

BOROUGH OF PALISADES PARK
 ZONING BOARD OF ADJUSTMENT
 MONDAY, March 17, 2025
 7:05 p.m.

----- TRANSCRIPT OF
) PROCEEDINGS

Case No. 24-18

ABC GROUP SERVICE, LLC
 535 4th Street
 Block 321, Lot 12

Case No. 25-01

Jeong Mi Lee
 545 5th Street
 Block 325, Lot 12

Case No. 24-20

62 West Palisades LLC
 62 West Palisades Boulevard
 Block 203, Lot 18

Case No. 25-03

779-783 Paramus Road, LLC
 500 Second Street
 Block 310, Lot 1

Case No. 25-02

Justin J. Rattino
 266 9th Street
 Block 413, Lot 5

 B E F O R E:

BOROUGH OF PALISADES PARK BOARD OF ADJUSTMENT
 THERE BEING PRESENT:

CHARLIE CHUNG, CHAIRMAN

SEONGHYE YOON, VICE CHAIRWOMAN

ELEFTERIOS ELEFTERIOU, MEMBER

DAVID TERRANOVA, MEMBER

JOHN GRALA, MEMBER (Absent.)

BRIAN KIM, MEMBER

STEVEN BROGNA, MEMBER

AARON CHIESA, MEMBER

SOPHIA KIM, ALTERNATE MEMBER 1

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

CHELSEI IGUINA, BOARD SECRETARY

STEVEN COLLAZUOL, P.E., BOARD ENGINEER

STEPHEN HOYT, P.E., BOARD ENGINEER

MICHAEL KAUKER, PP, AICP, BOARD PLANNER

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I N D E X (CON'T)

<u>W I T N E S S</u>	<u>SWORN</u>	<u>TESTIMONY</u>
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Case No. 25-02

Justin J. Rattino

266 9th Street

Block 413, Lot 5

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No. Description Ident/Evid

Case No. 24-18

ABG Group Service, LLC

535 4th Street

Block: 321; Lot: 12

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Case No. 25-01

Jeong Mi Lee

545 5th Street

Block: 325; Lot 12

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Case No. 25-03

779-783 Paramus Road LLC

500 Second Street

Block 310, Lot 1

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Case No. 25-03

779-783 Paramus Road LLC

500 Second Street

Block 310, Lot 1

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1 (Time noted 7:05 p.m.)

2 MS. TESTA: Okay. We'll call the
3 meeting to order. It's March 17th, 2025.

4 In accordance with the Open Public
5 Meeting notice, notice of this meeting has been
6 posted on the borough bulletin board.

7 Notice has also been published in two
8 official borough newspapers of the Borough of
9 Palisades Park.

10 This evening we have two new members
11 that will be joining us, so we'll invite them to come
12 up, Sophia Kim and Aaron Chiesa.

13 CHAIRMAN CHUNG: Yes, please come up.

14 MAYOR KIM: They've got to be sworn in.

15 MS. TESTA: Yes, we're going to do that
16 now.

17 Okay. If could you all, please, both
18 raise --

19 MAYOR KIM: Wait. Could you come
20 outside if you don't mind, like right over here, if
21 that's okay. I'm going to get some pictures.

22 Thank you.

23 It's a very honorable position. I'm
24 dying laughing.

25 MS. TESTA: Okay. If you could put

1 your hand on the Bible, please, raise your right hand
2 and repeat after me.

3 MS. KIM: I, Sophia Kim, do solemnly
4 swear or affirm that I will support the Constitution
5 of the United States and the Constitution of the
6 State of New Jersey. And that I will bear true faith
7 and allegiance to the same and to the governments
8 established in the United States and in this state
9 under the authority of the people, so help me, God.

10 I do further solemnly swear or affirm
11 that I will impartially and justly perform all the
12 duties of board member of the Zoning Board of
13 Adjustment of the Borough of Palisades Park according
14 to the best of my ability, so help me, God.

15 MR. CHIESA: I, Aaron Chiesa, do
16 solemnly swear or affirm that I will support the
17 Constitution of the United States and the
18 Constitution of the State of New Jersey. And that I
19 will bear true faith and allegiance to the same and
20 to the governments established in the United States
21 and in this state under the authority of the people
22 so help me, God.

23 I do further solemnly swear or affirm
24 that I will impartially and justly perform all the
25 duties of board member of the Zoning Board of

1 Adjustment of the Borough of Palisades Park according
2 to the best of my ability so help me, God.

3 MS. TESTA: Congratulations.

4 Chelsea, do you want to do the roll
5 call, please?

6 MS. IGUINA: Mr. Brogna?

7 MR. BROGNA: Here.

8 MS. IGUINA: Mr. Elefteriou?

9 MR. ELEFTERIOU: Here.

10 MS. IGUINA: Mr. Kim?

11 MR. KIM: Here.

12 MS. IGUINA: Mr. Terranova?

13 MR. TERRANOVA: Here.

14 MS. IGUINA: Mr. Chung?

15 CHAIRMAN CHUNG: Here.

16 MS. IGUINA: Mrs. Yoon?

17 VICE CHAIRWOMAN YOON: Here.

18 MS. TESTA: New members.

19 MS. IGUINA: Mr. Chiesa?

20 MR. CHIESA: Here.

21 MS. IGUINA: Ms. Kim?

22 MS. KIM: Here.

23 MS. TESTA: Okay. We have some bills
24 this evening.

25 Oh, yes, I'm sorry, Pledge of

1 Allegiance.

2 (Whereupon, all rise for a recitation
3 of the Pledge of Allegiance.)

4 MS. TESTA: There are some bills to be
5 paid, one is to Collazuol Engineering in the amount
6 of \$3,676.70. And the other Bill is for the court
7 reporter, \$903.50.

8 So we need a motion.

9 CHAIRMAN CHUNG: I'll make a motion.

10 MR. TERRANOVA: I'll second.

11 MS. TESTA: Roll call.

12 MS. IGUINA: Mr. Brogna?

13 MR. BROGNA: Yes.

14 MS. IGUINA: Mr. Elefteriou?

15 MR. ELEFTERIOU: Yes.

16 MS. IGUINA: Mr. Kim?

17 MR. KIM: Yes.

18 MS. IGUINA: Mr. Terranova?

19 MR. TERRANOVA: Yes.

20 MS. IGUINA: Mr. Chung?

21 CHAIRMAN CHUNG: Yes.

22 MS. IGUINA: Mrs. Yoon?

23 VICE CHAIRWOMAN YOON: Yes.

24 MS. IGUINA: Mr. Chiesa?

25 MR. CHIESA: Yes.

1 MS. IGUINA: Ms. Kim?

2 MS. KIM: Yes.

3 MS. TESTA: And then we also have a
4 resolution this evening.

5 At our reorg, we appointed -- we have a
6 new engineer, but we also have some cases that were
7 filed back in 2024 that the board has decided to have
8 Collazuol & Associates continue since they already
9 started with the review.

10 So I have a resolution on this evening
11 before the board authorizing Collazuol & Associates
12 to continue with the applications that had originally
13 been filed back in 2024.

14 So if I could have -- if the board is
15 in favor, a motion and a second.

16 MR. KIM: I'll make a motion.

17 MR. ELEFTERIOU: I second.

18 MS. TESTA: Roll call, please.

19 MS. IGUINA: Mr. Brogna?

20 MR. BROGNA: Yes.

21 MS. IGUINA: Mr. Elefteriou?

22 MR. ELEFTERIOU: Yes.

23 MS. IGUINA: Mr. Kim?

24 MR. KIM: Yes.

25 MS. IGUINA: Mr. Terranova?

1 MR. TERRANOVA: Yes.

2 MS. IGUINA: Mr. Chung?

3 CHAIRMAN CHUNG: Yes.

4 MS. IGUINA: Mrs. Yoon?

5 VICE CHAIRWOMAN YOON: Yes.

6 MR. IGUINA: Mr. Chiesa?

7 MR. CHIESA: Yes.

8 MS. IGUINA: Mrs. Kim?

9 MS. KIM: Yes.

10 MS. TESTA: Okay. And so first case
11 will be 24-18, ABG Group Service, LLC, 535 4th
12 Street.

13 MR. SOKOLICH: Good evening, Chairman,
14 Members of the Board, Engaged Professionals.

15 And to the new members, congratulations
16 on your appointment.

17 For the record, my name is Mark
18 Sokolich. I appear before you on behalf of ABG Group
19 Service, LLC. The property is 535 4th Street,
20 designated as Lot 12, block 321.

21 Just by way of very brief background,
22 the property lies within the AA zone. The request is
23 for a duplex residential dwelling, which is an
24 expressly permitted use in the AA zone. The lot is
25 50 by 100.

1 Any as far as presentation is
2 concerned, we intend to present the testimony of
3 Mr. Cocoros, who has been before the board multiple
4 times in the past.

5 And then after Billy, we intended on
6 concluding the planning testimony for Mr. Spatz.

7 It's not often, but I'm only here
8 asking for one variance, and that relates to height.

9 MAYOR KIM: Wow.

10 MR. SOKOLICH: There should be bonus
11 points for that.

12 Thank you, Mayor.

13 And it's -- you know, the reason for
14 the request is consistent with the reason that has
15 been presented to the board many times in the past.
16 We're trying to develop a site where drainage will
17 work best and we won't create some type of flooding
18 issue there.

19 So unless the Chair had any questions
20 of I -- and also, Diane, if I'm not mistaken, I
21 presented you --

22 MS. TESTA: Yes, at the last meeting.

23 MR. SOKOLICH: -- at the last meeting.

24 Thank you.

25 I'm always trying to get it to you so I

1 don't lose it, so that's why I gave it to you on the
2 last one.

3 MS. TESTA: Understood.

4 MR. SOKOLICH: So just for the record,
5 we submitted our affidavit of service with proof of
6 publication and the matter was carried to this
7 evening.

8 So, Chairman, as long as you're okay,
9 we'd ask permission to start with Mr. Cocoros getting
10 sworn in.

11 MS. TESTA: Do you swear the testimony
12 you will give in this application will be the truth,
13 the whole truth, and nothing but the truth?

14 MR. COCOROS: I do.

15 V A S S I L I O S C O C O R O S, AIA

16 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
17 having been duly sworn, testifies as follows:

18 MS. TESTA: Please state your name for
19 the record.

20 MR. COCOROS: Sure.

21 Vassilios, V-A-S-S-I-L-I-O-S, Cocoros,
22 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,
23 New Jersey 07632.

24 MR. SOKOLICH: Thank you.

25 And I believe --

1 MS. TESTA: Yes, he's been here
2 numerous times.

3 CHAIRMAN CHUNG: Yes.

4 MR. SOKOLICH: A couple thousand at
5 this point.

6 Nothing has happened to your license
7 since last you were here?

8 MR. COCOROS: No, I'm still good.

9 MR. SOKOLICH: Good news.

10 DIRECT EXAMINATION

11 BY MR. SOKOLICH:

12 Q. So, Bill, a couple preliminary
13 questions. You're the architect that was engaged by
14 the ABG Group?

15 A. Yes.

16 Q. And just could you, for the record,
17 just place on the record what the scope of your
18 engagement was?

19 A. Sure.

20 It was to design a two-family dwelling
21 on the existing property, which is 535 4th Street.
22 It's located on the west side of 4th Street, which is
23 a downhill side, 430 feet north of Edsall Boulevard.

24 So it's basically, I think, it's closer
25 to the dead end there.

1 Q. Okay. So the scope of your engagement
2 was to design architectural plans, floor plans,
3 elevations for this proposed dwelling?

4 A. Correct.

5 Q. And also in your capacity as an
6 architect, you've also prepared what I'll call a
7 modest drainage plan using a survey that you had?

8 A. Yes.

9 Q. So I'm going to ask you to just present
10 the application, but start with existing conditions,
11 Bill, and then if you would focus on what we've
12 marked as A-1 which you've entitled, "Elevation, Site
13 Plan and Zoning Info."

14 MR. SOKOLICH: Diane, with your
15 permission, A-1.

16 MS. TESTA: Yes.

17 MR. SOKOLICH: And it's Last Revised
18 September 26, 2024.

19 (Whereupon, Elevation, Site Plan and
20 Zoning Info Last Revised September 26, 2024 is
21 marked as Exhibit A-1 for identification.)

22 BY MR. SOKOLICH:

23 Q. Existing conditions, Bill.

24 A. It's a 50-by-100 lot, 5,000 square
25 feet.

1 It's located in the AA zone, which
2 allows for a two-family dwelling.

3 However, this property here since we're
4 on the downhill side, has quite a bit of a
5 topographical challenge.

6 Across the front going from -- let's
7 say, from south to north, which is from left to
8 right, you have an about a 3-foot difference in the
9 driveway in the actual street.

10 So that has a 3-foot difference.

11 Now, the more intense one is basically
12 from the front of the property to the back, we have
13 225 at the front on the front right-hand side and
14 then that goes down to 213.63.

15 So it's almost a 12-foot drop on the
16 property, which is pretty much typical for all these
17 lots on the upper hills in Palisades Park where
18 they're going downhill.

19 So the challenge here was to create a
20 building, try to minimize the height; however,
21 there's two things that are in our way is basically
22 the topography and the fact that we're trying to keep
23 the driveway slightly higher than the sidewalk and
24 roadway on 4th Street.

25 Q. Bill, question: If the property were

1 level without a topographic condition, would we be
2 here?

3 A. No.

4 Q. Okay.

5 A. Yeah, you know, usually if it's on the
6 other side, you know, we have the opposite where the
7 back is higher and that would be totally compliant.

8 Q. Understood. Okay.

9 A. And, you know, and also from the
10 street, if it was across the street, you'd have the
11 same look.

12 So we're trying to maintain a typical
13 three-level configuration on the street which matches
14 the newer, you know, let's say post 1980s development
15 on the street, itself.

16 However, since the property does drop
17 off, we are asking for the height variance which is
18 based on the topography or we tried to use some of
19 the existing retaining walls on our neighbors
20 property on the right-hand side to kind of, you know,
21 level off the property.

22 Q. Bill, how do we define height here in
23 Palisades Park?

24 A. Height is the average grade which is
25 taken from the four corners of the building to the

1 midpoint of the roof.

2 It's not peak, it's basically between,
3 let's say the eave or soffit and the actual peak of
4 the roof.

5 Q. And because the property slopes
6 dramatically down from front to back, the rear of
7 this house is going to be predominantly or materially
8 higher than what the front is going to be, correct?

9 A. Correct.

10 Q. But that's as a result of a topographic
11 condition beyond our control?

12 A. Yes.

13 Q. So if you would focus your attention in
14 the upper left-hand corner, which is the front
15 elevation, what are people going to see from the
16 street as far as the height is concerned to the
17 midline of that roof?

18 A. Yeah, it's basically --

19 Q. To the midline?

20 A. Midline, let's say from the left-hand
21 side we have about 32 feet to the -- I'm sorry --
22 29-feet-5-inches to the midpoint of the roof.

23 Q. And in the back I know that it's
24 materially higher because of the sloping of the
25 property; is that correct?

1 A. Correct.

2 Q. But the -- Bill, the point I'm trying
3 to make is that the front elevation is a lot
4 different than the rear elevation, correct?

5 A. Correct.

6 Q. And the materials that you're going to
7 have on the front elevation, you plan on using what?

8 A. Yeah, basically the main finishing
9 material is brick; however, we do have bay windows
10 that will be finished either in a stucco or a
11 panelized system that looks like stucco, but it's
12 easier to maintain.

13 Q. How did you do the utilities for a
14 project like this on a piece of property that slopes
15 so dramatically?

16 A. Well, we basically have the stormwater
17 system, there is none right now.

18 We have a stormwater system. We also
19 incorporated some details on previous projects that
20 the zoning board engineer recommended, mostly a
21 protective kind of wrap around the stone trench for
22 the seepage pits to minimize any leakage onto the
23 properties behind us.

24 And then the other items are basically
25 typical. We have two sewer lines winding together

1 into one with one connection in the street.
2 Electrical, depending on what's available, I don't
3 think -- I think you'll probably be in overhead
4 service like a typical duplex. I don't think there's
5 any utility poles close by to do underground.

6 Q. New sidewalks?

7 A. Yes, new sidewalks.

8 Q. And the materials you propose to use
9 for the driveway are?

10 A. We have a paver driveway. We also have
11 in the front of the driveway along our property line
12 in the front, we have two trench drains to minimize
13 any water basically coming from the garage door
14 towards the street.

15 Q. Now, on A-1 in the upper right-hand
16 corner, you're referring to what I call an
17 architectural site plan?

18 A. Correct.

19 Q. And you do a great job with it, but the
20 applicant does recognize that any action this board
21 were to take would be subject to the board engineer's
22 review of the utility plan that you prepared,
23 correct?

24 A. Yes.

25 Q. So, for example, if they ask for more

1 gallonage with the seepage pits, you'd agree?

2 A. Correct, yes.

3 Q. Or if they asked for an additional
4 seepage pit or addition drains with linear feet, in
5 fact the applicant would comply?

6 A. Yes.

7 Q. Okay. Because we recognize that that's
8 a condition.

9 You've already told us that there's
10 going to be new sidewalks, correct?

11 Speak to us about landscape. Is there
12 any landscape that's proposed here?

13 A. I mean, there's really landscaping
14 along the sidewalks, you know, so basically on the
15 left-hand side and right-hand side, we could probably
16 do azaleas, maybe some boxwoods to kind of like align
17 the driveway and walkway.

18 And then the middle portion, we have a
19 small little planter area that could also have
20 boxwood and azaleas. That planter area is basically
21 8-feet-4-inches off the front of the house, and
22 that's to create a transition between the one
23 driveway from the other, because we're trying to
24 avoid too steep of a driveway.

25 So the driveway on the left-hand side

1 is about a foot, I think, lower than the driveway on
2 the right-hand side because of the topo of the
3 street.

4 Q. Understood.
5 Parking on-site?

6 A. Parking on-site we have a driveway
7 that's basically 7-feet-4-inches, a 4-foot-4 walkway,
8 which is basically when we do a compliant duplex,
9 it's the same configuration.

10 Q. Okay. And by the way, I didn't ask you
11 before, any environmental conditions we need to worry
12 about on this property and any wetlands, any
13 abandoned oil tanks that you're aware of, things of
14 that nature?

15 A. Not that I know of.

16 I mean, you know, basically it's an
17 existing, improved lot. There's no, you know,
18 there's nothing as far as, like, ponds or anything in
19 the backyard or behind the --

20 Q. Okay. All right. I'm going to -- may
21 I turn you to the next page?

22 A. Sure.

23 MR. SOKOLICH: So I'm going to turn you
24 to what I premarked as A-2, you also label it as A-2.

25 These are the floor plans. It was last

1 revised, Diane, September 26, 2024, and we marked it
2 as A-2, if that's okay?

3 MS. TESTA: That's fine.

4 (Whereupon, Floor Plans Last Revised
5 September 26th, 2024 is marked as Exhibit A-2
6 for identification.)

7 BY MR. SOKOLICH:

8 Q. So, Billy, I marked this as A-2, for
9 today -- happy St. Patrick's Day, by the way -- the
10 floor plans, but you can could go through it very
11 briefly, if you would.

12 A. Sure.

13 We basically have a garage in the
14 front, a utility room off the garage, and a door into
15 the basement space.

16 Since the property does drop off in the
17 back, we have about a 4-foot difference from the
18 landing at the bottom of the stairs that go up to the
19 first floor, which is the main living space. There's
20 about a 4-foot difference in the back.

21 We have a home office, recreation room,
22 egress doors, a bathroom, a closet, and a small
23 little wet bar, which is what we typically do on the
24 compliant duplexes.

25 In the middle, we have the first-floor

1 plan, which is the main living space. We also have
2 access from the sidewalk via staircases from the
3 front door which opens up to the living room.

4 Behind that we have a dining room,
5 galley style kitchen with an island in the back,
6 we're calling it a family room, but it could also be
7 an eating area.

8 Q. Would you call it -- for this size of a
9 lot, would you call it pretty much a standard duplex
10 configuration?

11 A. Yes, correct.

12 Q. I believe there's at deck that's off
13 the family room to the rear, correct?

14 A. Yes, that's 9-feet-by-12-foot-8 for
15 each side.

16 Q. And is there any way of accessing that
17 deck other than from the interior?

18 A. No.

19 Q. Okay. And then once we go to the next
20 floor, I believe that's where you situated the
21 bedrooms?

22 A. Yes, our bedroom level we have
23 basically since we have the view out the back, we
24 have the master or primary suite with two walk-in
25 closets en suite master bath with a double sink,

1 soaking tub, a nice size shower and a toilet alcove.

2 And then two secondary bedrooms which
3 kind of basically from the middle to the front. Each
4 have their own closet.

5 There's a laundry room side by side in
6 the hallway which is behind the staircases.

7 And then we have the bathroom which is
8 shared by the two secondary bedrooms, pull down attic
9 stair, two closets.

10 We have also one would be a linen
11 closet and the other one would just be a general
12 purpose closet.

13 Q. Are there any decks off of the top
14 floor, Bill?

15 A. No.

16 Q. Is there a rooftop on top of this place
17 afterwards?

18 A. No.

19 Q. No. Anything else you'd like to offer
20 with regard to the floor plan?

21 A. No, I said, you know, this is based on
22 a typical one that, you know, that we submitted
23 before, you know, recently that has been approved.

24 Q. Understood.

25 I'm going to turn you now to what

1 you've labeled as -- this is the next one. That's
2 it, yeah?

3 So back to, if I could, Billy, to your
4 elevations on A-1, I believe you described to the
5 board what you plan on doing with the exterior
6 façade?

7 A. As you sit here, basically it's a brick
8 on the main façade; however, we do have the bump out
9 that's in the middle.

10 We have a window at each corner in the
11 front and then the overhang bay in the front will
12 either be a stucco, like a panelized system, like a
13 Hardie board, or, you know, I don't know if he's
14 going to do it, but there's also metal panels which
15 could also work.

16 I think the stucco and the Hardie board
17 are a warmer look at it looks a little more
18 residential than commercial.

19 Q. Billy, last question for you, and I
20 know that we have a planner on deck who will talk
21 about comparable heights in the area, that type of
22 thing, but it's an important question.

23 A. Sure.

24 Q. There are multiple criteria under the
25 AA zone, bulk criteria that are required to be met by

1 an applicant that builds a home here in Palisades
2 Park and there's only one variance that's being
3 sought.

4 I want to be clear. Now, stories, I
5 believe, are subsumed within linear feet, but other
6 than the height variance, are there any other
7 variances that are being sought?

8 A. No, this is basically set up as a
9 typical, compliant side-by-side duplex.

10 Q. So, for example, the side yard setbacks
11 are compliant at six?

12 A. Correct we have the rear --

13 Q. Just the rear yards are compliant,
14 correct?

15 A. Yes.

16 Q. And the front yards are compliant?

17 A. Yes, they are.

18 Q. How about coverage?

19 A. Coverage we have basically 1,999 square
20 feet, which is 40 percent.

21 Q. Yes?

22 A. Yes.

23 Q. Okay. So other than height, is there
24 anything else you want to add, Bill?

25 A. No, like I said, we try to keep it --

1 you know, we try to minimize the height, especially
2 from the front, by sticking it down to a point where
3 it's maybe 4 inches above the sidewalk, you know,
4 because going down there, all the water kind of comes
5 down from Bergen Boulevard and kind of coming down
6 the hill.

7 Q. Understood.

8 A. So try to, you know, minimize any
9 damages in the -- to the property for any big rain
10 event. We have the driveway a little bit higher than
11 the street.

12 Q. Thank you.

13 MR. SOKOLICH: Chairman, I offer
14 Mr. Cocoros.

15 CHAIRMAN CHUNG: Do board members have
16 anything?

17 MR. TERRANOVA: Yeah.

18 The basement has a tub in the bathroom?

19 THE WITNESS: Yeah, I used -- as I
20 said, I based it on the existing plan that was
21 previously approved, you know, it was approved by the
22 building department as of right, you know, I'd say
23 it's up to the board if, you know, they want us -- if
24 they don't want it, you know, we're willing to --

25 MR. TERRANOVA: Well, I mean, you know

1 in the past we've automatically shunned that, so take
2 that out.

3 CHAIRMAN CHUNG: Take it out.

4 MR. SOKOLICH: Yes.

5 CHAIRMAN CHUNG: Anybody --

6 MS. TESTA: First our experts.

7 CHAIRMAN CHUNG: First our experts.

8 MS. TESTA: Yup.

9 THE WITNESS: Yeah, we'll take the tub
10 out and just make it a powder room.

11 CHAIRMAN CHUNG: Thank you.

12 MR. COLLAZUOL: Good evening.

13 MS. TESTA: I'm sorry.

14 Steve, before -- I should swear the
15 experts in for the 2025. We didn't do that at the
16 last meeting.

17 MR. KAUKER: All at once?

18 MS. TESTA: Yeah, yup.

19 Steve, you might as well also.

20 Please raise your right hand.

21 Do you swear that the comments that you
22 will make before this board by representing the board
23 of adjustment Borough of Palisades Park, will be the
24 truth, the whole truth, and nothing but the truth for
25 the year 2025?

1 MR. COLLAZUOL: I do.

2 S T E V E V C O L L A Z U O L, P.E.

3 1610 Center Avenue, Suite 2, Fort Lee, New
4 Jersey, having been duly sworn, testifies as
5 follows:

6 MR. HOYT: I do.

7 S T E P H E N H O Y T, P.E.

8 1085 Raymond Boulevard, Suite 2102, Newark, New
9 Jersey, having been duly sworn, testifies as
10 follows:

11 MR. KAUKER: I do.

12 M I C H A E L D. K A U K E R, PP, AICP

13 356 Franklin Avenue, #3, Wyckoff, New Jersey,
14 having been duly sworn, testifies as follows:

15 MS. TESTA: Thank you.

16 MR. COLLAZUOL: Bill, on the wall in
17 the rear in the back left corner, it appears that the
18 wall is going to be 4 feet in height.

19 THE WITNESS: I think it's an existing
20 wall back there.

21 We basically, on the left-hand side, we
22 have 213.5 and then down below we have 2 or 9.5.

23 So it's a 4-foot wall, but it's
24 existing. We're not touching that wall.

25 MR. COLLAZUOL: Now, on the right-hand

1 side, could you give the board an idea of the height
2 of the wall at the back right corner so that there's
3 no issues with any walls in the rear being greater
4 than 4 feet in height.

5 THE WITNESS: I don't have any issues,
6 if anything, since the property goes uphill towards
7 the north, it might be a little bit less, you know.
8 I'm thinking it's either equal or a little bit less.
9 You know, I'm thinking it's either equal or a little
10 bit less.

11 If the people back there level the
12 backyard, it should be the same, the same height,
13 4 feet, basically from the finished grade at the
14 lower portion and then to the top of the wall,
15 itself. So it's either the same or slightly less.

16 MR. COLLAZUOL: Thank you.

17 I have nothing further.

18 MR. KAUKER: I have nothing of the
19 architect.

20 CHAIRMAN CHUNG: All right.

21 Anybody in the public.

22 MS. TESTA: Does anybody have any
23 questions with regards to this expert?

24 (No Response.)

25 MS. TESTA: Okay. Mayor, want to call

1 your next --

2 MR. SOKOLICH: We call David Spatz with
3 your permission.

4 Thank you, Bill.

5 MS. TESTA: Okay. Please raise your
6 right hand.

7 Do you swear the testimony you will
8 give in this application will be the truth, the whole
9 truth, and nothing but the truth?

10 MR. SPATZ: Yes, I do.

11 D A V I D S P A T Z, P.P.,

12 60 Friend Terrace, Harrington Park, New Jersey,
13 having been duly sworn, testifies as follows:

14 MS. TESTA: Please state your name for
15 the record.

16 MR. SPATZ: Yes, David Spatz,
17 S-P-A-T-Z.

18 My business address is 60 Friend
19 Terrace, Harrington Park, New Jersey.

20 MS. TESTA: Thank you.

21 And, Chairman, you know, Mr. Spatz has
22 testified numerous times before this board, so we'll
23 continue to accept him as an expert in planning.

24 CHAIRMAN CHUNG: Yes, yes.

25 MR. SOKOLICH: Diane, with your

1 permission, I'm going to mark a series of four
2 photographs that I just distributed as A-3; is that
3 okay?

4 MS. TESTA: Yes.

5 MR. SOKOLICH: I'll initial it and date
6 it today, the 17th.

7 (Whereupon, Four Photographs are marked
8 as Exhibit A-3 for identification.)

9 DIRECT EXAMINATION

10 BY MR. SOKOLICH:

11 Q. David, your credentials have been
12 accepted as an expert in the field of planning.

13 I just distributed a one-page set of
14 color photographs, four, that we've identified as
15 A-3. You took the photos?

16 A. I did, yes.

17 Q. Would you just identify them going
18 clockwise for the benefit of the record?

19 A. Certainly.

20 The top left-hand photograph is of the
21 subject property, it's a single-family home.

22 The top right is looking to the right
23 or to the north of our property and there are a
24 couple of older two-family homes there similar in
25 height to what we're proposing.

1 The bottom left is looking to the left
2 of our property or to the south and there's an older,
3 two-family home. And then as you can see, there are
4 several newer two-family homes, again, in a similar
5 style to what we're proposing.

6 And then the bottom right is directly
7 across the street from us, which is a newer
8 two-family home as well, three stories with a peaked
9 roof on it.

10 Q. Thank you.

11 Now, David, the scope of your
12 engagement by ABG Group, LLC, was what?

13 A. Certainly.

14 To review the plans; visit the
15 property; to prepare the photo exhibit; and to review
16 the neighborhood; review the zoning ordinance and
17 master plan. And then prepare testimony for
18 tonight's meeting.

19 Q. And, in fact, you've done that
20 assessment?

21 A. I have, yes.

22 Q. So whatever you deem best, David, we
23 would ask you to please articulate what your
24 assessment and what your findings are to the board?

25 A. Certainly.

1 We are in the AA zone which permits the
2 two-family dwelling that we're proposing.

3 The lot conforms or the lot area with
4 the depth requirements of the zone.

5 There is one variance as it relates to
6 height, the D variance, as measured in feet.

7 Technically the stories there's a
8 C variance, but I will treat the testimony all the
9 same.

10 So it's one D variance and a C variance
11 for height, no other variances are required for what
12 we're proposing.

13 So looking particularly at that height
14 variance, I think the side is particularly well
15 suited for what we're proposing.

16 The zone, as I indicated, permits
17 two-family dwellings.

18 The street is developed with both older
19 and newer two-family homes primarily, so we certainly
20 are consistent with the neighborhood.

21 To look at the special reasons to
22 support the D variance, we looked at the Municipal
23 Land Use Law and the purposes of zoning.

24 And I believe we meet a number of those
25 purposes by what we're proposing.

1 Purpose A, which is promoting public
2 health, safety, morals and general welfare. We're
3 providing a residential use in a residential zone
4 that meets the density standards for the zone.

5 Purpose E, which is establishing an
6 appropriate population densities, again, two families
7 are permitted within the zone and that's what we are
8 proposing.

9 And then lastly, Purpose I, which is
10 promoting a desirable visual environment. We're
11 replacing an older home with a newer dwelling which
12 is consistent, more consistent with the surrounding
13 neighborhood and the newer uses that are taking
14 place.

15 Mr. Cocoros described the topographical
16 conditions on the property and the building has been
17 designed to fit in with that, fit in with the
18 neighborhood, as well as providing conforming
19 setbacks, which I think is certainly important.

20 Looking particularly at the height
21 variance, what we need to look at is whether the
22 extra height is consistent with the neighborhood and
23 I think the photographs demonstrate that it is. Both
24 the dwellings directly next to us towards the north
25 which are older dwellings.

1 The dwellings to the south of us, newer
2 two families.

3 And then certainly, the two-family home
4 across from us.

5 So I think that we certainly meet that
6 standard.

7 So because there are no other variances
8 being sought, we'll go straight to the negative
9 criteria. And what we need to look at is whether
10 anything is substantially negative, and I don't
11 believe that it is. We are in character with the
12 surrounding properties and a permitted use as well.

13 The building conforms to the setbacks
14 or the coverage limitations for the zone.

15 So there's no impact on light, air or
16 open space for the adjacent properties. The
17 properties to the north are at a higher elevation
18 than us and the properties to the west or behind us
19 are significantly lower than us, and are slightly
20 excessive building height, would not have an impact
21 on them at all.

22 And again, we are consistent with the
23 neighborhood.

24 In terms of improvements to the
25 property, as Mr. Cocoros described, we are providing

1 drainage improvements on the property. The building
2 has been designed so that the drainage off the
3 driveway will be captured on the property.

4 There are no drainage facilities on the
5 site, so that is an improvement that's taking place
6 that benefits both the property as well as the
7 surrounding properties.

8 And then, lastly, we are providing a
9 conforming amount of parking on the property which
10 would reduce impacts on the adjacent properties.

11 So on balance, I believe that the
12 positive criteria is met for our variance and they
13 exceed what might be considered negative.

14 Q. David, just a couple quick follow ups.

15 So do you have an opinion as to whether
16 or not were the board to act favorably on this
17 application and grant this height variance, whether
18 it would materially impact in a negative way either
19 adjacent properties or the zone plan and the housing
20 plan in that particular area?

21 A. No, I don't believe so.

22 In terms of the height, it is
23 consistent with the height of both the older and the
24 newer dwellings and there is a significant
25 topographical change on the site and the building is

1 designed to fit in with that.

2 From the street, it will be similar in
3 height to the existing properties. And in the back,
4 it will be a little bit higher, but that's because of
5 the slope of the property.

6 Q. In the world of zoning, there's a term
7 "particularly suitable," particular suitability, if
8 you will.

9 In other words, the property and its
10 existing conditions and what challenges the property
11 has fits the variance that's being sought or the
12 other way around?

13 A. Yes, site suitability is one of the
14 prime tests to support a use variance.

15 And I think that the site is
16 particularly well suited, again, in terms of its --
17 the permitted use and the fact that the neighborhood
18 itself consists primarily of two-family homes.

19 Q. Understood.

20 And I think the topographic condition
21 too, would that be taken into consideration also or
22 no?

23 A. Yeah, certainly in the design of the
24 property and the support for the height variance, you
25 know, the -- as Mr. Cocoros indicated, the building

1 has been designed to have a pitch so that the
2 driveway, the water does not run into the building,
3 it's being captured on the site.

4 We could possibly drop it down further,
5 but that would create drainage problems that we're
6 not creating.

7 Q. And seeking to avoid?

8 A. Correct.

9 Q. Thank you, David.

10 MR. SOKOLICH: Mr. Chairman, I have
11 nothing further of Mr. Spatz.

12 CHAIRMAN CHUNG: All right.

13 Board Members, do you have any?

14 (No Response.)

15 CHAIRMAN CHUNG: Experts? Mike?
16 Steve?

17 MR. KAUKER: Yeah, I just have one
18 question.

19 THE WITNESS: Yes, sir.

20 MR. KAUKER: And I'm at somewhat of a
21 disadvantage because I didn't get to look at your
22 great photo exhibit, but --

23 MR. SOKOLICH: Oh, I'm so sorry.

24 MR. KAUKER: That's okay.

25 You always forget.

1 MR. SOKOLICH: I apologize.

2 He barely gives me enough with all due

3 --

4 THE WITNESS: Planners are always
5 forgotten, I understand that.

6 MR. KAUKER: So in any event, and you
7 gave some testimony with respect to the uses in the
8 neighborhood and the consistency of the core
9 development, but I'm more interested specifically on
10 the same side, 4th Street.

11 THE WITNESS: Yes.

12 MR. KAUKER: Is the home -- and I'm
13 assuming the topography on your site is similar to
14 the other lots on that side of 4th Street, correct?

15 THE WITNESS: It's similar in terms of
16 the dropping down in the rear, but 4th Street also
17 slopes upwards towards the north.

18 So the properties to the north of us
19 are actually at the higher elevation than us.

20 MR. KAUKER: So just generally
21 speaking, limiting it to 4th Street and that side of
22 4th Street, is the height of the structure that's
23 proposed consistent with the height of the existing
24 structures on that side of 4th Street?

25 THE WITNESS: Yes, absolutely.

1 The photographs that the board has, and
2 I hope you've gotten a chance to look at the property
3 to the north of us are three stories with higher
4 peaked elements of their roof and they're at a higher
5 elevation.

6 So our building will not be any higher
7 than those.

8 And then the bottom left-hand
9 photograph shows the properties to the south of us on
10 our side of the street. And they are all
11 three-story, two-family dwellings as well.

12 So we are absolutely consistent with
13 the neighborhood.

14 MR. KAUKER: Okay.

15 So as a result of the existing height
16 of those homes and the changing topography or the
17 unique topography on that site that meets that
18 criteria --

19 THE WITNESS: That's right. They're
20 all affected by it in a certain instance and that's
21 why they are the height that they are.

22 MR. KAUKER: All right.

23 Thank you very much, I appreciate it.

24 THE WITNESS: Yes, sir.

25 MR. KAUKER: I have nothing else.

1 CHAIRMAN CHUNG: Thank you, Mike.

2 MS. TESTA: Open to the public.

3 CHAIRMAN CHUNG: Yes, open to the
4 public.

5 Is anybody out there in the public?

6 (No Response.)

7 CHAIRMAN CHUNG: No? Okay.

8 MS. TESTA: Counsel, do you have any --

9 MR. SOKOLICH: I have no further
10 witnesses.

11 That would conclude our direct
12 application and I have nothing further to present to
13 the board.

14 I did have a brief closing statement if
15 the board is so inclined?

16 CHAIRMAN CHUNG: Thank you.

17 MS. TESTA: If you'd like.

18 MR. SOKOLICH: Just that we do believe
19 and we believe that the experts that were put before
20 you demonstrate really the single most important
21 characteristic of this application that there's a
22 consistency with what we're presenting vis-a-vis what
23 now exists.

24 The zone plan after 1980 has had
25 heights that are consistent and that holds true in

1 the pictures that we distributed.

2 We do believe that we would maintain
3 the neighborhood character which is contained in some
4 of the case law that relates to justifying height
5 variances, but we have a reason.

6 That topographic condition really poses
7 a very, very, perplexing challenge. And in an effort
8 to make sure that this house doesn't flood and we
9 have the correct pitch on that driveway and we don't
10 visit upon two families water problems, which as you
11 know, probably the worst problem a homeowner can
12 have.

13 We would respectfully request that the
14 board act favorably on the application.

15 And thank you for your consideration.

16 CHAIRMAN CHUNG: Thank you.

17 I move that we accept the application.

18 MS. TESTA: You're going to make a
19 motion.

20 CHAIRMAN CHUNG: Yes, I'll make a
21 motion.

22 MS. TESTA: Motion to approve the
23 application with the -- amended application and that
24 they remove the bathtub and the shower in the
25 basement, making it into a powder room.

1 CHAIRMAN CHUNG: Thank you.

2 MS. TESTA: And you need a second.

3 MR. TERRANOVA: I'll second.

4 MS. IGUINA: Mr. Brogna?

5 MR. BROGNA: Yes.

6 MS. IGUINA: Mr. Elefteriou?

7 MR. ELEFTERIOU: Yes.

8 MS. IGUINA: Mr. Kim?

9 MR. KIM: Yes.

10 MS. IGUINA: Mr. Terranova?

11 MR. TERRANOVA: Yes.

12 MS. IGUINA: Mr. Chung?

13 CHAIRMAN CHUNG: Yes.

14 MS. IGUINA: Mrs. Yoon?

15 VICE CHAIRWOMAN YOON: Yes.

16 MS. IGUINA: Mr. Chiesa?

17 MR. CHIESA: Yes.

18 MS. TESTA: And Ms. Kim would not vote

19 since we have seven members.

20 MS. IGUINA: Okay.

21 MR. SOKOLICH: Chairman, Members of the

22 Board, thank you.

23 Thank you for your consideration.

24 MS. TESTA: So next case will be 25-01,

25 Jeong Mi Lee, 545 5th Street.

1 MR. SOKOLICH: Chairman, just give us a
2 second to get our stuff together.

3 Chairman, are you ready for us?

4 CHAIRMAN CHUNG: Yes.

5 MS. TESTA: Yes.

6 MR. SOKOLICH: Thank you.

7 The next application -- again, Mark
8 Sokolich on behalf of the applicant Jeong Mi Lee.

9 This relates to property known as
10 545 5th Street here in Palisades Park in the AA zone,
11 Lot 12 and block is 320 -- Block 325.

12 The client, the applicant, Jeong Mi
13 Lee.

14 Again, by way of housekeeping, we had
15 presented, I believe, Diane the original affidavit.

16 MS. TESTA: Yes.

17 MR. SOKOLICH: So we've already
18 presented proof of service and publication to the
19 board vesting jurisdiction with the zoning board.

20 Same battery of witnesses for this
21 application as was the last: Vassilios Cocoros who
22 is the engaged architect engaged by the applicant to
23 design a three-family structure at the property we
24 just identified; and then, of course, concluding with
25 planning testimony from Mr. Spatz.

1 And unless there's anything that the
2 board requires further of me, we would like to
3 present the testimony of Mr. Cocoros if that's
4 acceptable.

5 MS. TESTA: Okay.

6 Do you swear the testimony you will
7 give in this application will be the truth, the whole
8 truth, and nothing but the truth?

9 MR. COCOROS: I do.

10 V A S S I L I O S C O C O R O S, AIA

11 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
12 having been duly sworn, testifies as follows:

13 MS. TESTA: Please state your name for
14 the record.

15 MR. COCOROS: Sure.

16 . Vassilios, V-A-S-S-I-L-I-O-S,
17 Cocoros, C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood
18 Cliffs, New Jersey 07632.

19 MS. TESTA: Okay. Once again, Bill has
20 testified numerous times and the board accepts you as
21 an expert.

22 MR. COCOROS: Thank you.

23 MR. SOKOLICH: Pardon me, Bill, your
24 credentials have been accepted as an architect,
25 correct, licensed in the state of --

1 MS. TESTA: Counsel, before Ms. Yoon is
2 going to recuse herself. She has a conflict. So let
3 the record reflect.

4 (Whereupon, Vice Chairwoman Yoon
5 recuses herself and steps off the dais.)

6 MS. TESTA: So, Ms. Kim, on this
7 application, you will be voting.

8 Okay. Thank you.

9 MR. SOKOLICH: You're welcome.

10 DIRECT EXAMINATION

11 BY MR. SOKOLICH:

12 Q. Bill, you were the architect engaged by
13 the applicant Jeong Mi Lee, correct?

14 A. Yes.

15 Q. Okay. And as we do with every
16 application, if you could just state what the scope
17 of your engagement was?

18 A. Sure.

19 It was to design an existing -- design
20 a new three-family dwelling on the property which is
21 located on the west side of 5th Street at the dead
22 end which backs up into Oakdene Avenue which is the
23 access road for the supermarket behind us.

24 Q. Got it.

25 And, in fact, you prepared the

1 architectural drawings for Mr. Lee?

2 A. Yes.

3 Q. Ms. Lee, excuse me. And those
4 architectural drawings are now depicted on plans that
5 I've premarked as A-1, A-2, and I believe this
6 there's a set of three pages on this one, correct?

7 A. I think it's five, actually. We have
8 a --

9 Q. But the three we're going to talk
10 about?

11 A. Correct.

12 Q. So the first one we're going to talk
13 about is A-1 which is entitled, "Elevations."

14 And this is what -- we're we have the
15 zoning information, we have the existing use, we're
16 surveying, if you would?

17 Where we'd like to start, Bill, is if
18 you could describe the property by size and also the
19 existing conditions that are on the site now.

20 A. Sure.

21 The property is oversized. It's
22 basically 74-feet-11-inches in the front. And in the
23 back it widens out to about 76-feet-1-inch, 100-feet
24 deep. Total lot area is 7,549.5 square feet.

25 A typical lot in the AA zone for a two

1 family is a 50-by-100 or 5,000 square feet, so we're
2 basically one-and-a-half times our typical 50-by-100
3 lot.

4 The property itself, as the previous
5 one, has some topographical differences. It's
6 basically in a similar location, however, it's one
7 block, I guess it would be one block above 4th
8 Street.

9 The property goes up the front about
10 2-and-a-half feet. And then the back we have a
11 drop-off of approximately we have 246 in the front
12 and then in the back behind us, it goes down to about
13 239. So there's about a 7-foot drop on the -- I'm
14 sorry, the lots. Yeah, 7-foot drop from front to
15 back.

16 Q. Was you characterize that as a pretty
17 substantial topographical condition, Bill?

18 A. Yes.

19 And, you know, it's not as bad as the
20 other one, but it's still, you know, challenging as
21 far as --

22 Q. But 7, 8 feet is something that you
23 have to design around, correct?

24 A. Correct.

25 Q. Okay. And it's going to impact some of

1 the bulk dimensions of any house that you --

2 A. Yes.

3 Q. So staying in the upper right-hand
4 corner, what we call that architectural site plan,
5 could you describe what improvements are on the site
6 now?

7 A. Actually, it's on the other sheet, the
8 S-1 I think.

9 Q. It's an old residence, correct?

10 A. Yeah, it's an old, yeah.

11 Q. And all the improvements are slated to
12 be taken down?

13 A. Correct.

14 Q. Okay. And you're not aware of any
15 exceptional or adverse environmental conditions that
16 we need to report to the board?

17 A. Not that I know of.

18 Q. Okay.

19 Again, focusing on the survey, if you
20 could just describe the size of the residence and
21 where you propose to place the residence that's
22 before the board for approval?

23 A. Sure.

24 It's a three-family dwelling; however,
25 it's not your typical, let's say, townhouse.

1 We set it up where we have the
2 right-hand side as a duplex configuration.

3 And then on the left hand side, it's
4 set up as a six-over-six configuration. So it's
5 basically one, two -- three dwellings.

6 The building is proposed to be
7 61-feet-4-inches wide with a 7-foot side yard on each
8 side. A little bit more on the irregular side where
9 we have 7-feet-5-and-three-eighths of an inch at the
10 rear right corner.

11 At the front, it's a little bit more.
12 It's about 8-feet-and-a-half-inch.

13 And then on the left-hand side, we
14 basically have a consist 7 feet to the building line
15 itself.

16 Now, this is basically an, I guess it
17 wouldn't be considered a duplex, so the side yard
18 setbacks are basically setup where we have 5 feet
19 minimum. We have 7-feet-4-inches on each side or,
20 you know, a little slightly half inch higher.

21 And then the combined side yard
22 requirement for a non-duplex is 14 feet. So we do
23 meet the side yards as far as the volume of the
24 building.

25 In addition, we do have the staircase

1 for the duplex unit, which is Unit C, which is on the
2 right-hand side. We have a staircase that's in the
3 side yard; however, we do meet the -- we actually
4 exceed the 3-foot setback requirement for a staircase
5 in the side yard.

6 In addition, we're really affecting
7 anybody because that's the driveway for the
8 supermarket behind us that's in Fort Lee.

9 It's basically a boundary line on the
10 property between two boroughs.

11 And then what we did is we're trying to
12 maintain as many of the trees along the portion of
13 Oakdene Avenue just for privacy purposes and maintain
14 a similar landscaping.

15 However, we'll probably have to remove
16 two of them in the front to provide access to the
17 driveway.

18 In addition, try to level off the
19 property a little bit, we've actually built a
20 retaining wall in the back and that retaining wall
21 will try to minimize the height where we're basically
22 at about 2-feet-8-inches.

23 So it's basically a landscaped wall,
24 it's not a structured wall. However, if the board
25 engineer wants any additional details, we can provide

1 that as part of the site plan.

2 Q. So, Bill, you've also -- and there's
3 no, not that you are aware of, is there any existing
4 stormwater management plan on-site now?

5 A. No.

6 Q. But you, in fact, have designed one
7 that you're going to submit to the board engineer for
8 review and approval, correct?

9 A. Correct, we have CULTEC chambers in the
10 back that will be -- the bottom one will be lower
11 than the property behind us to avoid any spillage in
12 the wall or onto the adjoining property.

13 Q. Understood.

14 And same thing, if there's any
15 comments, any requested revisions, if they want more
16 of a robust system or less of a system, in fact, this
17 applicant will comply with any requirements imposed
18 by the board engineer, correct?

19 A. Correct, yes.

20 Q. Okay. As far as parking, Bill, I know
21 -- so I guess you could describe this as half a
22 duplex connected to a six-over-six?

23 A. Yes.

24 Q. And that's how you comply or that's how
25 these units are comprised of?

1 A. Yes.

2 Q. Because from the street level, there is
3 a door to the side for the duplex unit that's to the
4 right, but then there are two doors in the middle
5 that creates the impression that you're looking at a
6 larger duplex, not a three family?

7 A. Correct.

8 And then again, also the staircase is
9 in the middle of the building instead of on the
10 neighborhood to the left of us.

11 Q. Correct.

12 And what's critical in any neighborhood
13 is parking?

14 A. Yes.

15 Q. Are there going to be cars all over the
16 place, or is there ample parking that's provided
17 on-site?

18 A. I mean, there's two driveways, you
19 know, we do have the overflow portion where we have
20 three -- we could park three cars across the front.
21 We do have a three-car garage set up; however, you
22 know, worst case scenario, one of the spaces could be
23 used for storage and we still have the requisite two
24 parking spaces per dwelling unit.

25 The duplex, itself, will have two cars

1 in the driveway and we could actually fit two cars in
2 the garage because I think we have an oversized
3 garage and I think they're both side-by-side duplex.

4 Q. Okay. And do you anticipate a parking
5 problem based on what you've designed here?

6 A. No.

7 Q. Okay. Then shifting your attention
8 further to the left, you have your elevations, Bill.

9 A. Yes.

10 Q. If you'd describe to the board the type
11 of architectural features, the exterior façade that
12 you intend for this development, what is the
13 neighborhood going to see if the board were to act
14 favorably on the application?

15 A. It will be a combination of brick,
16 stucco and a panelized system. These buildings
17 before, I've done a few houses in town, they came out
18 pretty nice.

19 So, you know, the level of finishing
20 will be commensurate to their previous developments.
21 However, you know, we do try to mix it up where we
22 have brick, stucco or a panelized system, and then
23 maybe a secondary panelized system to create an
24 accent.

25 Q. And, you know, it's interesting because

1 a lot of times, field changes are made, right?

2 A. Correct.

3 Q. The builder will end up putting a
4 different material on the façade that you're
5 indicating that will be, but I'm trying to give the
6 board a comfort level here that whatever you're
7 attesting to, that, in fact, will be constructed on
8 the property or alternatively, a product that's even
9 superior to what you're saying.

10 In other words, this isn't going to be
11 a cheap structure. It's going to be a beautiful
12 structure and something that's going to require an
13 investment by whoever is building it; is that a fair
14 statement?

15 A. Correct.

16 Q. Okay. And it will be a variety of
17 materials, metal stucco?

18 A. Yeah, we'll try to keep it at least a
19 minimum of three.

20 Q. Understood. Understood.

21 And the treatment that we're going to
22 see in the front, will that be consistent on the
23 sides and in the rear also?

24 A. Yes.

25 Q. Or is there going to be a cheaper

1 material used on the other three sides?

2 A. No, it will match what's proposed on
3 the front.

4 Q. Okay.

5 A. Got to keep the quality of the design
6 intact.

7 (Whereupon, Zoning Schedule is marked
8 as Exhibit A-1 for identification.)

9 BY MR. SOKOLICH:

10 Q. Now, you also have a zoning schedule on
11 what we've marked as A-1, correct?

12 A. Correct, yes.

13 Q. Now, I know we have David on deck and
14 I'm trying to move you along as quickly as I can, but
15 if you would just identify the variances that are
16 being sought, Bill?

17 A. Yes.

18 Now, the dwelling units basically, the
19 lot size complies, it actually exceeds the
20 requirement.

21 The dwelling units, it's an AA zone, so
22 two are allowed and we're proposing three.

23 Lot area per dwelling unit is in
24 compliance with the AA zone of
25 two-and-a-half-thousand square feet per dwelling

1 unit.

2 Building coverage, there's a
3 2,500 square feet max; however, we do have a
4 3,050 square feet which is basically 40.4 percent.

5 Q. But, Bill, let me ask you a question, I
6 don't mean to interrupt you.

7 So the coverage percentage is
8 40 percent?

9 A. Correct.

10 Q. But that's applying to an AA zone in
11 fairness, right?

12 A. Yes.

13 Q. And, in fact, what's being constructed
14 is a building that's going to be 40.4 percent of the
15 lot.

16 So really it's a de minimis amount over
17 the requirement?

18 A. Yes, before the percentage requirement.

19 Q. So if I were to ask you eliminate that
20 variance, we would gladly do it, the problem is the
21 square foot exceeds the 2500 by a considerable
22 amount?

23 A. Yes.

24 Q. In other words, it's a percentage
25 that's truly applied to the AA zone, not the type of

1 building that we're constructing?

2 A. Correct.

3 Q. All right.

4 A. Also, you know, the bulk requirements
5 as far as the setbacks, we do comply with 25 feet in
6 the front, 25 feet in the rear, 7 feet on each side
7 where the minimum is 5 feet, but the combined we do
8 comply where 14 feet is a required, we have 14.04,
9 it's actually a little bit more because of the
10 increase on the setback on the right-hand side.

11 Q. Understood.

12 So it's the density of three it's the
13 coverage, not percentage because percentage we'd
14 agree to go to 40 percent, that's not the issue, it's
15 the square footage in coverage?

16 A. Correct.

17 Q. Because there's a numerical -- there's
18 a numerical threshold not to exceed 2500 square feet?

19 A. Correct.

20 Q. But is that a fair number to apply to a
21 lot that's 7500 square feet in size?

22 A. I mean, yeah, it's based on, you know,
23 usually 50-by-100 lots.

24 Here it's -- we have the luxury of
25 having a wider lot. Wherever you look at it, the

1 bulk requirements comply.

2 However, like I said, the footprint,
3 I'm not sure, that requirement might only apply to
4 duplexes. This is not a duplex.

5 Q. Got it.

6 And then, of course, there's the height
7 variance, correct?

8 A. Yes, and the height variance is similar
9 to the previous applications where we have a
10 topographic -- in the front to the back, however,
11 this one is a little bit less than the previous one.

12 As mentioned before, we try to keep the
13 driveways a little bit higher than the sidewalk and
14 the street.

15 We are proposing a new curb along the
16 front of the property; however, there are no
17 sidewalks on the side of the street. I would leave
18 it up to the board engineer to see if -- or the DPW
19 if they wanted any sidewalk in front of the property
20 for any future developments along that side or they
21 could be continuous.

22 Q. And the applicant would be willing to
23 do that?

24 A. Yes.

25 Q. And the materials that you intend to

1 use for the driveway will be different than the
2 materials, for example, in the sidewalk?

3 A. Yes.

4 Like I said, you know, I think they say
5 concrete sidewalk and we have paver draft, so there's
6 delineation between the two.

7 Q. Thanks.

8 I'm going to turn you, Billy, to what
9 we've premarked as A-2?

10 MR. SOKOLICH: Now, A-2 is entitled --
11 where are we -- floor plans. And it was last
12 revised, Diane, November 26th of 2024.

13 MS. TESTA: Thank you.

14 (Whereupon, Floor Plans are marked as
15 Exhibit A-2 for identification.)

16 BY MR. SOKOLICH:

17 Q. So we've marked that as A-2, Bill, and
18 this goes into more detail with regard to not only
19 the height, but also the ground floor level, I
20 believe, correct?

21 A. Correct.

22 The lowest level where we basically
23 have the, let's say the right-side units, the half
24 duplex where you basically have -- you would see
25 garage in the front, the two-car garage.

1 And then behind that we have the
2 utility room that's access off the garage, and the
3 door into the main living space, which is a hallway,
4 a staircase up to the first floor which is the new
5 living space. We do have a powder room, no full
6 bathroom downstairs on both sides.

7 And then we have a door, two windows
8 out the back, we have a little bit of an overhang
9 above us, then we have the deck in the backyard.

10 The decks, themselves, are, you know,
11 they're not oversized. They're 10-feet-by-8-feet on
12 the one deck and then we have 8-foot-6 on the
13 left-hand side where the six-over-six portion is and
14 that's 13-feet-8-inches.

15 So, you know, we're basically trying to
16 minimize the decks in the backyard and then we're
17 keeping them set back.

18 Q. Billy, you also have on A-2 a cut
19 sheet, if you will, on the height of the building?

20 A. Yes.

21 Q. What's the height of this building to
22 the first roof eave? Just so we could bring the
23 board --

24 A. The eave?

25 Q. Eave.

1 A. The eave is basically
2 27-feet-10-inches.

3 Q. And then to the midpoint of the roof?

4 A. The midpoint is 32 feet.

5 Q. And then, of course, there's then the
6 higher height, which is what the variance request is
7 for, correct?

8 A. Correct.

9 Q. And this also depicts the façade and
10 the material that you're using?

11 A. Correct, they're similar in the front.

12 Q. Correct.

13 Is there anything else that you'd like
14 to add on A-2?

15 A. No.

16 Q. Now we have A-3.

17 Now, A-3 are the balance of the floor
18 plans, correct?

19 A. Correct.

20 MR. SOKOLICH: A-3, Diane, with your
21 permission, is entitled "Floor Plans," Last Revised
22 date November 26, 2024. And that's A-3.

23 (Whereupon, Floor Plans, Last Revised
24 November 26, 2024 is marked as Exhibit A-3 for
25 identification.)

1 THE WITNESS: Now, A-3 I guess we're,
2 you know, basically on the left side of the building
3 is a six-over-six portion which the first floor is
4 connected to the basement level down below, the
5 ground floor level down below.

6 We have a living room, kitchen, family
7 room or dining room on the, I guess that would be the
8 right side of the six-over-six portion of the
9 development.

10 And then in the left-hand side, we have
11 the bedrooms. We have basically a front bedroom, a
12 home office that's access off the hallway, two
13 secondary bedrooms, one master in the back, a primary
14 bedroom with an en suite bathroom with a nice size
15 shower, toilet, double sink.

16 And then we have the door from the
17 master bedroom. The master bedroom has two walk-in
18 closets and then a laundry room and then a powder
19 room.

20 And then there's a hall bathroom that's
21 shared by the two secondary bedroom. Then the
22 kitchen, itself, we set it up where we have a galley
23 style kitchen with a sink in the island just to kind
24 of, you know, keep it as a modern look.

25 And then we have the decks off the back

1 portion which are 8-feet-6-inches deep by -- on the
2 six-over-six portion. And then the second floor on
3 this side is basically the same as the first floor,
4 you know, slightly different because of the stairs.
5 We have an additional closet where the entry would
6 have been down below.

7 And then if you go to the right-hand
8 side, that's the --

9 BY MR. SOKOLICH:

10 Q. Duplex.

11 A. Duplex portion. As I mentioned before,
12 you know, the basement --

13 Q. Or half a duplex portion.

14 A. Yeah, half a duplex, that portion.

15 So this is set up where you have first
16 floor living space where we have living room, dining
17 room.

18 There's also a staircase that's
19 accessed from the sidewalk level up to the front
20 door, same thing for the six-over-six portion or for
21 the driveway, we have a staircase up, a little
22 covered platform.

23 The door on the left is for the
24 first-floor unit.

25 The door on the right is for the

1 second-floor unit.

2 The -- so the basic setup for the half
3 duplex portion is a living room, dining room,
4 kitchen, galley style configuration in the back
5 family room or whatever they want to call it, it
6 could be additional dining area.

7 We have also a coat closet and a powder
8 room that's right kind of at the entrance.

9 Second floor plan, as I mentioned
10 before, there's the six-over-six portion is similar
11 to the first floor. The half duplex portion on the
12 right-hand side consists of a two-bedroom
13 configuration, one being the master or primary suite
14 with its own en suite bathroom, double sink, soaking
15 tub, a toilet and a shower.

16 And behind that, we have two secondary
17 bedroom which share a bathroom with a Jack-and-Jill
18 configuration where you have basically a double sink,
19 and you have a door that goes into a toilet area and
20 a shower/bathtub with the -- for privacy purposes.

21 Also in the hallway, we have it set up
22 where we have a side-by-side laundry and a linen
23 closet.

24 Q. So pretty standard duplex unit
25 configuration?

1 A. Yeah, you know, it's, like, typical.

2 Q. I'm going to just bring you back to A-1
3 with one concluding question because I'm trying to
4 move it along as expeditiously as we can because I
5 know the board has a busy agenda.

6 A. Sure.

7 Q. But when you look at the tax map
8 reference which is incorporated into your A-1, this
9 property which is 75-by-100 is peculiar in the sense
10 that I don't see any other, at least within that
11 200-foot radius, do you?

12 A. Correct.

13 Q. Okay. And do you have an opinion as to
14 whether or not the property is particularly suited
15 for three units?

16 A. I mean, it's oversized and the fact
17 that the end of the block is kind of, you know, it's
18 not like, you know, there's commercial behind us.

19 You know, there's basically, you know,
20 the rest of the houses, if we put it in the middle of
21 the block, it might stick out more.

22 Back here, it's basically at the end.
23 It's a little more secluded than the rest of the
24 portion.

25 And then you have -- basically I'm

1 trying to keep some of the landscaping in the front.
2 We have plenty of room for landscaping on either side
3 of us because we have the increased side yard setback
4 of 7 feet instead of typical, let's say, 6-foot. And
5 then if you have a staircase, it's like 3 feet.

6 So, you know, we have plenty of room to
7 do the landscaping in the front. We also have the
8 drainage system including the trench drain and the
9 driveway to prevent, you know, to minimize the water
10 running onto 5th Street.

11 Q. Thank you, Bill.

12 Is there anything else that will you
13 would like the add?

14 A. No.

15 You know, I know I said, you know, this
16 lot here, it's oversized, you know, it's in a suited
17 location where it's, like, out of the way from the
18 main portion of that block.

19 Q. Thank you.

20 MR. SOKOLICH: Chairman, I offer
21 Mr. Cocoros.

22 CHAIRMAN CHUNG: Board members?

23 MS. TESTA: Board members.

24 MR. KIM: There's a tub in the
25 basement.

1 THE WITNESS: No, I took it out.

2 MR. TERRANOVA: No, there's no tub.

3 MR. KIM: Oh, I see. Okay.

4 CHAIRMAN CHUNG: Okay.

5 Dave?

6 MR. TERRANOVA: First of all, I don't
7 see a need for a three-family house, that's number
8 one.

9 Number two, you have -- explain this,
10 it's literally right at the end of the block on 5th
11 Street and there's already a planter or something
12 there.

13 You have a note here that says, "new
14 road barrier."

15 What's going to happen there?

16 THE WITNESS: Well, right now there's a
17 planter, you know, I guess it would be a wall, you
18 know, we could probably take the planter because the
19 driveway, itself, is at the line of the planter.

20 MR. TERRANOVA: You -- literally you
21 have the line of the planter right up against the
22 line of the side of the driveway.

23 THE WITNESS: Yes.

24 MR. TERRANOVA: So if that guy backs
25 up, I realize there's nothing across the street, but

1 is he going to have enough room to get out?

2 THE WITNESS: I mean, you know, there's
3 a couple things we could do.

4 We could push back the -- you know, the
5 gates. I guess we could coordinate with DPW or the
6 police department, however you want to handle that,
7 you know, that stoppage at the end of the street.

8 MR. TERRANOVA: Right.

9 THE WITNESS: And then what we could do
10 is maybe just, you know, move that planter back and
11 do a new planter with Belgian block maybe a couple
12 feet back, so if he's backing out, he has a little
13 bit of room to turn the car so he could, you know,
14 make the K-turn out.

15 MR. TERRANOVA: Okay.

16 And then, I mean you made mention on
17 the last application that you had the topographical
18 changes, but these aren't the same, they are
19 different topographical distances.

20 THE WITNESS: No, it's less intense.
21 And the other portion is the fact that it's --

22 MR. SOKOLICH: Let him --

23 THE WITNESS: I'm sorry.

24 MR. TERRANOVA: This doesn't propose
25 the same topographical differences, but you still

1 have a height, you know, that is tremendously higher.

2 And then explain the -- on the zoning
3 chart, you have two-and-a-half stories, but you have
4 25. You need 28, correct?

5 THE WITNESS: Yeah, well, it's not a
6 duplex.

7 MR. TERRANOVA: It's not a duplex?

8 THE WITNESS: No, it's a three family.
9 So if it was a duplex, you're allowed 28 feet to the
10 midpoint of the roof.

11 MR. TERRANOVA: Right.

12 So we're going by a six-over-six, so
13 it's 25 that you're --

14 THE WITNESS: Yes.

15 MR. TERRANOVA: So you're 9-and-a-half
16 feet or 10 feet over?

17 There's nothing we could do to reduce
18 the height of the building.

19 THE WITNESS: Yeah, I could play with
20 the roof pitches, you know, kind of, you know, bring
21 it down maybe.

22 The only thing is, like I said, if I
23 bring the roof pitch down, it might be a
24 foot-and-a-half of actual reduction of the roof,
25 however, that translates into a 9-inch difference.

1 If I do 2 feet, it's basically a reduction of the
2 height by 1 foot because it's a midpoint measurement.

3 MR. TERRANOVA: So basically the most
4 you can bring it down would be 1 foot?

5 MR. SOKOLICH: I think, if I may, Bill,
6 I'm going to interrupt you.

7 THE WITNESS: Sure.

8 MR. SOKOLICH: We're taking copious
9 notes and we plan on working hard on this plan before
10 the next meeting.

11 So we're going to do better than
12 1 foot, it's just that I think we need a little time
13 to do that.

14 THE WITNESS: Yeah.

15 MR. SOKOLICH: So we don't want to
16 commit only 1 foot. We're going to try to
17 accommodate you.

18 MR. TERRANOVA: Please, thank you.

19 That's all I have.

20 MR. COLLAZUOL: Bill, I have three
21 points.

22 Again, with the walls in the back, it
23 doesn't appear that anything is greater than 4 feet
24 in height, correct.

25 THE WITNESS: Yeah, it's basically -- I

1 think it's 2-foot-4.

2 Yeah, about 2-foot-4 at the height, you
3 know, so it's not a structural wall.

4 MR. COLLAZUOL: Right.

5 The walls between the units in the back
6 that runs across from the back of the building to the
7 back wall, same thing there, right.

8 THE WITNESS: Yeah, steps --

9 MR. COLLAZUOL: Okay. Moving on to
10 parking with respect to the RSIS standards, do you
11 have any idea what it would required under the RSIS
12 standards?

13 THE WITNESS: I know, like I said, the,
14 you know, we basically have, let's say, if you do
15 RSIS on the right-side unit, it's basically set up
16 where you have, let's say, three spaces. You have
17 four spaces, technically, but it's a one-car garage
18 door, so that would be basically three spaces as
19 recognized by RSIS.

20 Now, the other portion, the
21 six-over-six portion, we have three across the
22 driveway and then we have three in the garage;
23 however, the one garage has a single door, so that
24 one we basically recognize as five units.

25 MR. COLLAZUOL: So it would --

1 THE WITNESS: Five parking spaces by
2 RSIS, but it's actual six.

3 MR. COLLAZUOL: So it would comply?

4 THE WITNESS: Yes.

5 MR. COLLAZUOL: Okay. The last, as
6 David mentioned earlier, this -- I made a comment in
7 our report, the road barrier in 5th Street is showing
8 to be modified.

9 The existing barrier is a raised
10 planter with wood ties and plantings.

11 As I recall, these roads became dead
12 ends many, many years ago and these were constructed
13 in that way, but the road curb to curb is 30 feet in
14 width, so technically, you really don't have to
15 remove or move that planter because you've got
16 30 feet to back out to begin with, right?

17 THE WITNESS: Um-hmm.

18 MR. COLLAZUOL: But my point is the
19 proposed new road barrier may need further review
20 possibly by the Mayor and Council because that's a
21 borough road, it's not, I think, in the jurisdiction
22 of the board of adjustment.

23 THE WITNESS: If we kept, let's say,
24 the planning area by itself, would that be, you know,
25 we'd have to basically just keep it as is, you know,

1 I was thinking maybe just for purposes of, like, you
2 know, safety and, like, you know, and looks to try to
3 give it a new barrier, you know.

4 We'll also coordinate with the police
5 or the Mayor and Council to see if they wanted
6 emergency on it.

7 MR. COLLAZUOL: Yeah, I think it would
8 incur that.

9 I don't know if police -- you might
10 have comments regarding that. Certainly the road's
11 closed, so I don't know what they're going to say.

12 THE WITNESS: Yeah.

13 MR. COLLAZUOL: DPW would probably
14 acquiesce to either the board here or the Mayor and
15 Council, but I think the point is you could actually
16 leave that alone and still --

17 MR. SOKOLICH: And it will function.

18 MR. COLLAZUOL: -- being able to
19 function and back a vehicle in because you have
20 30 feet on the right.

21 MR. SOKOLICH: But we would stipulate
22 that if we did anything, anything to it, replace it,
23 repair it, change it, alter it, we would seek
24 permission from the Mayor and Council.

25 MR. COLLAZUOL: Fine.

1 I have nothing further.

2 CHAIRMAN CHUNG: Okay. Anybody in the
3 public?

4 MR. MANTONE: Yeah, I have a bunch of
5 stuff I'd like to review.

6 MS. TESTA: Okay. At this point, it
7 would just be questions to the architect.

8 At a later point, it will be open to
9 the public for general comment, but do you have any
10 questions now of the architect.

11 MR. MANTONE: Well, all of these things
12 are questions, all the things I wrote down here.

13 MS. TESTA: Are they geared towards his
14 testimony that we just heard?

15 MR. MANTONE: It's geared towards this
16 building, the height of it --

17 MS. TESTA: But how about as far as the
18 testimony of Mr. Cocoros, are they geared towards
19 that or do you want to hold it till the end?

20 MR. MANTONE: Well, his testimony of
21 what he read with I'm fine with, but I'm not fine
22 with what they're trying to build.

23 MS. TESTA: Okay.

24 They'll be time for you to state your
25 comments and ask questions.

1 MR. MANTONE: Okay.

2 THE COURT REPORTER: Sir, could you
3 just state and spell your name for me.

4 MS. TESTA: Oh, I'm sorry, yes.

5 MR. MANTONE: It's John Mantone,
6 M-A-N-T-O-N-E, 537 5th Street.

7 THE COURT REPORTER: Thank you.

8 CHAIRMAN CHUNG: Thank you, John.

9 MS. TESTA: Anybody else in the public
10 have any questions at this time with regards to the
11 testimony by the architect?

12 MS. ALVAREZ: Marie Alvarez, 534 4th
13 Street.

14 This is going to have two, like, areas
15 in the basement that can possibly be rented?

16 THE WITNESS: I mean, you know, like I
17 said, it's basically there's no full bathroom, so
18 there's a little more difficult, you know, it's
19 difficult to rent that out.

20 MS. ALVAREZ: But it's possible that
21 it's rentable space in the basement like every other
22 duplex around here?

23 THE WITNESS: I'm not going to be the
24 owner of the property, so, you know, it's like if it
25 was me, you know, it's like we try to keep it, like

1 --

2 MR. SOKOLICH: But the idea is that
3 would be a violation of the law, would it not, Bill?

4 THE WITNESS: Yes.

5 MR. SOKOLICH: So he'd be breaking the
6 law, so it's not the intent to rent those out.

7 THE WITNESS: Correct.

8 MR. SOKOLICH: Simple answer.

9 MS. ALVAREZ: Thank you.

10 CHAIRMAN CHUNG: Thank you.

11 MS. TESTA: Anybody else?

12 (No Response.)

13 MS. TESTA: Okay.

14 MR. SOKOLICH: Chairman, I think we've
15 heard quite a bit over the course of the last few
16 minutes between the board and members of the public
17 and Mr. Collazuol.

18 And I think we need an opportunity to
19 go back and relook at some of the improvements that
20 we're proposing, with the board's permission.

21 I know you also have a busy agenda, but
22 we would like an opportunity to maybe revise these
23 plans a little bit, relook at the height and a couple
24 other concerns that were raised by the board before
25 the next meeting, if possible.

1 CHAIRMAN CHUNG: All right.

2 Thank you.

3 MS. TESTA: Okay. So at this time --
4 so you're asking for it to be carried to the April
5 meeting?

6 MR. SOKOLICH: I am. I am.

7 MS. TESTA: Okay. So at this time, we
8 need a motion from the board to allow the applicant
9 to carry this matter to the April meeting, which is
10 April 21st, 2025, at 7:00 p.m. No further notice.

11 And then the applicant waives any time
12 constraints?

13 MR. SOKOLICH: We do. We do.

14 MS. TESTA: Okay. So we need a motion
15 for that.

16 CHAIRMAN CHUNG: I make a motion.

17 MR. TERRANOVA: I second.

18 MS. TESTA: Roll call, please.

19 MS. IGUINA: Mr. Brogna?

20 MR. BROGNA: Yes.

21 MS. IGUINA: Mr. Elefteriou?

22 MR. ELEFTERIOU: Yes.

23 MS. IGUINA: Mr. Kim?

24 MR. KIM: Yes.

25 MS. IGUINA: Mr. Terranova?

1 MR. TERRANOVA: Yes.

2 MS. IGUINA: Mr. Chung?

3 CHAIRMAN CHUNG: Yes.

4 MS. IGUINA: Mr. Chiesa?

5 MR. CHIESA: Yes.

6 MS. IGUINA: Mrs. Kim?

7 MS. KIM: Yes.

8 MS. TESTA: So applicant -- so Case
9 No. 25-01, Jeong Mi Lee, 545 5th Street at the
10 request of the applicant is being carried to the
11 April 21st meeting at 7 p.m.

12 No further notice will be provided to
13 the public. This officially is your notice.

14 MR. SOKOLICH: Chairman, Counsel, thank
15 you.

16 MS. TESTA: Okay. And you'll have the
17 plans in at least 10 days before?

18 MR. SOKOLICH: We shall. Yes, we will.
19 Thank you.

20 MS. TESTA: Counsel. Mark.

21 MR. SOKOLICH: Yes, ma'am.

22 MS. TESTA: Do you want to do the next
23 or you want a break or you want to --

24 MR. SOKOLICH: It's up to the board.
25 You want to take a quick one and then --

1 MS. TESTA: We'll take a quick break
2 and then you'll come up and --

3 MR. SOKOLICH: That would be great.
4 Thank you so much.

5 (Whereupon, a brief recess is held at
6 8:11 p.m. to 8:19 p.m.)

7 MS. IGUINA: Mr. Brogna?

8 MR. BROGNA: Yes.

9 MS. IGUINA: Mr. Elefteriou?

10 MR. ELEFTERIOU: Yes.

11 MS. IGUINA: Mr. Kim?

12 MR. KIM: Yes.

13 MS. IGUINA: Mr. Terranova?

14 MR. TERRANOVA: Here.

15 MS. IGUINA: Mr. Chung?

16 CHAIRMAN CHUNG: Here.

17 MS. IGUINA: Mrs. Yoon?

18 VICE CHAIRWOMAN YOON: Here.

19 MS. IGUINA: Mr. Chiesa?

20 MR. CHIESA: Here.

21 MS. IGUINA: And, Ms. Kim?

22 MS. KIM: Here.

23 MS. TESTA: Okay, Counselor, we're
24 ready.

25 MR. SOKOLICH: Thank you.

1 Thank you, Counsel.

2 Chairman, Members of the Board, engaged
3 professionals, legal counsel, for the third time, my
4 condolences, but Mark Sokolich on behalf of the
5 applicant.

6 The applicant on this is
7 779-783 Paramus Road, LLC. The address of the
8 property which is the subject of the application is
9 500 2nd Street here in Palisades Park, Lot 1,
10 Block 310.

11 The property is in the AA zone where
12 two-family residences are expressly permitted. This
13 is an application seeking approval of a duplex
14 residence.

15 The curve ball on this one is it is a
16 corner lot which then poses different types of
17 challenges. The board has addressed and wrestled
18 with corner lots consistently over the years. We
19 appear for variance relief.

20 As far as witness testimony is
21 concerned, it's the expectation of the applicant to
22 present Bill Cocoros the licensed architect and David
23 Spatz the license planner.

24 And again, by way of housekeeping,
25 Diane, I'm sorry, I think we had handed in the

1 affidavit of service.

2 MS. TESTA: I believe so, yes.

3 MR. SOKOLICH: Thank you.

4 MS. TESTA: Okay. Please raise your
5 right hand, do you swear the testimony you will give
6 in this application will be the truth, the whole
7 truth, and nothing but the truth?

8 MR. COCOROS: I do.

9 V A S S I L I O S C O C O R O S, AIA

10 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
11 having been duly sworn, testifies as follows:

12 MS. TESTA: Please state your name for
13 the record.

14 MR. COCOROS: Sure.

15 Vassilios, V-A-S-S-I-L-I-O-S, Cocoros,
16 C-O-C-O-R-O-S, 467 Sylvan Avenue, Englewood Cliffs,
17 New Jersey 07632.

18 MS. TESTA: Thank you.

19 DIRECT EXAMINATION

20 BY MR. SOKOLICH:

21 Q. Bill, I trust that you are still an
22 architect and nothing's happened to your license
23 since last you've been here about 15 minutes ago?

24 A. Yes.

25 Q. You are the architect for the applicant

1 at 779, correct?

2 A. Yes.

3 Q. And for the record, the scope of your
4 engagement?

5 A. Was to design two-family side-by-side
6 duplex dwelling on a corner lot, on the corner of I
7 guess it would be the southwest corner of Second
8 Street and East Edsall Boulevard.

9 Q. And in fact, you prepared all the
10 architectural drawings for this application?

11 A. Yes.

12 Q. I'm going to pre-mark as A-1 what you
13 also identified as A-1, and that's entitled
14 "Elevations and Site Plan, Two-Family Dwelling,
15 500 Second Street."

16 MR. SOKOLICH: With a last revised
17 date, Diane, of January 24, 2025.

18 (Whereupon, Elevations and Site Plan,
19 Two-Family Dwelling, 500 Second Street, Last
20 Revised January 24th, 2025 is marked as
21 Exhibit A-1 for identification.)

22 BY MR. SOKOLICH:

23 Q. So, Bill, referring to A-1 in the upper
24 right-hand corner, you have the tax map reference and
25 you also have what I referred to as the architectural

1 survey.

2 Could you just describe generally where
3 the property is and existing conditions?

4 A. Correct, the property is on the -- like
5 I said, I mentioned the southwest corner of East
6 Edsall Boulevard and Second Street, 50 feet frontage
7 along Second Street and hundred-foot depth along East
8 Edsall Boulevard. It's a 50-by-100 lot which is
9 5,000 square feet which is compliant in the AA zone.

10 Let me just get the existing survey.

11 Right now there's a two-story framed
12 dwelling with a detached garage that's basically
13 about a foot off the property line at the rear of the
14 property as you're looking at it from Second Street.

15 The one-car garage framed driveway
16 which is about 6 feet off of the property line along
17 Edsall Boulevard is accessed from Edsall Boulevard.

18 So, you know, we're proposing the new
19 two family will have a two driveway configuration.

20 I'll go over the footprint. It's
21 basically 10 feet off of the setback along East
22 Edsall Boulevard, which is a typical setback for this
23 configuration of house that the board has seen
24 before.

25 I guess it would be considered the left

1 side yard setback, which is basically the back of the
2 building is a 5-foot side yard setback which is
3 allowed in the corner lot configuration.

4 The units themselves are basically side
5 by side from Edsall Boulevard which is the, I guess
6 it's considered the right side yard portion. And
7 then the front from a zoning point of view is left
8 side of the proposed dwelling.

9 The since the configuration is on
10 Edsall Boulevard, we try to minimize the driveway
11 that's not on Edsall Boulevard. It's a three-story
12 configuration where we have a two-car driveway and
13 two-car garage for Unit A, which is as you're looking
14 at it from East Edsall Boulevard, the left-side unit.
15 There's a two-car garage and two-car driveway that go
16 in from Second Street.

17 The Unit B has a new driveway that is
18 going to be off of Edsall Boulevard. Right now we
19 have a 700-foot -- I'm sorry -- 17-foot drop because
20 there was a height grade.

21 However, if the client decides to go to
22 the Mayor and Council, that could be relocated to
23 have the full width of the driveway which is 20-feet
24 wide that can accommodate two cars on the portion for
25 Unit B.

1 In addition, since the setback is
2 10 feet, we do have a recess of 8 feet to the garage
3 wall which basically you have 18 feet for parking
4 space on the property, which is typical depth for a
5 parking space.

6 In addition to that, you have another
7 3-and-a-half feet to the actual sidewalk line. So,
8 you know, there will be no impediment of anybody
9 walking along the sidewalk.

10 Q. It's new sidewalks, Bill?

11 A. Yes, all new sidewalks and curbs.
12 There is an existing corner detectable mat
13 configuration for ADA compliance, you know, we're
14 proposing that to stay, but like you mentioned
15 before, whatever the engineer and the borough
16 require, you know, we will take care of that.

17 Q. As far as utilities, there's no
18 intentional stormwater management on-site now,
19 correct?

20 A. No.

21 Q. Okay. And, in fact, you propose one
22 that would be subject to review by the board's
23 engineer, correct?

24 A. Yes, we have a system on each side that
25 would accommodate the gutters and the roof.

1 Q. Like I asked you on the prior
2 applications, in the event the board engineer would
3 ask you to do more or less or something more robust
4 or something with more volume or do it in a different
5 way, in fact, this applicant would comply, correct?

6 A. Correct.

7 Q. Okay.

8 A. Now, also I forget to mention behind
9 the property you're looking at from Second Street,
10 there is an existing adjacent multifamily building
11 that's behind us, you know, so, you know, the side
12 yard setback or actually, the rear yard setback is
13 adjacent to a multifamily building, not a typical one
14 or two-family house.

15 Q. Understood.

16 And all the improvements on-site, by
17 the way, are intended to be demolished and replace
18 with the new?

19 A. Yes.

20 Q. As we move further to the left on your
21 A-1, you have an elevation of the right elevation
22 which is facing East Edsall Boulevard?

23 A. Correct.

24 Q. Starting there first, the materials, if
25 you would.

1 A. They're basically a brick structure;
2 however, we do have a bay window here and we do have
3 a little panel system between the windows over the
4 front door.

5 Those are probably going to be a stucco
6 or a panelized system, as I mentioned before. And
7 then we have it may be a metallic panel accent
8 between the two windows along the front.

9 Then we have the entry doors which
10 would have a sidelight and single, 36-inch door.
11 Above that we have a canopy. No columns, the canopy
12 itself comes out from the structure, itself.

13 So we try to minimize, you know, as far
14 as the overall look of the building.

15 In addition, you're entering on the
16 ground floor which eliminates staircases, like, you
17 know, you basically have, like, maybe 15 feet of
18 stairs on a typical duplex.

19 Here you're basically entering up a
20 couple of steps from the existing grade up to landing
21 and then 6 inches up to the ground-floor level or the
22 basement level where you have your entry door and the
23 stairs up of the first floor.

24 Q. Now, you designed it that way so that
25 the staircase doesn't protrude from the building; is

1 that one of the reasons?

2 A. Yeah, yeah, yeah.

3 As I said, it's already, like, corner
4 lots are tough, you know, previously we used to have,
5 like, a 4-foot stoop and, like, three or four stairs
6 that were a little closer from the property line and
7 then we figured out a way of doing it where you
8 entering the ground floor, like, a townhouse and you
9 go up to the main living space from that portion, you
10 know, which is, you know, it looks nicer and in
11 addition, it frees up that 10 foot side yard.

12 Q. Understood.

13 And parking on East Edsall on-site?

14 A. Yes, on-site we basically have an
15 oversized one car garage for storage and then we also
16 have a 20-feet wide driveway; however, we propose a
17 17-foot curb cut; however, it's a fire hydrant in the
18 way there. I guess that would be Mayor and Council's
19 job.

20 Q. It would be. But two cars could
21 manipulate a 17-foot driveway, correct?

22 A. Yes.

23 Q. Okay. So then would it be fair to say
24 that there's three comfortable parking spaces
25 allotted for that property?

1 A. Yes.

2 Q. Okay. And the building materials
3 quickly?

4 A. Brick, you know, stucco panelized
5 system and then we have metal accents basically on
6 all four sides.

7 Q. And that's great. That's consistent
8 throughout the entire site?

9 A. Correct.

10 Q. The entrance for the other unit is
11 depicted on what you're showing as --

12 A. It's to --

13 Q. -- is to the left of what you're
14 depicting as the right elevation?

15 A. Yes.

16 Q. So same thing, are they just
17 asymmetrical?

18 A. They're a mirror image except for the
19 driveway configuration and the garage configuration.

20 Q. And the garage is for the other unit is
21 on which block?

22 A. It's on Second Street.

23 Q. Um-hmm.

24 A. So it's basically on the as you're
25 looking at it from Second Street, that wall is the --

1 we consider it the front elevation, however, if
2 you're looking Edsall Boulevard, it would be the
3 left-hand side.

4 Q. Got it.

5 And I believe, Bill, you also have a
6 schematic site plan that's on your A-1?

7 Now, I know Mr. Spatz is on deck, but
8 again, we have variances that are being sought for
9 coverage, for height, and I believe combined side
10 yard?

11 A. Correct.

12 And the height is actually within
13 10 percent of the threshold.

14 Q. Understood.

15 Is there anything that you want to add
16 with regard to the other elevations that are on A-1?

17 A. We're basically keeping it at 2 feet.
18 At the front here, we do have -- since we have a
19 driveway down below, there's no real deck that's
20 really -- it's more of a balcony that comes out from
21 the building and it's a cantilever and it's 5 feet,
22 you know, just enough for a couple chairs. You want
23 to smoke a cigarette, it's right there.

24 Q. Understood. Understood.

25 I'm going to turn you, Bill, which I'm

1 going to, with counsel's permission, mark as A-2?

2 You also marked it a A-2, it's entitled
3 "floor plan," with a last revised indicate of
4 January 24th, 2025.

5 (Whereupon, Floor Plan Last Revised
6 January 24th, 2025 is marked as Exhibit A-2
7 for identification.)

8 BY MR. SOKOLICH:

9 Q. Now, Bill, I believe there are three
10 levels which are comprised of two units, you start, I
11 presume, at the ground floor plan?

12 A. Correct.

13 Like I said, I mean, three levels, no
14 roof decks. It's basically, you know, straight up
15 three level configuration.

16 If you look at the ground floor plan,
17 it's oriented where the bottom is Second Street and
18 then on the right-hand side of the ground floor plan
19 is Edsall Boulevard.

20 You look at Unit A, you see here we
21 have the garage accessed off of Second Street, it's a
22 two-car garage, two-car driveway. And we have at the
23 front, let's say, right corner is the existing -- I'm
24 sorry, the entry hall which has a door from the
25 covered platform with a cantilever overhang and then

1 a staircase up -- an L-shaped staircase up to the
2 first floor.

3 In addition to that, we have an
4 opening. So when you go up the staircase, you have,
5 you know, it's like a two-story configuration instead
6 of having, like, a narrow staircase up.

7 So it feels a little more open and it
8 looks nicer too.

9 Then we have coat closet, recreation
10 room, powder room, utility room and then a door from
11 the side for egress purposes on the right-hand side,
12 which is technically the back portion of the units.

13 If you go in the upper portion of that
14 plan, we have Unit B. As you can see here, we have
15 the recess for the garage. The garage, itself, is
16 17-feet-10, you know, it probably could be
17 accommodated to make it an actual two-car garage, I
18 would just have to reconfigure that recreation room.

19 And then at the rear right corner, we
20 have the entry, which is basically similar to the
21 Unit A where you have a covered portion with a
22 cantilever above it, a door with a sidelight, coat
23 closet, a staircase up. That staircase that was
24 mentioned would have, like, a little slot, so it's
25 basically, like, an entry foyer for, like, a

1 one-family house.

2 Q. Understood.

3 A. And behind that we have it set up where
4 we have recreation room, powder room, and then we
5 have the door egress door from the side.

6 In addition, we have the AC units. We
7 would put the one for Unit B in the rear -- it would
8 be the rear-left corner.

9 And then for Unit A, we have it in the
10 front yard; however, we can screen it with the
11 landscaping or some sort of screening device for
12 certain purposes.

13 Q. Sound attenuation?

14 A. Sound attenuation and visual.

15 Q. The first floor?

16 A. Is basically a living space. We have
17 it set up, three-room configuration. We have a
18 living room, you see the staircase that kind of comes
19 up from the ground floor down below.

20 Q. Yes.

21 A. Powder room, kitchen. The kitchen has
22 a little balcony for the Unit A.

23 Q. Any way to access that balcony other
24 than from the kitchen?

25 A. No.

1 Q. So there's no stairs that lead down to
2 the backyard, correct?

3 A. Not at all.

4 And then we have, you know, the, you
5 know, the dining room or it could be a family room
6 off of the kitchen, a powder room kind of off to the
7 side.

8 And then basically the same
9 configuration on the Unit B, however, you know, I
10 think we have a slightly bigger deck at 6 feet which
11 abuts the apartment building behind us.

12 In addition to that, there's a post
13 down below that would support that.

14 Second floor is the main bedroom level
15 where we have a three-bedroom configuration. We have
16 a master suite in the front as you're looking at it
17 from Edsall Boulevard that has two closets, en suite
18 bathroom where you have side-by-side lavatories, a
19 toilet, shower and a soaking tub.

20 There are two secondary bedrooms that
21 share a hall bathroom.

22 And in addition to that, we have a
23 laundry, a side-by-side washer and dryer, and a
24 little bit more space than your typical 3-foot
25 closet.

1 In the hallways, it's basically just a
2 typical hallway, kind of a T-shape where you have the
3 access to the one bathroom and then the access to the
4 secondary -- the third bedroom in the back.

5 Like I said, the configuration is the
6 same on either side. You can also see the way the
7 staircase is where you have that L-shaped staircase
8 with the opening down below.

9 So you basically will be on the ground
10 floor, look all the way up to the top floor, which is
11 kind of nice.

12 Q. And, Bill, just to confirm, no rooftop
13 decks of any nature, correct?

14 A. No.

15 Q. Is there any other livable space other
16 than the two levels that you described and are
17 depicted on A-2, correct?

18 A. No.

19 Q. Okay. Is there anything else that you
20 would like to add from an architectural standpoint
21 with regard to the application?

22 A. Like I said, you know, the house,
23 itself, if your typical corner duplex.

24 However, since, you know, we have the
25 issue of Edsall Boulevard, we try to minimize the

1 driveways on that.

2 And the Unit A driveway would have been
3 really close to the corner, so we thought it was a
4 better idea to move it to the Second Street side
5 which kind of, you know, gives it a little bit of a
6 different look and it's a safer configuration and it
7 also would help with the sight triangle along that
8 corner.

9 Q. Thank you, Bill.

10 A. You're welcome.

11 MR. SOKOLICH: Chairman, I offer
12 Mr. Cocoros.

13 CHAIRMAN CHUNG: Thank you.

14 Board Members?

15 MR. TERRANOVA: Yeah, I'm just a little
16 concerned with the deck above the garage, I don't
17 think I've quite ever seen that before.

18 It just seems to be more of a hazard,
19 if anything?

20 THE WITNESS: I mean, structurally, you
21 know, we basically have, like, let's say a 2-by-12
22 joist system for the main joist in the house, they
23 pack them out to make them solid.

24 I mean, it's, you know, like I said, if
25 it's done right, it's fine because we also have -- we

1 put a curb at the sliding glass door so we have -- we
2 could flash it up against it so the water doesn't
3 infiltrate into that eating area.

4 MR. SOKOLICH: I think also, I don't
5 want to mischaracterize the board member, I don't
6 think it's a question of whether we could build, I
7 think it was whether is this something that you've
8 seen and designed before?

9 MR. TERRANOVA: And safe, you know.

10 MR. SOKOLICH: And safe.

11 MR. TERRANOVA: I mean, you've got
12 people there and then you have problems underneath
13 and --

14 THE WITNESS: Yeah, we'd have to do,
15 like, let's say a 42-inch guardrail, you know, so you
16 have kids, you know, young kids that can't reach the
17 top of the rail.

18 MR. TERRANOVA: Yeah, I know. It just,
19 I don't know, I'm not a fan of it, the way that
20 looks.

21 I get the deck on the other side, I'm
22 not too sure about the deck on that side.

23 THE WITNESS: I mean, you know, the
24 other way, you know, we could put posts in the ground
25 floor, but I was trying to minimize the overall look

1 along Second Street.

2 MR. TERRANOVA: Yeah, I understand.

3 I mean, it makes -- in theory, it makes
4 sense to put the garage on that side of the building.
5 You don't want them both on the same side of the
6 street because Edsall is a busy street, of course,
7 compared the Second, but still, it's a little bit
8 more of a hazard than anything, so I'm not a fan.

9 THE WITNESS: Understood.

10 CHAIRMAN CHUNG: All right.

11 Anybody else?

12 MR. COLLAZUOL: Bill, I have just a
13 couple points.

14 In your -- and just to be quick here,
15 on your key plan, you have a north arrow, it
16 describes the property as the opposite corner.

17 It's the northeast of Second and East
18 Edsall, correct, as your key plan shows.

19 THE WITNESS: No.

20 Actually, if you look at East Edsall
21 Boulevard, you have Second Street, the -- I guess it
22 would be -- is it on the other side of the street
23 then.

24 MR. COLLAZUOL: If you look at your
25 arrow in your key plan, the north arrow appears

1 correct.

2 However, the arrow in your schematic
3 site plan to the right is opposite as well as the
4 surveyor's north arrow. So I would just ask you to
5 correct that.

6 THE WITNESS: Will do.

7 MS. TESTA: So is the property
8 northeast or where is the property located?

9 MR. COLLAZUOL: Yes, it's the northeast
10 corner.

11 CHAIRMAN CHUNG: Northeast corner.

12 MS. TESTA: Okay.

13 MR. COLLAZUOL: And then with respect
14 to the hydrant, I would suggest that you reduce the
15 flair on the apron and just have it straight out,
16 keep your construction away from the hydrant.

17 THE WITNESS: We would have to relocate
18 the hydrant.

19 MR. COLLAZUOL: I don't think you have
20 to relocate the hydrant also.

21 And I -- but I would keep the concrete
22 the way you've got the flare towards the hydrant, I
23 would keep it away from it. Just run the apron
24 straight out at that end.

25 THE WITNESS: Yeah, you're right.

1 I'm looking at Mark's site plan, he's
2 got the right arrow.

3 MR. COLLAZUOL: I'm looking at the
4 existing site on S-1, yeah, that's opposite that.
5 Yeah. Very good.

6 Yup, that's it, thank you.

7 That's all I have.

8 MS. TESTA: Does anybody in the public
9 have any questions with regards to this application
10 for the architect, anything based on his testimony
11 that you've just heard?

12 Okay, Counsel.

13 MR. SOKOLICH: Thank you.

14 We call Mr. Spatz.

15 Thank you, Bill.

16 THE WITNESS: You're welcome.

17 MS. TESTA: Mr. Spatz, please raise
18 your right hand.

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

22 MR. SPATZ: Yes, I do.

23 D A V I D S P A T Z, P.P.,

24 60 Friend Terrace, Harrington Park, New Jersey,
25 having been duly sworn, testifies as follows:

1 MS. TESTA: Please state your name for
2 the record.

3 MR. SPATZ: David Spatz, S-P-A-T-Z. My
4 business address is 60 Friend Terrace in Harrington
5 Park, New Jersey.

6 MS. TESTA: Thank you.

7 VOIR DIRE EXAMINATION

8 BY MR. SOKOLICH:

9 Q. David, I presume your license remains
10 in good standing since 25 minutes ago?

11 A. I stayed out of trouble for 10 minutes,
12 yeah.

13 DIRECT EXAMINATION

14 BY MR. SOKOLICH:

15 Q. But we're in a separate record, right?

16 A. Correct.

17 Q. So just if you could take 30 seconds
18 and describe what the scope of your engagement was?

19 A. Certainly.

20 To review the site plan, to visit the
21 property, to take the photo exhibit, review the
22 neighborhood, review the master plan and zoning
23 ordinance, and then prepare the testimony for this
24 evening.

25 Q. And I've taken up enough time with this

1 board this evening, so we're going to expeditiously
2 go through things, but we're going to pre-mark it, if
3 I may, David, by as A-3.

4 A. A-3.

5 Q. A-3, correct.

6 A. A-3, got it.

7 Q. A series of four photographs that I
8 believe you took?

9 A. I did, yes.

10 (Whereupon, Photoboard with Four
11 Photographs is marked as Exhibit A-3 for
12 identification.)

13 BY MR. SOKOLICH:

14 Q. And I've already distributed them to
15 the board.

16 A. Correct.

17 Q. Can you just describe them briefly
18 clockwise?

19 A. Sure.

20 Starting up at the top left, that is
21 the subject property viewed from Second.

22 The top right is looking to our left of
23 our building and it's a two-family, a single-family,
24 then another two-family.

25 The bottom right is looking directly

1 across the street. On the opposite side of Second
2 from ours, there's a newer two-family and there's a
3 newer two-family next to it.

4 And then the bottom left is looking at
5 our property from East Edsall and you can see at the
6 right edge of it, the brick that's a three-story
7 multifamily building that's adjacent to our property
8 on East Edsall.

9 So we're located in the AA zone which
10 permits the two-family that we're proposing. The lot
11 conforms with the lot area with the depth
12 requirement.

13 There are no D variances required for
14 this, just C variances: Side yard, rear yard, lot
15 coverage and building height.

16 And since we're listed at 10-percent
17 over, that is a C variance. This board has
18 jurisdiction because no site plan approval is
19 required for our one- or a two-family and we have
20 just a variances.

21 So looking at those bulk variances and
22 the positive criteria, the existing residence is
23 oriented towards Second Street and the driveway.
24 There's a detached garage at the rear of our property
25 is actually on East Edsall Boulevard.

1 Because we're at corner with two street
2 frontages, the street side yard does not confirm.

3 However, the side yard -- if we treated
4 that as a side yard with an interior lot, it would be
5 a conforming side yard. So it's actually only
6 because we front on East Edsall Boulevard that you
7 need the variance.

8 And then same thing is for the rear
9 yard, we are a corner lot. The building is set back
10 further from the adjacent property than a side yard
11 would be, it is further away from that adjacent
12 property than the detached garages being removed, so
13 we're actually increasing the setback between the
14 structures on our property and those adjacent
15 structures.

16 In terms of the lot coverage, we don't
17 meet the percentage requirement, but in terms of
18 square footage, we actually are conforming, it's just
19 because of the way the ordinance is written, so we do
20 need that.

21 Addition drainage and improvement as we
22 described will be provided which will mitigate
23 against the slightly larger building. There are
24 currently no such facilities on the site, so we are
25 making a net improvement both for our property, as

1 well as the adjacent property.

2 In terms of the height, we are less
3 than 3 feet over. We are smaller than the -- lower
4 down than the multifamily building next to us on East
5 Edsall.

6 And as you can see from the photograph,
7 the bottom right, we are similar in height, we're
8 three stories in height, to that newer two family.
9 So we are, I believe, still consistent with the
10 neighborhood.

11 In terms of the negative criteria, I
12 don't believe anything is substantially negative. We
13 are a permitted use. We're consistent with the
14 development in the neighborhood. The setbacks are
15 approved by the removal of the existing building as
16 well at the detached garage, so I don't believe we
17 have any impact on light, air and open space for the
18 surrounding properties.

19 And as was described, we have a
20 conforming amount of parking on our site. So on
21 balance, I think that the positive criteria is met,
22 it outweighs what might be considered negative, and I
23 believe its would be appropriate to grant the
24 variances that we're seeking.

25 Q. Thank you, David.

1 MR. SOKOLICH: Mr. Chairman, I offer
2 Mr. Spatz.

3 CHAIRMAN CHUNG: Okay.
4 Board Members?

5 (No Response.)

6 CHAIRMAN CHUNG: Mike? Steve?

7 MR. KAUKER: Yeah, just a couple
8 questions.

9 I'd like to, kind of, go over a couple
10 of the variances that your requesting there's a side
11 yard setback along East Edsall.

12 THE WITNESS: Correct.

13 MR. KAUKER: Would that be -- how does
14 that compare to the setback of that existing building
15 to the, I guess, to the east?

16 THE WITNESS: On East Edsall, the --

17 MR. KAUKER: The multifamily building.

18 THE WITNESS: The multifamily building
19 is about the same setback as ours.

20 We're 10-foot away from that side yard
21 where it's 15 feet.

22 So in terms of the setback that
23 streetscape is consistent now.

24 MR. KAUKER: Okay. And then just
25 finally with respect to the side yard setback, just

1 in terms of clarifying the variance because it's a --
2 I understand the conditions that you presented, but
3 it is still quite significant in terms of the
4 percentage deviation.

5 I guess number one, was it -- because
6 I'm just trying to understand the justification.
7 Would that be a C(2) justification in terms of the
8 benefit in terms of it being more consistent with the
9 neighborhood in terms of the side yard or was it a
10 hardship?

11 THE WITNESS: We're talking about the
12 setback from East Edsall?

13 MR. KAUKER: No, the rear yard.

14 THE WITNESS: The rear yard?

15 MR. KAUKER: Yeah.

16 THE WITNESS: Again, because we have a
17 corner lot, the rear yard is the side yard of the
18 building.

19 So the side yard -- as a required side
20 yard would be 6 feet, we are further than that.

21 So if it was treated as a side yard
22 which is how the building is designed, we'd have a
23 conforming side yard, but because it's treated as a
24 rear yard because we have frontage, it's considered
25 on East Edsall, it becomes a rear yard which has a

1 requirement.

2 So it's part hardship because we're on
3 a corner property, so we have two front yards which
4 skews the front, rear yard and the side yard.

5 But also in that area by removing the
6 detached garage, even though we need a variance,
7 there is still a greater setback between our building
8 and the adjacent properties that currently exists.

9 MR. KAUKER: Okay. And then does the
10 fact that it's adjacent to a multiple family, does
11 that come into the calculation too in terms of you
12 making that assessment?

13 THE WITNESS: Yes.

14 On that side yard, again, it's a
15 multifamily building, as Mr. Cocoros described, so
16 the setback is still -- they have a substantial
17 setback between that building and our building.

18 So combined setbacks, there's more than
19 sufficient space between the two buildings.

20 MR. KAUKER: Okay.

21 Thank you.

22 I have nothing else.

23 MS. TESTA: Okay. We'll open to the
24 public.

25 Any comments with regards to the

1 planning testimony that was just heard?

2 Okay, Counsel.

3 MR. SOKOLICH: That concludes,
4 Chairwoman -- Chairman, excuse me, and Counsel. I
5 could dispense with a closing argument if you'd
6 prefer.

7 MS. TESTA: Right.

8 I guess we'll open it to the public
9 just if they have any comments with regards to this
10 application at all.

11 (No Response.)

12 MS. TESTA: Okay. I see no --

13 MR. SOKOLICH: Seeing none, we would
14 just ask respectfully that the board act favorably on
15 the application.

16 We abut a multifamily dwelling. We do
17 face the corner lot challenge having two front yards.
18 We do believe that the design presented by Mr. Cocoros
19 is one that takes into account air, light, open
20 space.

21 There is adequate landscaping. The
22 modest height variances being sought, we do not
23 believe that there's any inconsistency whatsoever
24 with what's proposed versus what now exists.

25 For all of the reasons stated by

1 Mr. Cocoros and in particular, Mr. Spatz, we would
2 ask the Board to act favorably and thank you for your
3 consideration.

4 CHAIRMAN CHUNG: All right.

5 Anybody?

6 (No Response.)

7 CHAIRMAN CHUNG: No?

8 MS. TESTA: A motion?

9 CHAIRMAN CHUNG: I'll accept the
10 application.

11 MS. TESTA: You're going to make a
12 motion to approve the application as set forth?

13 CHAIRMAN CHUNG: Yes.

14 Second?

15 MR. BROGNA: I'll second.

16 MS. TESTA: Okay. Mr. Brogna seconds.

17 Roll call.

18 MS. IGUINA: Mr. Brogna?

19 MR. BROGNA: Yes.

20 MS. IGUINA: Mr. Elefteriou?

21 MR. ELEFTERIOU: Yes.

22 MS. IGUINA: Mr. Kim?

23 MR. KIM: Yes.

24 MS. IGUINA: Mr. Terranova?

25 MR. TERRANOVA: No.

1 MS. IGUINA: Mr. Chung?

2 CHAIRMAN CHUNG: Yes.

3 MS. IGUINA: Mrs. Yoon?

4 VICE CHAIRWOMAN YOON: Yes.

5 MS. IGUINA: Mr. Chiesa?

6 MR. CHIESA: Yes.

7 MR. SOKOLICH: Chairman, Members of the
8 Board, thank you.

9 Thank you for your consideration and
10 goodnight. I hope I didn't take up too much of your
11 time this evening.

12 Thank you.

13 MS. TESTA: Have a good evening.

14 Next is Case No. 24-20, 62 West
15 Palisades LLC.

16 MR. MACRI: Good evening, Mr. Chairman,
17 Members of the Board.

18 For the record, my name is Marc Macri.
19 I represent the applicant, 62 West Palisades LLC.

20 He was the contract purchaser of the
21 property located at 62 West Palisade Avenue here in
22 the Borough of Palisades Park.

23 We're here this evening seeking the
24 Board's approval to construct a two-family dwelling
25 which would be top-over-bottom, six-over-six.

1 With me this evening, I have two
2 experts. I have our architect, Mr. Vassilios Cocoros
3 and our professional planner, Mr. David Spatz.

4 I'd like to begin by having Mr. Cocoros
5 sworn in.

6 MS. TESTA: Okay. Do you swear the
7 testimony you will give in this application will be
8 the truth, the whole truth, and nothing but the
9 truth?

10 MR. COCOROS: I do.

11 V A S S I L I O S C O C O R O S, AIA

12 467 Sylvan Avenue, Englewood Cliffs, New Jersey,
13 having been duly sworn, testifies as follows:

14 MS. TESTA: Please state your name for
15 the record.

16 MR. COCOROS: Sure.

17 Vassilios, Vassilios,
18 V-A-S-S-I-L-I-O-S, Cocoros, C-O-C-O-R-O-S, 467 Sylvan
19 Avenue, Englewood Cliffs, New Jersey 07632.

20 MS. TESTA: Okay.

21 MR. MACRI: Thank you.

22 Does the board accept him as an expert?

23 MS. TESTA: Yes, he's been here many
24 times.

25 MR. MACRI: Thank you very much.

1 DIRECT EXAMINATION

2 BY MR. MACRI:

3 Q. Mr. Cocoros, the plans that you have on
4 the easel are the same plans that were submitted to
5 the board in anticipation of tonight's presentation,
6 correct?

7 A. Yes.

8 Q. Can you please tell me the date of
9 those plans?

10 A. Sure.

11 These are initially dated 10/20/24,
12 last revised -- sorry, actually no. It's zoning
13 review 10/14/24.

14 MS. TESTA: That was the last revision,
15 10/14?

16 MR. MACRI: That's the last revision,
17 yes.

18 BY MR. MACRI:

19 Q. And, Bill, can you please explain to
20 the board what the client proposes to construct upon
21 the property?

22 A. Sure.

23 The existing property is located at the
24 corner of Hillside and West Palisades Boulevard.

25 Basically the front from a zoning point

1 of view is on West Palisades Boulevard, and I think
2 the -- you know, it looks like it's correct. It's
3 basically the southwest corner of West Palisades
4 Boulevard.

5 The lot, itself, is
6 40-feet-wide-by-100-feet-deep, so it has a
7 4,000-square foot lot area. It's a preexisting
8 nonconforming condition and there's no opportunity to
9 get any additional land because the next two houses
10 to the right of us are 40-feet wide and then three
11 more are 45-feet wide.

12 So all those lots there are previously
13 nonconforming lots. We are posing a --

14 Q. And they're also developed, correct?

15 A. Yes.

16 So we're proposing a six-over-six,
17 two-family dwelling on the existing property. We're
18 proposing a setback of 20 feet in the front which
19 lines up with the -- actually, further back than the
20 existing adjacent dwelling.

21 And then in the back, we have a setback
22 proposed of 23 feet, rear yard setback. We basically
23 set it up on a three-level configuration, two
24 apartments. The first floor apartment is connected
25 to the ground floor and there is a two-car garage

1 that's shared by the two apartments or the two
2 dwelling units.

3 And then above that, we have the second
4 floor. Each apartment has their own entry door. If
5 you look at it from the staircases, what we did is we
6 put the staircases on the right side of the building
7 to minimize the visual impact and the site --
8 minimize the sight triangle on the corner of Hillside
9 and West Palisades Boulevard.

10 If you look at it from the front, you
11 could see the staircase, that stairs up. The
12 right-hand door is for the second-floor apartment,
13 the left-hand door is for the first-floor apartment.

14 If you go to A-2, I have my floor
15 plans. As mentioned before on another application,
16 it's a brick structure with a secondary material,
17 like a stucco or a panelized system.

18 In most cases, the side and the front
19 bump-out will be stucco and we'll do something a
20 little bit more upscale on the front bay window since
21 that's the first thing you see as you're driving
22 along West Palisades Boulevard.

23 If you go to sheet A-2 -- and also
24 there's three sheets in this exhibit. Going from
25 left to right, we have the basement and ground floor

1 plan, first floor plan, second floor plan.

2 We have an entry from the front. We
3 have a door at the platform down below, if you want
4 to say coming from the driveway and going directly
5 into your first-floor unit.

6 And then there's a two-car garage,
7 which basically each unit has a 9-foot garage door.
8 There's two parking spaces in the driveway. We have
9 a utility room and we have a hallway that connects
10 the backspace recreation room area to the hallway.

11 At the hallway we have the staircase up
12 to the first floor, which is the main apartment.

13 And as I mentioned before, the lower
14 level, at least the portion behind the utility room
15 and where the staircase is are part of the
16 first-floor unit.

17 In the back we have a powder room,
18 recreation room, a home office and a den and we have
19 a door for access purposes.

20 One of the -- like I said, this is
21 based on typical 40-by-100 six-over-sixes. So we
22 have basically the same plan.

23 However, this applicant wants to do
24 slight different elevation and a little bit more
25 upscale as far as the look of the house.

1 The first floor and the second floor
2 are basically the same. If you go to the middle
3 sheet where the first floor is, we have the stairs up
4 from the first floor, entry door for the second floor
5 on the right hand side, and then the first floor we
6 have an entry door.

7 And then we have living room, dining
8 room, kitchen, and the gallery configuration, a
9 pantry, eating area.

10 And then on the left-hand side, we have
11 three bedrooms. We have a master, a primary suite in
12 the back with a nice size shower, toilet and double
13 sink.

14 A walk-in closet, a secondary, and then
15 we have two secondary bedrooms, one in the front and
16 one in the middle.

17 They share a hall bathroom with a small
18 linen closet, tub/shower, toilet, lavatory, like an
19 oversized lavatory with, like, a 4-and-a-half foot
20 width.

21 In addition to that, we have a small
22 coat closet, a nice little side-by-side laundry which
23 is in the hallway that has access to the master
24 bedroom in the back.

25 On each of these units like a typical

1 six-over-six, we have a wood deck that's feet off the
2 back and 11-feet wide. And that will have support
3 columns that basically go from the ground floor,
4 first floor, and then we have a second floor deck.

5 And like I said, that deck is located
6 on the -- that would be the right side which is
7 further away from a side street of Hillside.

8 The second floor, as mentioned before,
9 basically the same plan. The only difference is we
10 have an additional closet in the front corner where
11 the entry vestibule is down below, staircase up, and
12 that's pretty much it.

13 The -- like I said, as I mentioned
14 before, it's your typical configuration on a
15 40-by-100. We've also done these before on a
16 37-and-a-half-by-50-feet-wide lots.

17 The building, itself, is set back
18 4-foot-6 from Hillside Avenue and 3-and-a-half feet
19 from the right side setback, which I guess would be
20 considered the west side setback of the building.

21 So we're going to try to get a little
22 bit more room along Hillside.

23 Q. Thank you, Mr. Cocoros.

24 MR. MACRI: Chairman, I have no further
25 questions.

1 CHAIRMAN CHUNG: Okay. Yeah, I've got
2 a little problem with that one on the Hillside side,
3 too close to the sidewalk.

4 How many feet you got there, 5 feet?

5 THE WITNESS: I've got -- it's
6 basically 4-and-a-half feet to the building.

7 And then we have another 5 feet from
8 the property line to the sidewalk, so the building is
9 about 9-and-a-half feet.

10 CHAIRMAN CHUNG: Okay. And also other
11 side of the house also.

12 THE WITNESS: The other side is
13 3-and-a-half feet.

14 CHAIRMAN CHUNG: Three-and-a-half feet?

15 THE WITNESS: Yes.

16 CHAIRMAN CHUNG: Can you make that like
17 4-and-a-half?

18 THE WITNESS: Yeah, we could do that,
19 yeah, we could do 4.

20 CHAIRMAN CHUNG: It's too close to your
21 -- too close to the other house.

22 MS. TESTA: So which side would that
23 be?

24 MR. MACRI: So that would be the right
25 side.

1 THE WITNESS: The right side, yeah,
2 which is basically along the adjacent property.

3 The property next to us has at least --
4 about a 6-foot setback.

5 So, yeah, we can accommodate 4 feet.

6 CHAIRMAN CHUNG: Okay. And also the
7 fence, what are you going to do with the fence there
8 between the houses?

9 THE WITNESS: Their fence, you know,
10 it's over our line.

11 Technically, I think it's their fence.
12 So I'm not sure if I could touch that.

13 CHAIRMAN CHUNG: Where are you putting
14 that?

15 THE WITNESS: We're going to probably
16 fence in the backyard. However, on the right-hand
17 side, you know, it's like we coordinate with the
18 neighbor if they want to do a fence, because the
19 neighbor's fence is about, is what, it's about a foot
20 into his property.

21 So it's like we can't really touch it
22 because it's not our fence, you know, but we can
23 coordinate with the neighbor, you know, maybe give
24 them a new one. I'm not sure of the condition of the
25 fence.

1 But like I said, legally it's on his
2 property. It will be up to him to see what he wants
3 to do.

4 CHAIRMAN CHUNG: All right.
5 Board Members?

6 MR. TERRANOVA: Yeah. What about the
7 height? I see you have two, 9 foot and you've got
8 an 8 foot down at the bottom.

9 Is there any way to reduce the height
10 of the building?

11 I know you're about 6-and-a-half feet
12 over.

13 THE WITNESS: I mean, I can play with
14 the roof pitch a little bit, you know, I've got it on
15 12, I can go beyond 12, you know, give it a little
16 more room.

17 It might bring us down to, like,
18 10 inches. It's something, you know.

19 MR. TERRANOVA: Close to a foot.

20 Yeah, if you could do it, yeah, please
21 do it, please.

22 CHAIRMAN CHUNG: All right.

23 Steve?

24 MR. COLLAZUOL: Yeah.

25 Bill, the only thing I have, aside from

1 the report that we issued is the driveway distance to
2 the corner.

3 I think Hillside Avenue is a one-way
4 southbound, so I don't believe that there's an issue
5 with vehicles stopping and sight triangle with
6 vehicles coming north out of Hillside, but it looks
7 like the driveway is quite close to the corner.

8 And I know this is not something I
9 should really say, but could you flip the house so
10 it's a mirror image for the drivers on the right-hand
11 side?

12 THE WITNESS: If the board is okay with
13 it, you know, I could put the stair on that corner
14 since he says it's southbound Hillside, so there's no
15 real sight triangle issue, because the staircase
16 itself comes out --

17 MR. COLLAZUOL: Are you talking about
18 the sight distance of the staircase?

19 THE WITNESS: Yeah, you know, because
20 it's going to be close to that corner, you know.

21 I mean, I could easily do it, you know,
22 it's just a matter of flipping it. It's just a
23 matter of, like, if Hillside is only southbound,
24 there's no real issue with nobody coming out the
25 opposite way when you're making the turn into

1 Hillside.

2 MR. COLLAZUOL: Charley, isn't that
3 correct, Hillside is one-way south?

4 CHAIRMAN CHUNG: Yes, one way, yes.

5 THE WITNESS: I have no problem
6 flipping it.

7 MR. MACRI: Is that the Board's
8 pleasure?

9 THE WITNESS: It actually will work
10 nicer because we'd have the living room, you know,
11 the dining room facing Hillside instead of the other
12 way around.

13 CHAIRMAN CHUNG: Okay. That would
14 work.

15 MR. COLLAZUOL: It's safer because
16 really it's a two-car driveway. There could be two
17 cars coming out potentially at the same time.

18 THE WITNESS: Yeah, it's further away
19 from the corner.

20 MR. COLLAZUOL: Right.

21 So that's my suggestion.

22 CHAIRMAN CHUNG: All right.

23 Any Members?

24 (No Response.)

25 CHAIRMAN CHUNG: No.

1 Okay.

2 MS. TESTA: Okay. Anybody from the
3 public have any comments or questions with regards to
4 the testimony provided by the architect at this time?

5 (No Response.)

6 MS. TESTA: Okay. You want to call
7 your next witness?

8 MR. MACRI: Yes, thank you.

9 I'd like to proceed with our
10 professional planner, Mr. David Spatz, and I do have
11 a handout to hand out.

12 MS. TESTA: Okay. Do you swear the
13 testimony you'll provide in this application will be
14 the truth, the whole truth, and nothing but the
15 truth?

16 MR. SPATZ: Yes, I do.

17 D A V I D S P A T Z, P.P.,

18 60 Friend Terrace, Harrington Park, New Jersey,
19 having been duly sworn, testifies as follows:

20 MS. TESTA: Please state your name.

21 MR. SPATZ: David Spatz, S-P-A-T-Z. My
22 business address is 60 Friend Terrace in Harrington
23 Park, New Jersey.

24 MS. TESTA: Okay.

25 The document that --

1 MR. MACRI: I'm going to have that
2 marked A-1.

3 MS. TESTA: Yes, with today's date?

4 MR. MACRI: Today's date March 17th. I
5 see everyone in green for St. Patty's day.

6 (Whereupon, Photoboard is marked as
7 Exhibit A-1 for identification.)

8 DIRECT EXAMINATION

9 BY MR. MACRI:

10 Q. Mr. Spatz, are you familiar with the
11 area?

12 A. I am, yes.

13 Q. Describe the name of it and the size of
14 the lots in the neighborhood and tell us your
15 findings.

16 A. Certainly.

17 There are mixtures of ones and twos in
18 the area.

19 Look at Photo Exhibit A-1, the top left
20 photograph is of the subject property facing West
21 Palisades.

22 The top right is looking to the right
23 of out of our property. There's a single-family.
24 Beyond that is a newer two-family which can be better
25 seen in the bottom left-hand photograph.

1 And then the bottoming right-hand
2 photograph is looking at our property at the corner
3 and beyond us just to the left of our property, there
4 is a newer two-family on Hillside.

5 The opposite side of East Palisade on
6 either side of Hillside are newer two-families and up
7 and down Hillside are all two-family.

8 So it's a neighborhood which is
9 changing from one to primarily two-family.

10 As was mentioned, the lot sizes are all
11 undersized. Our lot is undersized as well, both in
12 terms of lot area and lot width, but that is the
13 typical neighborhood development. We are proposing a
14 two family which is permitted in the AA zone.

15 We require one D variance which is for
16 building height and it was described earlier, we're
17 going to make an attempt to reduce the height of the
18 building, itself.

19 And then there are C variances for lots
20 area per unit. Because we have an undersized lot,
21 we're at 4,000 square feet versus 5,000 square feet.

22 Side yards, again, which will have
23 increased, one of the side yards, rear yard, and then
24 lot coverage. Those are our C variances.

25 So looking at our one D variance to

1 building height, I think the property is particularly
2 well suited for what we're proposing.

3 We are proposing a two-family home on
4 an existing lot. The neighborhood contains quite a
5 number of two-family homes on similar sized
6 undersized lots, approximately 4,000 square feet.

7 So this is the typical development
8 pattern.

9 In terms of meeting the Municipal Land
10 Use Law and the purpose of zoning, we meet several of
11 those. Purpose A which is promoting public health,
12 safety, morals and general welfare.

13 Again, providing residential uses in a
14 residential zone, it meets that standard.

15 Purpose E is establishing appropriate
16 population densities even though we don't meet the
17 lot area per unit standard because we have an
18 undersized lot, two family are permitted within the
19 zone.

20 So in terms of density on the lot, that
21 is permitted.

22 And then lastly, Purpose I which is
23 promoting a desirable visual environment, we're
24 replacing an older home with a newer building that
25 meets all of the current building codes and is

1 consist with the newer development that's taking
2 place on the property.

3 Looking specifically at the height
4 variance, all of the new two-family homes that are
5 built both on Hillside.

6 Next to our property as well as the
7 opposite as side of West Palisades are all three
8 stories in height, similar in height to ours.

9 And again, as I noted, we're going to
10 try to reduce the height of the building a bit to get
11 it closer to conformity, but we are at our current
12 height consistent with the surrounding properties.

13 So I think the positive criteria exists
14 for our D variance.

15 In terms of the bulk variances, as I've
16 noted, we're undersized in terms of lot area and lots
17 width, as are many of the lots within the area.

18 The properties on the other side of us
19 are fully developed, so we can't acquire additional
20 property to make ours conforming, so we have the work
21 with what we have on the property and the building
22 has been designed to take acknowledgment of the fact
23 that we're which a corner lot, which affects the side
24 yards, but also the fact of the undersized nature of
25 our property, the narrowness does cause that side

1 yard setback.

2 We have a conforming amount of parking
3 within the building. So their building, therefore,
4 is slightly wider than you could make it, because you
5 need to have enough space within the building for the
6 two cars.

7 So that makes the building a little bit
8 wider, but I think the public benefit of providing
9 parking on-site within a garage, I think, outweighs
10 the slightly less side yard.

11 In terms of lot coverage, we meet the
12 coverage in terms of the square footage that
13 permitted, but not in terms of percentage.

14 But as Mr. Cocoros indicated, they'll
15 be drainage improvements on the property which will
16 benefit both our site as well as off-site because
17 currently there are no drainage facilities on the
18 site at all.

19 So I think the positive criteria exists
20 for the C variances.

21 In terms of the negative criteria,
22 nothing is substantially negative. We're a permitted
23 use within the zone. We are consistent with the
24 surrounding development that's taking place,
25 particularly the newer development on similar sized

1 lots with two-family homes.

2 The setbacks are consistent with the
3 neighborhood, consist with the developments on either
4 side of us.

5 The building only slightly exceeds the
6 lot coverage and the drainage improvements mitigate
7 that.

8 We have a conforming amount of parking
9 on the property, which I think is a benefit.

10 Currently there is no parking on the
11 site, so all the parking for the single-family home
12 is on the streets, but we are bringing it off the
13 streets to the property.

14 So I think the positive criteria
15 exceeds anything that might be negative and I believe
16 granting the variance would be appropriate.

17 MR. MACRI: Thank you, Mr. Spatz.

18 I have no further questions.

19 CHAIRMAN CHUNG: Thank you.

20 Board Members?

21 MR. TERRANOVA: I've got a question, I
22 don't even know if it's for you or not, just looking
23 at the photos, there's a lot of trees and even
24 smaller trees around this house.

25 Is that all going to be removed?

1 MR. COCOROS: The bushes, yes.
2 There're more bushes, I guess, you know, it's like I
3 don't know if there was any actual trees, but yeah,
4 they probably will be removed, you know.

5 But we can provide landscaping. I
6 wouldn't put it in the corner because, you know,
7 the -- you know, we'll probably put some landscaping
8 along the back property line.

9 MR. TERRANOVA: Right, yeah. Because I
10 know there's a couple of trees right on the one side
11 and then there's one that's looks like none of it's
12 coming back.

13 So you're definitely removing a lot of
14 trees here. So if you want to make sure that maybe
15 give something to Tree Preservation Fund.

16 THE WITNESS: Yeah, there's a bigger
17 one on Hillside and a smaller one, then one that
18 looks like it's dead that we'll try to come down sort
19 of along the property line.

20 MR. TERRANOVA: It looks like
21 everything is being cleaned and nothing is coming
22 back.

23 THE WITNESS: Yeah, I think we would
24 certainly provide a landscaped plan as part of the
25 follow up to this, certainly.

1 CHAIRMAN CHUNG: Thank you.

2 Anybody else?

3 (No Response.)

4 CHAIRMAN CHUNG: Anybody in the --

5 MR. KAUKER: Yeah, just a couple
6 questions.

7 First, to your point, I think there is
8 a requirement that they make a donation to the Tree
9 Preservation Fund in order to replace the tree,
10 itself, so that will probably be done.

11 THE WITNESS: Yeah, we'll put them on
12 the property or if we can't, we will contribute to
13 the tree fund, yes.

14 MR. KAUKER: And then just in terms of
15 you indicated, I didn't catch it before, but you said
16 one of the side yards is being increased, could you
17 indicate which one and by what dimension?

18 THE WITNESS: I actually don't recall
19 saying that, it's -- oh, one of the side yards that
20 we're proposing is being increased, I think as part
21 of comments from the Board.

22 It's not increased over current
23 conditions, it's being increased over the submission.

24 MR. KAUKER: Right.

25 MS. TESTA: It's the right side, right,

1 the right side?

2 THE WITNESS: Right, right.

3 MR. KAUKER: So the right side is
4 currently 3-and-a-half feet?

5 THE WITNESS: Right, and I think it's
6 going to be 4 feet about.

7 MR. KAUKER: And what about the left
8 side, it's remaining the same?

9 MR. COCOROS: Yes.

10 THE WITNESS: Yes.

11 MS. TESTA: Which is what?

12 MR. COCOROS: Four-and-a-half feet.

13 And like I said, 4-and-a-half feet and then we have
14 another about 5 feet to the actual sidewalk because
15 Hillside is a 60-foot right-of-way, so it's not like
16 a tight -- it's not -- it doesn't feel as tight as
17 the other streets did.

18 MS. TESTA: Okay. So the right side
19 will be 4 feet, you're proposing?

20 MR. COCOROS: Yes.

21 MS. TESTA: And the left side will be
22 4-and-a-half feet?

23 MR. COCOROS: Four-and-a-half.

24 THE WITNESS: Correct.

25 MS. TESTA: And this is looking at the

1 building, correct?

2 THE WITNESS: Correct, yes.

3 MR. COCOROS: Yeah, from --

4 MR. MACRI: From West Palisades.

5 CHAIRMAN CHUNG: You guys okay with
6 that, Board Members, 4-and-a-half feet?

7 MS. TESTA: Four. Right side 4, left
8 side 4-and-a-half.

9 MR. MACRI: Mr. Chairman, that also
10 includes the building coverage.

11 CHAIRMAN CHUNG: Okay.

12 MR. SPATZ: We are 10-foot narrower
13 than what is required, so that makes it a little bit
14 more difficult, but we will make those changes.

15 CHAIRMAN CHUNG: All right.

16 Anybody else?

17 (No Response.)

18 MS. TESTA: Anything else, Mike?

19 MR. KAUKER: No, that's it.

20 MS. TESTA: All right.

21 We'll open it to the public if anybody
22 has any comments, questions at this time with regards
23 to this application.

24 CHAIRMAN CHUNG: All right. I'll make
25 a motion to accept this application and \$2,000.00

1 for the tree --

2 MS. TESTA: The tree preservation and
3 then also a landscaping plan, put some landscaping in
4 the rear, but you'll submit a plan?

5 MR. COCOROS: Yeah, we actually along
6 the rear yard along Hillside.

7 MS. TESTA: And then also with regards
8 to the side yards.

9 MR. MACRI: Yeah, we have a 4-foot
10 right side yard.

11 MS. TESTA: Yes.

12 MR. MACRI: We're going to lose the
13 building by 10 inches.

14 The house is going to be flipped, so
15 it's going to look like -- it will be a mirror image.

16 MS. TESTA: Right.

17 MR. MACRI: And as a result of
18 increasing the right side yard, our building coverage
19 is actually going to be reduced.

20 CHAIRMAN CHUNG: Right.

21 Thank you.

22 MS. TESTA: Okay. Are we're doing
23 anything with the height, did you say?

24 MR. MACRI: We're reducing it by
25 10 inches.

1 CHAIRMAN CHUNG: All right.

2 MR. TERRANOVA: I'll second.

3 CHAIRMAN CHUNG: I'll make a motion we
4 accept that.

5 MR. TERRANOVA: And I'll second it.

6 MS. TESTA: And, Dave, yeah.

7 Roll call, please.

8 MS. IGUINA: Mr. Brogna?

9 MR. BROGNA: Yes.

10 MS. IGUINA: Mr. Elefteriou?

11 MR. ELEFTERIOU: Yes.

12 MS. IGUINA: Mr. Kim?

13 MR. KIM: Yes.

14 MS. IGUINA: Mr. Terranova?

15 MR. TERRANOVA: Yes.

16 MS. IGUINA: Mr. Chung?

17 CHAIRMAN CHUNG: Yes.

18 MS. IGUINA: Mrs. Yoon?

19 VICE CHAIRWOMAN YOON: Yes.

20 MR. IGUINA: Mr. Chiesa?

21 MR. CHIESA: Yes.

22 MR. MACRI: All right. Thank you very
23 much.

24 MS. TESTA: Thank you.

25 Nice seeing you.

1 MR. MACRI: Have a good rest of your
2 evening.

3 MS. TESTA: The next case is 25-02,
4 Justin J. Rattino, 266 9th Street.

5 Okay. Good evening. You want to just
6 tell us who you are?

7 MR. NAM: My name is Yoon Ho Nam. And
8 I'm a site civil engineer licensed 2000 --

9 MS. TESTA: You have to speak up
10 louder.

11 THE COURT REPORTER: Yeah, you have to
12 speak louder. And just repeat your name and spell
13 it, please.

14 MR. NAM: Okay. Yoon Ho Nam, Y-O-O-N,
15 H-O. Last name is N-A-M.

16 My business address is 21 Grand Avenue,
17 Suite 625, in Palisades Park, New Jersey.

18 And I am a license, professional
19 engineer in the state of New Jersey. My license is
20 in current and in good standing.

21 MS. TESTA: Okay. Where did you go to
22 school?

23 MR. NAM: I went to Farmingdale in
24 State University of New York. And I got master's in
25 civil engineer in New Jersey Institute of Technology.

1 MS. TESTA: And have you testified
2 before planning boards, board of adjustments in the
3 state of New Jersey?

4 MR. NAM: Yeah, I have testified in the
5 Borough of River Edge, and this will be my second
6 time.

7 MS. TESTA: Okay. And your license is
8 in good standing, you said?

9 MR. NAM: Okay. The board wants to
10 accept Mr. Nam as an expert?

11 CHAIRMAN CHUNG: Yes.

12 MS. TESTA: Okay. You're good.

13 Y O O N H O N A M, P.E.,
14 21 Grand Avenue, Suite 625, in Palisades Park,
15 New Jersey, having been duly sworn, testifies as
16 follows:

17 MR. NAM: Okay. This property is
18 located in 266 9th Street in Palisades Park which is
19 in between East Palisades Boulevard and East Central
20 Boulevard.

21 CHAIRMAN CHUNG: Okay. Let me correct
22 that.

23 You are between Central Boulevard and
24 Brinkerhoff.

25 MR. NAM: Yeah, East Palisades

1 Boulevard.

2 CHAIRMAN CHUNG: East Palisades

3 Boulevard.

4 MR. NAM: It's 9th Street.

5 CHAIRMAN CHUNG: 9th Street.

6 MR. NAM: Yes.

7 CHAIRMAN CHUNG: That's wrong. You are
8 between Central Boulevard and Brinkerhoff.

9 THE WITNESS: Oh, Brinkerhoff.

10 CHAIRMAN CHUNG: Right.

11 MR. NAM: Okay.

12 I will fix it.

13 CHAIRMAN CHUNG: You've got to change
14 that. You should be one block over.

15 MR. NAM: I see.

16 I'll make the revision.

17 CHAIRMAN CHUNG: Okay.

18 Thank you.

19 MR. NAM: And, yes, the block is 413
20 and Lot number is 5.

21 In the scope of work -- okay, so the
22 purpose of this application is to provide the parking
23 pad to provide a parking -- I'm sorry -- I'm a little
24 nervous -- to providing two parking spaces,
25 off-street parking spaces.

1 And the scope of work will include the
2 installation of new retaining wall fronting -- this
3 is the building, and installation of stairs and paved
4 driveway in the front yard of proposed property.

5 So the existing conditions shows to
6 appear on the retaining actual which is about 4 feet
7 in height.

8 And the front of curb is almost like
9 4 feet from the existing curb cut to the other curb
10 cut. So this provides two parking spaces on --
11 on-street parking space.

12 And our purpose -- proposed parking
13 will have a driveway, 15-foot proposed driveway.

14 So this will eliminate two off-street
15 parking space and -- but we will have -- we will try
16 to propose two on-street parking spaces, off-street
17 parking spaces, sorry.

18 MS. TESTA: What would be the
19 dimensions of the driveway?

20 MR NAM: The proposed parking pad is
21 17-feet wide and 19.36 in depth, so this will require
22 two variances, one is for the depth of the parking
23 pad, because minimum depth of parking require 20 feet
24 while we are proposing 19.36 feet.

25 And the other the variance we are

1 seeking for is the location of the parking.

2 The code requires no vehicle shall be
3 parked in the front yard unless the driveway leads to
4 a garage.

5 Since this existing building doesn't
6 have a garage, this will be part of our variance
7 we're seeking for.

8 And as you can see, the photo of the
9 property, this -- two neighbors between -- two
10 existing property neighboring has a curb cut,
11 on-grade parking driveway, while the proposed
12 property I took here retaining wall which, you know,
13 eliminated landscaped area.

14 So we're proposing something similar to
15 this configuration. So we'll have a curb cut in
16 between, driveway, retaining wall and provide two
17 parking spaces.

18 So we are losing two on-street parking,
19 but we'll provide two off-street parking space within
20 the property.

21 And since we are removing the elevated
22 soil, they'll be some conflicts for the existing
23 utilities. And this will be verified in the field
24 and addressed and coordinating it with the utility
25 company during the construction and they will reroute

1 it or relocate it as required.

2 And the soil volume is about 93-cubic
3 yard. And the stormwater management within this
4 driveway is not proposed. Since the retaining wall
5 we're proposing is right here, so they have 5 feet
6 length of footing, which is pretty wide, it just
7 supports the road adjacent road as well.

8 So instead of providing stormwater
9 management system for the increased -- the improve --
10 the parking pad, we are trying to just regrade the
11 parking spaces so that the -- the water from the
12 driveway will flow down to the 9th Street to minimize
13 the impact consistent with the neighboring
14 properties.

15 And if you have any questions for me.

16 MS. TESTA: Right, Board Members?

17 CHAIRMAN CHUNG: Board Members?

18 MR. TERRANOVA: Yeah, how wide is -- it
19 looks like the driveway is actually smaller than the
20 actual, like, the entrance to it is smaller than the
21 actual driveway itself.

22 THE WITNESS: No, driveway is 16 feet
23 including flares.

24 MR. TERRANOVA: Wide, wide. How wide,
25 16-feet wide?

1 THE WITNESS: No, no, the parking pad
2 is 17-feet wide and driveway is 16-foot wide.

3 MR. TERRANOVA: But the actual, like,
4 coming down into the street --

5 MR. NAM: Yeah, that's 13 feet.

6 MR. TERRANOVA: Thirteen feet. You're
7 going to fit two cars there?

8 MR. NAM: The one will be fitting here
9 and the other one on --

10 MR. TERRANOVA: I don't know how that's
11 gonna happen. That's really tight. I was looking at
12 a picture. It does not look like you're going to get
13 two cars there.

14 MR. NAM: Or we can park one in the
15 parking space and the other one at the driveway.

16 MS. TESTA: You can't block your
17 driveway, you're not allowed by law. You can't block
18 a driveway.

19 MR. TERRANOVA: You can't block a
20 driveway.

21 So I mean, it looks like you're going
22 to lose two parking spots for one car park.

23 MS. PANTZER: I'm sorry. Can I say
24 something?

25 MS. TESTA: Not at this point.

1 CHAIRMAN CHUNG: Not at this point.

2 All right. I went there three times on
3 your property. Can you shift it over a little bit
4 towards the right side of it, you can fit one car.
5 It will give you one. Yeah, save the other one.

6 So we are losing one, but you're
7 getting one.

8 MR. NAM: Yeah, I'll take that to be --

9 CHAIRMAN CHUNG: All right. Yes.

10 MR. TERRANOVA: That makes a lot more
11 sense.

12 MR. NAM: I was trying not to --

13 CHAIRMAN CHUNG: You're a total 40-feet
14 wide right now, to curb.

15 So from 13 feet from right side by the
16 pole here (indicating), you can put one car in there,
17 but you still saving one on the street.

18 MR. NAM: Oh, yeah.

19 CHAIRMAN CHUNG: Does that make sense
20 to you?

21 MR. NAM: Yeah.

22 MR. TERRANOVA: Makes sense to me too.

23 CHAIRMAN CHUNG: All right. So if
24 you're willing to do that, I'll accept that.

25 MS. TESTA: Okay. Well, let's hear

1 from our experts.

2 CHAIRMAN CHUNG: I'm sorry.

3 MR. HOYT: I was actually agree with
4 suggestion, Mr. Chairman.

5 CHAIRMAN CHUNG: Sorry.

6 MR. HOYT: I don't know that the board
7 got copies of it, but I did have a review letter that
8 was dated today that the applicant can confirm that
9 they received.

10 Is that fair?

11 MR. NAM: Yeah, I received a copy.

12 MR. HOYT: The question about the width
13 and the driveway and what was going on there was
14 included in there.

15 So I think the Chairman made a good
16 recommend to kind of resolve some issues there.

17 In terms of the width and access, I
18 know there's the utility pole there that may be a
19 controlling point, but I think you could shift things
20 to plan east and kind of make this work as suggested.
21 So I like the condition.

22 CHAIRMAN CHUNG: Thank you. Is that
23 good?

24 MS. TESTA: Anything else?

25 MR. HOYT: I had a couple more things,

1 if the board doesn't mind.

2 MS. TESTA: Sure.

3 CHAIRMAN CHUNG: Please.

4 MR. HOYT: Just to get it on the
5 record, can you run through the existing
6 nonconformities for the property as it relates to
7 some of the setbacks and the lot areas?

8 MR. NAM: Yeah, there are some
9 nonconforming conditions for minimum lot area. The
10 required area is 5,000-square foot and the property
11 is 2500 square feet.

12 And the minimum lot coverage requires
13 15 feet, but the lot has 25 feet.

14 And the minimum side yard requires
15 14 feet, but the existing condition has only 8 feet
16 in combined side yard.

17 MR. HOYT: Thank you.

18 With the new proposed retaining wall,
19 how is that going to interact with that existing wall
20 that we saw in the photo there for the property
21 that's plan -- plan right at this subject lot?

22 MR. NAM: Yeah, we'll provide the
23 general information and details based on the
24 construction parameters.

25 MR. HOYT: Okay. Based on the survey,

1 the comment in the letter for the Board's
2 information, I think that neighboring wall is
3 actually over the property line.

4 So I think it's for the neighbor, but I
5 believe it's on your applicant's property line.

6 MR. NAM: Um-hmm.

7 MR. HOYT: I would suggest that a
8 condition be that nothing happen to that wall without
9 the neighbor being notified because I think kind of
10 accommodates what they've got going on over there.

11 You touched on the stormwater. I think
12 I heard that you're revise the grading so that the
13 water is not direct at the neighbor.

14 MR. NAM: That's correct.

15 MR. HOYT: That would be the
16 preference.

17 Five had to do with the materials and,
18 again, the drainage.

19 Was there any proposed lighting
20 associated with this driveway?

21 MR. NAM: No, no lights are proposed on
22 the driveway.

23 MR. HOYT: Thank you.

24 And all of the frontage improvements,
25 curb, sidewalk, that will be in conformance with the

1 borough standards.

2 MR. NAM: Yeah.

3 MR. HOYT: All right. I have no
4 further questions, Mr. Chairman.

5 MS. TESTA: Okay. Open it to the
6 public if anybody would like to ask any questions or
7 make any comments with regards to this application,
8 this is your time to do so.

9 MS. PANTZER: My name is Melody
10 Pantzer, so I'm the owner of this property,
11 M-E-L-O-D-Y and then P-A-N-T-Z-E-R.

12 So we are the -- we took, like, a
13 single-family home that was literally falling apart,
14 like trash everywhere, gutters falling down, roof
15 falling apart.

16 So we are making it brand new beautiful
17 like stucco brick to look like the neighbors. The
18 only thing is that this lot absolutely has no garage
19 and no parking.

20 And right now I know you're saying
21 we're taking spots away, but the people that are
22 parking in front of our house already have garages
23 and they already have driveways.

24 So they're just choosing not to park in
25 their garages or driveways and are just parking on

1 the street in front of our house.

2 So we would like to reclaim that
3 parking and that goes with that house. And we have
4 two cars, so those cars would just -- it would just
5 be ours parking on the street versus actually taking
6 them off the street, which is better for the street
7 cleaning and all of that.

8 And any space that we can take to make
9 that as big as possible because we would also where
10 the trash cans are right now, where the previous
11 owner had it was not in a good spot and the trash was
12 going everywhere, including into the street and into
13 the neighbor's yard.

14 So we would like to tuck that away and
15 make everything clean and nice and look like the rest
16 of the houses that are on the block. So that was my
17 only addition to that.

18 So thank you.

19 CHAIRMAN CHUNG: Thank you. All right.

20 MS. TESTA: Anybody else?

21 (No Response.)

22 CHAIRMAN CHUNG: Okay. Mike, do you
23 have anything on this application?

24 MR. KAUKER: No, I don't have anything
25 on this one.

1 CHAIRMAN CHUNG: Thank you.

2 All right. I'll make a motion to
3 accept that with the changes. Cut 20 feet only, a
4 total of 40 feet. Cut 20 feet, all right, and save
5 the 20 feet on the left side. So he can park new car
6 or your old car or neighbor's car, whichever car. So
7 I'll give you one.

8 Thank you.

9 MS. TESTA: Okay. So you're going to
10 shift it so the 20 feet to the left will be remaining
11 so the dimensions -- can you tell me what the
12 dimensions of the driveway would be with this change?

13 Steve, can you assist?

14 MR. HOYT: For the sake of trying to
15 clarify, Mr. Chairman, are you suggesting taking the
16 13-foot-wide curb cut and shifting that, say, plan
17 right as much as possible --

18 CHAIRMAN CHUNG: Yes.

19 MS. TESTA: Yes.

20 MR. HOYT: -- keeping that as the width
21 of the proposed paver driveway, then there's going to
22 be a grass strip between the pavers and the
23 staircase?

24 CHAIRMAN CHUNG: Yes, thank you.

25 MS. TESTA: Okay. So it will be

1 13-feet wide coming from the right-hand side and then
2 it will be, right, some space before the steps.

3 MR. HOYT: That's how I understand it.
4 Is that amenable?

5 MR. ELEFTERIOU: Excuse me.
6 What's the length?

7 MR. HOYT: Depth on that, he's got
8 19.36 feet from property line to face of his new
9 wall. He needs 20. Part of the variance ask is that
10 essentially 8 inches he's short, to basically keep
11 the front patio land there.

12 MS. TESTA: Okay. So the Chairman has
13 made that motion.

14 Is there a second?

15 CHAIRMAN CHUNG: Are you guys okay with
16 that?

17 MR. TERRANOVA: I'll second.

18 MS. IGUINA: Mr. Brogna?

19 MR. BROGNA: Yes.

20 MS. IGUINA: Mr. Elefteriou?

21 MR. ELEFTERIOU: Yes.

22 MS. IGUINA: Mr. Kim?

23 MR. KIM: Yes.

24 MS. IGUINA: Mr. Terranova?

25 MR. TERRANOVA: Yes.

1 MS. IGUINA: Mr. Chung?

2 CHAIRMAN CHUNG: Yes.

3 MS. IGUINA: Ms. Yoon?

4 VICE CHAIRWOMAN YOON: Yes.

5 MS. IGUINA: Mr. Chiesa?

6 MR. CHIESA: Yes.

7 MS. TESTA: Very good.

8 Thank you.

9 CHAIRMAN CHUNG: Thank you.

10 MS. CHIESA: Diane, we just have to do
11 the minutes.

12 MS. TESTA: Oh, yes.

13 Before we leave, we just need a motion
14 to approve the minutes from the February 24th
15 meeting.

16 CHAIRMAN CHUNG: Yeah, sorry about
17 that.

18 MS. TESTA: Yeah, I forgot that too.

19 If I could have a motion to approve the
20 minutes.

21 MR. BROGNA: Yes.

22 MR. ELEFTERIOU: Second.

23 MS. TESTA: So roll call, please.

24 MS. IGUINA: Mr. Brogna?

25 MR. BROGNA: Yes.

1 MS. IGUINA: Mr. Elefteriou?
2 MR. ELEFTERIOU: Yes.
3 MS. IGUINA: Mr. Kim?
4 MR. KIM: Yes.
5 MS. IGUINA: Mr. Terranova?
6 MR. TERRANOVA: Yes.
7 MS. IGUINA: Mr. Chung?
8 CHAIRMAN CHUNG: Yes.
9 MS. IGUINA: Ms. Yoon?
10 VICE CHAIRWOMAN YOON: Yes.
11 MS. IGUINA: Mr. Chiesa?
12 MS. TESTA: Abstain.
13 You abstain because you weren't here,
14 so you don't know what's happening.
15 Now I guess motion to adjourn.
16 MR. TERRANOVA: I'll make the motion.
17 CHAIRMAN CHUNG: I'll second.
18 (Whereupon, this meeting is concluded.
19 Time noted: 9:32 p.m.)
20
21
22
23
24
25

C E R T I F I C A T E

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Remote Online Notary Public, Notary ID. #1810618, Certified Court Reporter of the State of New Jersey, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

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

This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.

LAURA A. CARUCCI, C.C.R., R.P.R.
License #XI02050, and RON Notary
Public Notary ID. #1810618, Notary
Expiration Date May 27, 2028

Dated: _____