 by 100.  
 00:37 20 So I don't have a problem myself with  
 00:37 21 the height, but a regular duplex are 38-foot wide,  
 00:37 22 half of that is what? 19 feet?  
 00:37 23 CHAIRMAN FERGUSON: Right.  
 00:37 24 MR. CARNOVALE: Your units are already  
 00:37 25 27. And I would imagine, being that I'm not an  
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00:38 1 can't build anything on it.  
 00:38 2 In this case that's not the case here.  
 00:38 3 In this case you have an oversized lot and you want  
 00:38 4 to put a fourth unit on it that isn't -- that isn't  
 00:39 5 needed. You've got -- you'd have a variance, you  
 00:39 6 need a variance for the rear yard.  
 00:39 7 If you dropped it down to three you  
 00:39 8 wouldn't need that variance.  
 00:39 9 MR. TUVEL: That's true.  
 00:39 10 CHAIRMAN FERGUSON: And you pick up,  
 00:39 11 you know, another parking lot -- another space or  
 00:39 12 two, depending on which way you go.  
 00:39 13 The question for me is what unit, you  
 00:39 14 know, if you're going to -- it makes no difference to  
 00:39 15 me what unit you eliminate. You can eliminate Unit C  
 00:39 16 and slide D over or whatever you want to do, and I  
 00:39 17 don't care particularly where you pick up the --  
 00:39 18 where you're going to put the 27 feet, if your  
 00:39 19 27 feet's going to be on -- closer to Grand Avenue or  
 00:39 20 closer up to Broad Avenue. I'll leave that up to you  
 00:39 21 guys. I don't -- you know, you're still going to  
 00:39 22 have three units, same size. You're not going to  
 00:40 23 extend, you're not going to make it bigger, but at  
 00:40 24 least -- yeah. Go ahead.  
 00:40 25 MR. COCOROS: I'm looking at this. If  
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00:40 1 I go, let's say 21 foot 1 in the back, go to three  
 00:40 2 units --  
 00:40 3 CHAIRMAN FERGUSON: Right.  
 00:40 4 MR. COCOROS: -- and then it's -- it's  
 00:40 5 less units, but it's still less -- a smaller  
 00:40 6 footprint less units, but I would give a little bit  
 00:40 7 more room so we have a little more comfort in those  
 00:40 8 garage and driveways and those rooms, you're still  
 00:40 9 reducing the scope as far as footprint.  
 00:40 10 As far as units go, let's say I go with  
 00:40 11 a -- try to keep 30 -- let's say try to keep two  
 00:40 12 parking spaces along that side, along that portion  
 00:40 13 of --  
 00:40 14 CHAIRMAN FERGUSON: Right.  
 00:40 15 MR. COCOROS: -- I want to try to keep  
 00:40 16 it as close to the corner as possible because I don't  
 00:40 17 think there's parking allowed that close to that  
 00:40 18 corner.  
 00:40 19 CHAIRMAN FERGUSON: Right.  
 00:40 20 MR. COCOROS: So if anything, I would  
 00:40 21 just take out this one here (indicating) but maybe go  
 00:40 22 to 25 foot 5 or something like that setback, where we  
 00:40 23 have 25 foot 1 which, in that case not -- not a  
 00:40 24 variance anymore, so we eliminate another variance,  
 00:40 25 you know, we eliminate a variance from the project.

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00:41 1 still -- I'll still keep 17 feet, but I'll have a  
 00:41 2 little more room around it so when you're pulling  
 00:41 3 into it, you could actually park two cars inside of  
 00:41 4 it.  
 00:41 5 So, you know, I'm thinking if I could  
 00:42 6 get, like, the -- the units at least, you know, 31,  
 00:42 7 let's say 31-feet wide, I can get a little more,  
 00:42 8 where the entries are, I still can get --  
 00:42 9 MR. CARNOVALE: So that's 4-foot wider  
 00:42 10 on each unit? Four times --  
 00:42 11 MR. COCOROS: It's 3 and 3, I think 3  
 00:42 12 foot 8 or something like that, I think it was.  
 00:42 13 MR. CARNOVALE: Let's say right around  
 00:42 14 4 feet.  
 00:42 15 CHAIRMAN FERGUSON: So -- so instead of  
 00:42 16 reducing it 27 feet, you're going to -- you want to  
 00:42 17 reduce it --  
 00:42 18 MR. CARNOVALE: Well, take 12 off of  
 00:42 19 that then if he said four --  
 00:42 20 CHAIRMAN FERGUSON: Well, no, there'd  
 00:42 21 be three units, right?  
 00:42 22 MR. COCOROS: Yes, right.  
 00:42 23 CHAIRMAN FERGUSON: Yes, let's be sure  
 00:42 24 before we talk.  
 00:42 25 MR. COCOROS: Yes.

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00:40 1 In addition, we -- we -- we're  
 00:40 2 basically getting this look here (indicating), except  
 00:40 3 each one will be stretched out a little bit more so  
 00:41 4 you have a little more room in the garages and the  
 00:41 5 entryway, so it would come out to a footprint of  
 00:41 6 approximately -- the depth on that portion of  
 00:41 7 approximately 99 feet or so, or 98 feet 8 inches  
 00:41 8 along there (indicating), but just broken up into  
 00:41 9 three sections of approximately 33 feet or so.  
 00:41 10 CHAIRMAN FERGUSON: So how many -- how  
 00:41 11 many -- the width of the building, the three units,  
 00:41 12 how long would that -- how big is that width going to  
 00:41 13 be now?  
 00:41 14 If we eliminated the -- we don't want  
 00:41 15 to increase the side -- you know, I don't want to say  
 00:41 16 eliminate one and then you're going to have --  
 00:41 17 MR. TUVEL: I think they're saying  
 00:41 18 eliminate one and maybe have it slightly wider; is  
 00:41 19 that what you're saying?  
 00:41 20 MR. LEE: How wide?  
 00:41 21 MS. LAMBRINIDES: Slightly.  
 00:41 22 MR. COCOROS: Well, it's going to be --  
 00:41 23 MR. CARNOVALE: How wide did you want  
 00:41 24 to make the garage? That's the question.  
 00:41 25 MR. COCOROS: No. The garage, I'll

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00:42 1 MR. CARNOVALE: Joe, we have to open to  
 00:42 2 the public on the witness.  
 00:42 3 CHAIRMAN FERGUSON: Yes, we're going to  
 00:42 4 have to -- because he came late, he's going -- I'm  
 00:42 5 going to open it up.  
 00:42 6 MR. CARNOVALE: Let me just see here...  
 00:42 7 (Whereupon, off-the-record discussion  
 00:42 8 is held.)  
 00:42 9 MR. COCOROS: Yes, I wanted to say, if  
 00:43 10 we build each one is 30 feet...  
 00:43 11 MR. TUVEL: The overall building would  
 00:43 12 be, I think, I estimate between 11 and 12 feet  
 00:43 13 narrower.  
 00:43 14 Do you agree with that?  
 00:43 15 MR. COCOROS: Yes.  
 00:43 16 MR. KAUKER: I think that what the  
 00:43 17 board was talking about, if I -- if I understood them  
 00:43 18 correctly, was -- and a lot of times when we take a  
 00:43 19 look at, you know, these types of variances we're  
 00:43 20 looking at the overall size of the building.  
 00:43 21 CHAIRMAN FERGUSON: Right.  
 00:43 22 MR. KAUKER: The building as proposed  
 00:43 23 now is 109 feet 4 inches. Especially when we're  
 00:43 24 looking at the negative criteria, and we're looking  
 00:43 25 at potential impacts on the adjoining property --

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00:43 1 CHAIRMAN FERGUSON: Right.  
 00:43 2 MR. KAUKER: And I've said this before,  
 00:43 3 what you want to do is look at the massing of the  
 00:43 4 building.  
 00:43 5 CHAIRMAN FERGUSON: Right.  
 00:43 6 MR. KAUKER: So by reducing the overall  
 00:43 7 length of the building, as you pointed out, obviously  
 00:43 8 you reduce that impact on the neighboring property,  
 00:43 9 which is also somewhat exacerbated by the fact that  
 00:43 10 they're requesting a height variance.  
 00:43 11 So I think reducing the -- eliminating  
 00:44 12 a unit, reducing the length of the building, you  
 00:44 13 know, not only does it eliminate the rear yard  
 00:44 14 setback, but you come closer to complying with the  
 00:44 15 number of units. As you correctly pointed out,  
 00:44 16 they're proposing four units where only two are  
 00:44 17 permitted. So you go from four to three units so  
 00:44 18 you'd be more in compliance, or you'd be closer in  
 00:44 19 complying with the number of units.  
 00:44 20 And then again, you reduce the mass of  
 00:44 21 the building and also the visual impact.  
 00:44 22 So I think if they comply with the rear  
 00:44 23 yard requirement I think, you know, that would be  
 00:44 24 something that would be important in terms of the  
 00:44 25 parking and trying to, you know --

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00:45 1 MR. KAUKER: He's talking 4?  
 00:45 2 MR. CARNOVALE: Yes, 4 foot. So 27  
 00:45 3 minus the, four, four, that's 12 -- so 27 minus 12,  
 00:45 4 that's 15 feet.  
 00:45 5 You think if we -- if the board  
 00:45 6 approves we could stick to 15 feet on the Broad  
 00:45 7 Avenue side and instead of having 14 --  
 00:45 8 MR. COCOROS: I think if we're going to  
 00:45 9 do that, I would rather add -- go closer to 30 foot  
 00:45 10 rear yards, because what's going to wind up happening  
 00:45 11 is if I have, let's say, 31 feet or so, it's a 9-foot  
 00:45 12 platform.  
 00:45 13 MR. CARNOVALE: Right.  
 00:45 14 MR. COCOROS: So then I could save two  
 00:45 15 parking spaces --  
 00:45 16 MR. CARNOVALE: Right.  
 00:45 17 MR. COCOROS: -- between the driveway  
 00:45 18 that's next to us and there.  
 00:45 19 MR. CARNOVALE: Yes.  
 00:45 20 MR. COCOROS: So if I can keep the  
 00:45 21 setback in front there, if we take, let's say 15 feet  
 00:46 22 off the building, it's actually -- I need 31 plus 9,  
 00:46 23 so I need about -- it's about 16-and-a-half or 16  
 00:46 24 foot 9 where I can get those two spaces --  
 00:46 25 MR. CARNOVALE: Right.

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00:44 1 CHAIRMAN FERGUSON: Yes. Because  
 00:44 2 parking is a consideration.  
 00:44 3 MR. KAUKER: Right. If there's not  
 00:44 4 adequate width to provide two parking spaces in  
 00:44 5 there, I mean then that's another story.  
 00:44 6 CHAIRMAN FERGUSON: So you would say  
 00:44 7 then that you -- if you were sitting on the board,  
 00:44 8 which I know you're not, but if you were sitting on  
 00:44 9 the board you would be okay with them making the  
 00:44 10 building -- enlarging the building by 3 feet or 4  
 00:45 11 feet per unit?  
 00:45 12 MR. KAUKER: Yes. Maybe a couple feet  
 00:45 13 to provide additional room for the parking --  
 00:45 14 CHAIRMAN FERGUSON: Yeah.  
 00:45 15 MR. KAUKER: -- you know, in the garage  
 00:45 16 area. I think that's what Mr. Cocoros was talking  
 00:45 17 about.  
 00:45 18 MR. CARNOVALE: So we would -- we would  
 00:45 19 end up with a positive of 15 feet. That's 27 minus  
 00:45 20 12.  
 00:45 21 MR. KAUKER: Well, if they're talking 3  
 00:45 22 feet to each building that would be 9 feet, so you  
 00:45 23 would --  
 00:45 24 MR. CARNOVALE: He's talking more 4,  
 00:45 25 I'm sorry.

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00:46 1 MR. COCOROS: -- you know, so -- and  
 00:46 2 plus, you know, clearance and stuff like that and  
 00:46 3 utility poles, you could get two spaces between where  
 00:46 4 we start and --  
 00:46 5 MR. CARNOVALE: So your next -- so I  
 00:46 6 was saying that 15 feet would be added to the Broad  
 00:46 7 Avenue side backyard.  
 00:46 8 MR. COCOROS: Oh, yes. I'm sorry, I  
 00:46 9 keep -- I'm mixing up Broad Avenue. But, yes,  
 00:46 10 exactly.  
 00:46 11 MR. CARNOVALE: Right. So then street  
 00:46 12 parking between your left side neighbor and your new  
 00:46 13 project you would have two spots there.  
 00:46 14 MR. COCOROS: Correct.  
 00:46 15 MR. CARNOVALE: Where right now you  
 00:46 16 only have 14-foot --  
 00:46 17 MR. COCOROS: No. We have -- right now  
 00:46 18 we have between the driveway we have 25 plus 3, so it  
 00:46 19 would be 15, 16 feet, the building that we have, it's  
 00:46 20 -- the platform's 9 feet, so you have, let's say, 31  
 00:46 21 and 9, that's -- that's 40 feet, so you could fit two  
 00:46 22 cars.  
 00:46 23 MR. CARNOVALE: So that's two spots  
 00:46 24 right there.  
 00:46 25 MR. COCOROS: Correct.

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00:47 1 CHAIRMAN FERGUSON: Okay.  
 00:47 2 MR. CARNOVALE: That sounds good to me,  
 3 Mr. Chairman, but I don't know --  
 4 CHAIRMAN FERGUSON: Yeah.  
 5 No, well, you know, but first we're  
 6 going to open up to the public because -- I think you  
 7 were here last month, no.  
 8 MR. ZAPATA: Yes.  
 9 CHAIRMAN FERGUSON: Okay. You want to  
 00:47 10 make a comment on this?  
 00:47 11 But the board is -- just so -- you came  
 00:47 12 late, so just to point it out, the board is thinking  
 00:47 13 about reducing the size of the unit, eliminating a  
 00:47 14 unit, so there wouldn't be four units, there would be  
 00:47 15 three units, which would give them a little more  
 00:47 16 space.  
 00:47 17 Now, it might not be, in your  
 00:47 18 estimation, you know, enough, but --  
 00:47 19 MR. ZAPATA: It's not enough.  
 00:47 20 CHAIRMAN FERGUSON: -- it's certainly  
 00:47 21 better than what it --  
 00:47 22 MR. ZAPATA: Yes, because we're going  
 00:47 23 to lose parking space. We used to park five cars in  
 00:47 24 there.  
 00:47 25 CHAIRMAN FERGUSON: Could you give me  
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00:47 1 your name and address?  
 00:47 2 MR. ZAPATA: Yeah, my name is German  
 00:47 3 Zapata. And I live 139 Grand Avenue.  
 00:47 4 CHAIRMAN FERGUSON: Okay.  
 00:47 5 MR. ZAPATA: And for us, for the people  
 00:47 6 that we can no park on Broad and Grand Avenue.  
 00:48 7 Those parking, if we lose those kind of  
 00:48 8 parking space, I mean, we have to go over in and --  
 00:48 9 CHAIRMAN FERGUSON: Yes.  
 00:48 10 MR. ZAPATA: -- and we used to park five  
 00:48 11 cars in -- in -- in that space.  
 00:48 12 CHAIRMAN FERGUSON: Right.  
 00:48 13 MR. ZAPATA: And we're going to lose --  
 00:48 14 now if they increase -- if they reduce one unit --  
 00:48 15 CHAIRMAN FERGUSON: Right.  
 00:48 16 MR. ZAPATA: -- but increase the size  
 00:48 17 of the units going to be the same. We are going --  
 00:48 18 we are not going to have the -- the parking.  
 00:48 19 CHAIRMAN FERGUSON: Right. Okay.  
 00:48 20 Any board members, comments?  
 00:48 21 (No response.)  
 00:48 22 CHAIRMAN FERGUSON: You want to sum up,  
 00:48 23 Danny.  
 00:48 24 How about, Steve, do you have anything  
 00:48 25 more about --  
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00:48 1 MR. COLLAZUOL: The final comment, Mr.  
 00:48 2 Chairman, is that -- just give me a moment.  
 00:48 3 Again, should the board act favorably  
 00:49 4 on this, whether it's three units or four units, it'd  
 00:49 5 be subject to the applicant getting some type of  
 00:49 6 document from the Mayor and Council approving --  
 00:49 7 CHAIRMAN FERGUSON: Oh, yes.  
 00:49 8 MR. COLLAZUOL: -- the driveway.  
 00:49 9 CHAIRMAN FERGUSON: Oh, yes. We're  
 10 definitely doing that.  
 11 MS. TESTA: Right, it would be  
 12 contingent on that.  
 13 MR. COLLAZUOL: Right.  
 14 MS. TESTA: If they didn't get the  
 00:49 15 licensed agreement they'd have to come back --  
 00:49 16 MR. COLLAZUOL: They have to come back.  
 00:49 17 MS. TESTA: -- right, with new plans.  
 00:49 18 CHAIRMAN FERGUSON: Danny?  
 00:49 19 MR. LEE: Yes, sir.  
 00:49 20 So we'll revise our application, so  
 00:49 21 instead of a four-unit construction we'll revise it  
 00:49 22 to three-unit construction.  
 00:49 23 And on the -- on the West Homestead  
 00:49 24 side, on the Broad Avenue side, instead of 14 feet  
 00:49 25 showing, we'll make it 30 feet.  
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00:49 1 MR. CARNOVALE: Excuse me, sir, what  
 00:49 2 was it?  
 00:49 3 MR. COCOROS: It's 31 to the building  
 00:49 4 is not compliant -- what we could do, though, it's a  
 00:49 5 matter of the curb cuts. I told him, we have to  
 00:49 6 maintain 40 feet clear from the curb cut, so I mean,  
 00:49 7 it's up to the board member. It can be 30 feet; but,  
 00:49 8 however, we will stipulate that we will maintain, you  
 00:49 9 know, 40 feet minimum between the two flares of the  
 00:50 10 existing driveway.  
 00:50 11 MR. CARNOVALE: Well, I'm only one  
 00:50 12 board member, but that would be great if you could  
 00:50 13 keeps us -- the town two spots.  
 00:50 14 MR. COCOROS: Between where the --  
 00:50 15 MR. CARNOVALE: Right.  
 00:50 16 MR. COCOROS: -- where the actual flares  
 00:50 17 are.  
 00:50 18 MR. CARNOVALE: The flare.  
 00:50 19 MR. COCOROS: With a dropped curb it's  
 00:50 20 a little bit more.  
 00:50 21 CHAIRMAN FERGUSON: Right.  
 00:50 22 MR. CARNOVALE: Right. So as one  
 00:50 23 member, I would be happy with that, so...  
 00:50 24 CHAIRMAN FERGUSON: All right.  
 00:50 25 So you want to -- so I'll make a motion  
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00:50 **1** to reduce the application from four units to three  
 00:50 **2** units.  
 00:50 **3** You have to go and get a licensing -- a  
 00:50 **4** licensing agreement from the town.  
 00:50 **5** The air conditioning units, the  
 00:50 **6** compressors, are going to be on the side of the  
 00:50 **7** building, not in the back of the building.  
 00:50 **8** You're going to remove the 48-inch tree  
 00:50 **9** that's on the sight triangle, right?  
 00:50 **10** You're going to -- you're going to  
 00:51 **11** leave the walk -- the wall up in front, correct?  
 00:51 **12** MR. CARNOVALE: That needs to be  
 00:51 **13** rebuilt.  
 00:51 **14** CHAIRMAN FERGUSON: What? Replaced.  
 00:51 **15** No, you're going to replace it. I'm  
 00:51 **16** sorry.  
 00:51 **17** The sewerage, you're going to cut only  
 00:51 **18** one cut into the sewer line, right?  
 00:51 **19** MR. COCOROS: Yes. Connections.  
 00:51 **20** CHAIRMAN FERGUSON: The --  
 00:51 **21** MR. TUVEL: They'll manifold the front  
 00:51 **22** and then have one connection, right, Steve? Isn't  
 00:51 **23** that what you --  
 00:51 **24** MR. COLLAZUOL: We said one -- we said  
 00:51 **25** two could work, two, but that's when it was four

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00:51 **1** units, so three it would probably make sense to have  
 00:51 **2** one --  
 00:51 **3** CHAIRMAN FERGUSON: Yes.  
 00:51 **4** MR. COLLAZUOL: -- one main line  
 00:51 **5** bringing out to the lateral now.  
 00:51 **6** CHAIRMAN FERGUSON: Yes.  
 00:51 **7** I'm still reading. Oh, there was a  
 00:51 **8** comment from Terranova at the last meeting, he was  
 00:51 **9** concerned about the nine trees coming down, so I'll  
 00:51 **10** make in my motion that you plant five trees. You  
 00:51 **11** could put them on the sides, you know, you could sit  
 00:51 **12** them on the two side yards. If you get them in the  
 00:51 **13** front, you know, that'd be okay, you know, wherever  
 00:51 **14** you can get five trees.  
 00:51 **15** You're going to post an additional --  
 00:52 **16** in addition to the five trees, you're going to put  
 00:52 **17** \$2,000.00 in the escrow -- the tree preservation  
 00:52 **18** fund. And this -- you're going to send the plans in  
 00:52 **19** to -- I'll make my motion that you submit what we  
 00:52 **20** talked about --  
 00:52 **21** MR. CARNOVALE: Joe, excuse me.  
 00:52 **22** CHAIRMAN FERGUSON: Yeah.  
 00:52 **23** MR. CARNOVALE: Diane, technicality.  
 00:52 **24** Would we have to see the blueprints? I'm not trying  
 00:52 **25** to be disrespectful, but if they make the units

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00:52 **1** 50-feet wide, I don't know, I'm not a lawyer, do we  
 00:52 **2** have to see the blueprints?  
 00:52 **3** MS. TESTA: It's up to the board, but  
 00:52 **4** we can put in the resolution the width of the units.  
 00:52 **5** MR. CARNOVALE: Could be --  
 00:52 **6** MR. LEE: We'd never, ever do anything  
 00:52 **7** otherwise than what the board has allowed.  
 00:52 **8** MR. CARNOVALE: No. I understand, sir.  
 00:52 **9** I don't want to be disrespectful, but on a legal  
 00:52 **10** point of view, I'd be happy --  
 00:52 **11** CHAIRMAN FERGUSON: We are going to put  
 00:52 **12** it in the resolution.  
 00:52 **13** MR. TUVEL: Why don't you make it  
 00:52 **14** subject to your board engineer and board planner's --  
 00:52 **15** MS. TESTA: Right, which is --  
 00:52 **16** MR. TUVEL: -- review?  
 00:52 **17** MR. CARNOVALE: Right.  
 00:52 **18** CHAIRMAN FERGUSON: Right. That's what  
 00:52 **19** we're doing. Let's make it subject to those, right?  
 00:52 **20** MR. CARNOVALE: I'll second the motion,  
 00:52 **21** Joe.  
 00:53 **22** CHAIRMAN FERGUSON: All right.  
 00:53 **23** MS. TESTA: What would be the new width  
 00:53 **24** of the building?  
 00:53 **25** MR. COCOROS: Well, we're going to have

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**1** a 30 -- it's 30 foot 1 now.  
**2** (Brief pause.)  
 00:54 **3** MR. COCOROS: It's 93.5 at the rear.  
 00:54 **4** At the front it's going to be 95 feet 5  
 00:54 **5** inches because we have a little drop in the front  
 00:54 **6** corner to try and break up that front elevation along  
 00:54 **7** Grand Avenue.  
 00:55 **8** MR. CARNOVALE: What's our net gain?  
 00:55 **9** Is it 15 feet or --  
 00:55 **10** MR. COCOROS: Yes. 15 foot 10 inches  
 00:55 **11** of the backyard.  
 00:55 **12** So we're actually exceeding what a rear  
 00:55 **13** yard would be if this were 25 feet.  
 00:55 **14** MR. CARNOVALE: I think that's very  
 00:55 **15** good.  
 00:55 **16** CHAIRMAN FERGUSON: That's my motion.  
 00:55 **17** You've got to second.  
 00:55 **18** MR. CARNOVALE: I second. We need a  
 00:55 **19** roll call.  
 00:55 **20** CHAIRMAN FERGUSON: Comments on the  
 00:55 **21** motion?  
 00:55 **22** MS. LAMBRINIDES: I think Mirjana had  
 00:55 **23** her hand up before.  
 00:55 **24** CHAIRMAN FERGUSON: Oh, I'm sorry.  
 00:55 **25** MS. TARABOCCHIA: My question was that

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00:55 1 each house has the individual building, what are they  
 00:55 2 going to expand -- are they going to stay the same or  
 00:55 3 as they are?  
 00:55 4 MR. COCOROS: Each unit is going to get  
 00:55 5 bigger; however, it's less units than the footprint  
 00:55 6 that was proposed is smaller by 15 foot 10 inches.  
 00:55 7 MS. TARABOCCHIA: How much more are  
 00:55 8 they going to be?  
 00:55 9 MR. CARNOVALE: You said 3 foot 8.  
 00:55 10 MR. COCOROS: Yes, approximately --  
 00:55 11 MS. TARABOCCHIA: Each individual  
 00:55 12 dwelling?  
 00:55 13 MR. COCOROS: Well, let's see.  
 00:55 14 MR. KIM: The units will be bigger, but  
 00:55 15 no extra bedrooms, correct?  
 00:55 16 MR. CARNOVALE: No, no.  
 00:55 17 MR. COCOROS: No extra bedrooms.  
 00:55 18 MR. CARNOVALE: With 3 foot 8 you can't  
 00:56 19 get an extra bedroom.  
 00:56 20 MR. COCOROS: Each unit will be  
 00:56 21 approximately 31-foot wide.  
 00:56 22 CHAIRMAN FERGUSON: Okay. Any other  
 00:56 23 motions, any other comments?  
 00:56 24 (No response.)  
 00:56 25 CHAIRMAN FERGUSON: Roll call, vote.

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1 we typically do for a --  
 2 MR. CARNOVALE: I thought it was  
 3 10-by-12. I could be wrong. Steve?  
 4 MR. KIM: I thought it was 10-by-12.  
 5 MR. COLLAZUOL: 9-by-12.  
 6 MR. LEE: Well, you have a 31 --  
 7 MS. LAMBRINIDES: Well, what does  
 8 Lefteri say? What do you usually build?  
 9 MR. LEFTERIOU: 9-by-12.  
 10 MS. LAMBRINIDES: 9-by-12?  
 11 MR. LEFTERIOU: 9-by-12, 10-by-12.  
 12 CHAIRMAN FERGUSON: All right.  
 13 MS. LAMBRINIDES: We almost got away  
 14 with it.  
 00:56 15 CHAIRMAN FERGUSON: So that's the rear  
 00:56 16 yard where we're --  
 00:56 17 MR. CARNOVALE: Which is now 31 foot --  
 00:56 18 CHAIRMAN FERGUSON: Which is now --  
 00:57 19 MR. COCOROS: Which is -- which is  
 00:57 20 still -- the deck will still be further away than a  
 00:57 21 typical duplex would be.  
 00:57 22 CHAIRMAN FERGUSON: Yes. I'm okay with  
 00:57 23 -- so you'd have one deck.  
 00:57 24 MR. COCOROS: Yes.  
 00:57 25 CHAIRMAN FERGUSON: Okay.

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00:56 1 MR. COCOROS: One quickly.  
 00:56 2 CHAIRMAN FERGUSON: Oh, sure.  
 00:56 3 MR. COCOROS: Since it's a back yard  
 4 and it's a duplex, in a typical duplex you are  
 5 allowed a rear deck. Can I add a deck just to that  
 6 one back unit?  
 7 MR. CARNOVALE: How big of a deck would  
 8 you do, 10-by-12.  
 9 MR. COCOROS: Yeah, whatever a typical  
 00:56 10 duplex would be.  
 11 MR. CARNOVALE: I think it's 10-by-12,  
 12 no.  
 13 CHAIRMAN FERGUSON: So it would be the  
 14 rear --  
 15 MR. KIM: 10-by-12?  
 16 MR. COCOROS: You have a 5-foot  
 00:56 17 setback.  
 00:56 18 MR. CARNOVALE: Wait a minute.  
 19 MR. COCOROS: No, the back yard.  
 20 MR. KIM: The back yard.  
 21 MR. COCOROS: That's the rear yard.  
 22 MR. COLLAZUOL: The rear yard.  
 23 MR. CARNOVALE: It has to be 31 feet  
 24 long.  
 25 MR. COCOROS: And I think it's 9-by-12

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00:57 1 MR. CARNOVALE: And nothing on the  
 00:57 2 Grand Avenue side?  
 00:57 3 MR. COCOROS: Nothing on the Grand  
 00:57 4 Avenue side.  
 00:57 5 Nothing in the front.  
 00:57 6 MR. CARNOVALE: Which still -- I'm good  
 00:57 7 with that.  
 00:57 8 We need to do a roll call vote.  
 00:57 9 CHAIRMAN FERGUSON: Yes. I call for a  
 00:57 10 vote. We're gong to have a vote.  
 00:57 11 MR. KIM: I have to abstain again, as  
 00:57 12 well?  
 00:57 13 MS. TESTA: Did you read the  
 00:57 14 transcript?  
 00:57 15 MR. KIM: I did not.  
 00:57 16 MS. TESTA: Then you would abstain.  
 00:57 17 CHAIRMAN FERGUSON: Then you would  
 00:57 18 abstain.  
 00:57 19 Okay. Roll call vote?  
 00:57 20 MS. LAMBRINIDES: Mr. Ferguson?  
 00:57 21 CHAIRMAN FERGUSON: Yes.  
 00:57 22 MS. LAMBRINIDES: Mr. Kim?  
 00:57 23 MR. KIM: I'll abstain.  
 00:57 24 MS. LAMBRINIDES: Mr. Nam?  
 00:57 25 MR. NAM: Yes.

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00:57 1 MS. LAMBRINIDES: Ms. Yoon?  
 00:57 2 MS. YOON: Yes.  
 00:57 3 MS. LAMBRINIDES: Mr. Carnovale?  
 00:57 4 MR. CARNOVALE: Yes.  
 00:57 5 MS. LAMBRINIDES: Ms. Tarabocchia?  
 00:57 6 MS. TARABOCCHIA: Yes.  
 00:57 7 MS. LAMBRINIDES: Mr. Lefteriou?  
 00:57 8 MR. LEFTERIOU: Yes.  
 00:57 9 MS. TARABOCCHIA: And I read the  
 00:57 10 transcript.  
 00:57 11 MR. LEE: Thank you.  
 00:57 12 Thank you, Mr. Chairman and Members of  
 00:57 13 the Board, appreciate it.  
 00:57 14 CHAIRMAN FERGUSON: Thank you.  
 00:57 15 MR. CARNOVALE: Can we close?  
 00:57 16 CHAIRMAN FERGUSON: Yes. I make a  
 00:57 17 motion to close the meeting.  
 00:57 18 MR. CARNOVALE: Second.  
 00:57 19 MS. LAMBRINIDES: All ayes?  
 00:57 20 (Whereupon, all Board Members respond  
 00:57 21 in the affirmative.)  
 00:57 22 (Whereupon, this meeting is concluded.  
 00:57 23 Time noted 8:04 p.m.)  
 00:57 24  
 25

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1 C E R T I F I C A T E  
 2  
 3

4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary  
 5 Public of the State of New Jersey, Notary ID. #15855,  
 6 Certified Court Reporter of the State of New Jersey,  
 7 and a Registered Professional Reporter, hereby  
 8 certify that the foregoing is a verbatim record of  
 9 the testimony provided under oath before any court,  
 10 referee, board, commission or other body created by  
 11 statute of the State of New Jersey.

12 I am not related to the parties  
 13 involved in this action; I have no financial  
 14 interest, nor am I related to an agent of or employed  
 15 by anyone with a financial interest in the outcome of  
 16 this action.

17 This transcript complies with  
 18 regulation 13:43-5.9 of the New Jersey Administrative  
 19 Code.  
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**LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.**  
**201-641-1812**

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